



**BUSINESS  
PAPER**

**ORDINARY MEETING OF COUNCIL**

To be held at 6.00 pm on

**Monday 3 August 2015**

Council Chambers, Level 10,  
Council Administration Building, 41 Burelli Street, Wollongong

**Order of Business**

- 1 Acknowledgement of Traditional Owners
- 2 Civic Prayer
- 3 Apologies
- 4 Disclosures of Pecuniary Interest
- 5 Petitions and Presentations
- 6 Confirmation of Minutes – Ordinary Council Meeting 13 July 2016
- 7 Public Access Forum
- 8 Call of the Agenda
- 9 Lord Mayoral Minute
- 10 Urgent Items
- 11 Notice of Motion
- 12 Agenda Items

**Members**

Lord Mayor –  
Councillor Gordon Bradbery OAM (Chair)

Deputy Lord Mayor –  
Councillor Chris Connor

Councillor Michelle Blicavs

Councillor David Brown

Councillor Leigh Colacino

Councillor Bede Crasnich

Councillor Vicki Curran

Councillor John Dorahy

Councillor Janice Kershaw

Councillor Ann Martin

Councillor Jill Merrin

Councillor Greg Petty

Councillor George Takacs

**QUORUM – 7 MEMBERS TO BE PRESENT**

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ITEM A

NOTICE OF MOTION - COUNCILLOR CURRAN - LEAD AND HEAVY METAL CONTAMINATION FROM INDUSTRY AND ITS IMPACT ON PUBLIC AND ENVIRONMENTAL HEALTH

Councillor Curran has submitted the following Notice of Motion –

“I formally move that Council –

- 1 Write to Federal and NSW Ministers responsible for Industry, Environment and Public Health, calling on them to provide urgent substantial financial and scientific assistance to address the lead and heavy metal contamination legacy from industry at Port Kembla impacting homes, soil and the environment in the Wollongong local government area.
- 2 Organise the establishment of the Illawarra Lead and Industrial Contamination Taskforce which will include representation from relevant State and Federal agencies, scientific experts, the Port Kembla Pollution Committee, community representatives, Council’s most senior and expert officer in industrial pollution, as well as Ward 3 Councillors. *It is noted that this community Taskforce would be eligible to apply for Government Funding from the Lead Environmental Community Groups Grants Program.*
- 3 Reinstate the 149 Certificate warnings on the impact on health for owners and buyers which were previously in place for all land known to be contaminated by lead and heavy metals from Port Kembla industry.
- 4 Issue stickers and factsheets to all landowners within a 5 km radius of Port Kembla industrial lands, warning of the possible lead and heavy metal health hazard and measures that must be taken to avoid risk to health of occupants and those who may perform works, or grow produce on the land.
- 5 Urgently develop Policy and Procedures that ensure that no disturbance or distribution of lead and other known heavy metals and hazardous materials from industrial sources at Port Kembla occurs during renovation or demolition of homes/yards in areas known to have such contaminants in their ceilings and soil.

**Background provided by Councillor Curran:**

Previous studies on lead contamination performed in the 1950s, 1970s, 1980s and 1990s clearly show that Port Kembla, Kemblawarra, and homes and soil within a 5 km radius of the Port Kembla industrial zone have significantly high lead and heavy metal contamination. Public Health Studies on the lead levels in children were considered ‘shockingly high’ by the Illawarra Public Health Unit following these studies in the 1980s. Additional studies of ceilings and soil in this area showed substantial concentrations of lead, cadmium and arsenic. The known lead and heavy metal contamination from industry has not been cleaned, cleared or abated.

Lead contamination cannot simply be swept under the carpet and we are talking about our most vulnerable community who do not have the capacity or luxury to pack up and move to a cleaner home and backyard. The impact of lead and heavy metal contamination from a century of Port Kembla industry needs thorough assessment. It needs a whole-of-Government approach and all-level-of-Government fix, treatment and actions. We need to address the legacy of Industrial disregard of our residential areas of our most vulnerable community.

## ATTACHMENT

Background Material

ITEM 1

WEST DAPTO URBAN RELEASE AREA - DARKES ROAD SOUTH  
WEST PRECINCT PLANNING PROPOSAL - POST EXHIBITION

On 24 March 2014 Council endorsed the Neighbourhood Plan for the Darkes Road South West Precinct. Council also endorsed a draft Planning Proposal which proposed minor amendments for exhibition. The draft Planning Proposal was exhibited from 26 August to 26 September 2014. During this period, a landowner raised objections to the draft Planning Proposal.

An amended draft Planning Proposal has been prepared for Council consideration. It is recommended that a revised Gateway determination be sought and the amended draft Planning Approval be exhibited.

### RECOMMENDATION

- 1 The amended draft Planning Proposal for the Darkes Road South West precinct be forwarded to NSW Planning and Environment for a revised “Gateway” determination.
- 2 Following the revised “Gateway” determination, Council refer the amended draft Planning Proposal to Government agencies and re-exhibit the proposal.

### ATTACHMENTS

- 1 Proposed Land Zoning Map
- 2 Proposed Floor Space Ratio Map
- 3 Proposed Lot Size Map
- 4 Proposed Height of Buildings Map
- 5 Proposed Land Reservation Acquisition Map

### REPORT AUTHORISATIONS

Report of: Renee Campbell, Manager Environment Strategy and Planning  
Authorised by: Andrew Carfield, Director Planning and Environment – Future, City and Neighbourhoods

### BACKGROUND

The Darkes Road South West precinct is part of the West Dapto Urban Release Area and is bounded by Darkes Road, West Dapto Road and Robins Creek. The precinct covers an area of just over 50 hectares and is owned by three separate landholdings. The area is to the east of Council owned land, on the opposite site of West Dapto Road.

In April 2013, a draft Neighbourhood Plan was lodged for the Darkes Road South Neighbourhood precinct. Council at its meeting of 28 November 2013 resolved to exhibit the draft Neighbourhood Plan and a draft revised Chapter D16 – West Dapto Release Area of Wollongong Develop Control Plan 2009 for a minimum 28 day period. The exhibition took place between 30 November 2013 and 31 January 2014.

On 24 March 2014 Council resolved to adopt the revised Development Control Plan chapter which incorporated the Darkes Road South West Neighbourhood Plan. Council also resolved to prepare a draft Planning Proposal to amend Wollongong Local Environmental Plan 2009 to make alterations to the precinct including:

- Proposed “Ridge Park” to be rezoned from part R2 Low Density Residential and RE1 Public Recreation to E2 Environmental Management, with no minimum lot size, floor space ratio and a 9m building height limit;
- Realignment of the R3 Medium Density Residential and R2 Low Density Residential boundary with associated changes to the floor space ratio, minimum lot size and building height limits;
- Amendment to Clause 4.1 minimum subdivision lot size to enable the consistency with the minimum lot size map where a subdivision is consistent with an endorsed Neighbourhood Plan;

Council also resolved to update the West Dapto Release Area Section 94 Plan to include the “Ridge Park”. On 22 June 2015 Council resolved to exhibit the revised draft West Dapto Section 94 Development Contribution Plan which includes the enlarged park.

A Gateway determination was issued on 1 August 2014 and the draft Planning Proposal was exhibited from 26 August to 26 September 2014. This report considers the issues raised in submissions.

Development in the Darkes Road South West precinct has commenced, with Development Consent No 2014/185 for 81 lots being approved on 30 September 2014. The consent relates to the southern lot in the precinct, and is the first stage in the Lynden View Estate. Construction is underway. This first stage is not affected by the draft Planning Proposal.

On 23 February 2015 Council considered a report on the draft West Dapto Road – Sheaffes Road Neighbourhood Plan, and resolved (in part) to prepare a draft Planning Proposal to relocate the B2 Local Centre zone from being on both sides of West Dapto Road to being fully located on the western side of West Dapto Road. The former B2 Local Centre zone in the Darkes Road South West precinct being rezoned to R3 Medium Density Residential.

## PROPOSAL

The draft Planning Proposal for the Darkes Road South West precinct was exhibited from 26 August to 26 September 2014. During this period, one submission (on behalf of a landholder) and two agency submissions were received.

## SUMMARY OF SUBMISSIONS

### Landowner Submission:

Submission	Comment
<p>The draft Planning Proposal should include the E2 Ridge Park as land to be acquired by Council and this land should be listed in Council's Section 94 Plan.</p>	<p>Agreed. E2 land comprising the "Ridge Park" should be listed as land to be acquired by Council. This would be in keeping with Council's resolution of 24 March 2014, including the acquisition of the "Ridge Park" in the Section 94 Plan. The draft Planning Proposal maps should be updated to reflect the proposed acquisition.</p>
<p>The riparian corridor needs to be returned to the layout agreed in the Neighbourhood Plan, as the current zoning results in residential land that cannot be developed.</p>	<p>Agreed. Due to a drafting error part of the E3 Environmental Management land within the flood plain was shown as R2 Low Density Residential. The R2 Low Density zoning in the exhibited Planning Proposal does include areas that are not practical for development. These areas should be returned to an E3 zoning based on the Neighbourhood Plan layout.</p>
<p>The Planning Proposal needs to rezone the strip of B2 Local Centre land to R2 Low Density Residential, or R3 Medium Density Residential as this thin strip is not usable for commercial purposes.</p>	<p>Agreed. On 24 March 2015 Council resolved to prepare a draft Planning Proposal to relocate the Town Centre to be fully on the western side of West Dapto Road. This renders the eastern portion obsolete, therefore the B2 Local Centre zone could be rezoned to R3 Medium Density Residential, consistent with adjoining residential land to the north and west along West Dapto Road.</p>

### Agency Submissions:

#### NSW Office of Environment and Heritage

Submission	Comment
<p>Generally support the Planning Proposal.</p>	<p>Noted.</p>
<p>Support the zoning of the "Ridge Park" to E2 Environmental Conservation.</p>	<p>Noted.</p>

Submission	Comment
Council should ensure that the “Ridge Park” retention and other ecological areas are utilised for the best outcome for the biodiversity certification process for West Dapto.	Council is utilising this and other ecological areas as part of the West Dapto Biocertification process.
Recommend that a Vegetation Management Plan be undertaken for riparian lands, in accordance with Chapter E23 of Wollongong Development Control Plan 2009.	Noted. This will be considered as part of the assessment of future Development Applications.
Recommend that the zonings and layout consider flood impacts.	Noted – amendments are proposed to zone boundaries around flood affected areas.
Support the conservation of the “Ridge Park” as an area of Aboriginal cultural significance.	Noted.
Further Aboriginal site investigations and consultation should be undertaken during the development process.	Noted. Further investigations and consultation will occur as part of the Development Assessment process.

## NSW Rural Fire Service

Submission	Comment
No objection to the Planning Proposal.	Noted.
Previous advice from NSWRFSS seems to have been taken into consideration.	Noted.

## PLANNING AND POLICY IMPACT

The changes requested by the landowners are supported by Council officers. These changes would entail the Planning Proposal being returned to NSW Planning and Environment for a new “Gateway” determination and re-exhibition.

Should Council resolve to adopt this report, changes to the Planning Proposal would involve:

### 1 Changes to the Land Zoning Map

The proposed amendments would remove the B2 Local Centre zoning along the eastern side of West Dapto Road, as the proposed town centre has moved to the western side of West Dapto Road as part of the changes to the West Dapto Road/Sheaffes Road Neighbourhood Planning Proposal. The area formerly covered by the B2 zone would be zoned R3 Medium Density Residential. This change will enable small lot housing or medium density housing opposite the proposed town centre.

The proposed amendments would also revise the boundary between the R2 Low Density Residential and E3 Environmental Management zone to remove areas of R2 that are within the riparian area (south west cover and eastern side along the creek line) which would become E3 Environmental Management.

The updated zoning maps have also made small revisions to the boundary between the R3 Medium Density Residential zone and R2 Low Density zone in the northern portion of the site to reflect the Neighbourhood Plan road layout. The changes to zoning can be seen in Attachment 1.

## 2 Changes to the Floor Space Ratio Map, Lot Size Map, Height of Buildings Map

The Floor Space Ratio Map, Lot Size Map, Height of Buildings Map need to be updated to reflect the altered zoning boundaries, as summarised in the following table: (Attachment 2, 3, 4)

Zone	Floor Space Ratio	Minimum Lot Size	Maximum Building Height
R2 Low Density Residential	0.5:1	299m <sup>2</sup> and 449m <sup>2</sup>	9m
R3 Medium Density Residential	0.75:1	299m <sup>2</sup>	13m
E2 Environmental Conservation	NA	9.99ha	9m
E3 Environmental Management	NA	39.99ha	9m

## 3 Changes to the Land Reservation Acquisition Map

The Land Reservation Acquisition map would need to be changed to add the proposed “Ridge Park” forest as land to be acquired by Council. Some road widening anomalies have been addressed by minor alterations to proposed road acquisition along Darkes Road and West Dapto Road, as the current Land Reservation Acquisition map has small “slivers” of land which are not covered. These areas are to be acquired by Council. The land to be included is at Attachment 5.

## FINANCIAL IMPLICATIONS

The current “Ridge Park” area is included in the West Dapto Section 94 Plan with an acquisition cost of \$1.375 million for 2.75 hectare of land. The realigned “Ridge Park” is 10.32 hectare with an estimated acquisition cost of \$5.16 million. The final value of acquisition will depend on a valuation of the site (as the above costs are based on an urban land value rate). A valuation is currently being prepared.

Council at its meeting of 24 March 2014 resolved that the amended “Ridge Park” be included in an update of the West Dapto Release Area Section 94 Development Contributions Plan.

On 22 June 2015 Council endorsed the updated draft West Dapto Section 94 Development Contributions Plan (2015) for exhibition. The draft Plan includes the extra cost and reduced lot yield associated with the enlarged Ridge Park.

The additional small slivers of local road are minor and would enable a consistent road reserve width for future upgrades to the road network.

## CONCLUSION

The changes discussed in the report will aid the efficient development of this portion of the West Dapto Urban Release Area. The proposed changes to the Planning Proposal largely relate to matters that Council has considered previously and considered acceptable. It is recommended that the amended Planning Proposal be forwarded to NSW Planning and Environment for a revised “Gateway” determination and publicly exhibited when a “Gateway” determination has been given.

ITEM 2

NORTH HUNTLEY DRAFT NEIGHBOURHOOD PLAN AND DRAFT PLANNING PROPOSAL - POST EXHIBITION

On 15 December 2014 Council endorsed the draft Neighbourhood Plan and draft Planning Proposal submitted for the Huntley Avondale Road North precinct for exhibition. The Neighbourhood Plan accommodates residential development in conjunction with the approved Golf Course (DA-2009/1037) for a total of 156 residential lots with a diverse mix of lot sizes. The draft Planning Proposal is a minor amendment to the boundary between the E4 Environmental Living and R2 Low Density Residential zones. The Neighbourhood Plan was exhibited between 27 January to 27 February 2015 and the draft Planning Proposal was exhibited between 20 April and 8 May 2015.

The draft Neighbourhood Plan received two community submissions and five State submissions and the draft Planning Proposal received no community submissions and two State submissions.

The report recommends that the Neighbourhood Plan be adopted and the draft Planning Proposal be finalised under delegation. It is also recommended that Council support in principle, Biocertification of the Huntley precinct to offset ecological impacts as a pilot example for achieving balanced outcomes for the larger proportion of the West Dapto Urban Release Area.

## RECOMMENDATION

- 1 The draft Huntley Avondale Road North Neighbourhood Plan be adopted as an amendment to the Wollongong Development Control Plan Chapter D16 West Dapto Release Area.
- 2 The draft Planning Proposal to amend the boundary between the E4 Environmental Living and R2 Low Density Residential zone on Lot 2 DP 549152 (as indicated in Attachment 2) and consequential amendments to the Minimum Lot Size and Floor Space Ratio Maps be endorsed.
- 3 The draft Planning Proposal be adjusted to include correction of a minor mapping anomaly between E2 Environmental Conservation and E4 Environmental Living zones and associated amendments to Minimum Lot Size, Floor Space Ratio and Illawarra Escarpment Maps.
- 4 The draft Planning Proposal be finalised under delegation issued to the General Manager.
- 5 Council support, in principle, the Biocertification process for the Huntley precinct and this be subject to a further report to Council.

## ATTACHMENTS

- 1 Draft Neighbourhood Plan
- 2 Draft Planning Proposal Maps
- 3 Submission Table

## REPORT AUTHORISATIONS

Report of: Renee Campbell, Manager Environment Strategy and Planning  
Authorised by: Andrew Carfield, Director Planning and Environment – Future City and Neighbourhoods

## BACKGROUND

The West Dapto Release Area covers an area of approximately 4,700 hectares and is proposed to provide an additional 17,000 dwellings. The Release Area will also accommodate 183 hectares of employment land when fully developed.

On 5 May 2012, the Wollongong Local Environmental Plan (West Dapto) 2010 (LEP) was approved and notified by the NSW Minister for Planning. This LEP permits urban development in stages 1 and 2, of the 5 total stages. The first two stages will allow the development of approximately 6,676 dwellings. On 6 June 2014 the Wollongong Local Environmental Plan (West Dapto) 2010 was merged with the Wollongong Local Environmental Plan 2009.

Wollongong DCP Chapter D16 West Dapto Release Area contains specific development controls to guide future urban development in the West Dapto Release Area, and supplements the standard provisions contained in the Development Control Plan. Chapter D16 requires that a Neighbourhood Plan be prepared and adopted by Council to guide development within the specified neighbourhood/precinct. The Neighbourhood Plan also addresses the DCP requirement of the LEP.

The adoption of a Neighbourhood Plan enables future development applications submitted in accordance with the Plan to comply with Clause 6.2 of the Wollongong Local Environment Plan 2009. Without a Neighbourhood Plan Council is unable to issue development consent for urban development, other than for minor matters.

A Neighbourhood Plan is essential in urban release areas to ensure development occurs in an efficient, cohesive manner that encourages integration of development sites and development sequencing. It can ensure appropriate connectivity between developments and other neighbourhood precincts in terms of road and cycle way layouts, stormwater and drainage management, access to public transport routes and appropriately located open space and recreation opportunities for residents. It can also assist to resolve any potential future conflicts between separate developments undertaken with differing timeframes.

The Neighbourhood Plan process outlined in Development Control Plan Chapter D16 Clause 5.1 – Requirement for a Neighbourhood Plan, requires the draft Neighbourhood Plan to be reported to Council as an amendment to Wollongong Development Control

Plan 2009 – Chapter D16 West Dapto Release Area. If endorsed by Council, it is then publicly exhibited and subject to the outcomes of the exhibition, the revised Neighbourhood Plan is to be reported to Council for adoption and inclusion in the Development Control Plan.

Council has now adopted the following Neighbourhood Plans for West Dapto:

- Bong Bong East and North;
- Bong Bong Town Centre;
- Wongawilli North;
- Shone Avenue South;
- Reddalls Road (Industrial);
- Sheaffes Road North; and
- Darkes Road South West.

The adoption of the Neighbourhood Plans have made an estimated 2253 lots available for development. Another three Neighbourhood Plans (including Huntley North) have been exhibited.

## PROPOSAL

On 12 December 2011 Council resolved to finalise the rezoning of the former Huntley and Avondale Colliery located in Stage 4 of the West Dapto Urban Release Area. The rezoning was for a combination of RE2 Private Recreation, R2 Low Density Residential, E2 Environmental Conservation, E3 Environmental Management and E4 Environmental Living (refer to Figure 1).

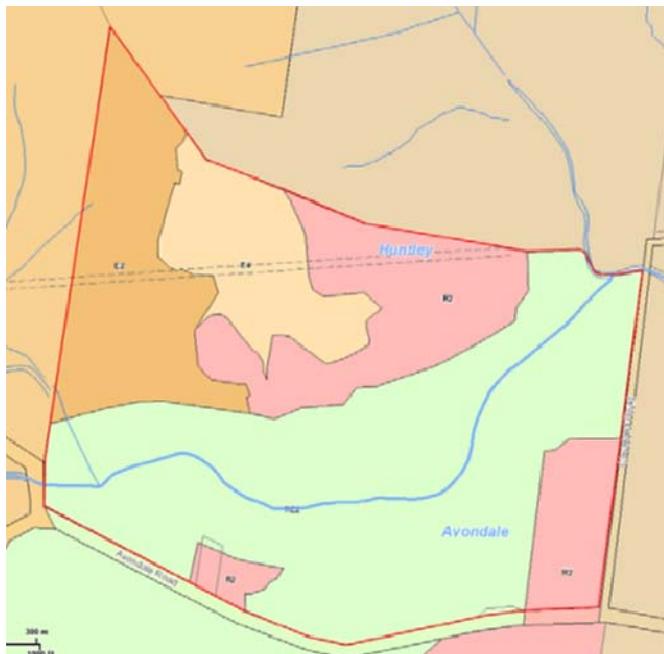


Figure 1 - Current Zoning

The LEP amendment was notified (gazetted) by the NSW Department of Planning and Environment on 29 June 2012.

On 3 December 2011 the Southern Joint Regional Planning Panel approved DA-2009/1037 for the construction of an 18 hole golf course and associated facilities including a clubhouse, golf lodge accommodation and biomechanics and sports education centre.

The golf course and associated facilities are accommodated in the RE2 Private Recreation lands located in both the north and south precincts. Early works associated with the approved golf course have commenced in the south precinct. A construction certificate for Stages 1 and 2 earthworks for partial construction of a number of golf holes has been issued. There have been two subsequent modifications to this development application relating to the Section 94 contributions and timing, and another for the relocation of access roads, buildings, car park and additional tree removal.

The applicant has been liaising with Council about the Neighbourhood Plan requirements for the site and has negotiated to deliver two Neighbourhood Plans for Huntley. This area is being split into a northern precinct and a southern precinct divided by Avondale Road. The submitted draft Neighbourhood Plan is for the northern precinct.

The northern precinct includes Lot 1 DP 382339, Lot 1 and Lot 2 DP 549152. It has an area of approximately 47 hectares and is bounded by Avondale Road to the south and Cleveland Road to the east, rural pasture land to the north and the Illawarra Escarpment to the west. The area is zoned under Wollongong Local Environmental Plan 2009 as R2 Low Density Residential, E4 Environmental Living, RE2 Private Recreation, E3 Environmental Management and E2 Environmental Conservation. The site has two low order streams that flow into Mullet Creek. Mullet Creek is within the golf course area. The site is predominately cleared pasture land with the exception of vegetated areas located on the north western portion of the precinct. The precinct contains some areas of the Ecologically Endangered Communities of Illawarra Lowlands Grassy Woodlands and Illawarra Subtropical Rainforest.

A dwelling house is located adjacent to Avondale Road in the southern central portion of the precinct. Access to the dwelling house is provided from Avondale Road. Six sites of low to moderate archaeological Aboriginal significance have been identified in the precinct.

Council at its meeting 15 December 2014 consider a report on the draft Neighbourhood Plan which sought to provide:

- 1 Three distinct development areas described by the applicant as Cleveland Road Site 1 and Site 2 and Avondale Road Site 1 with 156 lots. Refer to Attachment 1 for indicative lot layout;
- 2 A community park of approximately 1.5ha;
- 3 Indicative locations for the proposed sewage pump out station; and

- 4 Preliminary drainage concept design including 4,500m<sup>2</sup> of detention basins and 800m<sup>2</sup> of bio-swales.

The proposal includes environmentally significant land zoned E2 Environmental Conservation that is to be preserved with no development encroaching. Indicative building envelopes have been provided on the large lots in the E4 Environmental Living Zone demonstrating that the impact on the Illawarra Lowlands Grassy Woodland can be minimised through sensitive placement of future housing in the E4 Environmental Living zone. It is noted that the proponent is seeking to use offsetting options to compensate for the loss of this vegetation.

To facilitate the draft Neighbourhood Plan a Planning Proposal is required to allow for efficient and orderly delivery of lots. A zone boundary adjustment is proposed between the E4 Environmental Living land and the R2 Low Density Residential zoned land. In total an area of 1,300m<sup>2</sup> is proposed to be rezoned from R2 Low Density Residential to E4 Environmental Living and a total of 600m<sup>2</sup> of E4 Environmental Living to R2 Low Density Residential. This equates to a net gain of 700m<sup>2</sup> in E4 Environmental Living zone (refer to Attachment 1 and Figure 2). The zone boundary adjustment would facilitate better development of each lot by eliminating the spilt zoning of lots. Currently the draft Neighbourhood Plan provides 11 lots that are located in more than one zone. This can create difficulties for the assessment of a development application therefore it is considered appropriate that the zone and corresponding maps such as minimum lot size and floor space ratio are adjusted as part of the draft Neighbourhood Plan.

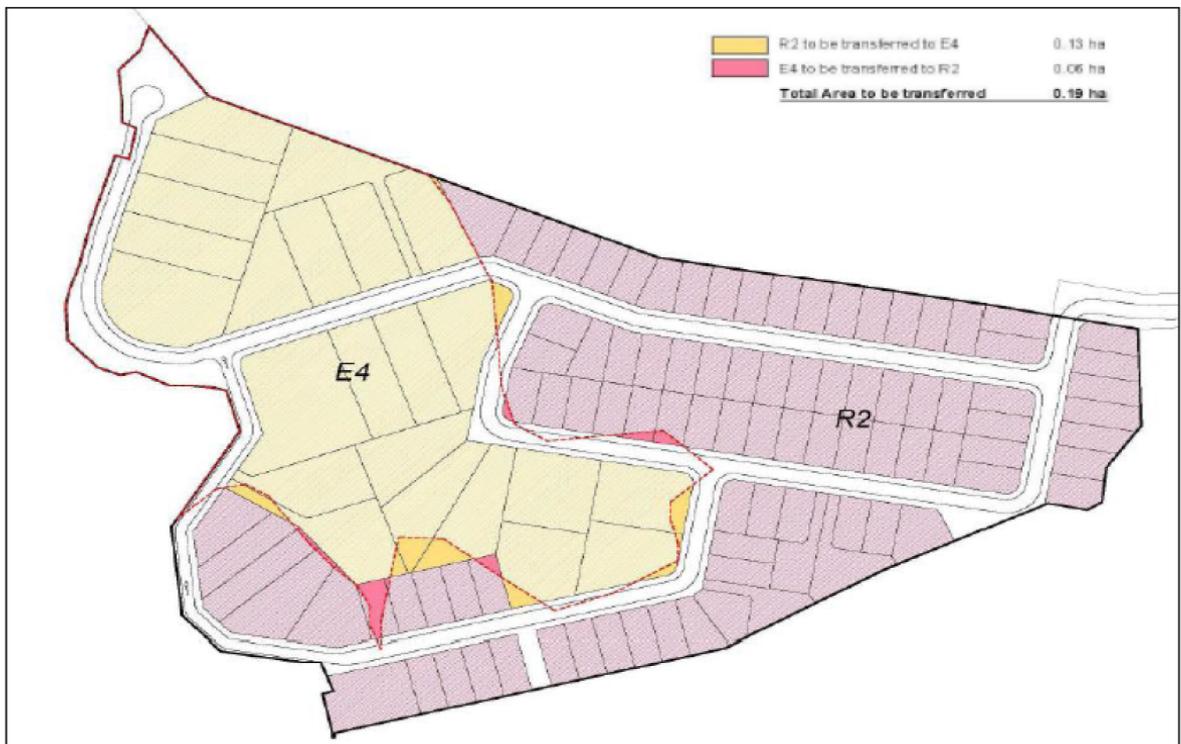


Figure 2

The draft Planning Proposal applies to Lot 2 DP 549152 as shown in Figure 2. Corresponding amendments would be made to the Minimum Lots Size Map and Floor Space Ratio Map.

Council on 15 December 2014 resolved:

- 1 *The draft Huntley Avondale Road North Neighbourhood Plan be placed on public exhibition for a minimum period of 28 days excluding the Christmas and New Year period (Attachment 1).*
- 2 *Consultation with NSW State agencies occur as part of the exhibition period.*
- 3 *A draft Planning Proposal be prepared to amend the boundary between the E4 Environmental Living and R2 Low Density Residential zone on Lot 2 DP 549152 (as indicated in Figure 2 and Attachment 2) and consequential amendments to be made to the Minimum Lot Size and Floor Space Ratio Maps.*
- 4 *The draft Planning Proposal be referred to the NSW Department of Planning and Environment for a Gateway determination and if endorsed exhibited for a minimum period of 28 days.*
- 5 *Council requests authority for the General Manager to exercise plan making delegations in accordance with Council's resolution of 26 November 2012 for the Planning Proposal.*

## BIOCERTIFICATION

Recently, Council has been pursuing Biodiversity Certification (Biocertification) of the West Dapto Urban Release Area. Biocertification offers planning authorities a streamlined biodiversity assessment process for areas marked for development at the strategic planning stage. The process identifies areas of high conservation value at a landscape scale. These areas are avoided and protected while identifying areas suitable for development. Biocertification offers a range of secure options for offsetting impacts on biodiversity. One of these options is the establishment of Biobanking sites, that provide funding to conserve high conservation value lands in perpetuity.

The biodiversity and conservation outcomes were an important consideration in the rezoning process for the Huntley site undertaken in 2011. The rezoning process identified 57.7 hectares of Endangered Ecological Communities as E2 Environmental Conservation zone and Endangered Ecological Communities scattered over 7.3 hectares of the site in the E4 Environmental Living zone. For development to proceed in the E4 zone, further consideration of the impacts on biodiversity is required at development assessment stage. The proponents had originally proposed to develop a Biobanking Statement to offset the impacts on biodiversity. The Biobanking Statement would allow development to proceed on the site, and would provide for an offsetting mechanism with funding to support the conservation of high ecological value lands. The Biobanking approach was supported by the Office of Environment and Heritage.

More recently, the Office of Environment and Heritage have provided advice that a Biobanking Statement cannot be used to support development on land zoned

E4 Environmental Living, due to the provisions of the *Native Vegetation Act 2003* which prevent a Biobanking Statement being used as an offsetting mechanism in the E4 zone. Instead, the Office of Environment and Heritage have suggested the use of the Biocertification process as an alternate assessment pathway. Biocertification would be conferred on the entire Huntley site and allow for ecological impacts to be considered and addressed prior to the development assessment process. For a site to be Biocertified, it must achieve an *Improve or Maintain* outcome from a biodiversity perspective.

Following discussions between Council officers, the Office of Environment and Heritage and the proponent Huntley Heritage, a formal request to pursue Biodiversity Certification for the site has been received from the proponent.

As Biocertification can only be initiated by a “Relevant Planning Authority” it is recommended that Council provide in-principle support for Biocertification as the preferred option to offset ecological impacts of the development. This option appears to be the most viable option to facilitate the conservation and development outcomes anticipated for the site via the rezoning and neighbourhood planning process. It is noted that pursuing Biocertification for the site has a number of benefits for Council, including:

- Using the Huntley Biocertification process as a pilot for the rest of the West Dapto Urban Release Area; and
- Utilising surplus conservation credits from the Huntley Biocertification process to assist in achieving an *Improve or Maintain* outcome for the West Dapto Urban Release Area.

If Council is supportive in principle of Biocertification of the Huntley lands, the proponent will be required to prepare a Biodiversity Conservation Strategy to support the Biocertification application. This will be reviewed by Council officers and then reported to Council for endorsement and submission to the NSW Office of Environment and Heritage.

## CONSULTATION AND COMMUNICATION

The Neighbourhood Plan was exhibited between 27 January 2015 and 27 February 2015.

A total of six submissions were received on the Neighbourhood Plan, two community submissions and four State Agency submissions were received from NSW Rural Fire Service, Office of Environment and Heritage, Sydney Water and Endeavour Energy. The submissions are summarised in Attachment 3.

The draft Planning Proposal was sent to the Department of Planning and Environment on 2 February 2015. The Gateway determination was issued on 20 February 2015.

The draft Planning Proposal was exhibited between 20 April 2015 and 8 May 2015.

Two submissions were received on the draft Planning Proposal from NSW Rural Fire Service (RFS), the first submission objected to the draft Planning Proposal based on the

road layout in the Neighbourhood Plan however a second submission was received withdrawing the objection based on the additional information forwarded to NSW RFS from the proponent. The submissions are summarised in Attachment 3.

A range of issues were raised during consultation and exhibition of the draft Neighbourhood Plan and Planning Proposal. These issues include:

- Asset Protection Zones;
- Road design, widths, access, parking, future connections and cul-de-sac;
- Road safety on Cleveland Road;
- Aboriginal cultural heritage (registering of sites);
- Flood risk management, mitigation and flood prone land;
- Service availability, including potable water, wastewater and electricity supply;
- Incomplete information in Neighbourhood Plan;
- Notification of information unclear;
- E2 not included in Neighbourhood Plan;
- Biodiversity offset options; and
- Development north of site.

The response to the issues is provided in Attachment 3. Issues raised in the initial submissions from the Office of Environment and Heritage and Rural Fire Service have been addressed by the proponent and subsequent submissions support the revised plan.

As a result of the exhibition, minor amendments have been made to the draft Neighbourhood Plan. No amendment to the draft Planning Proposal is required as a consequence of the issues raised in submissions.

The proponent has requested a minor adjustment between the E4 Environmental Living and E2 Environmental Conservation zone on the western part of the Cleveland Road Site 1 (Attachment 2). An area of 133m<sup>2</sup> is proposed to be zoned E4 Environmental Living to straighten up the zone boundary. The land is part of the paddock and is clear of trees. The land forms part of the Asset Protection zone and road reserve. The minor adjustment is supported and does not require re-exhibition.

## PLANNING AND POLICY IMPACT

### ***Illawarra Regional Strategy***

The draft Neighbourhood Plan is consistent with the urban development outcomes stipulated in the Illawarra Regional Strategy (2007) for the West Dapto Release Area.

### ***Wollongong Community Strategic Plan 2022***

This report contributes to the Wollongong 2022 Objective - *the sustainability of our urban environment is improved* under the Community Goal *we value and protect our environment*.

It specifically delivers on 1.6.2 *Review and Assess Neighbourhood Plans*.

## CONCLUSION

The draft Neighbourhood Plan submitted for the Huntley Avondale Road North precinct accommodates residential development in conjunction with the approved Golf Course (DA-2009/1037) for a total of 156 residential lots with a diverse mix of lot sizes. The draft Planning Proposal is a minor amendment to the boundaries between the E4 Environmental Living and R2 Low Density Residential zones to align the Wollongong Local Environmental Plan 2009 with the draft Neighbourhood Plan. The draft Neighbourhood Plan was exhibited from 27 January to 27 February 2015 and draft Planning Proposal was exhibited from 20 April to 8 May 2015.

It is recommended that the Neighbourhood Plan be adopted as an amendment to the Wollongong Development Control Plan 2009 – Chapter D16 West Dapto Release Area and that the draft Planning Proposal be finalised.

ITEM 3

DETERMINATION OF NUMBER OF COUNCILLORS FOR 2016-2020  
TERM OF OFFICE

This report recommends that Council retain the current number of Councillors for the 2016-2020 term of office.

### RECOMMENDATION

- 1 In accordance with section 224(2) of the Local Government Act 1993, Council determine the number of Councillors for the 2016-2020 term of office to be 13 (one of whom is the Lord Mayor).
- 2 Council note that Ward elector numbers will be kept under review until September 2017 and in the event that the discrepancy between the number of electors in each Ward exceeds the 10% tolerance at that time a Ward boundary adjustment will be undertaken for the 2020 election in accordance with the Local Government Act 1993.

### ATTACHMENTS

There are no attachments for this report.

### REPORT AUTHORISATIONS

Report of: Denise Lazarus, Manager Governance and Information (Acting)  
Authorised by: Greg Doyle, Director Corporate and Community Services – Creative, Engaged and Innovative City

### BACKGROUND

#### **Number of Councillors for 2016-2020 term of office**

The Local Government Act 1993 (the Act) requires Council to determine the number of Councillors for the 2016-2020 term of office not less than 12 months before the next ordinary election i.e. before 9 September 2015.

The Act requires the number of Councillors to be at least 5 and not more than 15 (one of whom is the Lord Mayor).

The legislation passed in 2011 to end the term of the Administrators and to hold elections for Lord Mayor and Councillors on 3 September 2011 required the number of Wards to be reduced from the pre-existing 6 to 3 whilst retaining the number of Councillors of 13 (one of whom is the Lord Mayor).

By comparison, the following is a listing of Councillor numbers at Councils of similar size to Wollongong:

- Lake Macquarie: 13
- Newcastle: 13
- Sutherland: 15
- Blacktown: 15

If it is proposed to change the number of Councillors, section 224(3) of the Act requires Council to obtain approval for the change at a constitutional referendum. The practical effect of this provision of the Act is that, if it is proposed to change the number of Councillors, a constitutional referendum would be conducted in conjunction with the September 2016 election seeking approval for the change in the number of Councillors for the 2020-2024 term of office. In this regard, it should be noted that a decision made at a constitutional referendum binds the Council until changed by a subsequent constitutional referendum.

### **Ward boundaries**

An issue related to the number of Councillors is Ward boundaries.

In this regard, Council is advised that the Australian Electoral Commission has now overlaid elector enrolments within Council's current Ward boundaries (based upon the areas formerly known as Census Collector Districts) over the new Australian Bureau of Statistics census districts adopted for the 2011 Australian Census now known as Statistical Areas.

As at 21 July 2015 the elector numbers for each Ward are as follows:

Ward 1: 50431

Ward 2: 50758

Ward 3: 45200

These figures represent a discrepancy between the largest and smallest Wards of 10.95% or, put simply, approximately 400 electors - it is also noted that the % discrepancy has been reducing over the last 6 months.

Section 211 (1) of the LG Act requires Council to keep its Ward boundaries under review and subsection (2) provides that if Council becomes aware that the Ward elector number discrepancy exceeds 10%, **at the end of the first year of the following term of office**, the Council must alter its Ward boundaries. Subsection (3) allows Council to alter its Ward boundaries to comply with the 10% tolerance at any other time (if it so wishes).

The effect of section 211, as confirmed by the Office of Local Government, is that Council **is not required** to alter its Ward boundaries now but must do so if the 10% discrepancy remains at September 2017 in preparation for the 2020 elections.

It is recommended a Ward boundary adjustment not be undertaken at this time for the following reasons:

- the small elector number discrepancy outside the 10% tolerance;
- anticipation that enrolment numbers, if the current trend continues, will probably comply with the 10% tolerance by the September 2016 elections;
- the need to extensively adjust all Ward boundaries to align with the new census districts; and
- Council **is not required** by the legislation to adjust Ward boundaries at this time.

A summary of the relevant legislative provisions in relation to Wards and Councillors is as follows:

ACTION	LEGISLATIVE REQUIREMENT
Abolish all Wards	Approval at constitutional referendum in September 2016 for 2020-2024 term of office
Increase or decrease in number of Councillors	Approval at constitutional referendum in September 2016 for 2020-2024 term of office
Alter Ward boundaries	Council resolution following consultation with Electoral Commission and Australian Statistician and public exhibition

## PROPOSAL

The number of Councillors for the 2016-2020 term of office is submitted for Council's determination in accordance with section 224(2) of the Local Government Act 1993.

## PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 goal "We are a connected and engaged community".

It specifically delivers on core business activities as detailed in the Governance and Administration Service Plan 2015-16.

## CONCLUSION

Council is required by the Local Government Act 1993 to determine the number of Councillors for the 2016-2020 term of office and it is recommended that the current number of Councillors be retained and elector numbers be kept under review.

ITEM 4

ATTENDANCE AT LOCAL GOVERNMENT NSW 2015 ANNUAL CONFERENCE - SYDNEY

The Local Government NSW Conference is an annual event which provides significant opportunities for Councillors to network and participate in local government debate at a state level.

Wollongong City Council is entitled to delegate voting rights for seven (7) Councillors, two (2) of whom are the Lord Mayor and Deputy Lord Mayor, if attending.

Following consultation with Councillors, this report recommends seven (7) Councillors who indicated their interest and availability to attend the conference.

## RECOMMENDATION

- 1 The Lord Mayor and Councillors Kershaw, Brown, Connor, Crasnich, Curran and Martin be authorised to attend the 2015 Local Government NSW Annual Conference and associated functions, staying two nights on business.
- 2 Council delegate voting rights to Councillors. If more than seven (7) Councillors express an interest to attend the conference, a further report be presented to the 14 September 2015 Council Meeting to delegate voting rights for this conference, (following the election of the Deputy Lord Mayor).

## ATTACHMENT

Draft Program – 2015 Local Government NSW Annual Conference

## REPORT AUTHORISATIONS

Report of: Deanne Heidrich, Executive Officer to the Lord Mayor  
Authorised by: David Farmer, General Manager Director

## BACKGROUND

The Local Government NSW Conference, being held from 11-13 October 2015 in Sydney, is a significant opportunity to meet and discuss the issues facing local government and develop agreed positions which can inform the development of NSW Local Government policies in the coming year. Through this conference, local government representatives can engage directly with key politicians, move and debate motions, hear from a range of subject matter experts, and network with local government colleagues from around the state.

## CONSULTATION AND COMMUNICATION

Consultation was undertaken with the Lord Mayor and Councillors, asking Councillors to indicate their availability and interest in attending the Conference, for inclusion in the report.

## PLANNING AND POLICY IMPACT

This report relates to the commitments of Council as contained within the Strategic Management Plans.

This report contributes to the Wollongong 2022 Objective 'our local Council has the trust of the community' under the Community Goal 'we are a connected and engaged community'.

It specifically delivers on core business activities as detailed in the Governance and Administration Service Plan 2015-16.

## FINANCIAL IMPLICATIONS

Council has provided funds in its budget to enable Councillors to attend conferences and meet costs associated with such attendance. All figures quoted exclude GST.

2015/16 Councillor Conference Attendance and Travel Budget			
Description	Budget	Expended	Funds Available
<b>Training, Seminars &amp; Travel</b>	\$35000	\$0	\$35000

Council is requested to endorse nominations from the Lord Mayor and Councillors Kershaw, Brown, Connor, Crasnich, Curran and Martin to attend the 2015 NSW Local Government Conference and associated functions.

The total estimated cost of attendance of seven (7) Councillors including registration and accommodation is \$8,393.

The individual costs are as follows:

Delegate	Registration and formal functions	Accommodation	Total
Cr Bradbery	\$899	\$350	\$1249
Cr Kershaw	\$899	\$350	\$1249
Cr Brown	\$899	\$350	\$1249
Cr Connor	\$899	\$350	\$1249
Cr Crasnich	\$899	\$350	\$1249
Cr Curran	\$899	\$0	\$899
Cr Martin	\$899	\$350	\$1249
<b>Total</b>	<b>\$6,293.00</b>	<b>\$2,100.00</b>	<b>\$8393.00</b>

The costs for associated functions and partner expenses have not been made available by conference coordinators at the time of this report being prepared. These will be made available to Councillors when released.

Under the Payment of Expenses and Provision of Facilities to Lord Mayor and Councillors policy, Council will cover some of the costs associated with Councillors' partners attending the Local Government NSW Annual Conference. These costs are limited to partner registration (where applicable) and attendance at the Welcome Reception, Official Conference Dinner and any event hosted by Wollongong City Council.

Any partner expenses for meals, incidentals, travel or additional accommodation costs are the responsibility of the Councillor.

## CONCLUSION

This report includes estimated costs for the seven (7) Councillors who have indicated they would be requesting approval to attend, although it does not preclude any other Councillor who may wish to attend from nominating at the time of consideration of this report by Council.

The next Deputy Lord Mayoral election is to be held at the Council meeting of 14 September 2015. If more than seven (7) Councillors express an interest to attend the conference, a further report will be presented to 14 September 2015 meeting to delegate voting rights for this conference, following the election of the Deputy Lord Mayor.

Where only seven or less Councillors in total indicate their intention to attend, Councillors may determine to allocate voting rights to those Councillors, irrespective of the outcome of the Deputy Lord Mayoral election.

## ITEM 5 POLICY REVIEW - VERTEBRATE PEST ANIMAL MANAGEMENT

The Vertebrate Pest Animal Management Policy (the Policy) was endorsed by Council in April 2010 following public exhibition. The Policy established the framework for Council to develop and implement its approach to vertebrate pest management. This scheduled review recommends minor updates to the Policy to reflect current vertebrate pest management practices and updated references to relevant legislation and Government departments.

### RECOMMENDATION

The revised Vertebrate Pest Animal Management Policy be endorsed.

### ATTACHMENTS

- 1 Vertebrate Pest Animal Management Policy (Track Changes)
- 2 Vertebrate Pest Animal Management Policy (Final)

### REPORT AUTHORISATIONS

Report of: Renee Campbell, Manager Environmental Strategy and Planning  
Authorised by: Andrew Carfield, Director Planning and Environment – Future City and Neighbourhoods

### BACKGROUND

Following two years of consultation and development with relevant government agencies and Council staff, a draft Vertebrate Pest Animal Management Policy was publically exhibited in February 2010 and endorsed by Council in April 2010. The Policy outlined Council's approach to pest management; as a facilitator of communication through the management of complaints and chairing of the Pest Animal Advisory Group (PAAG), and as a responsible land manager, implementing pest control programs with a high standard of economic efficiency and accountability. The PAAG was made up of representatives from Industry and Investment NSW, Department of Environment, Climate Change and Water, Sydney Catchment Authority, NSW Police Service, Cumberland Livestock Health and Pest Authority, Game Council, Animal Welfare League, RSPCA NSW and Council officers.

The Policy called on Council, in consultation with relevant government agencies, to prioritise pest species based on their level of impact and feasibility of control. Priority pests require the preparation of a pest management plan with stated objectives, control measures, consultation approach, standard operating procedures and measures of success. Pest Management Plans for deer and rabbits were first produced in 2010, and Common Myna birds in 2011. These plans have been reviewed annually and further developed in consultation with the PAAG. The Policy, pest management plans and priority assessment scores are available on Council's website.

In the period since the endorsement of the policy, Sutherland Shire Council experienced a breeding cane toad population at Taren Point. The population has been managed through a combination of Council and community action. In order that Wollongong Council is prepared for the potential of a cane toad population becoming established in our area, the updated policy includes cane toads as a pest species for Council.

Also, the *Local Land Services Act 2013* has replaced the *Rural Lands Protection Act 1998*. The updated legislation does not affect Council's approach to managing pest species.

The PAAG has advised Council on the prioritisation of pest animal management and the development of pest management plans for deer, rabbits and Common Myna birds. The PAAG has provided an important forum for discussion of pest management approaches and communicating roles and responsibilities to pest management. Key outcomes from the collaborative approach include the conduct of joint compliance operations targeting illegal deer hunting and the review of animal welfare standards associated with pest control work. As Council's approach to pest management has matured, there has been less demand for advice from the PAAG, however, it is beneficial to maintain ongoing communication amongst relevant agencies and as such, the PAAG remains a component of the updated pest policy.

## PROPOSAL

The original Vertebrate Pest Animal Management Policy was developed at a time when Council's pest management practice was sporadic and reactive, with no coordinated approach to pest management. The Policy was forward looking to how Council could develop responsible pest management practices. The updated VPAMP has been written to reflect the approach implemented by Council over the past five years. The role of the PAAG has been refined to reflect the fact that Council has developed its own skills and experience in pest management through several years of active management and require less advice and support from other government agencies than was required at the commencement of the Policy.

Several minor changes of an administrative nature have been made to the Policy. The Policy contains references to government departments whose names have changed and legislation that has been replaced.

Cane toads were added as a potential vertebrate pest. This reflects the emergence of a breeding population of cane toads at Taren Point in Sutherland Shire. The inclusion of cane toads allows Council to develop a pest management plan to guide the management of this pest if it occurs in the Wollongong Local Government Area.

## CONSULTATION AND COMMUNICATION

The updated draft Policy has been distributed to the PAAG for comment. The updated draft Policy was also distributed to the Environment and Sustainability Reference Group for comments. Internal review has occurred within relevant divisions of Council. There were no major revisions required based on this feedback.

## PLANNING AND POLICY IMPACT

The Vertebrate Pest Animal Management Policy contributes to the delivery of Wollongong 2022 under the objective 1.1 The Natural Environment is Protected and Enhanced, Community Goal We Value and Protect Our Natural Environment.

It specifically addresses the Annual Plan 2014-15 Key Deliverable “Coordinate natural area restoration works at priority sites” which forms part of the Five Year Action 1.1.4.1 - Implement priority actions from the Illawarra Biodiversity Strategy contained within the Revised Delivery Program 2012-17.

The updated Policy reflects Council’s approach to vertebrate pest management that has evolved since the original policy was endorsed in 2010.

### *Ecological Sustainability*

Responsible pest management is a key component of ecological sustainability. Pest management actions support the preservation and enhancement of natural ecosystems.

## FINANCIAL IMPLICATIONS

Current pest management commitments require an annual budget of \$105,000 per financial year which is within existing operational budget. This will be reviewed in 2015/16 when the current Deer Control program is reviewed.

## CONCLUSION

The Vertebrate Pest Animal Management Policy has been an effective policy document for Council. It defines the framework for Council to efficiently manage pest species across Council land and when required, across the LGA more broadly. Council can also respond rapidly to emerging pest species. The approach defined in the Policy has contributed to substantial improvements in Council's pest management procedures over the past five years, from isolated, reactive management of pests to a coordinated approach with stakeholder engagement.

ITEM 6

PROPOSED ACQUISITION OF EASEMENT FOR ACCESS OVER LOT 1  
DP 588060 POINT STREET, BULLI

In 2007, the Minister for Planning issued a project approval under Part 3A of the Environmental Planning and Assessment Act 1979 for a residential subdivision at McCauley's Beach, Bulli. This approval included the construction of a path which slightly re-routes and formalises the Wilkies Walk pathway which has existed for many years. The path will extend from the intersection of Wilkies Street and Panmills Drive in an easterly direction until it connects with the existing shared path on Council's land known as Lot 238 DP 1048602.

Part of the route of the proposed pathway crosses Sydney Water land known as Lot 1 DP 588060. Consent for DA-2013/1321 for the pathway stipulates that an Easement for Access be acquired over Lot 1 DP 588060 in favour of Council. Council will not be responsible for any costs in either the construction of the pathway or creation of the easement.

This report seeks approval to the acquisition of the Easement for Access.

## RECOMMENDATION

- 1 Council authorise the acquisition of an Easement for Access Purposes 4 Wide over Lot 1 DP 588060 Point Street, Bulli, as shown on the attachment to this report. Stockland to be responsible for all costs in the matter.
- 2 Authority be granted to affix the Common Seal of Council to the easement creation documents and any other documents required to give effect to this resolution.

## ATTACHMENTS

- 1 Plan of proposed Easement for Access over Lot 1 DP 588060 Point Street Bulli
- 2 Location plan

## REPORT AUTHORISATIONS

Report of: Peter Coyte, Manager Property and Recreation  
Authorised by: Greg Doyle, Director Corporate and Community Services – Creative, Engaged and Innovative City

## BACKGROUND

In 2007, the Minister for Planning issued a project approval under Part 3A of the Environmental Planning and Assessment Act 1979 for a residential subdivision at McCauley's Beach, Bulli. This approval included the construction of a path by Stockland which slightly re-routes and formalises the Wilkies Walk pathway which has existed for many years. The path will extend from the intersection of Wilkies Street and Panmills Drive in an easterly direction until it connects with the existing shared path on Council's land known as Lot 238 DP 1048602.

Part of the route of the proposed pathway crosses Sydney Water land known as Lot 1 DP 588060. Consent for DA-2013/1321 for the pathway stipulates that an Easement for Access be acquired over Lot 1 DP 588060 in favour of Council. Council will not be responsible for any costs in either the construction of the pathway or creation of the easement.

Council's Divisions are in agreement with the acquisition of the easement and future maintenance of the pathway once it has been constructed and handed over by Stockland. Stockland will be responsible for all costs in the creation of the easement.

## PROPOSAL

It is proposed that an Easement for Access Purposes 4 Wide be created over Lot 1 DP 588060 Point Street, Bulli in favour of Council on the terms and conditions as set out in this report. Stockland will be responsible for all costs in the construction of the pathway and creation of the easement.

## CONSULTATION AND COMMUNICATION

Stockland – will be wholly responsible for constructing the pathway and creating the easement at their cost.

Sydney Water – is not seeking any compensation for the creation of the easement and has no objection to the formalisation of the easement over their land.

Development Engineering Manager – in agreement with the creation of the easement.

Infrastructure Strategy and Planning – in agreement with creation of the easement in Council's favour and taking over the maintenance of the pathway in the future.

## PLANNING AND POLICY IMPACT

This report is in accordance with Council's policy "Land and Easement Acquisition and Disposal".

This report contributes to the delivery of Wollongong 2022 goal "We are a healthy community in a liveable city".

It specifically delivers on core business activities as detailed in the Property Services Service Plan 2015-16.

## FINANCIAL IMPLICATIONS

Council will not incur any costs in this matter as Stockland will be responsible for all costs in the construction of the pathway and creation of the easement.

## CONCLUSION

As the creation of the Easement for Access is a condition of consent and will formalise the public pathway from Wilkies Walk to the beach, it is recommended this matter be approved as set out in this report.

ITEM 7

TENDER T14/12 - MANAGEMENT AND OPERATION OF REVOLVE AND COMMUNITY RECYCLING CENTRES AT WOLLONGONG WASTE AND RESOURCE RECOVERY PARK (WWARRP) AND NOMINATED COUNCIL SITES

This report is about the evaluation of tenders submitted for the Management and Operation of the Revolve and Community Recycling Centres at the Wollongong Waste and Resource Recovery Park (WWARRP) and Nominated Council Sites in accordance with the Local Government (General) Regulation 2005.

The Tender Assessment Panel has concluded that none of the submitted tenders are acceptable for the reason that they are deficient in terms of compliance with Council's technical specification and/or do not represent value for money for Council and the community, and it is anticipated that negotiations with the tenderers or any other party in relation to a revised scope of works will result in a satisfactory outcome being achieved.

## RECOMMENDATION

- 1 a In accordance with the Local Government (General) Regulation 2005, Clause 178(1)(b), Council decline to accept any of the tenders which Council has received for the Management and Operation of the Revolve and Community Recycling Centres at the Wollongong Waste and Resource Recovery Park (WWARRP) and Nominated Council Sites and resolve to enter into negotiations with one or all of the tenderers or any other party with a view to entering into a contract in relation to the subject matter of the tender.
- b In accordance with the Local Government (General) Regulation 2005, Clause 178(4), the reason for Council hereby resolving to enter into negotiations with one or all of the tenderers or any other party and not inviting fresh tenders is that it is anticipated that a satisfactory outcome can be achieved with one of those parties who demonstrate a capacity and ability to undertake the works.
- 2 Council delegate to the General Manager the authority to undertake and finalise the negotiations with one or all of the tenderers or any other party with a view to entering into a contract in relation to the subject matter of the tender.
- 3 Council grant authority for the use of the Common Seal of Council on the contract and any other documentation, should it be required, to give effect to this resolution.

## ATTACHMENTS

There are no attachments for this report.

## REPORT AUTHORISATIONS

Report of: Kalyan Mondal, Manager City Works and Services  
Authorised by: Mike Dowd, Director Infrastructure and Works - Connectivity Assets and Liveable City

## BACKGROUND

Tenders were invited by the open tender method with a close of tenders of 10.00am on 10 June 2015.

Four tenders were received, from three tenderers, by the close of tenders and all tenders have been scrutinised and assessed by a Tender Assessment Panel constituted in accordance with Council's Procurement Policies and Procedures and comprising representatives of the City Works and Services, Governance Information and Finance Divisions.

The Tender Assessment Panel assessed all tenders in accordance with the following assessment criteria and weightings as set out in the formal tender documents:

- 1 Payment to Council - 40%;
- 2 Physical and Human Resources to be utilised under this Contract (all plant, staff and equipment) - 20%;
- 3 Scrap Metal Recycling and De-Gassing Service Arrangements - 15%;
- 4 Demonstrated experience and satisfactory performance in undertaking projects of similar size and scope, including two (2) referees - 10%;
- 5 Management Systems (Work Health and Safety and Environmental Management) - 5%;
- 6 Demonstrated Strengthening of Local Economic Capacity - 5%; and
- 7 Social Value and Social Procurement - 5%.

The Tender Assessment Panel utilised a weighted scoring method for the assessment of tenders which allocates a numerical score out of 5 in relation to the level of compliance offered by the tenders to each of the assessment criteria as specified in the tender documentation. The method then takes into account pre-determined weightings for each of the assessment criteria which provides for a total score out of 5 to be calculated for each tender. The tender with the highest total score is considered to be the tender that best meets the requirements of the tender documentation in providing best value to Council.

## PROPOSAL

All tenders have been scrutinised by the Tender Assessment Panel. The Panel has concluded that none of the tenders is acceptable and has recommended that all tenders be declined and negotiations be undertaken with one or all of the tenderers or any other party with a view to entering into a contract for the subject matter of the tender.

The Tender Assessment Panel has concluded that none of the submitted tenders are acceptable for the reason that they are deficient in terms of compliance with Council's technical specification and/or do not represent value for money for Council and the community, and it is anticipated that negotiations with the tenderers or any other party in relation to a revised scope of works will result in a satisfactory outcome being achieved.

The Panel anticipates that a satisfactory outcome will be achieved through a negotiation process conducted in accordance with Council's Procurement Policies and Procedures.

## CONSULTATION AND COMMUNICATION

Member of the Tender Assessment Panel were consulted.

## PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 under the objective Wollongong's ecological footprint is reduced (Community Goal 'We value and protect our environment').

It specifically delivers on core business activities as detailed in the Waste Management Service Plan 2015-16.

## RISK ASSESSMENT

The risk in accepting the recommendation of this report is considered low on the basis that the tender process has fully complied with Council's Procurement Policies and Procedures and the Local Government Act 1993.

The risk of the project works or services is considered 'Low to Moderate' based upon Council's risk assessment matrix and appropriate risk management strategies will be implemented.

## FINANCIAL IMPLICATIONS

The management and operation of the Revolve and Community Recycling Centres are funded from fees and charges applied through Councils Fees and Charges Policy for waste disposal.

## CONCLUSION

Council should endorse the recommendations of this report.

ITEM 8

TENDER T15/13 THIRROUL BEACH KIOSK REFURBISHMENT  
THIRROUL

This report recommends acceptance of a tender for the refurbishment of the Thirroul Beach Kiosk in accordance with the requirements of the Local Government Act 1993 and the Local Government (General) Regulation 2005.

The purpose of the tender is to complete a renovation to the Kiosk, attached Residence and Public Amenities which are currently in a dilapidated state.

Four tenders were received and the report recommends Council accept the tender submitted by Momentum Built Pty Ltd.

## RECOMMENDATION

- 1 In accordance with the Local Government (General) Regulation 2005, Clause 178 (1) (a), Council accept the tender of Momentum Built Pty Ltd for the Thirroul Beach Kiosk Refurbishment, in the sum of \$1,544,587.18, excluding GST.
- 2 Council delegate to the General Manager the authority to finalise and execute the contract and any other documentation required to give effect to this resolution.
- 3 Council grant authority for the use of the Common Seal of Council on the contract and any other documentation, should it be required, to give effect to this resolution.

## ATTACHMENTS

Location Plan

## REPORT AUTHORISATIONS

Report of: Glenn Whittaker, Manager Project Delivery  
Authorised by: Mike Dowd, Director Infrastructure and Works Connectivity, Assets and Liveable City (Acting)

## BACKGROUND

The Thirroul Beach Kiosk is one of a number of buildings located within the Thirroul Baths Precinct which is listed in Wollongong Local Environmental Plan 2009 as being an item of local significance. Council over the past decade has been monitoring the condition of this building which also includes an attached unoccupied residence and associated change rooms and public toilets. Based on the building assessment report it was determined that Council would complete a refurbishment while maintaining the usage and character of the building.

The scope of work includes expansion of the café/kiosk into the existing residence area, demolition of the garage, provision of disabled facilities which will service the adjacent park, improving access and remodelling of the existing amenities and toilets and refurbishment of the existing building including asbestos removal and replacement of failing structural items.

Council obtained Development Consent for the works in May 2011 and has been completing the numerous building investigations, heritage and condition reports to allow works to proceed.

In 2013 Council was successful in applying for assistance under round 2 of the Local Infrastructure Renewal Scheme which was aimed at accelerating asset renewal projects. The funding assistance provided is in the form of a 3 percent interest rate subsidy for a loan to complete Council projects with this project being the third and final project funded under that scheme.

In April 2015 Council lodged all required documentation and received the Construction Certificate approval allowing this project to proceed.

Tenders were invited by the selective tender method with a close of tenders of 10.00 am on Tuesday 23 June 2015.

Four tenders were received by the close of tenders and all tenders have been scrutinised and assessed by a Tender Assessment Panel constituted in accordance with Council's Procurement Policies and Procedures and comprising representatives of the Finance, Governance and Information, Human Resources, Project Delivery and Property Recreation Divisions.

The Tender Assessment Panel assessed all tenders in accordance with the following assessment criteria and weightings as set out in the formal tender documents:

- 1 Cost to Council - 55%
- 2 Demonstrated strengthening of the local economic capacity – 5%
- 3 Demonstrated experience and satisfactory performance in undertaking projects similar size and scope of a heritage building – 15%
- 4 Demonstrated WH&S Management System - 5%
- 5 Environmental Policies and Procedures - 5%
- 6 Project Schedule and Methodology – 15%

The Tender Assessment Panel utilised a weighted scoring method for the assessment of tenders which allocates a numerical score out of 5 in relation to the level of compliance offered by the tenders to each of the assessment criteria as specified in the tender documentation. The method then takes into account pre-determined weightings for each of the assessment criteria which provides for a total score out of 5 to be calculated for each tender. The tender with the highest total score is considered to be the tender that best meets the requirements of the tender documentation in providing

best value to Council. Table 1 below summarises the results of the tender assessment and the ranking of tenders.

TABLE 1 – SUMMARY OF TENDER ASSESSMENT

<b>Tenderer</b>	<b>Ranking</b>
Momentum Built Pty Ltd	1
Edwards Construction Pty Ltd	2
Project Coordination (Australia) Pty Ltd	3
Degnan Constructions Pty Ltd	4

## PROPOSAL

Council should authorise the engagement of Momentum Built Pty Ltd to carry out the refurbishment of the Thirroul Beach Kiosk in accordance with the scope of works and technical specifications developed for the project.

The recommended tenderer has satisfied the Tender Assessment Panel that it is capable of undertaking the works to Council's standards and in accordance with the technical specification.

Referees nominated by the recommended tenderer have been contacted by the Tender Assessment Panel and expressed satisfaction with the standard of work and methods of operation undertaken on their behalf.

## CONSULTATION AND COMMUNICATION

Council advertised the development application in late 2010 and received general support for the refurbishment proposal. Following approval of the LIRS 2 funding assistance in 2013, Council commenced the detailed investigations and design work required to complete the tender documentation. Due to the gap between when the development application was advertised in 2010 and the commencement of construction, Council undertook a second round of community information sessions to ensure the community was aware of the scope of refurbishment works proposed for this site. Council spoke to 87 people who generally supported the scope of the project. Three main issues were raised as follows:

- 1 A large number of responses requested an increase in the scope of the project to further enhance the Thirroul Beach environment. These works are not in the scope but have been noted for consideration in future programmes.
- 2 A number of responses expressed concern that the future lease should address equally the need for both beach kiosk and café functions. Council has prepared a draft kitchen fitout which provides for both functions as part of the services planning (kitchen fitout will be by future tenant) and Manager Property and Recreation has indicated that the beach kiosk function will be required under a future lease.

- 3 Council received a detailed commentary on the design of the project from the Thirroul Village Committee. The issues raised were reviewed by our design team and in most cases were adequately addressed taking into account the original design brief, heritage significance, constraints of the existing structure, requirements of the Building Code of Australia and construction practicalities.

During the preparation of this tender, Council consulted with the following:

- 1 Members of the Tender Assessment Panel
- 2 Nominated Referees

## PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 under the objective 5.3 'The public domain is maintained to a high standard' under Community Goal 5 'We are a healthy community in a liveable city'.

It specifically addresses the following:

Community Strategic Plan	Delivery Program 2012-2017	Annual Plan 2015-16
Strategy	5 Year Action	Annual Deliverables
5.3.3 Well maintained assets that meet the needs of current and future communities are provided	5.3.3.1 Manage and maintain community infrastructure portfolio with a focus on asset renewal	Deliver 85% of Council's capital investment into our asset renewal program

## RISK ASSESSMENT

The risk in accepting the recommendation of this report is considered low on the basis that the tender process has fully complied with Council's Procurement Policies and Procedures and the Local Government Act 1993.

The risk of the project works or services is considered low based upon Council's risk assessment matrix and appropriate risk management strategies will be implemented.

## FINANCIAL IMPLICATIONS

It is proposed that the total project be funded from the following source/s as identified in the Management Plan –

### 2015/2016 Capital Budget

The project is part funded under the LIRS 2 scheme which provides a 3% interest rate subsidy on a loan which allows Council to bring forward this renewal project.

## CONCLUSION

Momentum Built Pty Ltd has submitted an acceptable tender for this project. Council should endorse the recommendations of this report.

## ITEM 9 STATEMENT OF INVESTMENTS - JUNE 2015

This report provides an overview of Council's investment portfolio performance for the month of June 2015.

Council's average weighted return for June 2015 was 2.70% which was above the benchmark return of 2.14%. The result was primarily due to solid returns received on term deposits and the positive marked to market valuation of the CBA Zero Coupon Bond, but was offset by the net downward adjustment on the NSW TCorp investment. The remainder of Council's portfolio continues to provide a high level of consistency in income and a high degree of credit quality and liquidity.

### RECOMMENDATION

Council receive the Statement of Investments for June 2015.

### ATTACHMENTS

- 1 Statement of Investments – June 2015
- 2 Investment Income Compared to Budget 2014-15

### REPORT AUTHORISATIONS

Report of: Stephen Packer, Manager Finance (Acting)  
Authorised by: Greg Doyle, Director Corporate and Community Services – Creative, Engaged and Innovative City

### BACKGROUND

Council is required to invest its surplus funds in accordance with the Ministerial Investment Order and Division of Local Government guidelines. The Order reflects a conservative approach and restricts the investment types available to Council. In compliance with the Order and Division of Local Government guidelines, Council adopted an Investment Policy on 9 June 2015. The Investment Policy provides a framework for the credit quality, institutional diversification and maturity constraints that Council's portfolio can be exposed to. Council's investment portfolio was controlled by Council's Finance Division during the period to ensure compliance with the Investment Policy. Council's Governance Committee's role of overseer provides for the review of the Council's Investment Policy and Management Investment Strategy.

Council's Responsible Accounting Officer is required to sign the complying Statements of Investments contained within the report, certifying that all investments were made in accordance with the Local Government Act 1993 and the Local Government Regulation 2005.

Council's investment holdings as at 30 June 2015 were \$143,666,367 (Statement of Investments attached) [30 June 2014 \$115,085,376].

During June, Council posted a weighted average return of 2.70% (annualised) compared to the benchmark return of 2.14% (annualised Bloomberg Bank Bill Index). The result was primarily due to solid returns received on term deposits and the positive marked to market valuation of the CBA Zero Coupon Bond, but was offset by the net downward adjustment on the NSW TCorp investment. The remainder of Council's portfolio continues to provide a high level of consistency in income and a high degree of credit quality and liquidity.

At 30 June 2015, year to date interest and investment revenue of \$5,072,462 was recognised compared to the year to date budget of \$4,999,499.

Council's CBA Zero Coupon Bond recorded an increase in value for June of \$22,920. The valuation methodology used by Laminar (Council's investment consultants), discounts the bond using a margin for a straight four year CBA obligation but also considers the illiquidity premium, this being a restructured deal and there being limited bids on the security. As this bond gradually nears maturity, movements in interest rates and liquidity will have less of an impact on the securities valuation. While there will be short term fluctuations along the way, the investments valuation will gradually increase to its \$4M maturity value. During the month Council purchased a 5 year \$3M NAB floating rate note. Council's Westpac floating rate note had an increase in value of \$1,980 for June.

Council holds two Mortgaged Backed Securities (MBS) that recorded a decrease in value of \$7,167 for June. These investments continue to pay higher than normal variable rates. While the maturity dates are outside Council's control, the investment advisors had previously indicated that capital is not at risk at that stage and recommended a hold strategy due to the illiquid nature of the investment.

The NSW T-Corp Long-Term Growth Facility recorded a net decrease in value of \$47,965 in June, which represented a positive annual distribution of \$145,596, and a downward valuation for June of \$193,562. The fluctuation is a reflection of the current share market volatility both domestically and internationally.

During the July 2015 RBA meeting, the official cash rate remained unchanged at 2.00%. The RBA has advised that it would continue to assess the outlook and adjust policy as needed to foster sustainable growth in demand and inflation outcomes consistent with the inflation target over time. The current inflation rate is consistent with the 2 to 3% target.

This report complies with Council's Investment Policy which was endorsed by Council on 9 June 2015. Council's Responsible Accounting Officer has signed the complying Statements of Investments contained within the report, certifying that all investments were made in accordance with the Local Government Act 1993 and the Local Government Regulation 2005.

## PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 goal '*We are a connected and engaged community*'. It specifically delivers on the following:

Community Strategic Plan	Delivery Program 2012-17	Annual Plan 2015-16
Strategy	5 Year Action	Annual Deliverables
4.4.5 Finances are managed effectively to ensure long term financial sustainability	4.4.5.1 Effective and transparent financial management systems are in place	Provide accurate and timely financial reports monthly, quarterly and via the annual financial statement
		Continuous Budget Management is in place, controlled and reported
		Manage and further develop compliance program
		Monitor and review achievement of Financial Strategy

## ITEM 10 SOURCES AND HISTORICAL USE OF BONDED ASBESTOS

Council, at its meeting of 18 May 2015 resolved (in part) that:

*“A further report be submitted to Council on possible sources of bonded asbestos (eg fibro) contamination and the historic use of such material across the Wollongong Local Government Area”.*

This report is in response to the above resolution.

### RECOMMENDATION

The information be noted.

### ATTACHMENTS

There are no attachments for this report.

### REPORT AUTHORISATIONS

Report of: Renee Campbell, Manager Environmental Strategy and Planning  
Authorised by: Andrew Carfield, Director Planning and Environment, Future City and Neighbourhoods

### BACKGROUND

The term asbestos refers to a group of naturally occurring fibrous silica materials which were commonly mined for their flexibility, strength and insulative properties. Under current Australian legislation asbestos is classified as either ‘bonded/non friable’ or ‘friable’: with bonded meaning *‘contained in a stable matrix such as cement, vinyl, resin or other material and cannot be crushed by hand’* and friable meaning *‘able to be crushed or pulverised by hand into a powder’* (WorkCover 2011).

Asbestos has been utilised in industrial processes and added to various products since as far back as the 1800s. Bonded asbestos was widely used in building products from the 1940s through to the 1980s. During the peak of its use, asbestos was used in almost 3000 products worldwide.

In Australia the use of asbestos was phased out during the 1980s and banned as a building product in 1989. As of 31 December 2003 it was illegal for asbestos to be sold, reused or imported into Australia.

Within the Wollongong Local Government Area, bonded asbestos was widely used in the construction of residential housing, commercial buildings as well as numerous industrial applications. Common residential uses included; corrugated and flat fibre cement sheeting; external edge capping; Galbestos roofing; vinyl floor tiles; bitumen adhesives (such as those used in waterproofing and in flooring); fillers and other adhesives; fencing; pipes and piping; gaskets; brake pads; service pits (ie telecommunications pits); fuse board backing; vermiculite ceilings; ceiling insulation;

fire doors; pipe lagging and insulation; cement products; large commercial air conditioning units (millboard); and insulative products such as fire blankets.

Many of these products were also used extensively in many commercial and industrial plants in the area. Regionally significant industries such as power production, smelting, brickworks and steel works relied heavily on friable asbestos and asbestos insulative products (such as refractory bricks). Bonded asbestos, in the form of signal troughing, was also used extensively along all railroads in the area.

Although by no means a detailed list of historical asbestos use, the above demonstrates the magnitude of potential contamination sources. Given its wide range of applications, asbestos contamination can potentially occur in any location that asbestos has been used. Within the LGA, the most common sources of bonded asbestos contamination are associated with historical building demolition and asbestos contaminated soil or fill (resulting from demolition). The location of asbestos in service pits is also common in the LGA. The most likely places asbestos contamination will be found is within areas where -

- telecommunication and other service pits and conduits are located;
- asbestos structures formerly resided;
- asbestos structures are in poor condition (housing, fences etc);
- land has been illegally filled;
- material has been illegally dumped;
- fill materials have been placed prior to waste and soil testing becoming common practice (i.e. legally required); and/or
- downstream of rivers / creeks where material has been transported by moving waters following floods / periods of significant rainfall.

## PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 goal “We value and protect our environment”.

It specifically delivers on core business activities as detailed in the Environmental Services Service Plan 2015-16.

## CONCLUSION

This report addresses the Council resolution on the possible sources of bonded asbestos within the Wollongong LGA and its historic uses. It is submitted for information.

ITEM 11

**LATE BUSINESS: REVIEW OF ILLEGAL WASTE DUMPING PREVENTION MOUNDS**

Following discovery of asbestos contamination in a series of mounds used to deter illegal roadside dumping, a review was commissioned to assess how this occurred and to assess sourcing of soil or fill for other Council projects to minimise this risk.

The review, undertaken by the Independent Audit Bureau (IAB), found this project had diverted from established planning and delivery procedures for capital projects. It also identifies significant shortcomings in Council's City Works Division's approach to dealing with surplus soil waste from job sites and its potential use in other Council projects.

As a result, an 'IAB Review Rectification Plan' (herein after referred to as the 'Rectification Plan') has been developed. This is in the process of being implemented.

### RECOMMENDATION

- 1 The report be noted.
- 2 The rectifications identified be endorsed.
- 3 Ongoing reporting be undertaken to the Corporate Governance Committee on the progress of rectifications including the implementation of the 'IAB Review Rectification Plan'.
- 4 The Audit Committee be requested to commission a post implementation Audit of the 'IAB Review Rectification Plan'.

### ATTACHMENTS

- 1 IAB – Independent Review of Procedures and Systems of Mound Barriers – July 2015
- 2 Management and Handling of Waste Material Action Plan – July 2015

### REPORT AUTHORISATIONS

Report of: David Farmer, General Manager

### BACKGROUND

Council received funding under the Environmental Protection Authority's (EPA's) Better Waste and Recycling (BW&R) program which included, in part, an initiative to deter illegal dumping by the creation of solid barriers to deny access for dumping in known hotspots. This was implemented on the old Princes Highway near Maddens Plains in March and April 2015. Following community and media concern, Council undertook testing at the soil mounds and some of the locations where the material was sourced, and identified low levels of bonded asbestos in the mounds and the source locations. An independent assessment rated that there was a low risk of human harm.

As a result of this, Council moved the following resolution at its meeting of 18 May 2015:

- 1 *The General Manager engage the services of the Internal Audit Bureau to provide an independent review of –
  - a the procedures and systems that led to the failure of oversight and the circumstances resulting in bonded asbestos contamination in mound barriers on the Old Princes Highway, between Waterfall and Sublime Point; and,
  - b the sourcing of soil or fill for any Council projects and the methods used to assess levels of contamination to avoid similar occurrences and address the level of future risk.*
- 2 *A review be undertaken of processes whereby illegal contamination and security of Council lands and materials can be further safeguarded from sabotage and illegal dumping.*
- 3 *Remediation be immediately undertaken to standards approved by the Environmental Protection Authority and other agencies.*
- 4 *A report addressing the above be brought back to Council by 22 June 2015.*
- 5 *A further report be submitted to Council on possible sources of bonded asbestos (e.g. fibro) contamination and the historic use of such material across the Wollongong Local Government Area.*

In regard to point 3, remediation was undertaken in May 2015 and was reported to Council on 22 June 2015. At that same 22 June 2015 meeting, it was advised that the Council report requested in point 4 would be delayed until this meeting due to the unavailability of key witnesses. A report responding to point 5 is included elsewhere in this meeting's agenda.

Point 2 has been partially considered in the IAB review and will be discussed further in this report.

In regard to point 1, as was previously reported to Council, the IAB review was commenced immediately after the resolution of Council on 18 May 2015. The final review was provided to Council on 27 July 2015, and is attached (Attachment 1).

In simple terms, the review finds two major shortcomings:

- 1 The approach, in this instance, to go outside the organisation's normal project delivery methodology and directly commission Council's Works crews to undertake this work.
- 2 A lack of systems and understanding within the City Works team to appropriately classify and deal with waste from Council construction sites.

It also identifies a number of other opportunities for improvement that were identified throughout the review.

## PROPOSAL

The IAB Review presents a number of recommendations. The format of the IAB Review is broken into areas of focus which each have their own set of recommendations. Consequently there are a large number of recommendations which are at least in part duplicated.

An 'IAB Review Rectification Plan' has been developed which lists a series of corrective actions and then links them to recommendations in the review. It is intended to manage the corrective work from this program and report on the progress of rectifications. This Rectification Plan is attached (Attachment 2).

For completeness, the full list of recommendations are listed below with a response:

**1.1 EPA non-contestable grant funded projects be incorporated into an annual project plan and be captured in quarterly reporting to Council as part of current reporting structures.**

There is currently an annual reporting system in place for these projects. This will be adjusted to quarterly.

**1.2 All projects, no matter what size or funding source to go through formal, structured reporting and review processes.**

Council has an internal project reporting and monitoring system. This will be extended and adjusted to ensure that all projects are captured.

**1.3 A trackable reporting process to be implemented and maintained for all current Better Waste & Recycling (BW&R) funded projects.**

Council has an internal project reporting and monitoring system. This will be extended and adjusted to ensure that all projects are captured.

**1.4 Clear budgets be developed and budget reconciliations undertaken at the conclusion of projects.**

In place - This is Council's standard methodology for capital projects. This matter by-passed Council's standard process by going straight to operational works staff.

**2.1 Project planning processes to include stakeholder engagement and communication strategies from project inception, through implementation and reporting.**

In place - This is Council's standard methodology for capital projects. This matter by-passed Council's standard process by going straight to operational works staff.

**3.1 Council staff and contractors undergo training in waste legislation and the provisions of relevant EPA resource recovery exemptions.**

Planned for deployment – Part of Rectification Plan.

**3.2 Council clearly define the links and/or gaps between asbestos management requirements issued by WorkCover NSW and the requirements of NSW waste legislation and regulations.**

Planned for deployment – Part of Rectification Plan.

**3.3 Relevant legislative requirements for waste management and imported fill be included in Council Review of Environmental Factors (REF) documentation.**

This has been reviewed and improved since the incident. Further review will occur as part of Rectification Plan.

**4.1 Project management plans include requirements for management sign off against project process and timeframes.**

Our normal project management approach includes this requirement, however this was not used in this matter.

**4.2 Operating procedures be developed for project implementation clearly outlining roles, responsibilities, accountabilities and reporting structures for projects of this nature.**

Agreed - there is an existing project proposal template in place but this is not universally used. This will be reviewed and institutionalised.

**4.3 Risk assessments be undertaken and appropriately documented prior to implementing any on-ground works across all projects managed by Environmental Strategy & Planning (ESP).**

This exists and is a requirement under BW&R projects but was not used effectively for this project and needs to be improved. Risk Assessments are included in current Project Proposal template which is used widely throughout the organisation.

**4.4 Qualified environmental or engineering staff be assigned to manage and coordinate infrastructure projects of this nature.**

This matter did not pass through normal capital project pipelines and thereby normal design and environmental planning was not undertaken. Following implementation of the recommendations contained elsewhere in the report, Council's Works staff will be capable of implementing on ground works in accordance with design specifications including environmental requirements.

**5.1 Standard operating procedures for materials handling and re-use be developed which include appropriate testing and classification of materials.**

Agreed and in process – Part of Rectification Plan. This will include development of some in house testing and classification expertise given the large number of small jobs undertaken on an annual basis by Council's City Works Division.

**5.2 Stockpiling of waste materials to cease across all Council construction and maintenance jobs until appropriate testing regimes have been implemented and approval given for off-site stockpiling.**

Agreed and implemented.

**5.3 More stringent enforcement of conditions included in construction work REFs with Key Performance Indicators (KPIs) for supervisors designed and implemented to reflect these requirements.**

Specific Supervisors position descriptions already include environmental compliance. There is currently an audit process by internal staff of compliance with REF conditions. This will be given increased focus.

**6.1 Closer supervision of Civil Projects with regular documented reporting on projects at each depot including locations, timeframes, the resources required, REF provisions etc.**

There are systems in place, but this incident identifies there are improvements required. In particular, the movement of a maintenance crew into a construction task switches between two reporting lines. System improvements will ensure the construction and maintenance managers are aware of any re-tasking between works types.

**6.2 Regular team meetings to promote open and consistent communication between works crews, supervisors, leading hands, coordinators and managers.**

Agreed and already in place as all business areas hold regular team meetings in various forms. Works crews and leading hands have a toolbox talk each morning. Coordinators and leading hands have monthly meetings, and middle managers, coordinators and all depot staff have a monthly team briefing.

**7.1 Cease stockpiling construction and demolition waste materials at non-approved sites.**

Implemented.

**7.2 Cease re-use of waste materials that have not been classified or that are not sourced in accordance with EPA Resource Recovery exemptions.**

Implemented. Same as Rec 5.1.

**7.3 Undertake testing and classification of all stockpiled materials by a licenced provider and dispose of materials at a suitable location.**

All material tested and classified. Disposal complete with the exception of Central Depot stockpile which is scheduled for the near future.

**7.4 Develop operating procedures and guidelines for materials handling and re-use and communicate these to all City Works staff.**

Agreed - underway as part of Rectification Plan.

**7.5 Explore opportunities for an approved Council-managed transfer/holding depot for construction/demolition wastes in the north of the city to comply with EPA guidelines (up to 6,000 tonnes per year or 1,000 tonnes at any one time before a licence is required).**

Will be considered after finalisation of Construction Management protocols and as part of Rectification Plan.

**8.1 Review operating procedures for suspected asbestos on Council land and work sites and include reference to environmental regulatory requirements for disposal or re-use of waste materials.**

This has commenced with interim measures in place. Full implementation will be undertaken as part of Rectification Plan and in consultation with EPA and WorkCover.

**8.2 Extend asbestos awareness training to include reference to construction and demolition waste disposal and REF/environmental regulatory requirements.**

To be developed following development and implementation of procedures identified in 8.1 above.

**8.3 Consult further with construction and maintenance staff in relation to asbestos identification and removal at work sites.**

In progress - 90% of identified staff have received asbestos identification and awareness training. This will be developed further following establishment of 8.1 and 8.2 above.

**9.1 Clearly define roles, responsibilities, accountabilities, reporting structures and sign-off requirements for construction and maintenance works undertaken by Council works crews.**

Duplicate of 4.1 and 4.2. Agreed and in process – Part of Rectification Plan.

**9.2 Ensure works systems and processes are implemented, monitored and reviewed at all levels of the organisation**

Council has internal works management systems as well as project reporting and monitoring systems. These will be reviewed, extended and adjusted to ensure that all projects are captured.

**9.3 Provide additional support to managers and staff to accurately interpret and implement the requirements of REFs.**

Agreed and in process – Part of Rectification Plan.

- 10.1 Clear responsibilities (linked to KPIs) be assigned to relevant managers, supervisors and staff for implementing the waste management (and other requirements) of REF's on each job and ensuring adequate supervision, reporting and sign-off of job-specific processes and outcomes are achieved.**

Agreed – As per 5.3 Civil Coordinators and Civil Construction Manager KPI's include environmental compliance.

- 10.2 A two week turn around period is enforced between hand over of the REF's and commencement of the on-ground works to allow for effective budgeting, review and communication of REF requirements.**

Agreed that a two week period is an appropriate target to enable effective planning, although this is not currently a formal requirement in any Council process. The time taken generally relates to the complexity and risks associated with the projects and as outlined in the REF.

REF's are provided at project handover stage. REF's, together with project scopes, designs and estimates are reviewed, discussed with designers or environmental officers as required to confirm requirements and then signed off (generally) by a coordinator who is responsible for developing the Construction Environmental Management Plan (CEMP) or Erosion and Sedimentation Control Plan (ESCP) if required.

- 10.3 REF training is provided to relevant Council staff involved in preparing REFs including designers as well as supervisors and works crews involved in implementing on-ground works. This training should also be provided to other staff responsible for implementing projects that require an REF.**

Agreed – Part of Rectification Plan. This training will be integrated in a similar fashion as is currently done for safety.

- 10.4 Toolbox talks and simple Guidelines on construction waste management (not limited to asbestos management) be prepared for staff and contractors.**

There is already a team brief and toolbox talk process in place. Revised waste management guidelines will be reinforced via this.

- 10.5 The Contaminated Lands Register and/or Asbestos Register to include identified contaminated sites and locations where asbestos is uncovered and that this information informs the REF process. Include site specific information in REFs where possible.**

Agreed and in place. Review of process to ensure updating as contamination is identified in construction works as part of Rectification Plan.

**10.6 Spot checks and compliance audits be conducted by suitably qualified personnel (internal or external to Council) to ensure that the environmental safeguards and conditions included in REF's are understood and implemented.**

Agreed and already exists. Quality certified design process includes requirement for Environmental Officers to conduct periodic environmental audits of 5% of jobs to ensure compliance with REF requirements.

**11.1 Staff briefing sessions be held with relevant staff to openly and honestly communicate management expectations around job costs and for staff to express any fears (perceived or real) they may have in relation to job security.**

Agreed – To be arranged through monthly team briefing meetings.

**11.2 Changes to waste management and materials handling procedures be clearly communicated to staff with links to performance reviews and KPI's where appropriate.**

Agreed – Repeated elsewhere.

**12.1 Contracts to be reviewed (and/or developed) with accountabilities added around waste and hazardous materials management.**

Agreed – waste and materials handling contracts will be reviewed once processes are refined as part of the Rectification Plan.

**12.2 Training be provided to contractors on waste management and Council requirements for waste disposal and tracking.**

Agreed – All Council contractors are required to implement the same environmental controls as Council staff and will be appropriately trained as part of the Rectification Plan.

**13.1 Opportunities be provided for cross-departmental input into REFs including input from relevant managers where appropriate.**

Agreed – while this occurs on many projects (usually when non-typical issues are identified) this can be improved.

**13.2 A simple documented procedure on REF sign-off be prepared including clear guidance on the roles, responsibilities and accountabilities. These should link to KPI's where possible.**

Clear guidelines and accountabilities exist in REF approval process. Understanding and application will be improved through training delivered as part of Rectification Plan.

**14.1 Review the pre-environmental checklist and ensure it is not a “tick and flick” process by linking requirements in the checklist to individual performance appraisals and KPIs.**

Agreed – Investigating whether this can be incorporated into existing project risk assessment checklists. KPI’s for environmental compliance already exists.

**14.2 Provide training for relevant staff in the intent and meaning behind each part of the checklist.**

Agreed.

**14.3 Ensure relevant managers and staff are aware of the requirements included the CEMP and how they relate to specific projects. The checklist states that site establishment and construction may proceed subject to “full compliance with the CEMP/PSP”.**

Agreed – to be part of an integrated environmental compliance training program to be developed following review and adoption of improved practices.

**14.4 Review sign-off delegations on the checklist.**

Agreed.

**15.1 Include a review of waste management and other environmental requirements as part of relevant managers and staff’s site-specific documented risk assessment checklists.**

Agreed to be done as part of above and is part of Rectification Plan.

**15.2 Include compliance with all processes and documentation (REFs, CMPs, Waste Management Plans etc) as part of the enhanced internal audit review process.**

Recommendation is to have the remediation overseen by the Corporate Governance Committee and will refer to Audit Committee for consideration of post implementation audit.

**15.3 Link monitoring of internal environmental processes to KPIs and performance appraisals.**

Agree and already exists – duplicated recommendation.

**16.1 Develop consistent procedures for managing waste materials from work sites (other than information contained in REFs) and communicate procedures to Council personnel and contractors.**

Agree as noted in multiple duplications of this recommendation.

## **16.2 Ensure waste classification and tracking documentation is completed, reviewed and signed off by the appropriate supervisor.**

Agreed - Completion and or approval of project and site specific documentation should be retained at Coordinator/Project Manager level. This should be reviewed by their supervisor. Senior Management responsibility is to ensure systems and training of staff in place and functional.

The Council resolution of 18 May 2015 also requested “*A review be undertaken of processes whereby illegal contamination and security of Council lands and materials can be further safeguarded from sabotage and illegal dumping.*” The review identified that Council has been using unauthorised storage systems to deal with construction waste prior to reuse or dumping. Some of these were at insecure locations and there is evidence of illegal dumping at some of these sites, which had the potential to further contaminate materials held there. These sites have now been deactivated and the materials are in the process of being removed. One recommendation above is for Council to explore the feasibility of establishing a holding/storage facility to comply with EPA guidelines. If this was to be done it would need to be established in a secure site and with strong tracking and security systems to ensure integrity of material and to deny unauthorised dumping.

The review identifies a number of shortfalls in process and staff knowledge and this can be corrected via changes in process and training. It does however raise questions around performance of certain staff. These matters will be handled in accordance with Council’s industrial relations policies and in a confidential manner.

### **CONSULTATION AND COMMUNICATION**

The IAB Review was prepared after interviews with a number of Council staff.

Infrastructure and Works Department, Planning & Environment Department and Human Resources Division.

### **PLANNING AND POLICY IMPACT**

This report links to the goal in Wollongong 2022 of:

- We value and protect our natural environment.

### **RISK ASSESSMENT**

This report has identified that there were risks inherent in the processes in place from Council’s City Works Division dealing with construction waste. This has now been corrected in the interim, and more sustainable change will be undertaken via the implementation of the Rectification Plan.

## FINANCIAL IMPLICATIONS

The net additional cost flowing from the placement and removal of the Old Princes Highway mounds (including additional testing) over and above the costs of directly dealing with the material at source has been estimated at \$64,325. The IAB Review is estimated to cost \$23,175. There will be costs associated with the implementation of the rectification plan. This will be advised to Councillors via the Quarterly Review process.

## CONCLUSION

This matter and the ensuing investigation has identified the risks that can ensue when established systems are bypassed, no matter how well intentioned. Underlying this it has also identified some significant shortcomings in the processes and knowledge within the City Works Division relating to the appropriate treatment of construction waste.

As a result it will be ensured that all civil works projects of this nature go through Council's established project planning and delivery process. Additionally, a major project will be rolled out to improve our processes involved with handling waste from construction projects undertaken by Council's day labour staff. This will be overseen by Corporate Governance Committee and recommended for a post implementation audit.



## MINUTES

# ORDINARY MEETING OF COUNCIL

at 6.00 pm

**Monday 13 July 2015**

### Present

Lord Mayor – Councillor Bradbery OAM (in the Chair), Councillors Kershaw, Connor, Brown, Takacs, Martin, Blicavs, Dorahy, Colacino, Crasnich, Curran and Petty

### In Attendance

General Manager – D Farmer, Director Corporate and Community Services – Creative, Engaged and Innovative City – G Doyle, Director Infrastructure and Works – Connectivity, Assets and Liveable City (Acting) – M Dowd, Director Planning and Environment – Future, City and Neighbourhoods – A Carfield, Manager Governance and Information (Acting) – D Lazarus, Manager Finance (Acting) – S Packer, Manager Property and Recreation – P Coyte, Manager Environmental Strategy and Planning – R Campbell and Manager Community Cultural and Economic Development (Acting) – S Savage

### Apology

Min No.

**95** **COUNCIL'S RESOLUTION** - RESOLVED on the motion of Councillor Crasnich seconded Councillor Dorahy that the apology tendered on behalf of Councillor Merrin be accepted.

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## **DISCLOSURES OF INTERESTS**

Councillor Martin declared a non-significant, non-pecuniary conflict of interest in Items 6, 7 and 8, all draft Planning Proposals, which may be referred to her place of employment, the Department of Planning and Environment.

Councillor Bradbery advised that Item 7 related to Panorama Estate and he was a resident of Shearwater Drive, on the other side of the hill to this Estate. He advised that he had no direct connection with this Estate and therefore had no direct conflict of interest.

## **ATTENDANCE AT IFTAR DINNER**

Councillor Dorahy advised that last week he had attended the annual break of Fast dinner (Iftar) with newly arrived and settled refugees, which was a coming-together of different cultures. He expressed congratulations to everyone involved and in particular to the families who put on the dinner.

## **CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 22 JUNE 2015**

**96** **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Colacino that the Minutes of the Ordinary Meeting of Council held on Monday, 22 June 2015 (a copy having been circulated to Councillors) be taken as read and confirmed.

## **PASSING OF FORMER COUNCILLOR, TREVOR MOTT**

The Lord Mayor advised of the recent passing of Trevor Mott, a former Councillor from 1999 to 2004. He said that Trevor Mott had labelled himself as a community activist and long after his term at Council had ended, he continued to remind Councillors of their obligations through his correspondence in the Illawarra Mercury.

A letter of condolence will be sent to Trevor Mott's family on behalf of Council and in this respect, the Lord Mayor expressed condolences in particular to his wife Lynette, and he asked that Council observe one minute's silence as a mark of respect.

**One minute's silence was duly observed.**

## CALL OF THE AGENDA

- 97 COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Blicavs that the staff recommendations for Items 2 to 10, and 12 to 18 inclusive, be adopted as a block.

### ITEM A – LORD MAYORAL MINUTE – AFFIXING COMMON SEAL OF COUNCIL TO DEEDS OF TRANSFER IN RELATION TO SALE OF PROPERTIES FOR UNPAID RATES

- 98 COUNCIL'S RESOLUTION** – RESOLVED on the motion of Councillor Bradbery that –

- 1 Council sell the properties listed below at the prices identified next to each parcel:
  - a Lot C DP 351057 102 Lawrence Hargrave Drive, Stanwell Park – \$20,000;
  - b Lot 18 Sec 13 DP 2281 Railway Avenue, Scarborough – \$17,000;
  - c Lot 266 DP 1178955 Bong Bong Road, Huntley – \$50,000;
  - d Lot 28 Sec 5 DP 2644 34 Otford Road, Helensburgh – \$35,000;
  - e Lot 34 DP 245226 12 Arter Avenue, Figtree – \$46,000; and,
  - f Lot 856 DP 1105102 Princes Highway, Russell Vale – \$11,000.
- 2 Authority be granted to affix the Common Seal of Council to the six (6) transfers in relation to the above properties.

In favour Councillors Kershaw, Connor, Brown, Martin, Takacs, Blicavs, Dorahy, Colacino, Crasnich and Bradbery

Against Councillors Curran and Petty

## **ITEM 1 – ILLAWARRA ESCARPMENT STRATEGIC MANAGEMENT PLAN 2015**

**99 COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Kershaw seconded Councillor Takacs that Council –

- 1 Endorse the Illawarra Escarpment Strategic Management Plan 2015 as a Supporting Document.
- 2 Note the actions within the Illawarra Escarpment Strategic Management Plan 2015.
- 3 Forward the Illawarra Escarpment Strategic Management Plan 2015 to the NSW Department of Planning and Environment for endorsement.

## **ITEM 2 – REVIEW OF SMOKE-FREE RECREATION AREAS POLICY**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

**COUNCIL'S RESOLUTION** – The reviewed Smoke-free (Recreation Areas) Policy be adopted.

## **ITEM 3 – WOLLONGONG ARTS PRECINCT SMOKE-FREE POLICY**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

**COUNCIL'S RESOLUTION** – Council adopt the revised Wollongong Arts Precinct Smoke-free Policy.

## **ITEM 4 – CROWN STREET MALL SMOKE-FREE POLICY**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

**COUNCIL'S RESOLUTION** – The Crown Street Mall Smoke-free Policy be adopted.

## **ITEM 5 – FINANCIAL ASSISTANCE POLICY – PROGRAM REPORT**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

**COUNCIL'S RESOLUTION** – Council note the report.

## **ITEM 6 – DRAFT PLANNING PROPOSAL FOR PART 434 BONG BONG ROAD, HORSLEY – POST EXHIBITION**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

**COUNCIL'S RESOLUTION** – The draft Planning Proposal for part of 434 Bong Bong Road, Horsley proposing a minor boundary adjustment between E3 Environmental Management and R2 Low Density Residential zones, with a Minimum Lot Size of 300m<sup>2</sup>, Floor Space Ratio of 0.5:1 and removal of the flood affectation, be finalised under delegation as issued by the NSW Department of Planning and Environment.

## **ITEM 7 – DRAFT PLANNING PROPOSAL FOR PANORAMA ESTATE, LAKE HEIGHTS – POST EXHIBITION**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

**COUNCIL'S RESOLUTION** –

- 1 The draft Planning Proposal for Panorama Estate to correct a number of irregularities be finalised under delegation as issued by the NSW Department of Planning and Environment.
- 2 Pedestrian access to/from Panorama Estate continue via the existing Grattan Street and Flagstaff Road links.

**ITEM 8 – DRAFT PLANNING AGREEMENT – ALKIRA ESTATE – GRINDLEY PROPERTIES PTY LTD – SHONE AVENUE, HORSLEY**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

**COUNCIL'S RESOLUTION –**

- 1 The draft Planning Agreement between Grindley Properties Pty Ltd and Council for Alkira Estate at Shone Avenue, Horsley, be exhibited for community comment for a minimum period of 28 days.
- 2 The General Manager be delegated authority to finalise the Planning Agreement after consideration of any issues raised in submissions.

**ITEM 9 – PROPOSED CREATION OF RESTRICTIONS AS TO USER AND POSITIVE COVENANTS OVER LOT 1 DP 1139911 AND LOT 855 DP 1105102 PRINCES HIGHWAY, RUSSELL VALE – RUSSELL VALE GOLF COURSE**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

**COUNCIL'S RESOLUTION –**

- 1 Council approve the creation of Restrictions as to User and Positive Covenants over Lot 1 DP 1139911 and Lot 855 DP 1105102, as shown shaded dark grey on the attachment to the report.
- 2 Approval be granted to affix the Common Seal of Council to the Restriction as to User and Positive Covenant creation documents and any other documents required to give effect to this resolution.

## **ITEM 10 – PROPOSED ACQUISITION OF PART OF LOT 97 DP 9943 NO 25 MURRAY ROAD, EAST CORRIMAL FOR ROAD WIDENING**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

### **COUNCIL'S RESOLUTION –**

- 1 Council acquire Lot 112 DP 240922 for road widening, being the portion of Lot 97 DP 9943 No 25 Murray Road, East Corrimal, shown on Attachment 1 of the report, on the following conditions:
  - a Compensation in the amount of \$19,000 (GST exc); and
  - b Council be responsible for all costs in the matter including transfer, legal and fence relocation costs.
- 2 Upon acquisition, the land be dedicated as public road under the provisions of Section 10 of the Roads Act 1993.
- 3 Authority be granted to affix the Common Seal of Council to the transfer documents and any other documentation required to give effect to this resolution.

## **ITEM 11 – TENDER T15/05 – GREEN CLEANING SERVICES FOR ADMINISTRATION BUILDING, LIBRARY AND CAR PARK**

**100** **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Crasnich that –

- 1 In accordance with the Local Government (General) Regulation 2005, Clause 178 (1) (a), Council accept the tender of SKG Cleaning Services for Green Cleaning Services for the Administration Building, Library and Car Park in the sum of \$2,255,174.20, excluding GST.
- 2 Council delegate to the General Manager the authority to finalise and execute the contract and any other documentation required to give effect to this resolution.
- 3 Council grant authority for the use of the Common Seal of Council on the contract, and any other documentation, should it be required, to give effect to this resolution.

## **ITEM 12 – TENDER T15/10 – LICENCE TO OPERATE DAPTO POOL KIOSK INCLUDING CASH COLLECTION/RECEIPTING**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

### **COUNCIL'S RESOLUTION –**

- 1 In accordance with the Local Government (General) Regulation 2005, Clause 178 (1) (a), Council accept the tender of Tegy Transport Pty Ltd for the operation of the kiosk and cash collection/receipting, in the sum of \$500 per month (excluding GST) for the licence to operate the kiosk and Council pay an amount of \$10,200 per month (excluding GST) through a Professional Services Agreement for cash collection/receipting duties.
- 2 Council delegate to the General Manager the authority to finalise and execute the contract and any other documentation required to give effect to this resolution.

## **ITEM 13 – TENDER T15/11 – LICENCE TO OPERATE CORRIMAL POOL KIOSK INCLUDING CASH COLLECTION/RECEIPTING**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

### **COUNCIL'S RESOLUTION –**

- 1 In accordance with the Local Government (General) Regulation 2005, Clause 178 (1) (a), Council accept the tender of Ken and Leanne Holloway for the operation of the kiosk and cash collection/receipting, in the sum of \$428.57 per month (excluding GST) for the licence to operate the kiosk and Council pay an amount of \$12,000 per month (excluding GST) through a Professional Services Agreement.
- 2 Council delegate to the General Manager the authority to finalise and execute the contract and any other documentation required to give effect to this resolution.

## **ITEM 14 – TENDER T15/16 – BERKELEY COMMUNITY CENTRE REFURBISHMENT – PROVISION OF ELECTRICAL SUBSTATION**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

### **COUNCIL'S RESOLUTION** –

- 1 In accordance with the Local Government (General) Regulation 2005, Clause 178 (1) (a), Council accept the tender of Picton Power Lines Pty Ltd for the Berkeley Community Centre Refurbishment – Substation Works, in the sum of \$105,160.00, excluding GST.
- 2 Council delegate to the General Manager the authority to finalise and execute the contract and any other documentation required to give effect to this resolution.
- 3 Council grant authority for the use of the Common Seal of Council on the contract and any other documentation, should it be required, to give effect to this resolution.

## **ITEM 15 – COMMERCIAL SURF SCHOOLS – 2015/2016 FEES AND CHARGES**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

**COUNCIL'S RESOLUTION** – Council adopt the Commercial Surf Schools – Non Prime Sites fee of \$1,224.00 per annum (GST inclusive) for 2015/16 Fees and Charges.

## **ITEM 16 – LEAVE OF ABSENCE – LORD MAYOR COUNCILLOR BRADBERRY – 5 AUGUST TO 1 SEPTEMBER 2015**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

**COUNCIL'S RESOLUTION** – Lord Mayor, Councillor Bradbery, be granted leave of absence for the period 5 August to 1 September 2015 inclusive, which includes one Council meeting on 24 August 2015.

## **ITEM 17 – CITY OF WOLLONGONG TRAFFIC COMMITTEE – MINUTES OF MEETING HELD 17 JUNE 2015**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

**COUNCIL'S RESOLUTION** – In accordance with the powers delegated to Council, the minutes and recommendations of the City of Wollongong Traffic Committee Meeting held on 17 June 2015 in relation to Regulation of Traffic be adopted.

## **ITEM 18 – BI MONTHLY TABLING OF RETURNS OF DISCLOSURES OF INTEREST AND OTHER MATTERS**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 97).

**COUNCIL'S RESOLUTION** – Council note the tabling of the Returns of Disclosures of Interest as required by Section 450A of the Local Government Act 1993.

## **THE MEETING CONCLUDED AT 6.16 PM.**

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Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on 3 August 2013.

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Chairperson

## Case study: The Port Kembla Community's Dilemma with Toxic Dust

*By Robin Mosman, NSW Community Lead Advisory Service*

A recent inquiry from a resident of Port Kembla highlighted starkly the need for a "cradle-to-grave" focus on the management of lead. Ceiling dust in his home has been found to be heavily contaminated by arsenic, lead, cadmium and other heavy metals.

There have been community and public health concerns regarding lead and other pollutants from the smelter's emissions for decades. A study of blood lead levels in children in the area is known to have been done as long ago as the 1950's. Community knowledge of that study is that it showed high blood lead levels in the children, but the results were not released. A further series of blood lead surveys on children were conducted in the early 1970's, late 1970's, early 1980's and late 1980's.

The late 1980's study revealed blood lead levels that are unofficially considered "shockingly high" by the Illawarra Public Health Unit (IPHU), although it is thought that "methodological problems in the testing might have been responsible".

In 1992, increasing awareness of the lead problem and pollution generally, coupled with community pressure, eventually led IPHU to instigate a Roof Dust Survey. It was decided that testing the accumulation of heavy metals in the roof dust of houses within 5 km of the southern end of Port Kembla industrial area (i.e. the smelter) in concentric circles would give a good representation of the loading of lead and other heavy metals in the area emanating from the smelter.

The survey showed a clear pattern of diminishing loads of heavy metals the further one went from the smelter. **It found that houses within 1 km of the smelter had "substantial concentrations" of lead, cadmium and arsenic in their ceiling dust.** One householder was advised that dust samples from her house showed levels of 2471 parts per million (ppm) of lead, 30 ppm of cadmium and 308 ppm of arsenic. The number of houses affected by the dangerous metals decreased the further they were away from the smelter. Houses with building-paper lining under roof tiles had lower levels of the heavy metals. The average lead levels in the ceiling dust measured 3500 ppm at 200-300 metres from the smelter; 1800 ppm at .5 km; 1000 at 1 km; and 500 ppm at 5 km.

The 1994 NSW Lead Management Action Plan (LMAP) states:

**"Lead in house dust is recognised as one of the best predictors of childhood lead poisoning, but is the least understood and has the greatest divergence of opinion on sampling protocols..."**

"Lead loading measurements (micrograms of lead / sq. metre) more directly measure lead available for a child to ingest and so better predict children's blood lead levels that do dust lead concentrations (parts per million)..."

**"Dust control, in general, is needed in construction and demolition sites..."**

LMAP states that in the absence of better data and on the strict understanding that further validation work must be done, soil with lead levels of between 300 and 1500 ppm should be covered with grass or some other appropriate barrier.

**However, there is currently no guideline on action levels for lead in dust.**

The "Health-Based Soil Investigation Levels" published by the National Environmental Health Forum in 1996, lists proposed health-based **investigation** soil levels for arsenic of 100 ppm, and for cadmium of 20 ppm. **There is no information given for action levels, and dust is not considered.**

Householders whose ceiling dust was sampled were notified individually of their results by the IPHU in 1993 and advised: "No attempt has been made to interpret the above results, but the presence of arsenic, cadmium and lead in the quantities shown would suggest that the dust shouldn't be permitted to enter the living areas of the house. As the dust is quite fine, anyone entering the roof space should protect their lungs by wearing a dust mask." There was no information given about possible health effects of exposure, or what kind of dust mask was required.

In a report of this survey given to the Port Kembla Pollution Committee, an open forum meeting monthly for industry, community, Council, Environment Protection Authority (EPA), and the Water Board, the following health information was all that was given by the IPHU:

"If the dust is eaten or breathed in, some arsenic, cadmium and lead may get into the blood and if so, some of that would stay in parts of the body, such as the kidneys, liver and brain. This would simply add to the amount that the person has already.

"There would be no health risk to people in the living areas of houses, if the ceilings are sound and do not contain openings which let the dust into the rooms..."

"Some of the dust is fine and could be inhaled deep into the lungs where it may not come back out again.

"If a house is not going to be altered, the best thing to do is to leave the dust there and make sure that the ceilings are sound. **If a house is to be renovated, the dust should be removed before the ceilings are demolished.** This would best be done by one of the asbestos removal contractors at Kemblawarra.

**"Children between 1 year and 4 years 11 months are most likely to get heavy metals into their systems from dust in their homes.** Concerned parents may get their children tested for blood lead levels..."

**The IPHU formed the Illawarra Lead Taskforce, to develop a lead management plan for the Port Kembla area. Another blood lead survey conducted in 1994 found 11% of the children surveyed had blood lead levels in excess of 10 µg/dL, the level beyond which the National Health and Medical Research Council recommend no Australian should be.** Assistance has been given by IPHU to help manage the problems of children found to have high blood lead levels.

The Department of School Education funded an Environmental Lead Assessment Report of lead levels in soil at the local primary school. Half the 26 samples of soil tested contained greater than 300-ppm lead, ranging up to 1581 ppm, 5 times the NSW level requiring further investigation.

A representative of Illawarra Residents Against Toxic Emissions (IRATE) said they are currently having talks with the IPHU about the possibility of a soil survey throughout the community. **"We have a very multicultural population here and there are a lot of people who grow their own vegies. It's a big part of their culture,"** he said. **However, as at February 1997, no satisfactory way has yet been established of dealing with the ceiling dust problem in Port Kembla. The social demographics of the area are changing, with older residents dying or moving away. The younger families buying up the old houses are renovating them. The charges of the few Sydney-based companies specialising in removing ceiling dust put their services beyond the reach of many locals.**

Unable to meet increased production levels, or to comply with pollution reduction levels required by the EPA, Southern Copper closed down the smelter in 1995 for "care and maintenance". Prior to this, IPHU had developed a "do-it-yourself" system in conjunction with Southern Copper, whereby people could borrow a HEPA vacuum cleaner, mask, disposable clothing and bags, and the smelter would take the dust

back for disposal. Detailed instructions are provided, which IPHU's Environmental Health Officer goes through with the borrower to make sure everything is clearly understood. However, only two people used this system before the smelter closed.

**IPHU have spoken unofficially of "ideally industry and government paying for lead abatement" it is difficult to see how this could happen with Southern Copper now not existing.**

The IRATE representative says that the issue of ceiling dust remediation is coming down to the issue of who accepts responsibility. "Southern Copper are saying they are not the only source of lead in the area, but they are the only source of cadmium, and there are large levels of that".

IPHU are reluctant to advertise the "do-it-yourself ceiling dust removal" scheme. They feel it is unethical to encourage people to remove the contaminated dust themselves, fearing that in doing so an even greater problem could be created in the living areas of people's homes. They consider that the scheme should be properly trialled to ensure that it can be done safely. Until then, they prefer the system to be a safety net only, and that householders leave the dust where it is, making sure that there are no ways for it to get into the living areas of houses.

However, they acknowledge that cases of high blood lead levels clearly caused by ceiling dust have occurred. And the home renovations which cause the disturbance of the leaded ceiling dust (skylights, insulation, demolition) continue.

# Concerted clean up of lead contamination at Broken Hill and Esperance contrast with other regional towns

[ABC Rural](#)

By [Sarina Locke](#)

Updated Mon at 1:47pm Mon 20 Jul 2015, 1:47pm

Lead contamination remains a big issue for many regional towns, but there is no nationally consistent approach on how to deal with it.

New stricter national health guidelines mean that even in towns where there have been successful campaigns to reduce residents' exposure to lead, very young children still have worrying lead levels in their blood.

Clean-up efforts are sporadic and often the lead dust issue is swept under the carpet.

Lead contamination hotspots are spread across the country and include Broken Hill, Port Kembla, Port Pirie, Mt Isa, Newcastle, Wollongong, and Esperance.

## Broken Hill

Esther LaRovere is an owner of the Royal Hotel at Broken Hill in western New South Wales, and loves the historic pub and city, but struggles with the lead lying around.

She said her young boy had played in the dust.

*It's our first child and we're certainly all very concerned about the impact on their development and learning ability.*

Esther LaRovere, Broken Hill mother

"I found out that my son Phoenix has a high lead level of 13 (micrograms per decilitre) about eight months ago, and we had to be proactive," she said.

"We live on the edge of town, there's salt bush and dirt, it's an old house and the area hadn't been touched for a long time."

Ms LaRovere was worried about that level for her son, because evidence shows it reduces a child's IQ and harms their brain development.

"It's our first child and we're certainly all very concerned about the impact on their development and learning ability."

Broken Hill is on Australia's largest lead reserve, so a background level is to be expected, but lead readings are worse around the mine and railway line.

University of Sydney Professor of Soil Science, Dr Stephen Cattle said people are well aware of the risks, and now reduce the lead dust around the home, that children can ingest.

"The measure of lead in children's blood is micrograms of lead per decilitre of blood," he said.

*It has to be a multi-pronged approach, environmental approach coupled with community education.*

Dr Cattle, University of Sydney

"Back in the 1990s the Far West area Health Service assessed in the screening program that 66 per cent, or two thirds of the kids aged 1-4 years, had a level of lead in their blood worthy of remediation.

"18 years later the number of kids with that level of lead in their blood was reduced to 20 per cent.

"That's a 46 per cent reduction in the number of children with that level of lead in their blood," said Dr Cattle.

But the goal posts have changed, and now Broken Hill has to aim for even lower blood lead levels.

This year, the [National Health and Medical Research Council](#) has halved what is the acceptable level, to five micrograms per decilitre.

"The Evidence Review found an association between blood lead levels less than 10 micrograms per decilitre and health effects; including reduced Intelligence Quotient and academic achievement in children, behavioural problems in children, increased blood pressure in adults, and a delay in sexual maturation in adolescent boys and girls," the NHMRC said.

This means [half the children of Broken Hill](#) have worrying levels.



**Photo:** [Esperance WA cleaned up after lead contamination of 2007-08, with \\$9 million from Magellan Metals, and by 2012 the effort won a community award.](#)

Dr Cattle said the NSW Government has this year thrown another \$13 million at Broken Hill for the lead abatement program for five years.

"Continuing remediation or surface capping of hotspots of lead contamination in soils of the area, minimising dust emissions from mining works," he said.

"One of the main ingestion pathways for children is hand to mouth, so hygiene is a big issue.

"So it has to be a multi-pronged approach, environmental approach coupled with community education."

## Port Kembla misses out

**There is however no such program for Wollongong in NSW, 12 years since the Port Kembla copper smelter was shut down.**

**Elizabeth O'Brien, from the information source The Lead Group, claimed there has been little remedial action to test for lead in ceilings.**

**"The plan was to have an education to warn people not to demolish ceilings without removing ceiling dust," said Ms O'Brien.**

**"People would also be advised about paint, so that whole plan was to make sure people were protected and that plan has fallen into a heap.**

**"So when people are planning a garden, or growing chooks, or planning renovation, people should be told."**

## Port Pirie and Mt Isa

The lead smelter is the economic lifeblood of the South Australian town of [Port Pirie](#), and lead contamination is a long standing underlying health issue.

Last year, South Australian Premier Jay Wetherall, welcomed a \$514 million upgrade of the Nyrstar lead smelter at Port Pirie, to reduce toxic emissions.

The transformed plant is expected to be open by 2016.

According to [Dr Mark Taylor, of Macquarie University](#), "Mount Isa Mines will spend at least \$650 million on critical projects to improve environmental performance and reduce pollution by the end of 2016."

## Esperance cleaned up

*Coming from something that was such a traumatic experience for Esperance, the clean up actually won a 2012 program of the year, they won an award for it.*

Tara de Landgraft, ABC Rural

The Western Australian town of Esperance has done a thorough clean up, since an acute case of lead poisoning in 2007.

The warning literally fell from the sky, when nearly 10,000 birds were killed after drinking contaminated water, or being exposed to plants with lead dust.

A State Government inquiry in 2008 found the [Magellan Metals](#) mine responsible, and it agreed to pay \$9 million toward decontamination and was banned from exporting lead from the Port of Esperance.

ABC Rural Journalist Tara de Landgraft said the [clean up was a concerted effort](#).

"Trucks rolling into towns, looked like cement mixers, they had big vacuum cleaner type hoses," she said.

"They'd vacuum inside roofs and houses, they'd clean inside rainwater tanks.

"When I'd arrive to interview people, all I could see were legs sticking out of rainwater tanks while they cleaned.

"Coming from something that was such a traumatic experience for Esperance, the clean up actually won a 2012 program of the year, they won an award for it."

Elizabeth O'Brien from the Lead Group said lead should not be swept under the carpet.

"It would be fantastic if there were tax breaks if people got their ceiling dust removed, so that it was gone for good, because now there is no lead for petrol, since 2002, a fantastic time to have all the lead paint removed," she said.

"So you can protect every person who could possibly live in that house forever more."

## Lead clean-up funding sought

Author: By DONNA PAGE  
Date: 15/01/2015  
Words: 308  
Source: NCH

Publication: Newcastle Herald  
Section: News  
Page: 15

LAKE Macquarie City Council has asked Environment Minister Rob Stokes to establish a special program under the NSW Environmental Trust to tackle lead contamination in north Lake Macquarie.

Mayor Jodie Harrison has sought Mr Stokes' support to ensure the Pasmenco lead pollution fallout does not result in residents being unfairly penalised and land sterilised.

She wants a new program established under the NSW Environmental Trust, which had a budget of \$100 million last year, to help clean up the "legacy of industrial disregard for the environment".

"I understand the Environmental Trust administers grant funding for a range of projects including pollution clean-up programs," she wrote. "I am interested in the possibility of a dedicated component of the trust being targeted to assist with managing the legacy of lead contamination in Lake Macquarie."

The council has long argued it is unable to manage the pollution problem, including the historical dumping of smelting by-product black slag, because it does not have the money or expertise.

It first asked the Environment Protection Authority for assistance with slag from the former Pasmenco lead and zinc smelter more than 20 years ago and has received just one \$20,000 grant.

Ms Harrison said assistance from the state government had failed to flow, despite state agencies knowing about it for decades and approving the Pasmenco operation that produced the pollution.

Mr Stokes said on Wednesday that the government was taking the "issue very seriously" and did not rule out funding from the trust.

"In principle we always look to those responsible for contamination to pay for the clean-up," he said. "The Lead Expert Working Group, which the council is a member of, will assess all available data to determine the appropriate course of action."

"The NSW government will then consider the panel's recommendations and possible sources of funding, if required, including the Environmental Trust, to implement the recommendations."

## Lake Macquarie blood lead testing on track

Updated 8 Jul 2015, 7:42am Wed 8 Jul 2015, 7:42am

Hunter New England Health says it has tested blood lead levels in around 40 children as part of efforts to assess ongoing contamination issues from the former Pasmenco lead smelter.

The free blood lead testing for children under five and pregnant women in suburbs surrounding the former smelter at Lake Macquarie started last week and is due to wind up next week.

Public Health physician Craig Dalton said halfway through the program, they are on track to meet their target of testing at least 100 local children.

He said families are well aware of the contamination issues.

"Parents have some concerns, there's been a lot of concern expressed in the media and I think they're responding to that and people just want reassurance about how their children are going and what sort of exposures they have had in the area," he said.

The testing is being carried out more than a decade after the Pasmenco smelter closed.

Dr Dalton said it is just focused on picking up excess exposure to lead.

"If we find any evidence that they're getting excess exposure to lead then we look at the source," he said.

"So of course we're looking for old smelter emissions in dust or slag or lead paint."

# Additional funding to clean up Esperance lead

Updated 29 Aug 2011, 8:26pm Mon 29 Aug 2011, 8:26pm



The State Government has committed another \$5.8 million to complete the clean-up of lead from the southern port town of Esperance.

The contamination was revealed in 2006 when lead and nickel were found in soil, rainwater tanks and animals.

Lead exports from the port were banned in 2007 after lead dust killed thousand of birds.

Some residents were also found with elevated lead levels in their blood and more than 2,000 homes were contaminated.

At the time, thousands of tonnes of lead concentrate were stored in a stockpile at the port by Magellan Metals.

Elevated levels of the heavy metal were recorded around the town following dust emissions from the stockpile.

The company then agreed to place the lead in specially designed bags.

**"The costs of analysing those samples has been a lot higher than had been anticipated and some of the complexity around cleaning the houses and disposing of the waste has meant we need extra money to do the job."**

Troy Buswell

The Transport Minister, Troy Buswell, says the Government has now allocated a total of nearly \$25 million to cleaning up the town.

"Quite simply, there are more houses, more testing required and some of the cleanup is a little bit more complicated," he said.

"The costs of analysing those samples has been a lot higher than had been anticipated and some of the complexity around cleaning the houses and disposing of the waste has meant we need extra money to do the job."

Mr Buswell says the funding should complete the decontamination of the properties.

# Lead Environmental Community Groups Program

## Aim of the LECG Grants Program

The Lead Environmental Community Groups (LECG) Grants Program is aimed at assisting eligible lead environmental community organisations to build the capacity of the NSW community in protecting and conserving our environment.

It provides grants to assist eligible lead environmental community organisations in NSW to deliver community education and/or capacity building activities that:

- actively involve the community in projects to protect and enhance the natural environment
- raise community awareness and understanding of, and gathering information on, environmental issues with a view to bringing about behavioural change across the community
- empower the local community to take an active role in decision-making by building community skills and capacity and providing a greater sense of community ownership of our environment
- assist the community to deliver activities that support Goals 22, 23 and 24 of [NSW 2021](#).

The program will support new or existing educational activities that develop or widen the community's knowledge, skills, and participation in protecting the environment and undertaking sustainable behaviour.

## Grants awarded in 2013-14

A total of \$600,000 was offered under the program for the 2013-14 round, with grants of up to \$80,000 available to eligible organisations. Applications closed on 7 May 2014. A total of 21 applications were received, requesting \$1,099,634. The Trust awarded 19 one-year grants totalling \$600,000. A list of successful grantees can be found on the [2013-14 grants awarded](#) page.

For information on grants awarded in previous years, please select the relevant year from the side navigation menu.

## New direction for LECG

Traditionally the LECG Grants Program has achieved its aim by contributing towards the administrative expenses of lead environmental community groups. This particular program has been the only Environmental Trust program to offer this type of support.

While the program is still targeted towards 'lead' or 'peak' environmental community organisations, the program is now shifting its focus by offering grants to support new or existing education and/or capacity building activities carried out by such groups.

## Eligibility

The LECG Grants Program has two streams of funding for organisations of different sizes.

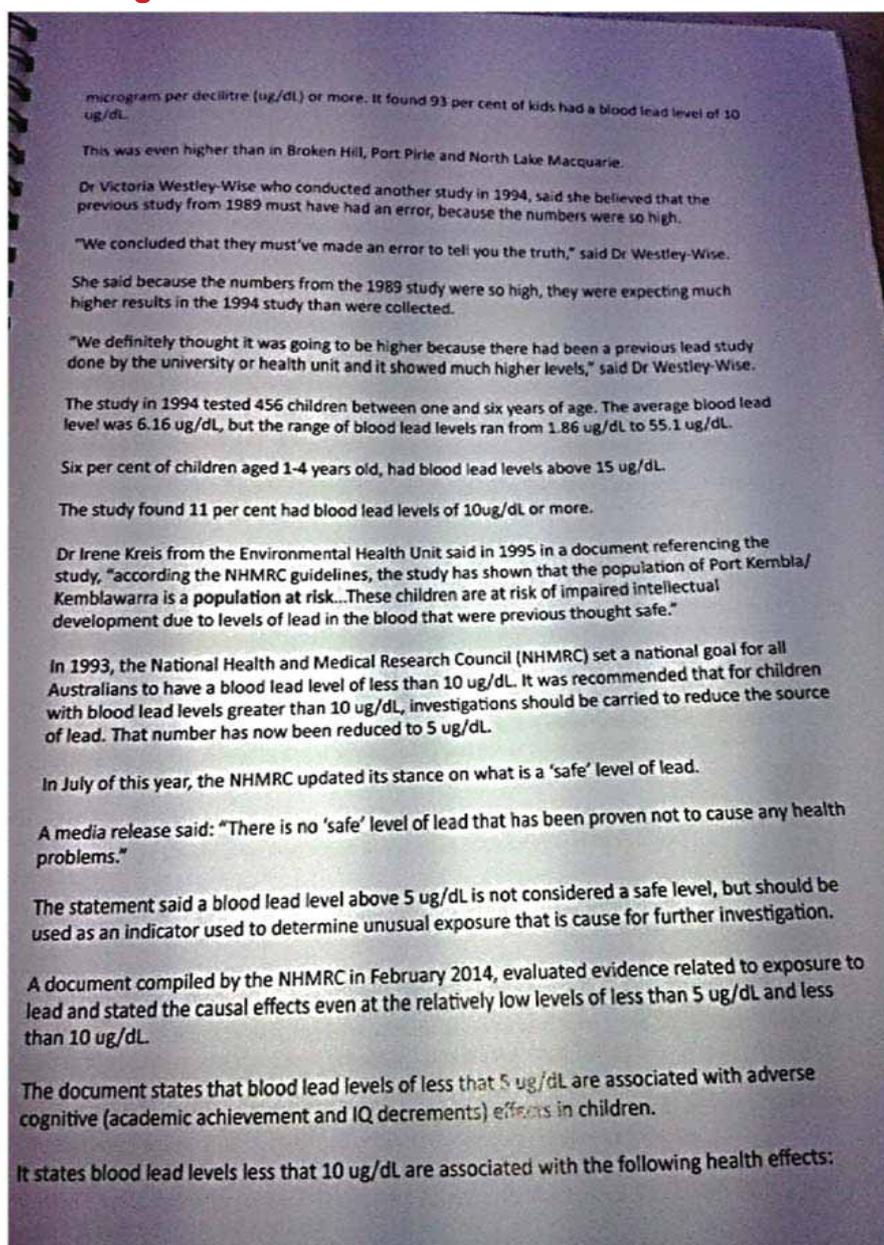
Specific eligibility requirements for each stream are outlined below. However, to be eligible for this program, all organisations shall:

- be a lead environmental community organisation
- be a non-government, not-for-profit organisation
- have a full-time presence in NSW
- have the protection and enhancement of the environment as one of their primary objectives
- be an organisation that is the peak representative of a specific field of environmental activity across NSW **and/or** be an umbrella organisation providing the full spectrum of activities expected of a peak environment organisation within NSW
- have their own constitution and be incorporated under the law of a state or territory as an incorporated association, company or cooperative society

**WE KNOW FROM PREVIOUS STUDIES IN PORT KEMBLA RESIDENTIAL AREAS AND SURROUNDS THAT THERE IS A PROBLEM .....it wont just go away and it cant just be forgotten or swept under the carpet.**

**Blood Studies of Children from Port Kembla found higher levels of Lead than those found in Port Pirie, Broken Hill and Lake Macquarie.**

**1994 Study Found that Port Kembla and Kemblawarra is a population at Risk "These children are at risk of impaired intellectual development due to levels of lead in the blood that were previous thought safe." Dr Irene Kreis.**



**High Lead and heavy metals were found in Ceilings, Backyards, and home grown produce and eggs.**

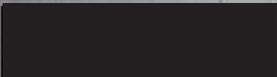
2

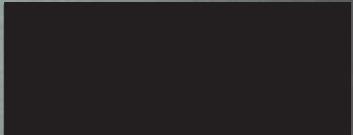
2. Lead dust in the soil was substantial and the area around the tree stump could be classified as a contaminated site. It is important that Mitchell does not play in any of this soil. All soil in the yard should either have a good grass cover or be paved. You might consider providing Mitchell with a sand pit.
3. The carpet in the Loungeroom should be cleaned by Elite Maintenance Services (266 008). The method used by this company was the only one found to satisfactorily remove lead from carpets in trials carried out by the South Australian Department of Environment and Planning.
4. Mitchell should be taught to wash his hands before eating anything, and after playing.

We are also providing an advisory brochure on the removal of lead-based paint, as well as the Healthy Cities leaflet called "LOOKING OUT FOR LEAD" and a brochure called "LEAD alert" outlining some simple steps to reduce the risk of lead.

We hope that the action you take will result in Mitchell's blood lead level dropping to the National Health and Medical Research Council's goal of less than 10 micrograms per decilitre.

Yours sincerely,

  
RICHARD WILSON  
Senior Environmental Health Officer.

  
Project Officer.

20 11 13

**REQUEST FOR TRADE MARK ANALYSIS**

Requester:  Trade Mark  Other

Product:  Food  Drink  Textile  Other

Analysis:  Lead  Cadmium  Nickel  Chromium  Copper  Zinc

Sample Colours: 1. Blue/White 2. Red 3. Green 4. Yellow 5. Purple

Sample Description:  Paper  Ink  Pigment  Dye  Other

Analysis Method:  XRF  AAS  ICP  Other

Analysis Location:  On-site  Lab

Analysis Date:  1-3 days  4-7 days  8-14 days  15-30 days

Analysis Cost:  \$100  \$200  \$300  \$400  \$500  \$600  \$700  \$800  \$900  \$1000

Analysis Results:  Lead  Cadmium  Nickel  Chromium  Copper  Zinc

Analysis Report:  Yes  No

Analysis Certificate:  Yes  No

Analysis Fee:  \$100  \$200  \$300  \$400  \$500  \$600  \$700  \$800  \$900  \$1000

Analysis Fee:  \$100  \$200  \$300  \$400  \$500  \$600  \$700  \$800  \$900  \$1000

Analysis Fee:  \$100  \$200  \$300  \$400  \$500  \$600  \$700  \$800  \$900  \$1000

DETAILS OF SAMPLES	T.M. LAB REQUEST NUMBER	RESULTS	ANALYSIS METHOD
DUST FROM CEILING BRICKS	10835	770	0.8
CEILING GILL			
DUST FROM CEILING BRICKS	10837	430	0.07
PAINT FROM DOOR	10838	240	0.26
PAINT FROM GARAGE	10839	1670	3.62
CEILING NEAR TRAMPOLINE	10840	724	0.07
PAINT NEAR TRAMPOLINE	10841	1487	0.15
PAINTING DOY CAR	10842	70	0.007
MATEL TRT CAR	10843	1900	0.19

Results reported by: *mg/ly*

Analyst's comments: *Present/2*

Signature of Analyst: *[Redacted]*

Signature of Client: *[Redacted]*

mg = milligram, kg = kilogram, g = microgram, L = litre

Warning Stickers Wollongong City Council used to Issue to Contaminated Homes and Buildings along with warnings on the 149 Certificates regarding Disturbance of Ceiling Dust, Ground/backyards and growing of Fruit and Vegetables.



Analysis of Ceiling Dust in Homes in Port Kembla and Surrounds

**OUR HOME CONTAINS**

mg/kg = ppm

74	CADMIUM	3 $\frac{3}{4}$ x	NH&MC
263	ARSENIC	2 $\frac{1}{2}$ x	NH&MC
91	NICKEL		
51	CHROMIUM		
1.72	MERCURY		
4,020	LEAD	13 $\frac{1}{2}$ x	NH&MC
39	COBALT		
5,800 and 20,730	ZINC and COPPER		

**TOXIC CANCER COCKTAIL**



# WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

## Planning Proposal Land Zoning Map

- Wollongong City Council land
- Neighbourhood Planning Boundary
- B2 Local Centre
- E1 National Parks & Nature Reserves
- E2 Environmental Conservation
- E3 Environmental Management
- IN2 Light Industrial
- R2 Low Density Residential
- R3 Medium Density Residential
- RE1 Public Recreation
- RE2 Private Recreation
- RU1 Primary Production
- RU2 Rural Landscape
- RU4 Primary Production Small Lots
- SP1 Special Activities
- SP2 Infrastructure

Cadastre  
 Cadastre 20.07.15 © Wollongong City Council

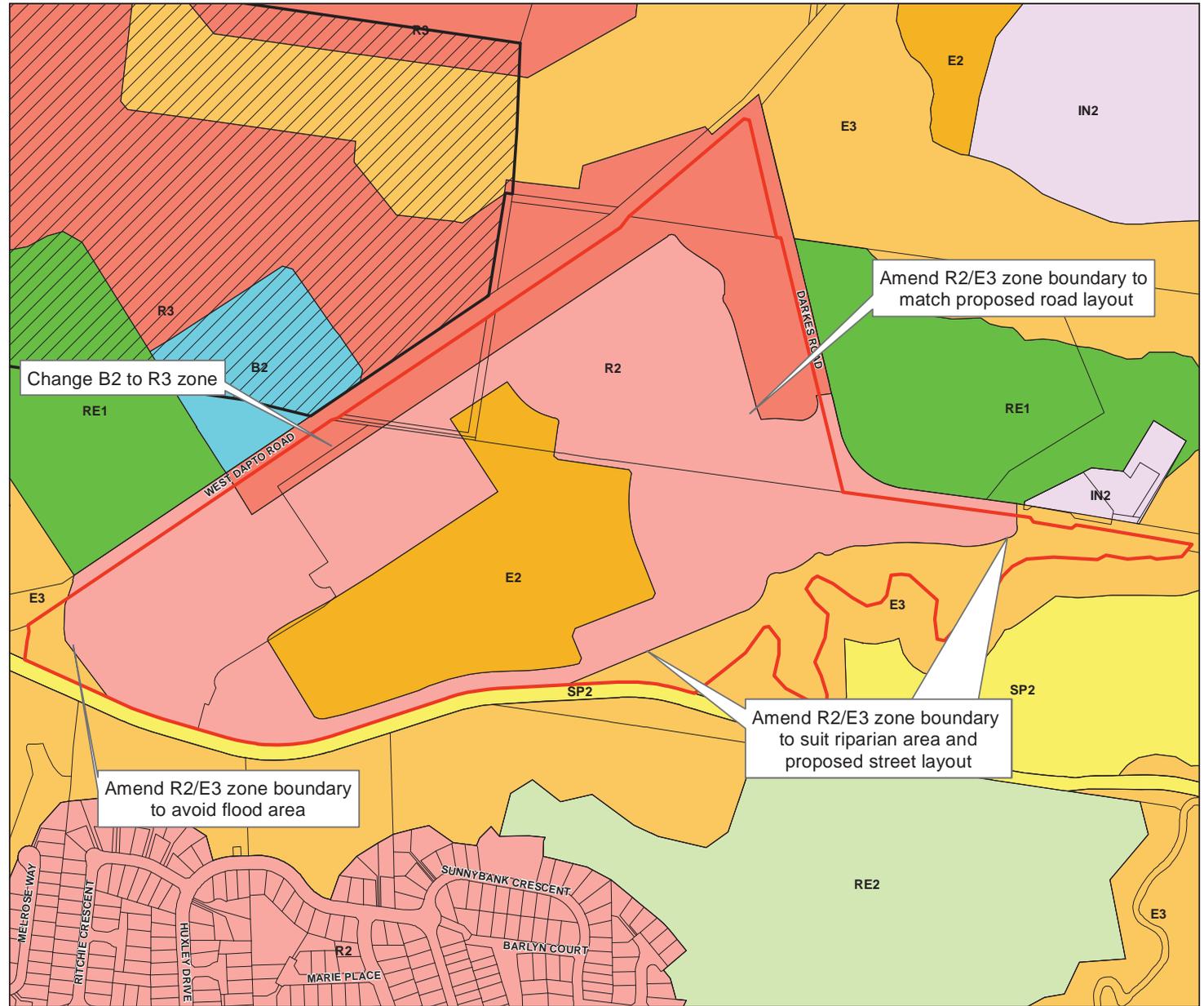


0 0.2  
 Kilometers

Projection: GDA 1994  
 MGA Zone 56

Scale 1:5,000 @ A3

Map Identification number:  
 DarkesRoad\_PP\_Zoning.mxd



Change B2 to R3 zone

Amend R2/E3 zone boundary to match proposed road layout

Amend R2/E3 zone boundary to suit riparian area and proposed street layout

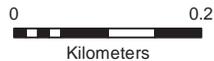
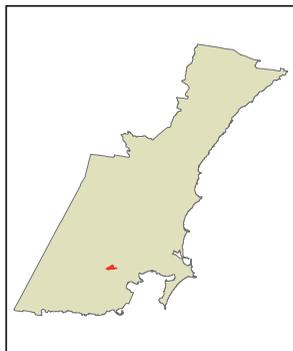
Amend R2/E3 zone boundary to avoid flood area

Planning Proposal  
 Floor Space Ratio Map

Maximum Floor Space Ratio (n:1)

A	0.3
D	0.5
I	0.75
P	1.2
S	1.5
T	2.0
U	2.5
V	3
 Neighbourhood Planning Boundary	

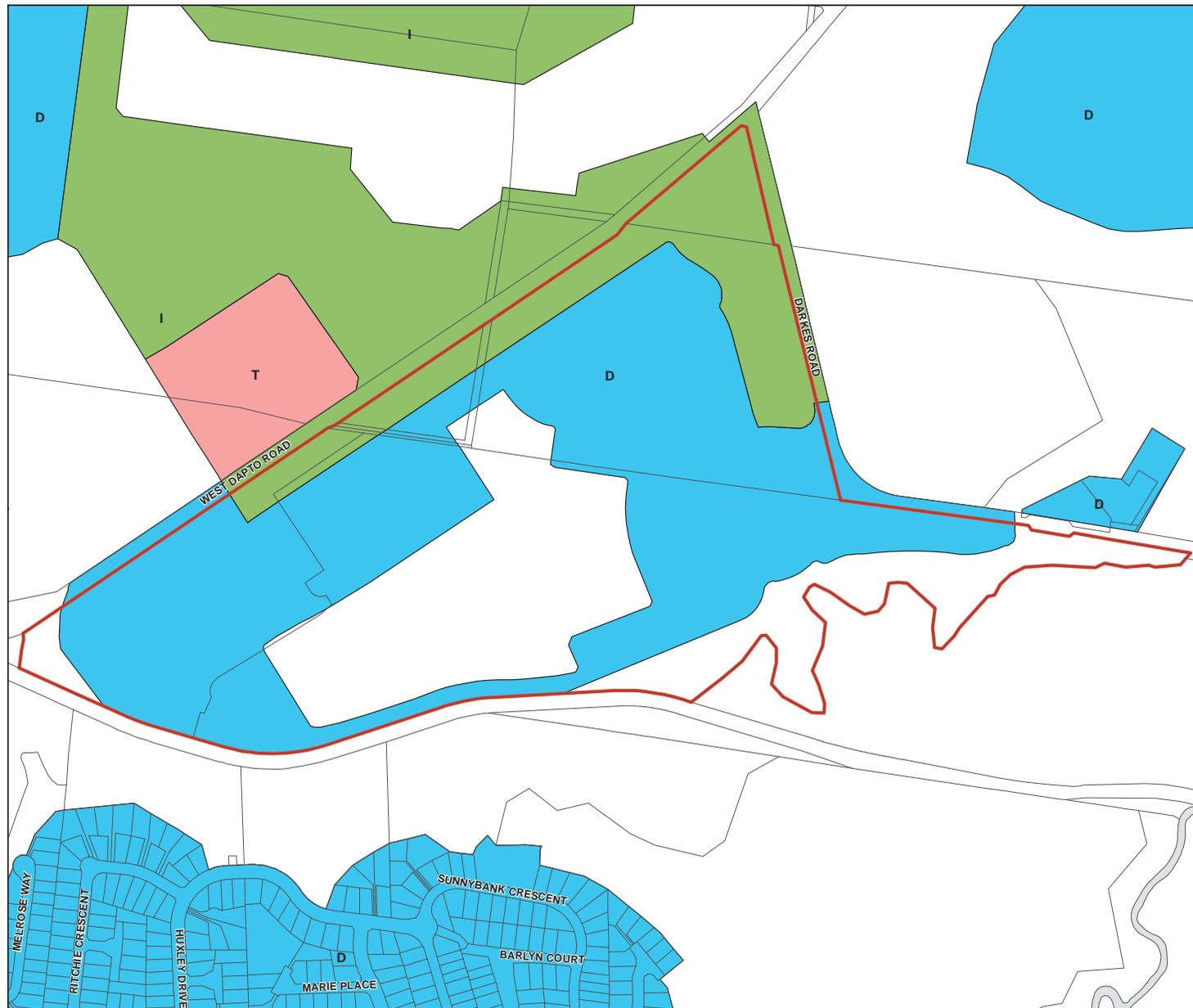
Cadastre  
 Cadastre 30.06.15 © Wollongong City Council



Projection: GDA 1994  
 MGA Zone 56

Scale 1:5,000 @ A3

Map Identification number:  
 DarkesRoad\_PP\_FSR.mxd





**WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009**

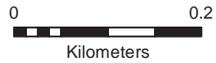
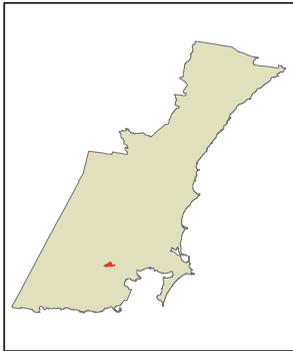
**Planning Proposal Lot Size Map**

Minimum Lot Size (sq m)

- C 299
- F 449
- J 549
- P 699
- T 999
- U1 1499
- U2 1999
- V 2999
- W 3999
- X 0.99ha
- Y 1.99ha
- Z1 3.99ha
- Z2 4.99ha
- AA 9.99ha
- AB 39.99ha

Neighbourhood Planning Boundary

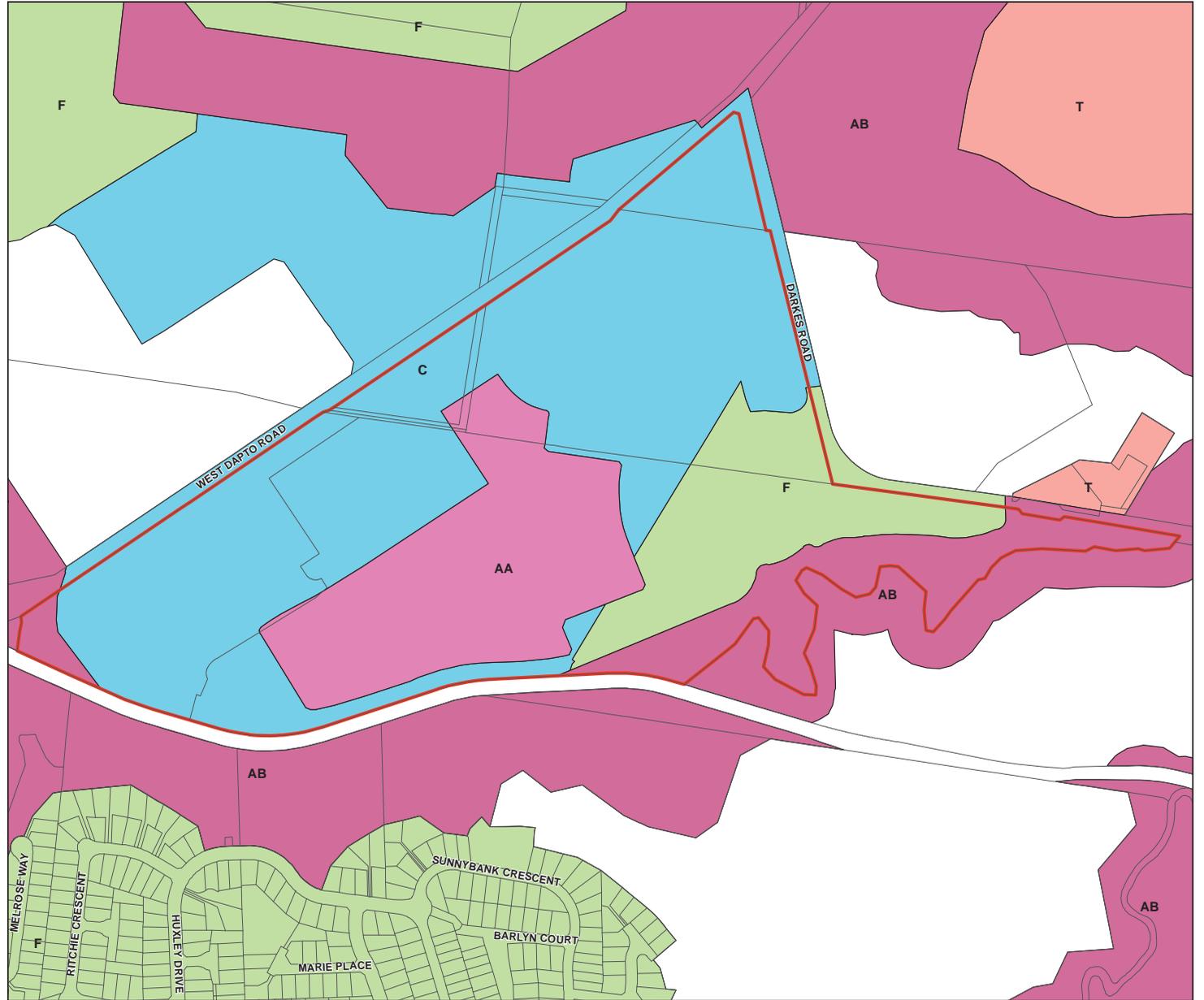
Cadastral  
 Cadastral 18.03.15 © Wollongong City Council



Projection: GDA 1994  
MGA Zone 56

Scale 1:5,000 @ A3

Map Identification number:  
DarakesRoad\_PP\_MinLotSize.mxd





# WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

## Planning Proposal Height of Building Map

### Maximum Building Height (m)

- J 9
- N 13
- Q 20
- Neighbourhood Planning Boundary

### Cadastral

Cadastral 30.06.15 © Wollongong City Council



Projection: GDA 1994  
MGA Zone 56

Scale 1:5,000 @ A3

Map Identification number:  
DarkesRoad\_PP\_Heights.mxd



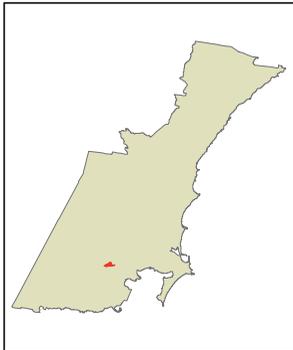


**WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009**

Planning Proposal  
Land Reservation  
Acquisition Map

- Neighbourhood Planning Boundary
- Local Road (R3)
- Local Road (R2)
- Local Road (RE1)
- Local Road (IN2)
- Local Road (E3)
- Local Road (B2)
- Local Open Space (RE1)
- Local Open Space (E2)

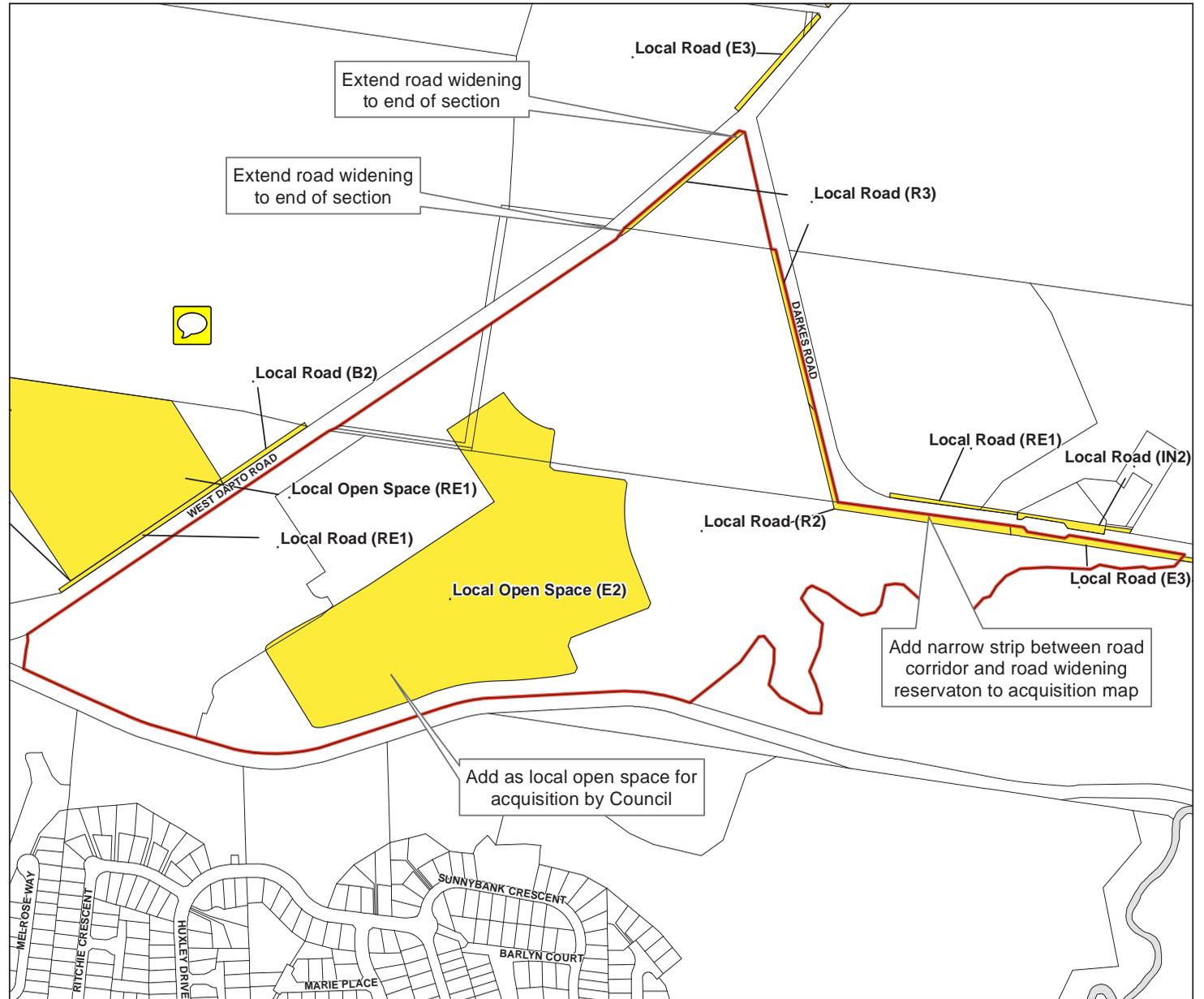
Cadastra  
Cadastra 30.06.15 © Wollongong City Council



0 0.2  
Kilometers

Projection: GDA 1994  
MGA Zone 56

Map Identification number:  
DarquesRoad\_PP\_Reservations.mxd



## LEGEND

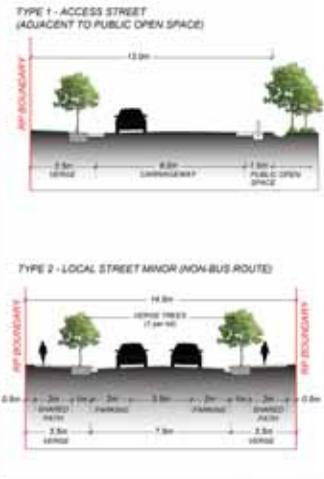
- Contours (1m intervals)
- Site Boundary
- Land Use zone separation (E4 & R2)
- APZ
- Surveyed trees (to be retained)
- Indicative detention basins
- Indicative bio-swale locations
- Indicative creek line
- Building envelope on E4 lots
- Indicative location of proposed pump station
- Indicative boundary of Community Park
- Indicative alignment of cycle path
- Approved Pedestrian underpass

## YIELD SUMMARY (AVONDALE ROAD NORTH)

<b>Cleveland Road Site 1</b>	
1500m <sup>2</sup> lots (E4)	= 23 lots
450m <sup>2</sup> lots (R2)	= 93 lots
<b>Total lots</b>	<b>= 116 lots</b>
<b>Cleveland Road Site 2</b>	
450m <sup>2</sup> lots (R2)	= 22 lots
<b>Avondale Road Site 1</b>	
300m <sup>2</sup> lots (R2)	= 17 lots
<b>TOTAL LOTS</b>	<b>= 158 lots</b>

## INDICATIVE ROAD CROSS SECTIONS (IN ACCORDANCE WITH DRAFT WEST DAPTO TYPOLOGIES)

T 250

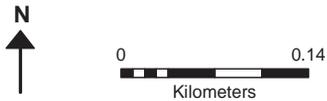


Planning Proposal  
 Land Zoning Map

Zoning

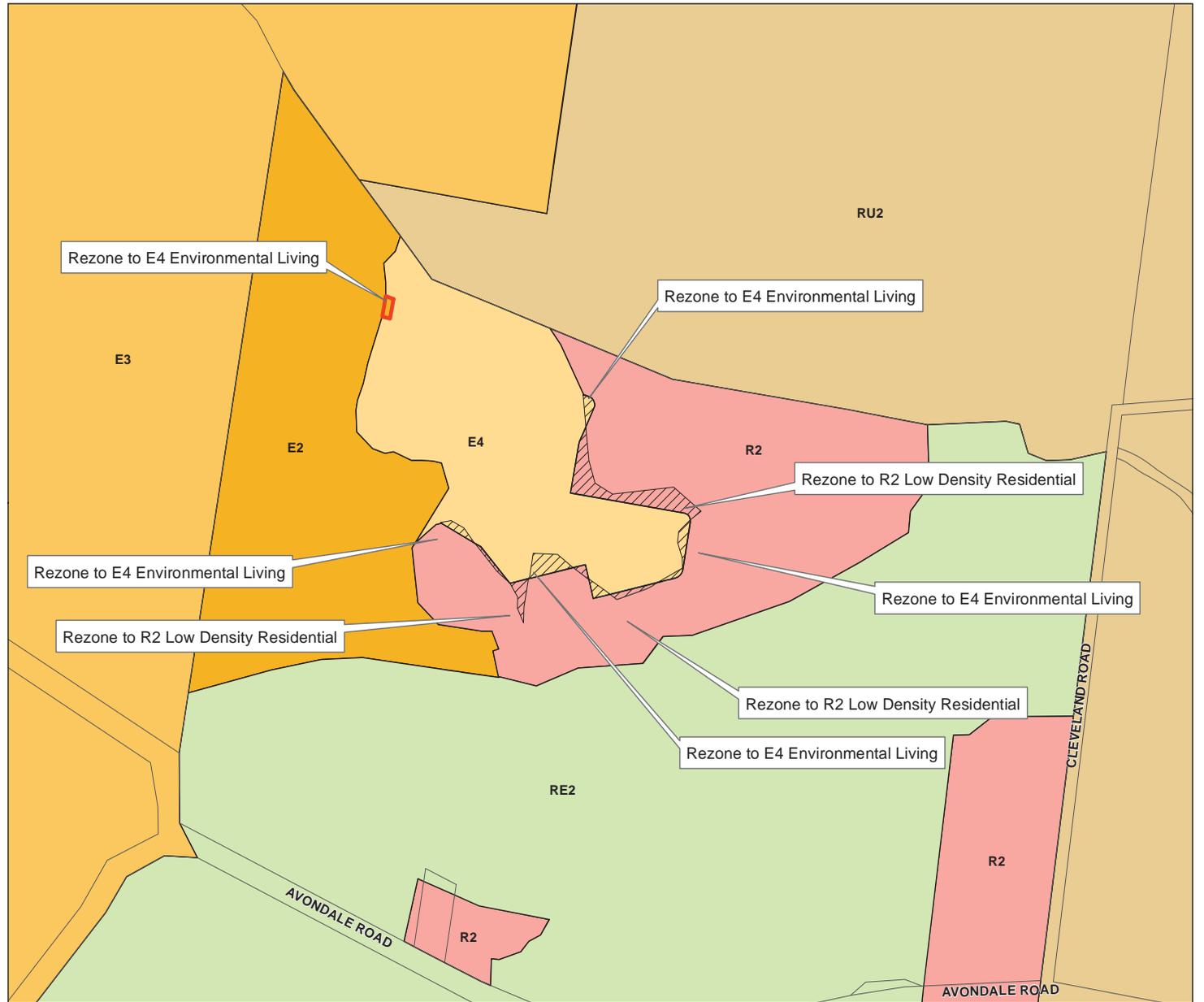
- E2 Environmental Conservation
- E3 Environmental Management
- E4 Environmental Living
- R2 Low Density Residential
- RE1 Public Recreation
- RE2 Private Recreation
- RU2 Rural Landscape
- Zoning Changes

Cadastre  
 Cadastre 26.11.14 © Wollongong City Council



Projection: GDA 1994  
 MGA Zone 56  
 Scale 1:3,000 @ A3

Map Identification number:  
 AvondaleNth\_PlanningProposal\_Zoning.mxd



Planning Proposal  
 Lot Size Map

Minimum Lot Size (sq m)

- C 299
- F 449
- J 549
- P 699
- T 999
- U1 1499
- U2 1999
- V 2999
- W 3999
- Y 1.99ha
- Z 4.99ha
- AA 9.99ha
- AB 39.99ha

Minimum Lot Size Changes

Cadastre  
 Cadastre 26.11.14 © Wollongong City Council



N



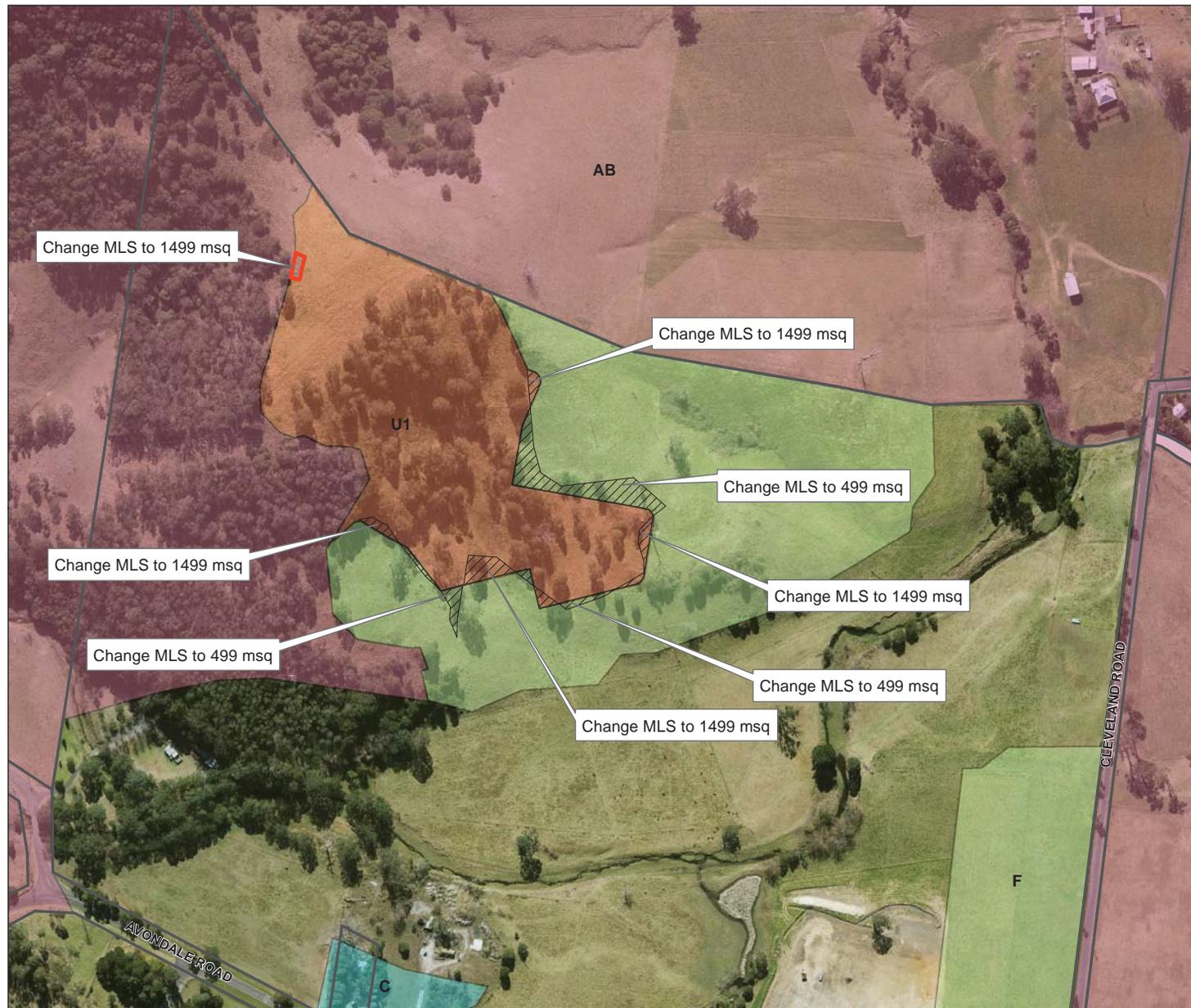
0 0.12

Kilometers

Projection: GDA 1994  
 MGA Zone 56

Scale 1:3,000 @ A3

Map Identification number:  
 AvondaleNth\_PlanningProposal\_MLS.mxd



Planning Proposal  
 Floor Space Ratio Map

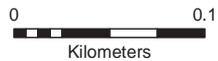
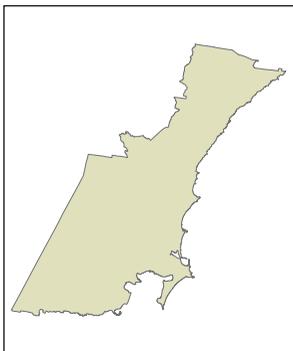
Maximum Floor Space Ratio (n:1)

 Floor Space Ratio Changes

-  D 0.3
-  I 0.5
-  S 0.75
-  T 1.5
-  U 2.0
-  V 2.5
-  3

Cadastral

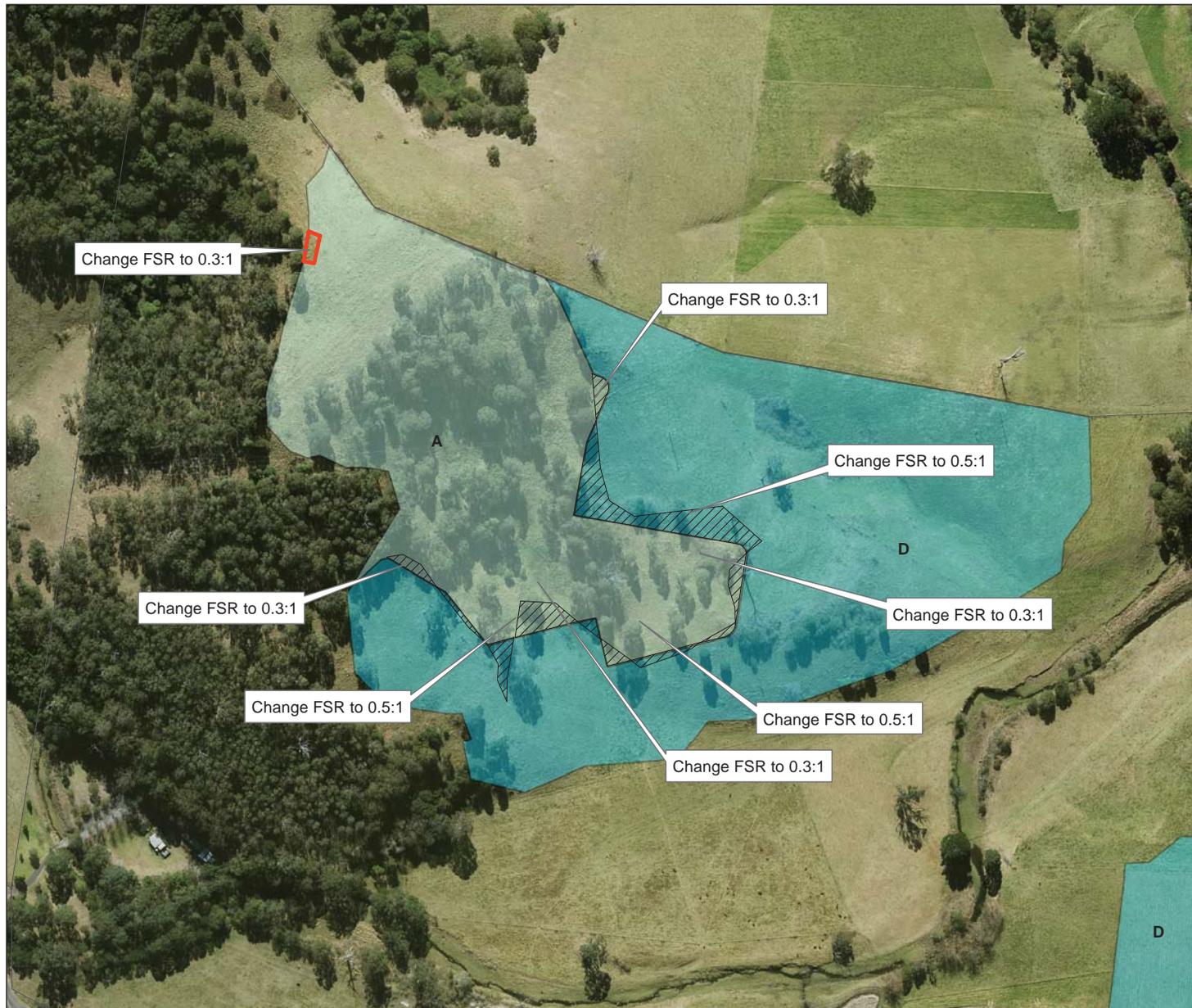
 Cadastral 26.11.14 © Wollongong City Council



Projection: GDA 1994  
MGA Zone 56

Scale 1:3,000 @ A3

Map Identification number:  
AvondaleNth\_PlanningProposal\_FSR.mxd



## Summary of Submissions Received for North Huntley

### Neighbourhood Plan Submissions

Agency	Issues	Response
NSW Rural Fire Service  Z15/37525 Z15/40102  20 Feb 2015	<ul style="list-style-type: none"> <li>• Asset Protective Zones appear to comply with minimum requirements.</li> <li>• Proposed one way road width is a concern the perimeter road must be changed to accommodate a two lane perimeter road 8m minimum kerb to kerb.</li> <li>• Cul-de-sac should be eliminated</li> </ul>	These issues were discussed with the proponent and amendments to road design were made RFS advice superseded by subsequent submission.
NSW Rural Fire Service  Z15/116148 (RFS ref # DA1 5012895590)  26 May 2015	<ul style="list-style-type: none"> <li>• Two-way perimeter road along the western edge of the proposed residential neighbourhood as requested in NSW Rural Fire Service submission, 20 Feb 2015.</li> <li>• Advises no objection to the revised plan subject to requirement that the future subdivision complies with <i>Planning for Bushfire Protection 2006</i>.</li> </ul>	Updated Neighbourhood Plan incorporates requirements from <i>Planning for Bushfire Protection 2006</i> such as Asset Protection Zones (APZ), access and services provisions.  Removal of objection noted.
Sydney Water  Z15/39080	<ul style="list-style-type: none"> <li>• The nearest connection point to an existing 300mm water main is located 3km away on Bong Bong Road.</li> <li>• This 300mm water main has sufficient capacity to supply the development but the extension of the main requires the construction of a large section of water main in future roads.</li> <li>• An alternative is located on the corner of Avondale and Turnball Road approximately 4km from the site.</li> <li>• Due to the long lengths of mains that are required to be extended, there is a risk of water quality being an issue. This will need to be assessed during the formal application (by the Developer) process to Sydney Water.</li> <li>• Sydney Water has been previously advised that the development would not connect to wastewater however this position has since changed. Therefore Interim wastewater arrangements will be needed. This could also include a pump-out arrangement as detailed in the Neighbourhood Plan until a suitable connection becomes available with further growth in the area.</li> <li>• Such interim arrangements are at the</li> </ul>	Potable water will be connected to a Sydney Water main with details around where and the size of the connection will be determined at Development Application stage.  Provisions for onsite wastewater management have been included in the Neighbourhood Plan although these provisions are interim until a suitable connection becomes available with further growth in the area.

	<p>cost to the developer, and the developer is to install, operate and maintain such on-site facility independent of Sydney Water.</p>	
<p>Office of Environment and Heritage Z15/40718 27 Feb 2015</p>	<ul style="list-style-type: none"> <li>• The Draft Neighbourhood Plan is generally consistent with the intent of the land use zoning notably the objectives of the E2 zone which include to <i>‘protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values’</i>. The values within the E2 zone also coincide broadly with biodiversity mapped areas under Clause 7.2 of WLEP 2009 and the most intact areas of Illawarra Lowland Grassy Woodland Endangered Ecological Community (EEC) within the subject site.</li> <li>• Locating the developable lots within the E4 zone, away from the high constraint areas of Illawarra Lowlands Grassy Woodland EEC in the E2 zone, is supported. Furthermore, the larger lot layout within the E4 zone may afford the opportunity for preservation of some scattered trees outside high constraint areas.</li> <li>• Further development of offsetting options is required. It appears unlikely that the subject site is capable of generating all of the biodiversity credits required by the BioBanking Assessment Methodology (BBAM).</li> <li>• No objection to the draft Planning Proposal is raised in principle as an additional 700m<sup>2</sup> of E4 zoned land would be provided.</li> <li>• Building envelopes need to be set back a minimum of 50m from the retained vegetation so that this area of EEC can be retained and protected without the threat of further clearing for bushfire mitigation purposes under the NSW Rural Fire Service “10/50 Vegetation Clearing Code of Practice for NSW” (10/50 code). This should be able to be achieved via the perimeter road and increased front setbacks on the large lots as proposed.</li> <li>• The proposal involves the clearing and/or modification of over 3 ha of vegetation located on site in an area</li> </ul>	<p>Support for Draft Neighbourhood Plan noted.</p> <p>Support for proposed zoning noted.</p> <p>Biodiversity offsetting is being examined in consultation with OEH also with consideration to future West Dapto Development.</p> <p>Noted.</p> <p>Additional constraints will apply through the Wollongong DCP 2009 and the Escarpment Management Plan. Appropriate setbacks and building envelopes to be considered in greater detail during subdivision development assessment stage. A Vegetation management plan and proposed Building envelopes restricted to “existing legally cleared areas of the site only” and other development</p>

	<p>previously zoned E4 – Environmental Living under WLEP 2009. The vegetation community in this location is the Illawarra Lowlands Grassy Woodland (ILGW) EEC which is protected under the provisions of the <i>NSW Threatened Species Conservation Act 1995 (NSW TSC Act 1995)</i>. The E4 area corresponds to the area of ILGW EEC and is proposed for large lot residential development.</p> <ul style="list-style-type: none"> <li>• Significant work has been done on the biodiversity constraints associated with the development of the West Dapto Urban Release Area (WDURA), including vegetation mapping and a preliminary biodiversity certification assessment. The zones associated with the Huntley North Neighbourhood Plan are consistent with the development and conservation areas identified as part of this work. The E4 area is located within the “developed” area under the biodiversity certification mapping.</li> <li>• Whilst the development and conservation areas have been identified as part of the biodiversity certification work, the area is yet to be certified and therefore the standard biodiversity assessment process and legislative framework applies to the development of the site. This means that in order to develop the site, the impacts upon threatened species must be assessed via Section 5A of the <i>EP&amp;A Act 1979</i> or alternatively under the Biodiversity Banking provisions of the <i>NSW TSC Act 1995 (Part 7A)</i>. Until Biodiversity Certification is conferred, these are the two options for the development of the subject site.</li> <li>• Whilst the zonings are consistent with the biodiversity certification mapping of the URA, a suitable mechanism will need to be put in place for the proposal to proceed at development application stage with the clearing of over 3ha of Illawarra Lowlands Grassy Woodland EEC.</li> <li>• We recommend Council ensure that the proposed neighbourhood plans are consistent with the NSW Government’s</li> </ul>	<p>controls contained in DCP chapter B6 - Development in the Illawarra Escarpment.</p> <p>Biodiversity Certification will be pursued for this development.</p> <p>In addition to zoning intents, Vegetation Management Plan, building envelopes in the E4 zone and restricted clearing will provide mechanisms in the development application stage to provide controls around clearing of vegetation.</p> <p>These considerations have been made in development of</p>
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	<p>Flood Prone Land Policy as set out in the Floodplain Development Manual (2005),</p> <ul style="list-style-type: none"> <li>• Council should consider: <ul style="list-style-type: none"> <li>○ the impact of flooding and stream erosion on the development (including local overland flows not contained within the indicative drainage provisions for large floods up to the Probable Maximum Flood (PMF)); and</li> <li>○ the impact of the development on flood behaviour (particularly topography changes through land fill, water course diversions, and increased impervious areas) including any management measures to mitigate adverse flood impacts; and</li> <li>○ the impact of flooding on the safety of people/users of the development including flood hazard on access routes and access requirements in times of flood; and</li> <li>○ the full range of flood events, up to and including the PMF; and</li> <li>○ the implications of climate change (particularly increased rainfall intensity) and cumulative development impacts on flooding and estimated flood planning levels; and</li> <li>○ the development control plans and policies of Wollongong City Council in relation to the management of flood risk (particularly freeboard provisions); and</li> <li>○ utilisation of the best available flood information for the area including but not limited to the Mullet and Brooks Creeks Floodplain Risk Management Study and Plan</li> </ul> </li> <li>• Aboriginal heritage values have been identified within the subject areas and we recommend that these values be conserved where possible. Where conservation is not possible, the appropriate level of assessment in accordance with OEH guidelines should be undertaken. We note that some investigation into Aboriginal heritage has been undertaken for the areas and</li> </ul>	<p>the Neighbourhood plan. Detailed flood modelling will be undertaken using councils flood data at development assessment of subdivision stage. This will demonstrate the subdivision will not create additional flood affected lots.</p> <p>The proponent is following up on outstanding AHIMS site registrations. Aboriginal Cultural Heritage Assessment will be prepared to accompany the Subdivision DA.</p>
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	<p>further investigation is planned. Insufficient information has been provided for us to comment on the specific intended actions with regard Aboriginal heritage.</p> <ul style="list-style-type: none"> <li>• The Aboriginal sites discussed in the Council reports do not appear to be registered on the OEH AHIMS database.</li> </ul>	
<p>Office of Environment and Heritage</p> <p>Z15/100473</p> <p>6 May 2015</p>	<ul style="list-style-type: none"> <li>• Complexities exist around applying for a BioBanking Statement to develop in certain zones outside of Sydney metropolitan area.</li> <li>• BioBanking is not available for the entirety of this proposed development as the Native Veg Act 2003 applies to the development of the E4 Environmental Living zones.</li> <li>• Furthermore, as per previous advice <i>“it appears unlikely that the subject site is capable of generating all of the biodiversity credits required by the BioBanking Assessment Methodology (BBAM) for clearing within the developable areas”</i>.</li> </ul>	<p>This advice has been noted. Further consultation with OEH has occurred regarding the best biodiversity offsetting strategy for the development.</p> <p>Advice updated in OEH submission of 15 June 2015.</p>
<p>Office of Environment and Heritage</p> <p>Z15/140580</p> <p>15 June 2015</p>	<ul style="list-style-type: none"> <li>• <i>“We Support the Biocertification approach in principle”</i>.</li> <li>• <i>“As a result [of the prohibition of Biobanking statement option] and given biodiversity assessment work that has been undertaken to date, a Biocertification proposal for the entire Huntley Lands (shown in masterplan and includes stage 1 and 2) could achieve the development and conservation outcomes envisaged through the use of the NSW Biobanking Scheme. While Biocertification is not generally applied at such a site scale, we are willing to provide in-principle support for the current proposal given the history context of the proposed development.”</i></li> </ul>	<p>Support for approach is noted and acknowledgment that the proponents are now working with OEH to resolve Biocertification assessment issues in order to submit a Biocertification Proposal and begin the assessment process.</p>
<p>Endeavour Energy</p> <p>Z15/43003</p>	<ul style="list-style-type: none"> <li>• As mentioned in the Huntley North Draft Neighbourhood Plan Council Meetings – Business Papers (Page 13), <i>‘The applicant proposed that the details of necessary infrastructure to provide electricity to the precinct will be confirmed with Endeavour Energy as part of the development application for subdivision’</i>. Endeavour Energy’s</li> </ul>	<p>Endeavour Energy’s response demonstrates support and willingness to provide for the proposed development. Council is satisfied a solution for connections will be developed.</p>

	<p>Network Connections Branch has received a Customer Application Process (CAP) enquiry which is undergoing further assessment by Endeavour Energy's Asset &amp; Network Planning Branch.</p> <ul style="list-style-type: none"> <li>The long term electricity supply strategy for the neighbourhood is still to be determined and will require further assessment. If adequate capacity is not available from the existing network, appropriate measures will be instigated to provide for the actual proposed development.</li> </ul>	
<p>Neighbourhood Forum 8 Z15/41014</p>	<ul style="list-style-type: none"> <li>The Draft Plan appears incomplete as the purpose of the land between the residential precincts. Proposed public reserve area and vegetated land to the west are not clearly defined and therefore leave uncertainty without additional information being provided. It is requested that the Draft Plan be amended to clearly provide this more complete information and readvertised for public comment.</li> <li>The plan in the Council Report as presented on the Council website for further information could not be read clearly and the legend was unreadable. The handout mailed to Dapto Forum did not include a plan with a legend and therefore again could not be interpreted. It is requested that the Draft Plan be readvertised with the provision of clear information sufficient for a more detailed assessment and submission to be made.</li> <li>The location of the 1:100 and PMF flood lines mentioned in the Council Report were not identified in the Draft Plan and therefore it was unclear how the residential precincts were affected as identified in the report and therefore an informed comment on this important aspect of the Draft Plan cannot be made other than to say that the residential precincts should not be permitted in areas which are flood prone and certainly not within a floodway.</li> <li>The Council Report made reference to</li> </ul>	<p>The purpose of the land between the residential precincts is an approved golf course under construction. Another exhibition will not occur for this matter.</p> <p>The plan was also made available for viewing at Wollongong Central and Dapto libraries in addition to the copy included in the Council report available on the Council website.</p> <p>The extent of a 1:100 flooding guided the location of the zone boundaries. The Neighbourhood Plan provides more detail on how the zoned areas can be developed. Flooding and access were considered in the development of the Plan and included in the Land Capability Assessment. Further considerations of Probable Maximum Flood (PMF) and 1:100 year flood</p>

	<p>the non-availability of services and the applicant has suggested an alternative. It is requested that the residential lot development should not be approved until adequate services can be made available and any option not involving Sydney Water services should ensure that future residents are not required to fund further service connection costs in the future.</p> <ul style="list-style-type: none"> <li>• The proposal for the E2 zoned land to the west of Cleveland Road Site 1 is not identified in the Draft Plan.</li> <li>• Cleveland Road Site 1 identifies a cul-de-sac in the north-west corner of the site and a plan in the Council Report identifies how the parcel of land on its northern boundary may be developed in the future. An opportunity exists to provide an additional connection road between Cleveland Road Site1 and the future residential precinct to the north by replacing the cul-de-sac with a road extending to the northern property boundary. This would enable increased community connectivity for pedestrians, cars, service vehicles and also a school bus which may be likely in the future. Dapto Forum requests that the Draft Neighbourhood Plan be amended to provide for a future road connection with the future residential precinct to the north by deleting the cul-de-sac and replacing it with a road constructed to the northern property boundary. In the short term a vehicle turning bay may be required in this location.</li> <li>• Road pavement widths within the R2 zoned lots are unclear however the road reserve widths identified in the Council report indicate that road pavements will be narrow with little or no on street parking. As this Draft Plan is on the future residential periphery it is likely that all travel will be by private vehicle. The R2 zoned lots are small and would not provide for substantial onsite parking or for visitor parking, therefore Dapto Forum requests that the Draft Plan be amended to provide for additional parking bays within the</li> </ul>	<p>event lines will be made at Development assessment stages.</p> <p>Sydney Water confirmed the development can be connected to a potable water supply (at the applicants cost) and support in the interim arrangements for onsite waste water services.</p> <p>The E2 land is proposed for conservation.</p> <p>The Cleveland Road Site 1 includes an access point to the lot to the north at the eastern end. The cul-de-sac at the western end could be extended to the properties to the north in the future.</p> <p>Road widths were developed in accordance with the Wollongong DCP 2009 – D16 West Dapto Release Area.</p> <p>On Street parking will be examined in more detail at Subdivision Development Application stage.</p>
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	subdivision.	
<p>Land Owner Avondale</p> <p>Z15/42498 Z15/42537</p>	<ul style="list-style-type: none"> <li>• The current road conditions west of roundabout near Dapto High School, Cleveland Road, are degraded with “pinch spots” for passing traffic. Any increase in traffic movements will require upgrading of Cleveland Road.</li> <li>• 451 and 456 Cleveland Road intersection health and safety concerns. The road takes a 90 degree turn at this point where the proposed access road will join Cleveland Road. Access to 456 Cleveland Road also enters at this intersection. Traffic calming devices are suggested with road upgrade works at this intersection prior to development of the site.</li> <li>• Flood Mitigation in the area and isolation issues were raised. It is of concern that historical flood information was not considered particularly considering for the majority of the development there are no alternative access roads to the residential areas.</li> <li>• Development on lot 18 DP3083 should not be included in evaluation of the Plan (indicative concepts for adjoining land – Appendix F).</li> </ul>	<p>Upgrades to the remaining sections of Cleveland Road are planned as part of wider West Dapto Urban Release Area planning.</p> <p>Safety of Cleveland Road/Avondale Road and Huntley Road will be reviewed to ensure that the proposed new road and existing roads are capable of servicing future lots as part of the Subdivision DA.</p> <p>An Emergency Management Plan will be developed to address site flood mitigation. It is proposed to construct new stormwater detention basins to control the volume of water discharging into Mullet creek. These basins will generally be located outside the area of existing flooding and the impact of these basins will be modelled and reported as part of the current submission. It is anticipated that new detention basins will reduce the total stormwater discharging from the site to less than the current conditions.</p> <p>Indicative development scenarios for the lot north of Cleveland Road site 1 were requested by Council officers at an informal Pre Lodgement meeting on 30 September 2013 for potential future development of land to the north of the site. The adjoining areas also fall within the West Dapto Urban Release Area and it is appropriate for Council to request consideration of future development scenarios. The plans are only indicative</p>

		supporting information. They will not form any part of the DCP.
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**Planning Proposal Submissions**

Agency	Issues	Response
NSW Rural Fire Service Z15/97811 Z15/101461 12 May 2015	<ul style="list-style-type: none"> <li>Refer to their previous advice on the Neighbourhood Plan</li> <li>Cannot support the Planning Proposal because of the proposed road layout (one way perimeter road) in the Neighbourhood Plan.</li> </ul>	The Neighbourhood plan was revised as a result of this submission. The Updated Plan has changed the road layout to include a two-way perimeter road, 13.5m wide.
NSW Rural Fire Service Z15/116151 (RFS ref # DA1 5042396598)	<ul style="list-style-type: none"> <li>With the additional information received RFS has revised opinion and no longer objects.</li> </ul>	Noted.

## Local Government NSW Annual Conference 2015

**DRAFT PROGRAM Sunday 11 – Tuesday 13 October, 2015 (as of 15 June 2015)**

Main conference venue is Rosehill Gardens Racecourse, Grand Pavilion, James Ruse Drive, Rosehill 2142

This program is correct at the time of printing; speakers and program details may have changed due to unforeseen circumstances.

### Sunday 11 October

- 11.00am – 3.00pm Bump in sponsors to Grand Pavilion Level 1
- 3.00pm – 7.00pm Registration opens in the Grand Pavilion Level 1
- 4.30pm – 5.00pm Prebooked local Transfer buses
- 5.00pm – 7.00pm President's Opening Reception in the Grand Pavilion Level 1
- Welcome To Country, **Auntie Kerrie Kenton, Wattle Wanne Knowledge holder of the Darug Nation**
  - Welcome from **Cr Scott Lloyd, Lord Mayor of Parramatta**
  - Opening from **Cr Keith Rhoades AFSM, President, LGNSW**
- 7.00pm Prebooked local transfer buses

### Monday 12 October

**Business Session Day 1 – chaired by Cr Keith Rhoades AFSM, Grand Pavilion Level 2**

- 8.00am – 5.00pm Registration opens in Ground Floor in the Grand Pavilion Level 1  
Distribution of voting materials and electronic handsets
- Trade Exhibition opens in Grand Pavilion Level 1.
- Prebooked local transfer buses
- 8.00am – 10.00am Voting for LGNSW Board President, Vice Presidents, Treasurer and Directors (voting for all positions at the one time)
- 9.15am – 9.45am Address from **The Hon Mike Baird MP, Premier of New South Wales**
- 9.45am – 10.00am Address from **Cr Keith Rhoades AFSM, President, LGNSW**
- 10.00am – 11.00am Opening and closing of the Federal Conference, Opening of the State Conference and start of the Business session, Adoption of Standing Orders. Demonstration of voting units and Consideration of Motions chaired by **Cr Keith Rhoades AFSM**
- 11.00am – 11.30am Morning tea in Trade Exhibition  
Voting for LGNSW Board President, Vice Presidents, Treasurer and Directors (voting for all positions at the one time)
- 11.30am – 1.00pm Consideration of Conference business continued chaired by the President
- 1.00pm – 2.00pm Lunch in Trade Exhibition
- Voting for LGNSW Board President, Vice Presidents, Treasurer and Directors (voting for all positions at the one time)
- 2.00pm – 3.30pm Consideration of Conference Business continued, chaired by the President
- 3.30pm – 4.00pm Afternoon tea in Trade Exhibition

Voting for LGNSW Board President, Vice Presidents, Treasurer and Directors  
(voting for all positions at the one time)

- 4.00pm – 5.30pm Consideration of Conference Business continued, chaired by the President  
Collection of all electronic handsets and voting cards
- 5.30pm – 6.30pm Delegate networking function in Trade Exhibition  
Voting for LGNSW Board President, Vice Presidents, Treasurer and Directors  
(voting for all positions at the one time)
- 6.30pm Trade Exhibition Closes
- 5.30pm – 6.30pm Prebooked local transfer buses  
Free night for all delegates

## Tuesday 13 October

### Business Session Day 2 – chaired by Cr Keith Rhoades AFSM, Grand Pavilion Level 2

- 7.30am – 8.40am ALGWA Breakfast 'Lessons on Leadership' with Donna Rygate, Local Government NSW Chief Executive, in Grand Pavilion 2 adjacent to main auditorium
- 8.00am – 5.00pm Registration opens in Grand Pavilion Level 1  
Prebooked local transfer buses
- 8.15am – 5.30pm Trade Exhibition opens in Grand Pavilion Level 1
- 8.45am – 8.50am Introduction by Master of Ceremonies, **Ellen Fanning**
- 8.50am – 9.10am** Short Address from **Hon Duncan Gay MLC**, Minister for Roads, Maritime and Freight (invited)
- 9.10am – 10.45am **Ellen Fanning** presents Reform Q and A Debate: **Hon Paul Toole MP**, Minister for Local Government (invited), **Hon Peter Primrose MLC**, Shadow Minister for Local Government, **Dr Joe Drew**, Research Fellow in Local Government, UNE Centre for Local Government, **Professor Percy Allan AM**, Principal, Percy Allan & Associates
- 10.45am – 11.15am Morning tea in Trade Exhibition
- 11.15am – 11.45pm Address: **Hon Paul Toole MP**, Minister for Local Government
- 11.45am – 12.00pm Presentation of the AR Bluett Awards
- 12.00pm – 12.30pm Address: **Hon Peter Primrose MLC**, Shadow Minister for Local Government
- 12.30pm – 1.00pm Messages from Elite and Distinguished Sponsors
- 1.00pm – 2.00pm Lunch
- 2.00pm – 3.15pm Federation and Constitutional Issues with **Professor Greg Craven**, Vice-Chancellor Australian Catholic University (invited), Speaker to be confirmed specialising in Local Government's role in Federation, **Aden Ridgeway**, RECOGNISE Spokesperson
- 3.15pm – 3.30pm** Message from Association of Mining Related Councils Inc (invited)

- 3.30pm - 3.45pm Address on Association Business from **Cr Keith Rhoades AFSM, President, LGNSW**
- 3.45pm – 4.00pm Presentation of the Treasurer’s Report
- 4.00pm – 5.00pm If required, Association Business chaired by **Cr Keith Rhoades AFSM, President, LGNSW**
- 4.30pm – 5.30pm Afternoon tea and Delegate Networking Function in Trade Exhibition
- Prebooked local transfer buses
- Cloak room facilities for those not returning home to change for dinner
- Conference Dinner**
- 7.00pm Prebooked local transfer buses  
Arrival drinks on the outside terrace of the Exhibition Building
- 7.45pm Delegates seated and entrée served
- 8.00pm LGNSW President introduces Elite Sponsor, StateCover
- 8.10pm LGNSW President and Elite Sponsor present the Outstanding Service Awards  
CEO announce incoming LGNSW Board
- 8.30pm Main Course served
- 9.00pm Entertainment and dancing
- 10.00pm First prebooked local transfer buses
- 11.00pm Function finishes, final transfer buses
- Close of Conference.

## BACKGROUND

The Vertebrate Pest Animal Management Policy (VPAMP) was developed by Council following advice from the Department of Primary Industries that Council should develop a policy for the management of vertebrate pests as a first step in addressing the problem of feral deer affecting the Wollongong Local Government Area (LGA). The VPAMP was endorsed by Council in April 2010. The VPAMP provided the framework for Council to develop and implement pest management across the City.

The management of vertebrate pests is an element of Council's overall land management responsibility. It is important that Council takes a coordinated approach to managing vertebrate pests as they cannot be managed by Council alone, and an *ad-hoc* approach reduces the chance of successful control and is an inefficient use of Council resources. Council must meet its legislative requirements under the Local Land Services Act 2013 ~~Rural Lands Protection Act 1998~~ and the *Local Government Act 1993* and also manage community expectations regarding control of vertebrate pests.

## OBJECTIVE

The main objectives of this policy are to –

- 1 Commit Council to working collaboratively with State government agencies and key stakeholders to manage vertebrate pest issues.
- 2 Improve the quality of information and advice provided to residents on vertebrate pest matters.
- 3 Outline a methodology for prioritising pest species and implementing on-ground works to control vertebrate pests affecting the Wollongong Local Government Area.
- 4 Improve the efficiency of Council pest control measures.

## POLICY STATEMENT

The Vertebrate Pest Animal Management Policy sets out the approach, clarifies Council's obligations, and outlines what the community should expect from Council in terms of vertebrate pest management. The policy is focussed on the delivery of core services to the community and is the foundation for ongoing process improvements and on-ground works to manage vertebrate pests in the Wollongong LGA.

## DEFINITION OF 'VERTEBRATE PEST'

For the purposes of this policy, 'vertebrate pests' are introduced non-human vertebrate animals, currently found to be a health hazard, a general nuisance, or to be destroying food, fibre or natural resources. This definition is for the purposes of this policy and does not supersede laws and regulations regarding the management of animals included in the policy. The species considered in this policy are:

- Deer (deer species)
- European Rabbit (*Oryctolagus cuniculus*)
- Dog (*Canis* spp.) – Wild and uncontrolled dogs
- Cat (*Felis catus*) – Wild and uncontrolled cats
- Fox (*Vulpes vulpes*)
- Carp (*Cyprinus carpio*)

- Feral Pig (*Sus scrofa*)
- Feral Goat (*Capra hircus*)
- Common Myna Bird (*Acridotheres tristis*)
- Cane Toad (*Bufo marinus*)

### ROLE OF COUNCIL

Council must consider its approach to management of pest species for land under its direct control and, more broadly, in accordance with its obligations under the *Local Government Act 1993* and in the context of the many competing priorities of its operations. Council's primary responsibility is to control vertebrate pests affecting land under its control and management, in particular when an animal is declared a pest under the ~~*Rural Lands Protection Act 1998*~~ *Local Land Services Act 2013* or is threatening the viability of threatened species, populations or endangered ecological communities. The approach outlined in this policy will guide these actions.

Wollongong City Council has limited resources for controlling vertebrate pest species and therefore must implement a process of prioritisation of actions for pest control that is clear and accountable to the community. By nominating priority pests and making Pest Management Plans for these pests, Council can provide a clear indication of its planned actions and approach. The Pest Management Plans also provide a resource for other land managers addressing vertebrate pest problems.

In addition to Council's responsibilities as a land manager, it has a broader responsibility to the community to minimise risks to public safety and loss of amenity caused by vertebrate pests. For vertebrate pest matters affecting the community and outside of Council's direct control, Council will concentrate on supporting the work of key agencies and landholders addressing these matters. This support includes collecting and mapping information related to pest impacts, chairing the Pest Animal Advisory Group, partnering in joint programs, providing information on pest management to residents through fact sheets, frequently asked questions sheets and written responses.

## PRINCIPLES OF VERTEBRATE PEST MANAGEMENT

### INTEGRATED APPROACH

Pest management should be targeted, coordinated and integrated, involving all relevant land managers and any relevant regional or national programs. Pest control works should be integrated with other land management activities such as weed, fire and recreational management.

### EARLY DETECTION

New emerging pests should be targeted rapidly to ensure the most cost effective treatment. Council will seek feedback from residents and land managers regarding emerging pest species.

**DEFINED OBJECTIVES**

Most vertebrate pest species affecting Wollongong LGA are established in such numbers that eradication is impossible. For these species, it is important that control programs have clearly defined objectives so that resources can be allocated appropriately. It is also important that Council defines the objectives of its pest control activities and monitors their effectiveness in order that it is fully accountable for its expenditure. Objectives will relate to the management of pest impacts and will have monitoring to ensure programs are meeting stated objectives.

**BEST PRACTICE METHODS**

All vertebrate pest control activities conducted by Council or on behalf of Council will be conducted in accordance with the Vertebrate Pest Control Manual published by the Department of Primary Industries and guided by the principles outlined in the NSW Invasive Species Plan. Risk assessments will be conducted to ensure the occupational health and safety of staff and residents. All methods will minimise suffering of animals and comply with relevant animal welfare legislation. The use of pesticides will be in accordance with the relevant legislation and cause minimal harm to the environment.

~~This policy aims to [outline]~~

STATEMENT OF PROCEDURES

1 WORK COLLABORATIVELY TO MANAGE VERTEBRATE PEST ISSUES

Council will chair the Pest Animal Advisory Group (PAAG) which currently comprises members of the ~~Industry and Investment NSW, Department of Environment Climate Change and Water, Sydney Catchment Authority, NSW Police Service, Cumberland Livestock Health and Pest Authority, Game Council~~ NSW Office of Environment and Heritage, Department of Planning and Environment, Water NSW, NSW Police Service, Local Land Services, Animal Welfare League, RSPCA NSW and Council staff.

The role of this group is to:

- 1.1 ~~inform assist Council on the most appropriate methods for controlling vertebrate pest species to improve its approach to pest management;~~
- 1.2 collaborate with Council on ~~developing implementing~~ pest management plans and ~~implementing~~ pest control programs;
- 1.3 ~~allow for the information and complaints received by Council on vertebrate pest problems to be shared with members discuss emerging pest issues;~~ and
- 1.4 ensure Council activities are meeting animal welfare standards, ~~in implementing on-ground works.~~

2 ~~Improve the quality of~~ **PROVIDE** INFORMATION AND ADVICE ~~provided~~ TO RESIDENTS ON VERTEBRATE PEST MATTERS

Fact sheets on vertebrate pests identified in this policy will be developed by Council in consultation with the PAAG and made available to the public. Responses to Frequently Asked Questions are also provided to residents through the Customer Service function of Council. These resources are reviewed and updated at a minimum annually.

3 **OUTLINE A METHODOLOGY FOR PRIORITISING ACTIONS ON VERTEBRATE PESTS**

**Priority Pests**

Council uses a rational decision-making framework for ranking priority pests and determining priority actions for pest management. This approach is informed by the principles of the NSW Invasive Species Plan and is based on the Pestplan methodology successfully implemented by other councils.

Pest species are ranked according to a combination of pest significance and the feasibility of control measures as defined by the pest priority matrix (Table 1). Pest significance refers to the level of social, economic and environmental impact of a pest. Pest control feasibility refers to the cost of control, current population levels, risks involved in control and the likelihood that control could eliminate the pest problem. Council allocates a score for each of these factors based on information from residents, scientific literature, field data and information from Council staff. ~~The assessment will be the responsibility of Council, but will require endorsement of the Pest Animal Advisory Group~~ Council conducts this assessment in consultation with the PAAG. The ~~latest~~ priority assessment ~~will be made~~ is available on Council's website, ~~along with an invitation for submission of additional information for subsequent assessments~~

Table 1 Pest Priority Matrix

Control Feasibility	Pest Significance			
	Low	Moderate	High	Very High
Very High (Prevent)	High	High	High	High
High (Eradicate)	Medium	Medium	Medium	High
Moderate (Reduce)	Low	Low	Medium	High
Low (Contain)	Low	Low	Low	High

#### **4 PEST MANAGEMENT PLANS**

Where a pest species is identified as a high priority, Pest Management Plans ~~will~~ guide the implementation of ~~on-ground works~~ pest management actions. ~~They will~~ Pest Management Plans specify objectives, control measures, consultation approach, standard operating procedures and measures of success for subject species. ~~Council will consider information from residents, government agencies, scientific literature, field data and information from Council staff in developing and updating Pest Management Plans. In preparing a Pest Management Plan, Council considers information from residents, government agencies, scientific literature, field data and information from Council staff. Pest Management Plans are updated and reviewed in consultation with the Pest Animal Advisory Group. Pest Management Plans will be updated annually and the results of monitoring will be reported to Council.~~

#### **54 IMPROVE THE EFFICIENCY OF COUNCIL PEST CONTROL MEASURES.**

Pest Management Plans will include measures of success that will be reviewed annually by Council and the Pest Animal Advisory Group. ~~This review will~~ Reviews aim to evaluate the effectiveness of the pest management approach and identify improvements in efficiency and opportunities for cooperation.

DRAFT

SUMMARY SHEET	
Responsible Division	Environmental Strategy and Planning
Date adopted by Council	[To be inserted by Corporate Governance]
Date of previous adoptions	27 April 2010
Date of next review	[List date - Not more than 3 years from adoption]
Prepared by	Environment Strategy Officer
Authorised by	Manager Environmental Strategy and Planning

DRAFT

## BACKGROUND

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The management of vertebrate pests is an element of Council's overall land management responsibility. It is important that Council takes a coordinated approach to managing vertebrate pests as they cannot be managed by Council alone, and an *ad-hoc* approach reduces the chance of successful control and is an inefficient use of Council resources. Council must meet its legislative requirements under the *Local Land Services Act 2013* and the *Local Government Act 1993* and also manage community expectations regarding control of vertebrate pests.

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### **ROLE OF COUNCIL**

Council must consider its approach to management of pest species for land under its direct control and, more broadly, in accordance with its obligations under the *Local Government Act 1993* and in the context of the many competing priorities of its operations. Council's primary responsibility is to control vertebrate pests affecting land under its control and management, in particular when an animal is declared a pest under the *Local Land Services Act 2013* or is threatening the viability of threatened species, populations or endangered ecological communities. The approach outlined in this policy will guide these actions.

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### **EARLY DETECTION**

New emerging pests should be targeted rapidly to ensure the most cost effective treatment. Council will seek feedback from residents and land managers regarding emerging pest species.

### **DEFINED OBJECTIVES**

Most vertebrate pest species affecting Wollongong LGA are established in such numbers that eradication is impossible. For these species, it is important that control programs have clearly defined objectives so that resources can be allocated appropriately. It is also important that Council defines the objectives of its pest control activities and monitors their effectiveness in order that it is fully accountable for its expenditure. Objectives will relate to the management of pest impacts and will have monitoring to ensure programs are meeting stated objectives.

### **BEST PRACTICE METHODS**

All vertebrate pest control activities conducted by Council or on behalf of Council will be conducted in accordance with the Vertebrate Pest Control Manual published by the Department of Primary Industries and guided by the principles outlined in the NSW Invasive Species Plan. Risk assessments will be conducted to ensure the occupational health and safety of staff and residents. All methods will minimise suffering of animals and comply with relevant animal welfare legislation. The use of pesticides will be in accordance with the relevant legislation and cause minimal harm to the environment.

STATEMENT OF PROCEDURES

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Council will chair the Pest Animal Advisory Group (PAAG) which currently comprises members of the NSW Office of Environment and Heritage, Water NSW, NSW Police Service, Local Land Services, Animal Welfare League, RSPCA NSW and Council staff.

The role of this group is to:

- 1.1 assist Council to improve its approach to pest management;
- 1.2 collaborate with Council on implementing pest management plans and pest control programs;
- 1.3 discuss emerging pest issues; and
- 1.4 ensure Council activities are meeting animal welfare standards.

**2 PROVIDE INFORMATION AND ADVICE TO RESIDENTS ON VERTEBRATE PEST MATTERS**

Fact sheets on vertebrate pests identified in this policy will be developed by Council in consultation with the PAAG and made available to the public. Responses to Frequently Asked Questions are also provided to residents through the Customer Service function of Council. These resources are reviewed and updated at a minimum annually.

**3 OUTLINE A METHODOLOGY FOR PRIORITISING ACTIONS ON VERTEBRATE PESTS**

**Priority Pests**

Council uses a rational decision-making framework for ranking priority pests and determining priority actions for pest management. This approach is informed by the principles of the NSW Invasive Species Plan and is based on the Pestplan methodology successfully implemented by other councils.

Pest species are ranked according to a combination of pest significance and the feasibility of control measures as defined by the pest priority matrix (Table 1). Pest significance refers to the level of social, economic and environmental impact of a pest. Pest control feasibility refers to the cost of control, current population levels, risks involved in control and the likelihood that control could eliminate the pest problem. Council allocates a score for each of these factors based on information from residents, scientific literature, field data and information from Council staff. Council conducts this assessment in consultation with the PAAG. The latest priority assessment is available on Council’s website.

**Table 1** Pest Priority Matrix

Control Feasibility	Pest Significance			
	Low	Moderate	High	Very High
Very High (Prevent)	High	High	High	High
High (Eradicate)	Medium	Medium	Medium	High
Moderate (Reduce)	Low	Low	Medium	High
Low (Contain)	Low	Low	Low	High

**4 PEST MANAGEMENT PLANS**

Where a pest species is identified as a high priority, Pest Management Plans guide the implementation of pest management actions. Pest Management Plans specify objectives, control measures, consultation approach, standard operating procedures and measures of success for subject species. In preparing a Pest Management Plan, Council considers information from residents, government agencies, scientific literature, field data and information from Council staff. Pest Management Plans are updated and reviewed in consultation with the Pest Animal Advisory Group.

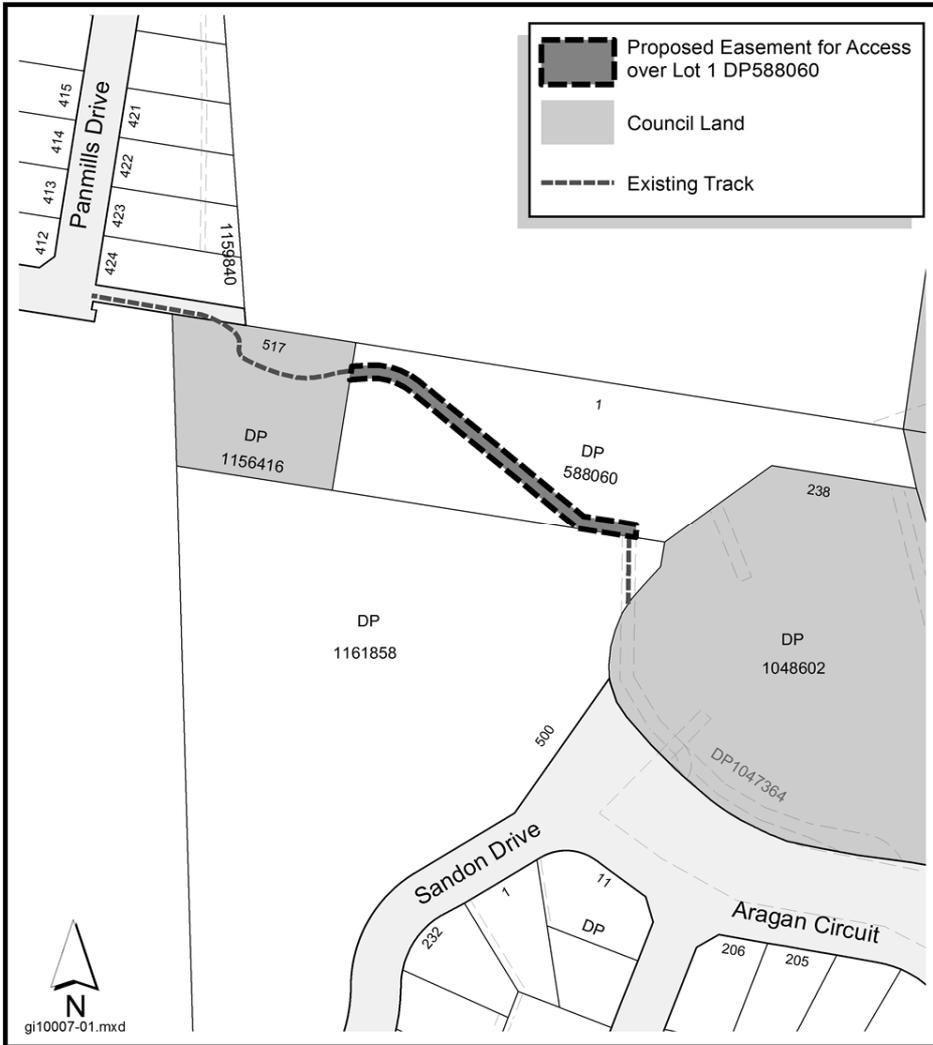
**5 IMPROVE THE EFFICIENCY OF COUNCIL PEST CONTROL MEASURES.**

Pest Management Plans will include measures of success that will be reviewed annually by Council and the Pest Animal Advisory Group. Reviews aim to evaluate the effectiveness of the pest management approach and identify improvements in efficiency and opportunities for cooperation.

DRAFT

SUMMARY SHEET	
Responsible Division	Environmental Strategy and Planning
Date adopted by Council	[To be inserted by Corporate Governance]
Date of previous adoptions	27 April 2010
Date of next review	[List date - Not more than 3 years from adoption]
Prepared by	Environment Strategy Officer
Authorised by	Manager Environmental Strategy and Planning

DRAFT



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**Thirroul Beach Kiosk Refurbishment  
T15/13**



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**WOLLONGONG CITY COUNCIL**  
**STATEMENT OF INVESTMENTS**  
30 June 2015

**DIRECT INVESTMENTS**

Investment Body	Rating	Purchase Price \$	Fair Value of Holding \$	Security	Purchase Date	Maturity Date	Interest / Coupon Rate
NAB Professional Maximiser	A-1+	-	19,405,468	11am	30/06/2015	30/06/2015	2.25%
Bank of Queensland	A-2	2,000,000	2,000,000	T/Deposit	13/03/2015	13/07/2015	3.10%
Bendigo Bank	A-2	5,000,000	5,000,000	T/Deposit	15/06/2015	15/07/2015	2.50%
Bank of Queensland	A-2	2,000,000	2,000,000	T/Deposit	28/01/2015	28/07/2015	3.45%
ANZ	A-1+	3,000,000	3,000,000	T/Deposit	29/08/2014	29/07/2015	3.74%
Bendigo Bank	A-2	3,000,000	3,000,000	T/Deposit	29/06/2015	29/07/2015	2.65%
IMB	A-2	2,000,000	2,000,000	T/Deposit	30/01/2015	29/07/2015	3.20%
IMB	A-2	5,000,000	5,000,000	T/Deposit	1/05/2015	30/07/2015	2.85%
ANZ	A-1+	2,500,000	2,500,000	T/Deposit	6/08/2013	6/08/2015	4.05%
NAB	A-1+	2,000,000	2,000,000	T/Deposit	27/02/2014	27/08/2015	3.94%
Bank of Queensland	A-2	3,000,000	3,000,000	T/Deposit	28/11/2014	28/08/2015	3.57%
ING Australia	A-2	5,000,000	5,000,000	T/Deposit	29/08/2013	31/08/2015	4.15%
ING Australia	A-2	4,000,000	4,000,000	T/Deposit	29/08/2013	31/08/2015	4.15%
NAB	A-1+	1,500,000	1,500,000	T/Deposit	29/08/2013	31/08/2015	4.21%
Bank of Queensland	A-2	3,000,000	3,000,000	T/Deposit	18/02/2015	18/09/2015	3.20%
NAB	A-1+	2,000,000	2,000,000	T/Deposit	18/02/2015	18/09/2015	3.16%
Members Equity Bank	A-2	2,500,000	2,500,000	T/Deposit	24/04/2015	21/09/2015	2.95%
Bank of Queensland	A-2	3,000,000	3,000,000	T/Deposit	26/03/2015	23/09/2015	3.10%
Bendigo Bank	A-2	2,000,000	2,000,000	T/Deposit	26/03/2015	28/09/2015	3.00%
ANZ	A-1+	2,000,000	2,000,000	T/Deposit	29/08/2014	29/09/2015	3.74%
Bendigo Bank	A-2	2,000,000	2,000,000	T/Deposit	29/06/2015	29/09/2015	3.00%
Bank of Queensland	A-2	2,000,000	2,000,000	T/Deposit	7/01/2015	7/10/2015	3.50%
Commonwealth Bank	A-1	3,000,000	3,000,000	T/Deposit	13/03/2015	9/10/2015	3.10%
Bendigo Bank	A-2	1,500,000	1,500,000	T/Deposit	24/04/2015	26/10/2015	2.85%
Members Equity Bank	A-2	1,000,000	1,000,000	T/Deposit	1/04/2015	28/10/2015	2.95%
ANZ	A-1+	2,000,000	2,000,000	T/Deposit	29/08/2014	29/10/2015	3.74%
IMB	A-2	2,000,000	2,000,000	T/Deposit	18/05/2015	16/11/2015	2.80%
Members Equity Bank	A-2	3,000,000	3,000,000	T/Deposit	28/05/2015	24/11/2015	2.85%
ANZ	A-1+	2,000,000	2,000,000	T/Deposit	29/08/2014	29/11/2015	3.74%
NAB	A-1+	2,000,000	2,000,000	T/Deposit	28/11/2014	30/11/2015	3.61%
IMB	A-2	2,000,000	2,000,000	T/Deposit	17/12/2014	17/12/2015	3.20%
NAB	A-1+	1,030,000	1,030,000	T/Deposit	17/12/2014	17/12/2015	3.60%
Bendigo Bank	A-2	3,000,000	3,000,000	T/Deposit	29/05/2015	4/01/2016	2.85%
Bank of Queensland	A-2	2,000,000	2,000,000	T/Deposit	26/03/2015	4/01/2016	3.00%
Members Equity Bank	A-2	3,000,000	3,000,000	T/Deposit	18/02/2015	18/01/2016	3.20%
Commonwealth Bank	A-1	5,000,000	5,000,000	T/Deposit	27/02/2015	27/01/2016	3.08%
Bank of Queensland	A-2	2,000,000	2,000,000	T/Deposit	27/02/2014	26/02/2016	4.05%
NAB	A-1+	4,000,000	4,000,000	T/Deposit	27/02/2014	29/02/2016	4.13%
Members Equity Bank	A-2	2,000,000	2,000,000	T/Deposit	18/02/2015	18/03/2016	3.20%
Commonwealth Bank	A-1	3,000,000	3,000,000	T/Deposit	26/03/2015	24/03/2016	2.95%
IMB	A-2	2,000,000	2,000,000	T/Deposit	28/05/2015	28/04/2016	2.80%
Westpac	A-1+	1,000,000	1,011,960	FRN	30/01/2012	9/05/2016	3.27%
NAB	A-1+	2,500,000	2,500,000	T/Deposit	6/08/2014	8/08/2016	3.74%
Commonwealth Bank	A-1	2,000,000	2,000,000	T/Deposit	27/02/2015	22/08/2016	3.05%
Members Equity Bank	A-2	2,500,000	2,500,000	T/Deposit	27/02/2015	22/08/2016	2.90%
WBC	A-1+	2,000,000	2,000,000	T/Deposit	24/04/2015	19/10/2016	2.90%
Commonwealth Bank Australia zero coupon bond with a \$4M face value	A-1+	2,000,000	3,578,000	BOND	21/01/2008	22/01/2018	
NAB	A-1+	3,000,000	2,994,570	FRN	24/06/2015	3/06/2020	2.95%
EMERALD A Mortgage Backed Security *	AAA	737,518	581,039	M/Bac	17/07/2006	22/08/2022	2.58%
EMERALD B Mortgage Backed Security *	AA	2,000,000	1,346,320	M/Bac	17/07/2006	23/08/2027	2.88%

**MANAGED FUNDS**

Investment Body	Rating	Purchase Price \$	Fair Value of Holding \$	Purchase Date	Monthly Return (Actual)	Annualised % p.a.	FYTD (Actual)
Tcorp Long Term Growth Facility Trust	N/A	1,131,841	1,719,007	13/06/2007	-2.71%	-31.96%	12.78%

Investment Body	Face Value	Security
Southern Phone Company	2	shares

**TOTAL** **\$ 143,666,367**

\* The maturity date provided is the weighted-average life of the security. This is the average amount of time that will elapse from the date of security's issuance until each dollar is repaid based on an actuarial assessment. Assessments are carried out on a regular basis which can potentially extend the life of the investment. Current assessments anticipate an extension of life of the investment.

This is to certify that all of the above investments have been placed in accordance with the Act, the regulations and Council's Investment Policies.

Brian Jenkins

RESPONSIBLE ACCOUNTING OFFICER

### Investment Income Compared to Budget 2014-2015



**WOLLONGONG CITY COUNCIL**

*Internal Audit of*

**INDEPENDENT REVIEW OF  
PROCEDURES AND SYSTEMS OF  
MOUND BARRIERS**

IAB JOB No. 3066

**DRAFT      JULY 2015**

**FINAL      JULY 2015**

**COMMERCIAL IN CONFIDENCE**

**FOR DISTRIBUTION AS DETERMINED BY THE GENERAL MANAGER**



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# 1. EXECUTIVE SUMMARY

IAB was engaged by Council on 15 May 2015 to conduct an independent review of the illegal dumping mounding incident. The scope of the review encompassed all Council processes that contributed to the occurrence of the event as outlined in Section 1 below.

This report has been prepared by an experienced IAB consultant. Our consultant is an RABQSA accredited Environmental Auditor with over 22 years' experience in environmental management gained from working with Local and State Government within Australia and in the private industry sector. Her primary areas of expertise include: EHS compliance and management system auditing, environmental management plans, sustainability plans and EMS development, sustainability training and capacity building, sustainability assessments and staff engagement, training course development and waste management and education.

The objectives of the engagement were:

1. To independently review the procedures and systems that led to the failure of oversight and the circumstances resulting in bonded asbestos contamination appearing in mound barriers on the Old Princes Highway between Waterfall and Sublime Point, and
2. To review the sourcing of soil or fill for any Council projects and the methods used to assess the levels of contamination within that soil or fill to avoid similar occurrences and address the level of future risk.

Interviews were conducted with 22 Council Managers and staff and three contractors to review the procedures and systems associated with the mounding project along the Old Princes Highway and to further evaluate general materials handling procedures and operations within Council.

Findings and recommendations were grouped across three key categories:

- A. Illegal Dumping Infrastructure Project Management
- B. Systems and Processes
- C. Documentation

## CONCLUSION

The review identified that a lack of appropriate project management systems, poor stakeholder communication, confusion and ignorance of waste management legislation and internal Review of Environmental Factor (REF) requirements and inadequate supervision and support of supervisors and staff contributed directly to the mounding incident.

In addition to this, a number of systemic issues were identified across Council's systems, processes and documentation, including the lack of clear guidelines on waste and materials handling processes (other than the identification of asbestos containing materials), lack of training around waste and materials handling for works crews and supervisors, lack of accountability for the implementation of REF requirements, lack of debriefing or review of completed jobs and limited documented monitoring of compliance with internal environmental management processes.

## 2. SUMMARY OF RECOMMENDATIONS

The following tables provide a summary of all recommendations made in our report linked to the two key review objectives.

A. Illegal Dumping Infrastructure Project Management		Linkage to Review Objective	
		1	2
1.1	EPA non-contestable grant funded projects be incorporated into an annual project plan and be captured in quarterly reporting to council as part of current reporting structures.	✓	
1.2	All projects, no matter what size or funding source to go through formal, structured reporting and review processes.	✓	
1.3	A trackable reporting process to be implemented and maintained for all current BWRP funded projects.	✓	
1.4	Clear budgets be developed and budget reconciliations undertaken at the conclusion of projects.	✓	
2.1	Project planning processes include stakeholder engagement and communication strategies from project inception, through implementation and reporting.	✓	
3.1	Council staff and contractors undergo training in waste legislation and the provisions of relevant EPA resource recovery exemptions.	✓	✓
3.2	Council clearly define the links and/or gaps between asbestos management requirements issued by WorkCover NSW and the requirements of the NSW waste legislation and regulations.	✓	✓
3.3	Relevant legislative requirements for waste management and imported fill be included in Council REF documentation.	✓	✓
4.1	Project management plans include requirements for management sign-off against project process and timeframes.	✓	
4.2	Operating procedures be developed for project implementation clearly outlining roles, responsibilities, accountabilities and reporting structures for projects of this nature.	✓	
4.3	Risk assessments be undertaken and appropriately documented prior to implementing any on-ground works across all projects managed by ESP.	✓	✓
4.4	Qualified environmental or engineering staff be assigned to manage and coordinate infrastructure projects of this nature.	✓	✓
5.1	Standard operating procedures for materials handling and re-use be developed which include appropriate testing and classification of materials.		✓

## SUMMARY OF RECOMMENDATIONS

5.2	Stockpiling of waste materials to cease across all Council construction and maintenance jobs until appropriate testing regimes have been implemented and approval given for off-site stockpiling.		✓
5.3	More stringent enforcement of conditions included in construction work REFs with KPIs for supervisors designed and implemented to reflect these requirements.	✓	✓
6.1	Closer supervision of Civil Projects with regular documented reporting on projects at each depot including locations, timeframes, the resources required, REF provisions etc.	✓	
6.2	Regular team meetings to promote open and consistent communication between works crews, supervisors, leading hands, coordinators and managers.	✓	
<b>B. Systems And Processes</b>			
7.1	Cease stockpiling construction and demolition waste materials at non-approved sites.		✓
7.2	Cease re-use of waste materials that have not been classified or that are not sourced in accordance with EPA Resource Recovery exemptions.		✓
7.3	Undertake testing and classification of all stockpiled materials by a licenced provider and dispose of materials at a suitable location.		✓
7.4	Develop operating procedures and guidelines for materials handling and re-use and communicate these to all City Works staff.		✓
7.5	Explore opportunities for an approved Council-managed transfer/holding depot for construction/demolition wastes in the north of the city to comply with EPA guidelines (up to 6,000 tonnes per year or 1,000 tonnes at any one time before a licence is required).		✓
8.1	Review operating procedures for suspected asbestos on council land and work sites and include reference to environmental regulatory requirements for disposal or re-use of waste materials.	✓	
8.2	Extend asbestos awareness training to include reference to construction and demolition waste disposal and REF/environmental regulatory requirements.	✓	✓
8.3	Consult further with construction and maintenance staff in relation to asbestos identification and removal at work sites.		✓
9.1	Clearly define roles, responsibilities, accountabilities, reporting structures and sign-off requirements for construction and maintenance works undertaken by Council works crews.	✓	

## SUMMARY OF RECOMMENDATIONS

9.2	Ensure works systems and processes are implemented, monitored and reviewed at all levels of the organisation	✓	✓
9.3	Provide additional support to managers and staff to accurately interpret and implement the requirements of REFs.	✓	
10.1	Clear responsibilities (linked to KPIs) be assigned to relevant managers, supervisors and staff for implementing the waste management (and other requirements) of REFs on each job and ensuring adequate supervision, reporting and sign-off of job-specific processes and outcomes are achieved.	✓	✓
10.2	A two-week turn-around period is enforced between hand-over of the REFs and commencement of the on-ground works to allow for effective budgeting, review and communication of REF requirements.		✓
10.3	REF training is provided to relevant Council staff involved in preparing REFs including designers as well as supervisors and works crews involved in implementing on-ground works. This training should also be provided to other staff responsible for implementing projects that require an REF.	✓	✓
10.4	Toolbox Talks and simple Guidelines on construction waste management (not limited to asbestos management) be prepared for staff and contractors.	✓	
10.5	The Contaminated Lands Register and/or Asbestos Register to include identified contaminated sites and locations where asbestos is uncovered and that this information informs the REF process. Include site specific information in REFs where possible.	✓	✓
10.6	Spot checks and compliance audits be undertaken by suitably qualified personnel (internal or external to Council) to ensure that the environmental safeguards and conditions included in REFs are understood and implemented.	✓	
11.1	Staff briefing sessions be held with relevant staff to openly and honestly communicate management expectations around job costs and for staff to express any fears (perceived or real) they may have in relation to job security.	✓	
11.2	Changes to waste management and materials handling procedures be clearly communicated to staff with links to performance reviews and KPIs where appropriate.	✓	
12.1	Contracts be reviewed (and/or developed) with accountabilities added around waste and hazardous materials management.	✓	
12.2	Training be provided to contractors on waste management and Council requirements for waste disposal and tracking.	✓	

## SUMMARY OF RECOMMENDATIONS

<b>C. Documentation</b>			
<b>13.1</b>	Opportunities be provided for cross-departmental input into REFs including input from relevant managers where appropriate.	✓	
<b>13.2</b>	A simple documented procedure on REF sign-off be prepared including clear guidance on roles, responsibilities and accountabilities. These should link to KPIs where possible.	✓	
<b>14.1</b>	Review the pre-environmental checklist and ensure it is not a “tick and flick” process by linking requirements in the checklist to individual performance appraisals and KPIs.	✓	
<b>14.2</b>	Provide training for relevant staff in the intent and meaning behind each part of the checklist.	✓	✓
<b>14.3</b>	Ensure relevant managers and staff are aware of the requirements included in the CEMP and how these relate to specific projects. The checklist states that site establishment and construction may proceed subject to “full compliance with the CEMP/PSP”.	✓	✓
<b>14.4</b>	Review sign-off delegations on the checklist.		✓
<b>15.1</b>	Include a review of waste management and other environmental requirements as part of relevant managers and staff’s site-specific documented risk assessment checklists.	✓	✓
<b>15.2</b>	Include compliance with all processes and documentation (REFs, CMPs, Waste Management Plans etc.) as part of the enhanced internal audit review process.	✓	
<b>15.3</b>	Link monitoring of internal environmental processes to KPIs and performance appraisals.	✓	
<b>15.4</b>	Review document control and records management system and ensure the required documentation is prepared and accessible.	✓	
<b>16.1</b>	Develop consistent procedures for managing waste materials from works sites (other than information contained in REFs) and communicate procedures to Council personnel and contractors.		✓
<b>16.2</b>	Ensure waste classification and tracking documentation is completed, reviewed and signed off by the appropriate supervisor.		✓

### 3. BACKGROUND AND OBJECTIVES

Wollongong City Council was successful in its application to participate in the EPA's non-contestable four-year Better Waste and Recycling Fund. Under the funding arrangements, Council was required to submit a list of projects to the EPA by 30 June 2014. The project list, created in conjunction with staff across Council's Environment Strategy & Planning, Regulation & Enforcement and Infrastructure Strategy & Planning divisions, was deemed to satisfy the project eligibility criteria and Council received a total of \$915,285 to fund a range of projects over the first two years of the program including an Illegal Dumping Infrastructure Project to reduce the incidence of illegal dumping across the region. Council's Waste Services Department continues to coordinate the program within Council.

The Illegal Dumping Infrastructure Project, designed to reduce the incidence of illegal dumping in known 'blackspot areas', was allocated \$108,000 for Year 1 (July 2014 – June 2015). The project was intended to help deliver the outcomes of Council's [Waste and Resources Recovery Strategy 2022](#), specifically Focus 3 "*Litter and Illegal Dumping is reduced*" and Objective 3.3 "*Deliver Council programs to minimize the impact of litter and illegal dumping on amenity, public health and the environment.*"

EPA funding was received based on a project outline which simply stated "reduce illegal dumping hotspots by blocking off known blackspot areas with clean fill, concrete blocks or fencing".

The project entailed construction of earthen mounds along the Old Princes Highway between Waterfall and Sublime Point. The mounds were to stop vehicle access into known black spot areas to reduce the incident of illegal dumping. Similar mounds had previously been constructed at Clive Bissell Drive, Mount Keira in 2012.

Council's ESP staff member responsible for coordinating the grant-funded project, sourced what they believed to be "clean fill" from Council excavation works and with the assistance of staff from City Works and Services, arranged for some 100 loads (approximately 1,000 tonnes) of excavated materials to be transported to the nominated sites along the Old Princes Highway. The mounds were constructed from 25<sup>th</sup> March to 8<sup>th</sup> April 2015 by Council works crews and covered with mulch previously processed and stockpiled by Council's tree crews. It should be noted here, that there is no legally recognized term "clean fill" in NSW.

Concern was expressed by a local resident towards the end of April 2015 as to the quality of materials in the mounds and media stories ran on WIN TV and in the Illawarra Mercury on 30 April and during the first weeks of May. The EPA was subsequently contacted by the media on 6 May 2015. Sampling conducted by the EPA on or around 7 May identified asbestos contamination in the mounds. Follow up sampling by Council of two sites identified to be the source of some of the fill material (footpath construction at Sea Foam Avenue Thirroul and construction works at Black Diamond Place Bulli) also confirmed the presence of bonded asbestos.

Council met with EPA representatives on 11 May and received a letter from the EPA on 12 May requesting removal of the mounds. Clearsafe Environmental Solutions undertook risk assessments of the mounds on 12 May and on 13 May advised Council that the mounds were low risk, however recommended management strategies which included fencing and signage.

## BACKGROUND AND OBJECTIVES

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Affective Services Australia was engaged to remove the mounds on 15 May 2015. The removal work was undertaken from 25<sup>th</sup> – 28<sup>th</sup> May, 2015 at a net cost of \$65,000 over the cost of disposal at the point of generation

The following is a chronology of these events:

- 30 June 2014 BWRP funding request to EPA
- 27 Nov 2014 Councillor Briefing on BWRP funding
- 19 March 2015 Onsite meeting between Council certain managers and staff responsible for the project
- 25 March 2015 Mounding begins along Old Princes Highway
- 8 April 2015 Mounding completed (10 mounds built)
- End April 2015 Concern expressed by local resident
- 30 April 2015 WIN TV contact Council
- 6 May 2015 WIN news story runs
- 6 May 2015 Illawarra Mercury contacts Council
- 7 May 2015 Article in Illawarra Mercury
- 7 May 2015 EPA testing of mounds
- 8 May 2015 Council contacts EPA
- 8 May 2015 Council takes samples from Thirroul and Bulli worksites
- 11 May 2015 Sample results confirm asbestos
- 11 May 2015 Council staff meet with EPA
- 12 May 2015 Clearsafe Environmental Solutions conduct risk assessment and airborne monitoring
- 12 May 2015 Letter from EPA requesting information and removal of mounds
- 13 May 2015 Clearsafe advise mounds are low risk and recommend management strategies
- 14 May 2015 Council places signage on mounds
- 15 May 2015 Clearsafe places temporary fencing around mounds
- 15 May 2015 Affective Services engaged to remove mounds
- 25 May 2015 Removal works commence
- 28 May 2015 Removal works completed

## BACKGROUND AND OBJECTIVES

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### METHODOLOGY

The methodology for the review was as follows:

- Conduct initial site inspections including obtaining photographic evidence.
- Obtain documentation relevant to the occurrence of the event and Council policies and procedures, including project plans, Review of Environmental Factor (REF) documentation, work instructions and asbestos management processes.
- Identify and interview relevant stakeholders including Council operational and managerial staff.
- Develop a draft report inclusive of identified issue causes and recommendations and discuss that draft report with key Council representatives.
- Develop and issue a report.

## 4. DETAILED REPORT OF FINDINGS

### FINDINGS

Issues, findings and actions have been grouped into three categories:

- A. Illegal Dumping Infrastructure Project Management
- B. Systems and Processes
- C. Documentation

There is some overlap between the findings under each of the categories listed above. A matrix is provided in Attachment A to highlight the relationship between each of the findings and these three categories. Recommended actions for changes to systems and processes are provided for each finding.

### A. ILLEGAL DUMPING INFRASTRUCTURE PROJECT MANAGEMENT ISSUES

#### 1. LACK OF PROJECT COORDINATION AND MANAGEMENT OVERSIGHT

The EPA non-contestable Better Waste and Recycling Program (BWRP) is managed across a number of departments within Council with no one person having clear ownership of, or accountability for, project design, documentation, budgeting, monitoring or evaluation.

The Waste Services section managed the funding from the EPA in an effort to better align the funds with Council's *Waste and Resource Recovery Strategy 2022*. The Waste Services section conducted due diligence on linking the funded projects to Council's strategy, however once the money was received by the Council it was allocated to various cost centres, including the Environmental Strategy & Planning (ESP) cost centre for the Illegal Dumping Infrastructure project.

While the Waste Services section requested monthly reports from the project owner within ESP, there was no follow-up with the project owner when reports were not received. In fact, no project reports were prepared for the 10 months between July 2014 and May 2015 and senior ESP and Waste Services division managers did not follow up on either process or progress.

While managers knew of the BWRP projects and a councillor briefing was held in November 2014, there were no formal requirements to develop business proposals for non-contestable grant-funded projects (as there had been for the previous EPA Waste and Sustainability Improvement Payment or WASIP projects). Furthermore, EPA funding documentation did not outline specific methodologies or requirements for the mounding project and as such project documentation is limited.

Email correspondence between the Waste Services section and ESP Division in December 2014, indicates a preference for using Council's standard Project Proposal form for future BWRP funded projects, however this did not extend to existing projects.

## DETAILED REPORT OF FINDINGS

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Issues relating to the management of the mound barrier project include:

- i. Ad-hoc management processes and systems across different council divisions.
- ii. A lack of process to create sufficient supporting project documentation.
- iii. A single ESP staff member responsible for project implementation with little or no supervision.
- iv. No clear budget allocation or cost specifications for works conducted by Council crews.
- v. No ongoing project review or evaluation process.

**We recommend that:**

- 1.1 EPA non-contestable grant funded projects be incorporated into an annual project plan and be captured in quarterly reporting to council as part of current reporting structures.
- 1.2 All projects, no matter what size or funding source to go through formal, structured reporting and review processes.
- 1.3 A trackable reporting process to be implemented and maintained for all current BWRP funded projects.
- 1.4 Clear budgets be developed and budget reconciliations undertaken at the conclusion of projects.

## 2. POOR COMMUNICATION TO INTERNAL AND EXTERNAL STAKEHOLDERS

The project planning and implementation process did not effectively engage the relevant stakeholders about the project intent, process and timeframes. While the ESP staff member indicated that some consultation had occurred with NSW NPWS regarding location of the mounds, there was no evidence of this.

Councillors were advised of the project at a briefing session held on 27 November 2014. The briefing outlined the Waste Less Recycle More initiative in some detail and included a brief overview of Wollongong Council projects funded through contestable and non-contestable grants, including a very brief overview of the Illegal Dumping Infrastructure project. There was no detail provided at the briefing in relation to the location or number of mounds proposed, source of fill material, implementation timeframes or monitoring initiatives to ascertain the success or otherwise of the project.

Council staff (other than those directly involved in the project), were not made aware of the initiative with many of them first hearing of the project when it hit the media on 6 May 2015.

**We recommend that:**

- 2.1 Project planning processes include stakeholder engagement and communication strategies from project inception, through implementation and reporting.

### **3. CONFUSION ABOUT WASTE MANAGEMENT LEGISLATIVE REQUIREMENTS AND THE TERM “CLEAN FILL”**

Interviews with staff across Council departments as well as contractors engaged in transporting waste/fill materials indicated a clear lack of understanding of requirements under environmental legislation and specific waste regulations as well as WorkCover requirements for the management of asbestos in recycled construction and demolition waste.

The Protection of the Environment Operations (POEO) Act 1997 includes a very broad definition of waste, meaning that almost any resource recovery, or similar activity, is likely to be subject to the POEO Act and regulations, regardless of other external factors such as the re-usability or value of a “waste” substance. The Act identifies legislative requirements for waste generators, waste transporters and waste receivers and establishes that if reuse or recovery is intended, it must be in accordance with the terms of the POEO Act, a resource recovery exemption, or an environment protection licence.

Importantly, there is no legal basis to the term “clean fill” in NSW.

The two most relevant resource recovery exemptions applicable to the issues discussed in this report are the Excavated Public Roads Material exemption 2014 and the Recovered Aggregate Exemption 2014.

#### **We recommend that:**

- 3.1** Council staff and contractors undergo training in waste legislation and the provisions of relevant EPA resource recovery exemptions.
- 3.2** Council clearly define the links and/or gaps between asbestos management requirements issued by WorkCover NSW and the requirements of the NSW waste legislation and regulations.
- 3.3** Relevant legislative requirements for waste management and imported fill be included in Council REF documentation.

### **4. STAFF AND SUPERVISORS WORKING AUTONOMOUSLY AND WITHOUT ADEQUATE SUPERVISION**

Council’s ESP staff member responsible for implementing the Illegal Dumping Infrastructure project was working independently, without a clear project plan or adequate supervision and reporting requirements. Interviews with managers, as well as field staff indicated that assumptions had been made by all staff that the necessary processes had been followed and checks undertaken for implementing the mounding project. More qualified environmental officers or engineering staff may be better placed to manage infrastructure projects of this nature.

Council’s ESP Division liaised directly with the City Works supervisors in relation to the availability of fill material for the mounds. At no point was a project plan developed or signed off by managers within either the Environment & Strategic Planning division or the City Works & Services division. Managers within these divisions indicated that they were unaware of how the project was to be executed or the scale of the project until the media reports were issued.

## DETAILED REPORT OF FINDINGS

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The ESP staff member and City Works supervisor discussed the project and arranged a site meeting with the City Works staff member who would be responsible for sourcing fill material and constructing the mounds. While the ESP Division had a “wish list” of sites to be mounded, these were not documented and after review of five locations with the City Works supervisor and the staff member responsible for sourcing fill material, the ESP staff member handed the responsibility for identification of the remaining five sites to the staff member responsible for sourcing fill material (based on their knowledge of illegal dumping blackspots in the area). No documentation was provided to the staff member who indicated that they made decisions as to where to place the mounds as they were “driving along” with their crew.

The staff member responsible for sourcing fill material supervised the placement of the fill and the construction of all 10 mounds. The number of mounds was not determined in the project plan, but rather through discussions with the works crews and was largely dependent on the amount of existing stockpiled fill material available. There was no supervision by the ESP Division during the construction of the mounds. At one site, fill material was deposited on top of existing illegally dumped materials.

The decisions around what material to use for the mounds was largely made by City Works staff who indicated that material had been stockpiled from various construction and drainage projects over a 6 month period (see Finding 5 below).

The technical traffic advice obtained regarding the lateral positioning of the mounds was not provided in writing or adequately documented. A review of the 10 mounds by Council’s Traffic Unit conducted on 15<sup>th</sup> May 2015 recommended the installation of guide posts (or star pickets with reflectors) to better delineate the edge of the road shoulder. The review indicated that the mounds at sites 6 – 10 were placed between 2.6 and 4m from the edge line, which is less than the 7m clear zone recommended. As a result, Council’s Traffic Unit recommended installing the guide posts/reflectors at 9 of the 10 mound sites.

### **We recommend that:**

- 4.1 Project management plans include requirements for management sign-off against project process and timeframes.
- 4.2 Operating procedures be developed for project implementation clearly outlining roles, responsibilities, accountabilities and reporting structures for projects of this nature.
- 4.3 Risk assessments be undertaken and appropriately documented prior to implementing any on-ground works across all projects.
- 4.4 Qualified environmental or engineering staff be assigned to manage and coordinate infrastructure projects of this nature.

### **5. CITY WORKS DIVISION SOURCED UNCLASSIFIED WASTE MATERIALS FROM CONSTRUCTION SITES FOR RE-USE ON MOUNDING PROJECTS**

As indicated, neither a project report nor implementation strategy was prepared for the Illegal Dumping Infrastructure project. Verbal advice regarding the shape of the mounds (height and slope only) was provided to the works crews by the ESP Division. The sourcing of material and type of material to be used was left up to the City Works staff.

## DETAILED REPORT OF FINDINGS

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Discussions with works crews and contractors indicated that the material was primarily sourced from the Ziems Park stockpile between the 25<sup>th</sup> March and 8<sup>th</sup> April 2015. We have made a number of observations with regards to the Ziems Park site at Section B. Small quantities of material were also sourced from Rex Jackson Park (although the nature and volume of material from this location is unclear). The material stockpiled at Ziems Park came from a number of sources, including the Rural Fire Service (RFS) carpark works at Bulli, pedestrian footpath construction works at Sea Foam Avenue Thirroul and construction of a shared path between Park Road and Harbour St (Black Diamond Place) Bulli. Material also included “mixed diggings” which was largely sourced from creeks works.

According to works staff and contractors, the majority of material was sourced from the RFS site with some 600 – 700 tonnes of material having been stockpiled at Ziems Park from that project. It is estimated that 50 tonnes of this material was used on the Black Diamond Place construction project, however the remainder of the material was used on the Illegal Dumping Infrastructure project. The remaining fill required for the mounds was sourced from the “mixed diggings” stockpile at Ziems Park, with this material believed to be sourced from the Thirroul and Bulli footpath construction jobs and the creekworks mentioned above.

The Review of Environmental Factors (REF) documentation prepared for the three known construction sites from which the fill material was sourced include provisions for waste management (including requirements for separation, storage, classification and stockpiling). These requirements were not complied with at any of the sites (see findings in the Systems and Processes section included below).

It is estimated that at least 100 loads (or 1,000 tonnes) of material was taken from Ziems Park for construction of the mounds along the Old Princes Highway. Additionally, some 20 loads of mulch were sourced from Council’s tree crews to cover the 10 mounds.

It should be noted that a similar process was followed for mounds constructed along Wyllie Road Kembla Grange with staff sourcing fill material from Council’s stockpiled construction waste. Sampling indicated the presence of bonded asbestos in these mounds also.

### **We recommend that:**

- 5.1** Standard operating procedures for materials handling and re-use be developed which include appropriate testing and classification of materials.
- 5.2** Stockpiling of waste materials to cease across all Council construction and maintenance jobs until appropriate testing regimes have been implemented and approval given for off-site stockpiling.
- 5.3** More stringent enforcement of conditions included in construction work REFs with KPIs for supervisors designed and implemented to reflect these requirements.

### 6. ALLOCATION OF JOBS TO WORKS CREWS

According to the City Works staff interviewed, the maintenance crew engaged to undertake the mounding work had exhausted its maintenance budget and as such, the mounding project provided an external means of funding and kept the crews working while they were waiting for preparation of plans for other capital works projects.

The team was allocated to the mounding project, however this was at no time communicated to other managers within the City Works Division.

#### **We recommend that:**

- 6.1 Closer supervision of Civil Projects with regular documented reporting on projects at each depot including locations, timeframes, the resources required, REF provisions etc.
- 6.2 Regular team meetings to promote open and consistent communication between works crews, supervisors, leading hands, coordinators and managers.

## B. SYSTEMS AND PROCESSES

### 7. LACK OF CLEAR GUIDELINES ON WASTE MANAGEMENT AND MATERIALS HANDLING PROCESSES

The current management of construction and demolition waste and provision of fill materials on Council works, leaves council exposed to prosecution under both environmental and WHS legislation. Lack of documented procedures and guidelines, coupled with inadequate supervision and reporting has resulted in construction and demolition waste from council work sites being stockpiled illegally and used on construction projects without adequate testing or approvals being obtained.

There is a perception throughout the Council (from Managers to staff and contractors) that construction and demolition waste materials can be reused as long as visual checks indicate the material is 'free' from asbestos. The focus on asbestos identification and management has perhaps caused some confusion in relation to the suitability and legal re-use of these waste materials.

There appears to be a limited understanding of waste management requirements and the definition (or appropriateness) of the commonly used term "clean fill" (which has no legal basis) and its relationship to Virgin Excavated Natural Material (VENM), Excavated Natural Material (ENM) and the provisions of EPA Resource Recovery Exemptions.

Interviews with a range of personnel indicated that it is common practice within Council to stockpile and reuse material on construction jobs as this saves both money and time. The geographical distances between construction jobs in the north of the council area and licenced facilities - such as South Coast Equipment (SCE) which accepts non-contaminated construction and demolition materials for recycling – are such that a 2-hour turn-around per load of material must be factored into the job. Interim waste stockpiling areas have been established across the LGA to minimize travel times and to facilitate the re-use of materials.

Interviews with managers and staff throughout Council highlight a common assumption that excavated soils are "clean" and can be reused. This is despite specific requirements in REF's indicating that waste must be quantified, classified and disposed of at suitable facilities unless clear re-use strategies are documented and approved in Construction Waste Management Plans.

## DETAILED REPORT OF FINDINGS

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It is apparent from the interviews that staff are directed by supervisors on where to take waste and where to source fill materials from regardless of what the REF stipulates.

There appears to be no documentation of the quantities stockpiled at the various locations throughout the LGA, including Ziems Park, Central Depot and Wyllie Road, Kembla Grange. The reviewer was informed that there used to be a ticketing system indicating type of waste, quantities and location for these stockpile areas, however there was no evidence of this. There are currently no records of the type or quantity of waste material stockpiled at these facilities, or how much of the material was re-used. Receipts are available for materials taken to SCE, however the gaps in waste data and knowledge of re-use locations are clearly evident. While there was some attempt to sort the materials stockpiled at Ziems Park Stockpile, a Management Plan has not been prepared. On investigation, the area was poorly managed, with limited security or control.

Other issues identified during the site visit to Ziems Park and confirmed during interviews included:

- i. Access was provided to a range of people external to council.
- ii. The segregation of materials was ad hoc.
- iii. No testing or classification of materials.
- iv. No documentation of the materials left on site (type of material, volume, intended re-use or disposal destination).
- v. Much of the material appeared to have been on site for some time.
- vi. A classification of “mixed diggings” stockpiled for re-use (assumed by staff interviewed to be contaminated).

Similar issues were reported for stockpiles at other locations including Central Depot and Wyllie Road.

*Note: The reviewer is aware that these areas have now been closed and the stockpiled materials tested and removed/ or are being removed to appropriate facilities.*

### **We recommend that Council:**

- 7.1 Cease stockpiling construction and demolition waste materials at non-approved sites.
- 7.2 Cease re-use of waste materials that have not been classified or that are not sourced in accordance with EPA Resource Recovery exemptions.
- 7.3 Undertake testing and classification of all stockpiled materials by a licenced provider and dispose of materials at a suitable location.
- 7.4 Develop operating procedures and guidelines for materials handling and re-use and communicate these to all City Works staff.
- 7.5 Explore opportunities for an approved Council-managed transfer/holding depot for construction/demolition wastes in the north of the city to comply with EPA guidelines (up to 6,000 tonnes per year or 1,000 tonnes at any one time before a licence is required).

### 8. OVERRIDING FOCUS ON ASBESTOS WHEN MANAGING WASTE AND MATERIALS HANDLING

A 2014 Workcover Audit identified asbestos management and contractor management as non-conformances. Council has since implemented a number of significant changes in the way asbestos is managed across all Council activities. An integrated WHS approach to Council's asbestos management process was proposed in November 2014 in an effort to meet legislative and Council compliance requirements.

The key objectives of this updated approach to asbestos management are to ensure clear policies and procedures are developed, that the processes comply with regulatory requirements, that relevant staff are trained in asbestos identification and management, and that a Corporate Asbestos Register and Asbestos Management Plans are prepared.

A draft Asbestos Management Plan Guideline was sighted by the reviewer (dated 15<sup>th</sup> May 2015) which includes a process for notification of asbestos or ACM by Council personnel during construction and excavation. An asbestos register will be used to track locations where asbestos is found and will provide a tool for risk assessments and a guide as to when Hazardous Materials surveys may be required.

While Council's approach to asbestos management is commendable, there remains confusion among workers as to the process for asbestos identification and removal (if bonded asbestos < 10m<sup>2</sup>) and how this relates to the REF waste management requirements.

Interviews with supervisors and staff suggest that where a visual inspection for asbestos reveals that there is no visible asbestos present, then the excavated material is deemed to be "clean" and suitable for re-use.

There was considerable confusion among supervisors and staff as to the application and intent of an Asbestos Inspection Certificate issued for the Rural Fire Service Site at Bulli. While the certificate indicated that residual /remnant ACM was not identified within the scope of work which was further supported by laboratory analysis of airborne fibres, the inspection certificate clearly states that "any asbestos contamination within soil, on or beneath ground surface" is expressly excluded. Some 70 truck-loads of material from the carpark excavation of the RFS site was transported to Ziems Park and re-used in the mounding project as supervisors were of the understanding that an asbestos clearance certificate had been issued for the whole site.

Care needs to be taken to ensure that pre-construction asbestos sampling and reporting meets relevant Standards and includes below surface contamination should materials be removed from site for reprocessing and/ or re-use (through a licenced facility).

A comprehensive asbestos management training program has been developed for Council personnel and has been rolled out across Council based on a risk prioritization matrix. The matrix identified City Works and Services personnel as priority 5, however training to this group was fast-tracked following the mounding incident in May.

Procedural flow charts have recently been prepared for the City Works Projects which detail the process for managing suspected asbestos during construction and maintenance works. The flow charts reference the quantities and type of asbestos which may be removed by trained Council staff (<10m<sup>2</sup> bonded asbestos) so that works may continue. Where friable asbestos or larger quantities are identified, the procedure requires engagement of an accredited contractor and the need for an Asbestos Clearance Certificate to be issued before works can continue.

## DETAILED REPORT OF FINDINGS

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While these procedures meet the WHS regulatory requirements, Council may wish to review its approach to asbestos identification and management at Council work sites in relation to EPA legislative and Council REF requirements for construction and demolition waste disposal and re-use. Removal of visual asbestos from excavated material does not render the material appropriate for re-use under environmental legislation. Relevant information should be included on the flow chart and in Council operating procedures to ensure environmental regulatory requirements are also met.

### **We recommend that Council:**

- 8.1 Review operating procedures for suspected asbestos on council land and work sites and include reference to environmental regulatory requirements for disposal or re-use of waste materials.
- 8.2 Extend asbestos awareness training to include reference to construction and demolition waste disposal and REF/environmental regulatory requirements.
- 8.3 Consult further with construction and maintenance staff in relation to asbestos identification and removal at work sites.

### **9. INADEQUATE MANAGEMENT, SUPERVISION, SUPPORT AND ACCOUNTABILITY**

In the area subject to this review, Council's supervisors and staff work relatively autonomously across Council's geographic areas of responsibility. While this is often a function of location and job efficiencies, interviews suggest that supervisors have taken initiatives and made decisions in the past without following due processes. This was demonstrated in the illegal dumping infrastructure project. Lack of supervision and reporting on jobs at hand resulted in management not knowing what jobs the maintenance crew (North) was working on between mid-March and early April 2015.

While an improved system of communication has been established between newly appointed managers, supervisors and staff, the process needs further support by management to ensure it operates as intended. Improved definitions around roles, responsibilities and accountabilities as well as supervision, reporting and sign off are needed. Enhanced communication between relevant Council departments will ensure jobs are logged, managed and communicated in an efficient and effective manner and that risks associated with these jobs are minimised.

### **We recommend that Council:**

- 9.1 Clearly define roles, responsibilities, accountabilities, reporting structures and sign-off requirements for construction and maintenance works undertaken by Council works crews.
- 9.2 Ensure works systems and processes are implemented, monitored and reviewed at all levels of the organisation
- 9.3 Provide additional support to managers and staff to accurately interpret and implement the requirements of REFs.

### 10. POOR IMPLEMENTATION AND UNDERSTANDING OF REF REQUIREMENTS

While City Works staff consider many of the environmental and heritage requirements included in the REF documentation (such as sediment and erosion control, trees and Aboriginal Heritage issues), our review procedures identified that waste management requirements included in REF's are not afforded the same level of attention. This appears to be a function of staff complacency, workplace culture, a perceived need to save money on construction jobs and a lack of accountability for implementation of the REF conditions. An apparent diffusion of responsibility and lack of review and sign-off post implementation has resulted in some key requirements not being met. This puts Council at risk of non-compliance with environmental legislation and may pose WHS risks also.

Comments from Council staff during interviews have indicated that they may not specifically refer to the REF when excavating material which may reflect a level of complacency or perhaps ignorance, particularly among staff who have worked at Council for a number of years. There remains an ideology around work practices that increases risk of liability for Council and individual staff and contractors. Knowledge and understanding of waste definitions and regulations remains limited among staff and contractors employed to transport wastes to existing stockpile areas or licenced reprocessing facilities.

A number of REFs sighted by the reviewer included a standard statement about waste management. A generic statement around the need to engage a qualified environmental consultant to classify any materials that are to be removed from site prior to their removal to a licenced facility is included in REFs, however in this instance no consideration was given to the feasibility or cost of engaging such a consultant for each job. Reference is also made to the risk rating for uncovering hazardous materials during excavation. While desk-top studies are undertaken by Council staff in preparing the REFs, incomplete information about contaminated sites and asbestos across the Wollongong LGA may result in incorrect (or inconclusive) information being included in REFs.

The focus of staff is frequently on "getting the job done" within the timeframe and budgets allocated. There is a perception among the staff interviewed that they need to save Council money and not categorizing waste or transporting it to a licenced facility provides a means for reducing cost liabilities on each job.

A further issue associated with REFs relates to the timeframe for preparation of the REF and the execution of the works on the ground. Certain staff indicated that a two-week period is required between hand-over of the REF and the start of the job. This timeframe is not always afforded to staff, resulting in budgeting processes being rushed, or works beginning jobs without a thorough review of the REF requirements.

A recent case of a project commencing prior to the finalization of an REF for a mounding project a Wyllie Road, Kembla Grange provides further evidence of a break-down in processes and systems surrounding the preparation, implementation, review and sign off of REFs. Post-project reviews or debriefing sessions do not appear to take place and there is little accountability for following REF requirements across the board. This case also resulted in mounds being built from stockpiled waste material containing bonded asbestos.

### **We recommend that:**

- 10.1 Clear responsibilities (linked to KPIs) be assigned to relevant managers, supervisors and staff for implementing the waste management (and other requirements) of REFs on each job and ensuring adequate supervision, reporting and sign-off of job-specific processes and outcomes are achieved.
- 10.2 A two-week turn-around period is enforced between hand-over of the REFs and commencement of the on-ground works to allow for effective budgeting, review and communication of REF requirements.
- 10.3 REF training is provided to relevant Council staff involved in preparing REFs including designers as well as supervisors and works crews involved in implementing on-ground works. This training should also be provided to other staff responsible for implementing projects that require an REF.
- 10.4 Toolbox Talks and simple Guidelines on construction waste management (not limited to asbestos management) be prepared for staff and contractors.
- 10.5 The Contaminated Lands Register and/or Asbestos Register to include identified contaminated sites and locations where asbestos is uncovered and that this information informs the REF process. Include site specific information in REFs where possible.
- 10.6 Spot checks and compliance audits be undertaken by suitably qualified personnel (internal or external to Council) to ensure that the environmental safeguards and conditions included in REFs are understood and implemented.

### **11. ORGANISATIONAL CULTURE, AND STAFF AND MANAGER EXPECTATIONS**

As indicated previously, there is a perceived pressure among certain staff to save money for council through cost and time efficiencies, even where work practices do not comply with internal procedures or regulatory requirements. Statements made during interviews reflect that some staff are feeling pressure to reduce the cost of jobs. There exists a fear among those staff that the works they are currently involved in will be outsourced by Council leaving them without a job.

In other cases, such as for the Illegal Dumping Infrastructure Project, a focus on outcomes not process, has resulted in council procedures not being followed, increasing risk of regulatory non-compliances and WHS hazards to council staff and community.

### **We recommend that:**

- 11.1 Staff briefing sessions be held with relevant staff to openly and honestly communicate management expectations around job costs and for staff to express any fears (perceived or real) they may have in relation to job security.
- 11.2 Changes to waste management and materials handling procedures be clearly communicated to staff with links to performance reviews and KPIs were appropriate.

## **12. CONTRACTOR RESPONSIBILITIES AND ACCOUNTABILITIES POORLY DEFINED**

Contractors collecting and delivering waste materials to stockpiles, work sites and commercial facilities have an obligation to meet regulatory requirements. Council may also be liable under environmental and WHS legislation for the action of its contractors.

Contractors are engaged to dispose of material from Council works sites where large volumes of materials need to be moved. Interviews with contractors indicated that they take materials to wherever they are directed, including Council's construction waste stockpiles. Contractors are not required to track how much waste they collect or where it is deposited. When delivering material to commercial facilities such as SCE, drivers inform the facility that it is clean material from a council work site, receive a receipt for the material and pass this receipt on to Council as part of their invoicing processes. There is no due diligence around the type of material being stockpiled or the quality and quantity of material taken to SCE. Waste classification is not undertaken.

Interviews with relevant contractors indicate that they conduct only cursory checks of the material when it is being loaded into the trucks, which provides limited opportunity to identify asbestos.

The attitude of the contractors interviewed (all of whom had been working in the field between 10 and 35 years) was somewhat dismissive towards waste management requirements and the legislation associated with hazardous materials such as bonded asbestos.

### **We recommend that:**

- 12.1 Contracts be reviewed (and/or developed) with accountabilities added around waste and hazardous materials management.
- 12.2 Training be provided to contractors on waste management and Council requirements for waste disposal and tracking.

## C. DOCUMENTATION

### 13. REFS DOCUMENTATION IS PREPARED WITHOUT INPUT FROM WORKS CREWS

Interviews with staff across Council indicated that there is a disconnect between the staff involved in the preparation of REF documents and those delivering the projects on the ground. Lack of site-specific information around environmental safeguards leads to confusion and on-the-run decision making by relevant staff.

There is currently no clarity around the required construction sign-off on REF's and interviews with relevant staff indicating some confusion as to the roles, responsibilities, accountabilities and potential liabilities associated with sign-off.

#### **We recommend that:**

13.1 Opportunities be provided for cross-departmental input into REFs including input from relevant managers where appropriate.

13.2 A simple documented procedure on REF sign-off be prepared including clear guidance on roles, responsibilities and accountabilities. These should link to KPIs where possible.

### 14. PRE-ENVIRONMENTAL CHECKLISTS REFER TO COUNCIL'S GENERIC CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN (CEMP) WHICH COVERS WASTE AND MATERIALS RECYCLING

Pre-construction environmental checklists are completed by supervisors and signed off relevant staff. The checklist references Council's generic CEMP and prompts staff to consider whether a Project Specific Plan (PSP) is required. The reviewer sighted completed checklists for the Black Diamond Footpath construction and the Sea Foam Avenue construction with both checklists indicating that specific safeguards identified in the REF for waste and materials recycling were covered by the generic CEMP. The checklist further asks whether site personnel have been briefed on responsibilities under relevant legislation. Both checklists indicate a positive response, however neither project complied with environmental legislative requirements in relation to waste management.

Both completed checklists also indicated that a sustainability plan for reduction of energy use, water, and waste had been prepared however the reviewer sighted no evidence of this.

The checklist includes a question on whether the project is using recycled material where available and appropriate, however provides no definition of the term "appropriate" which may lead to confusion among staff in relation to re-use of fill material.

### **We recommend that Council:**

- 14.1 Review the pre-environmental checklist and ensure it is not a “tick and flick” process by linking requirements in the checklist to individual performance appraisals and KPIs.
- 14.2 Provide training for relevant staff in the intent and meaning behind each part of the checklist.
- 14.3 Ensure relevant managers and staff are aware of the requirements included in the CEMP and how these relate to specific projects. The checklist states that site establishment and construction may proceed subject to “full compliance with the CEMP/PSP”.
- 14.4 Review sign-off delegations on the checklist.

### **15. LIMITED DOCUMENTED MONITORING OF COMPLIANCE WITH INTERNAL ENVIRONMENTAL MANAGEMENT PROCESSES OR THE REQUIRED DOCUMENTATION/MANAGEMENT PLANS**

Whilst systems and processes exist to identify environmental factors and issues of concern during construction and maintenance projects, there was a breakdown of processes associated with the development, sign-off, implementation and review of REFs as indicated earlier.

The REF for the Bulli RFS job required the development of waste data forms, a Construction Environmental Management Plans (CEMPs) and Erosion and Sediment Control Strategies. These documents could not be located at the time of the review.

Relevant managers currently complete a risk assessment checklist when commencing site works which reviews WHS issues, traffic controls and so forth. There is an opportunity to expand this checklist to include waste management and other environmental requirements (documented on REF's).

### **We recommend that Council:**

- 15.1 Include a review of waste management and other environmental requirements as part of relevant managers and staff's site-specific documented risk assessment checklists.
- 15.2 Include compliance with all processes and documentation (REFs, CMPs, Waste Management Plans etc.) as part of the enhanced internal audit review process.
- 15.3 Link monitoring of internal environmental processes to KPIs and performance appraisals.
- 15.4 Review document control and records management system and ensure the required documentation is prepared and accessible.

### 16. WASTE REMOVED FROM WORK SITES NOT CLASSIFIED OR TRACKED

Construction and demolition waste removed from Council works sites has been stockpiled at a number of locations throughout the LGA (most notably Ziems Park and Central Depot) before being either reused on construction jobs or transported to reprocessing facilities (such as SCE). There is no classification or tracking of waste materials or documentation of quantities or types of wastes stockpiled or delivered to commercial premises. There is inconsistency on waste and materials handling processes and documentation across Council operations. The reviewer was informed that a tracking and documentation system did exist at one point for wastes taken to Central Depot and Ziems Park, however there was no evidence of this.

#### **We recommend that Council:**

- 16.1 Develop consistent procedures for managing waste materials from works sites (other than information contained in REFs) and communicate procedures to Council personnel and contractors.
- 16.2 Ensure waste classification and tracking documentation is completed, reviewed and signed off by the appropriate supervisor.

## ATTACHMENT

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### ATTACHMENT A – MATRIX OF FINDINGS AND CATEGORIES

The matrix included below indicates overlaps between each of the findings and the key categories identified during the review process.

FINDING	PROJECT MANAGEMENT	SYSTEMS & PROCESSES	DOCUMENTATION
1	X	X	
2	X	X	X
3	X	X	
4	X	X	X
5	X	X	X
6	X	X	
7		X	X
8		X	X
9		X	X
10		X	
11		X	
12		X	X
13		X	X
14		X	X
15		X	X
16		X	X

## IAB REVIEW RECTIFICATION PLAN

Action No.	Objective	Action / Deliverables		IAB Report Refs	Time Frame
<b>Materials Handling Procedures and Systems Improvements</b>				<b>Report Sections 3, 5, 7, 8, 12, 13, 14, 15, 16</b>	
1	Cease stockpiling of waste material at non-approved sites	<ul style="list-style-type: none"> <li>Remove and dispose all non-approved stockpiles within the city in accordance with relevant regulations</li> </ul>	<ul style="list-style-type: none"> <li>Legislative compliance</li> </ul>	5.2, 7.1, 7.2, 7.3, 7.5	IN PROGRESS
		<ul style="list-style-type: none"> <li>Cease stockpiling and dispose of all waste material resulting from construction activities to an authorised waste facility unless classified otherwise</li> </ul>	<ul style="list-style-type: none"> <li>Legislative compliance</li> </ul>		COMPLETE
		<ul style="list-style-type: none"> <li>Undertake review of compliant stockpiling opportunities across the city</li> </ul>	<ul style="list-style-type: none"> <li>Improve current systems, improved materials reuse</li> </ul>		Medium - Long term
2	Establish a Construction Materials Handling Framework to effectively classify, manage & transport waste materials	<ul style="list-style-type: none"> <li>Review, update and implement a waste / material classification system for works undertaken by council staff</li> </ul>	<ul style="list-style-type: none"> <li>Legislative Compliance, staff training &amp; awareness, improved materials reuse</li> </ul>	3.1, 3.2, 3.3, 5.1, 5.3, 7.2, 7.4, 12.1, 12.2, 16.1, 16.2	August 2015
		<ul style="list-style-type: none"> <li>Review and implement appropriate application of POEO Resource Recovery orders and exemptions framework</li> </ul>	<ul style="list-style-type: none"> <li>Legislative Compliance, staff training &amp; awareness, improved materials reuse</li> </ul>		August 2015
		<ul style="list-style-type: none"> <li>Review and develop improved procedure for transportation and disposal of waste / material by Council and its contractors</li> </ul>	<ul style="list-style-type: none"> <li>Legislative Compliance, staff training &amp; awareness, improved materials reuse</li> </ul>		August 2015
		<ul style="list-style-type: none"> <li>Confirm completeness of revised procedures and framework with Regulators (EPA and WorkCover)</li> </ul>	<ul style="list-style-type: none"> <li>Legislative Compliance</li> </ul>		August 2015
		<ul style="list-style-type: none"> <li>Review and update REF documentation, procedures and training to incorporate requirements for classification, transportation and disposal of waste / material by Council and its contractors</li> </ul>	<ul style="list-style-type: none"> <li>Legislative Compliance, staff training &amp; awareness, improved materials reuse</li> </ul>		August 2015
		<ul style="list-style-type: none"> <li>Engage expert to review and improve current procedures and processes relating to materials handling and to guide the development of any new procedures</li> </ul>	<ul style="list-style-type: none"> <li>Legislative compliance</li> <li>Independent Expert Adviser</li> </ul>		August 2015
3	Establish a best practice unexpected finds procedure	<ul style="list-style-type: none"> <li>Review the current unexpected finds procedure to ensure it links to other existing council processes and is consistent with industry standard</li> </ul>	<ul style="list-style-type: none"> <li>Legislative compliance, improved current systems</li> </ul>	8.1, 8.2, 8.3	September 2015

## IAB REVIEW RECTIFICATION PLAN

Action No.	Objective	Action / Deliverables		IAB Report Refs	Time Frame
4	Establish best practice Identification and management of non-friable and friable asbestos identified during construction	<ul style="list-style-type: none"> <li>• Review current procedures for the identification, removal and disposal of non-friable asbestos under 10m2 at a works site</li> <li>• Review current procedures for the identification and management of large quantities (greater than 10m2) of non-friable asbestos at a works site</li> <li>• Train and develop additional staff in the removal and disposal of non-friable asbestos under 10m2</li> <li>• Undertake review of need for nominated staff to gain a Class B asbestos removal licence (more than 10mt2).</li> </ul>	<ul style="list-style-type: none"> <li>• Improved procedures and staff training/awareness of asbestos identification and management requirements.</li> <li>• Compliance with WHS and EPA legislation</li> </ul>	8.1, 8.2, 8.3	<p>IN PROGRESS</p> <p>IN PROGRESS</p> <p>IN PROGRESS</p> <p>IN PROGRESS</p>
5	Establish a process that ensures all Contaminated material found on worksites is recorded accurately and the Contaminated Lands Register (CLR) is updated and suitable for required outputs	<ul style="list-style-type: none"> <li>• Implement reviews of known contaminated land to be scheduled</li> <li>• Integrate the CLR into the design and risk profile of new works</li> <li>• Establish thresholds needed to be established regarding volumes of ACM located on work sites</li> <li>• Establish means for capturing contamination within non-mapped areas</li> <li>• Define 'remediated/cleaned up site' vs ongoing managed sites</li> <li>• Establish appropriate EMP for known contaminated sites in Council workspace</li> <li>• Establish system for documentation and information transfer</li> <li>• Confirm and establish interdepartmental responsibilities for recording/reporting/end user</li> </ul>	<ul style="list-style-type: none"> <li>• Legislative compliance</li> <li>• Improve current systems</li> </ul>	10.1, 10.2, 10.3, 10.4, 10.5	IN PROGRESS
6	Improve illegal dumping strategy and procedures	<ul style="list-style-type: none"> <li>• Review illegal dumping prevention strategies</li> <li>• Review removal and disposal of illegal dumping procedures</li> </ul>	<ul style="list-style-type: none"> <li>• Reduced illegal dumping</li> <li>• Increased efficiencies in removal and disposal of illegal dumping</li> </ul>		<p>IN PROGRESS</p> <hr/> <p>Short - Medium term</p>

## IAB REVIEW RECTIFICATION PLAN

Action No.	Objective	Action / Deliverables		IAB Report Refs	Time Frame
<b>Project Procedures and Systems Improvements</b>				<b>Report Sections 1, 2, 4, 6, 9, 10, 11, 13, 14, 15</b>	
7	Review and update Councils project management framework to improve management and control of minor and operational projects	<ul style="list-style-type: none"> <li>Review the approval and handover process and application of design, environmental and construction documentation to ensure accurate references to the applicable site works and understanding of staff</li> </ul>	<ul style="list-style-type: none"> <li>Improve current systems</li> <li>Improve process for the development and application of design and construction documentation</li> </ul>	1.1, 1.2, 1.3, 1.4, 2.1, 4.1, 4.2, 4.3, 4.4, 5.3, 6.1, 6.2, 9.1, 9.2	Short - Medium term
		<ul style="list-style-type: none"> <li>Update and align the process of Project design, development, handover and application of Project Plans.</li> </ul>			Short - Medium term
		<ul style="list-style-type: none"> <li>Review and improve processes and training for the establishing and managing non-capital works projects and proposals</li> </ul>			Short - Medium term
8	Improve process and application of appropriate environmental management controls	<ul style="list-style-type: none"> <li>Update and align the process of developing, handing over and monitoring Environmental impact assessment (Reviews of Environmental Factors, Erosion and Sediment Control Plans, and Construction Environmental Management Plans).</li> </ul>	<ul style="list-style-type: none"> <li>Improve process for the development and application of environmental controls and requirements for projects</li> </ul>	9.3, 10.1, 10.2, 10.3, 10.4, 10.6, 11.1, 11.2, 13.1, 13.2, 14.1, 14.4, 15.1, 15.2, 15.3, 15.4	IN PROGRESS
9	Establish formal process and documentation for the supervision and periodic audit of construction and maintenance works	<ul style="list-style-type: none"> <li>Review procedure for attending and recording visits to Works sites by Supervisory staff</li> </ul>	<ul style="list-style-type: none"> <li>Improve current systems</li> <li>Improved project and environmental documentation, enhance audit trail of environmental compliance checking</li> </ul>	4.1, 4.2, 4.3, 4.4, 5.1, 6.1, 6.2, 9.1, 9.2	September 2015
		<ul style="list-style-type: none"> <li>Review existing workplace management documentation to include recording of environmental construction management issues and inspection</li> </ul>			September 2015
10	Provide staff with improved skills in project and environmental management	<ul style="list-style-type: none"> <li>Identify all skill gaps</li> </ul>	<ul style="list-style-type: none"> <li>Increase project and environmental capacity amongst staff for non-capital works</li> </ul>	1.4, 1.2, 1.3, 1.4, 3.1,4.1, 4.2, 9.3, 10.1, 10.2, 10.3, 10.4, 10.6, 11.1, 11.2, 13.1, 13.2, 14.1, 14.2, 14.3, 14.4	September 2015
		<ul style="list-style-type: none"> <li>Establish training program to support project management, especially for non-capital works</li> </ul>			Short - Medium term
		<ul style="list-style-type: none"> <li>Establish training program for policies and procedures relating to environmental and waste management</li> </ul>			August 2015