



BUSINESS PAPER

ORDINARY MEETING OF COUNCIL

To be held at 6.00 pm on

Monday 19 November 2018

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 Meeting of Council 29/10/2018
- 7 Public Access Forum
- 8 Call of the Agenda
- 9 Lord Mayoral Minute
- 10 Urgent Items
- 11 Notice of Motions
- 12 Agenda Items

Members

Lord Mayor –
Councillor Gordon Bradbery AM (Chair)
Deputy Lord Mayor –
Councillor David Brown
Councillor Cameron Walters
Councillor Cath Blakey
Councillor Dom Figliomeni
Councillor Janice Kershaw
Councillor Jenelle Rimmer
Councillor John Dorahy
Councillor Leigh Colacino
Councillor Mithra Cox
Councillor Tania Brown
Councillor Vicky King

QUORUM – 7 MEMBERS TO BE PRESENT

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Reason for Confidentiality

This report recommends that this item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2)(a) of the Local Government Act, 1993, as the report contains personnel matters concerning particular individuals.



MINUTES

ORDINARY MEETING OF COUNCIL

at 6.00 pm

Monday 29 October 2018

Present

Lord Mayor (Acting) – Councillor D Brown (in the Chair), Councillors C Walters, D Figliomeni, J Kershaw, J Rimmer, J Dorahy, L Colacino, M Cox, T Brown and V King

In Attendance

General Manager – D Farmer, Director Infrastructure and Works, Connectivity Assets and Liveable City – G Doyle, Director Planning and Environment, Future City and Neighbourhoods – A Carfield, Director Corporate Services, Connected and Engaged City – R Campbell, Director Community Services, Creative and Innovative City – K Hunt, Manager Governance and Information (Acting) – C Phelan, Chief Financial Officer – B Jenkins, Manager Property and Recreation (Acting) – M Bond, Manager Environmental Strategy and Planning (Acting) – D Green, Manager City Works and Services – M Roebuck, Manager Project Delivery – G Whittaker, Manager Infrastructure Strategy and Planning – M Dowd, Manager Library and Community Services - J Thompson, Manager Development Assessment and Certification - M Riordan and Manager Community Culture and Economic Development (Acting) - S Gibson

Apologies

Min No.

140 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor King seconded Councillor Dorahy that the apologies tendered on behalf of the Lord Mayor – Councillor G Bradbery AM and Councillor Blakey be accepted and leave of absence be granted. Councillor King welcomed former Councillor Ann Martin in the gallery and acknowledged the 100 year anniversary of women in Local Government.

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CLOSED SESSION

ITEM C1 CONFIDENTIAL: Southern Suburbs District Community Centre and Library Project

Reason for Confidentiality

This report recommends that this item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A(2)(d(i)) of the Local Government Act, 1993, as the report contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

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CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 24 SEPTEMBER 2018

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Colacino seconded Councillor T Brown that the Minutes of the Ordinary Meeting of Council held on Monday, 24 September 2018 (a copy having been circulated to Councillors) be taken as read and confirmed with a correction to Minute 133, Agenda Item 3, page 7, noting that Councillor Tania Brown was elected to the Alternative delegate to the South East Australian Transport Strategy not Councillor David Brown.

PUBLIC ACCESS FORUM - ITEM A - NOTICE OF MOTION - COUNCILLOR BLAKEY - INVESTIGATION OF A FOOD ORGANICS GARDEN COLLECTION SERVICE

Ms Claire Gerson spoke in favour of the recommendation, and advised as the number of multi-unit dwellings (MUDs) is increasing in Wollongong, and particularly in the Central Business District and North Wollongong, there were plenty of opportunities to design and introduce the right Food Organics and Garden Organics (FOGO) Service for Wollongong's residential mix and needs, including MUDs.

She added the NSW EPA has an Organics Collections grants program that among other things aims to increase the expertise and experience in delivering organics collections in MUDs. The EPA's grants program will fund trials 'for source separated organics collections in MUDs'. So Wollongong Council can learn from other successful programs and devise a trial for MUDs in Wollongong.

Ms Kylie Flament (General Manager) of Green Connect Illawarra spoke in favour of the recommendation stating that she is a resident and mother who wanted to share what she had learnt about food and waste, and why now is the perfect time to move to FOGO.

She further explained, her experiences as a resident, recycling whatever she could and placing everything else into the red bin which goes to landfill. She added that she had not been concerned about food scraps assuming they would break down naturally in the landfill.

It was noted that this is not the case and often food waste turn into toxic sludge when mixed with other materials such as pharmaceuticals, heavy metals, battery acids and other waste.

Ms Flament highlighted the US had drilled into landfills and taken core samples showing food that is fully intact more than 50 years later and emphasised food waste buried in landfill causes 21 times more greenhouse gas issues than if the same waste broke down naturally.

Ms Flament questioned why the community would throw nutrients away and pay exorbitant landfill levies when we could turn it into something useful for our farmers, given the poor conditions of the soil due to drought. She added, up until recently, we could have thrown it into an Alternative Waste Treatment (AWT) facility, a sort of giant concrete mixer where the biodegradable parts are extracted and made into "mixed waste compost". However, just last week, the Environmental Protection Agency (EPA) ruled that compost made from mixed red bin waste is banned from use on agricultural land, plantations or even for mining rehabilitation due to studies showing it is so contaminated with plastic, metals and toxins that it is harmful. This new EPA decision severely restricts our future options for reducing waste to landfill. Now, if we don't introduce FOGO, then our only options are to either burn our food waste for energy, or otherwise just keep throwing it into landfill forever.

She further explained the benefits of composting, which has been successfully introduced across 27 councils in NSW.

Ms Flament advised that funding is currently available for interested councils through the EPA's Waste Less Recycle More Fund, for both set-up costs and implementation. Our neighbouring council, Shellharbour, has already received millions of dollars in funding for their new waste services and facilities. But there is a finite pool of money and it won't be available forever, so we should act now.

It's the perfect time because there is support for this at all levels. Residents want councils to secure a sustainable future, and the Australian and NSW governments are pushing for it, including through the recently drafted Circular Economy Policy. This point was reinforced as it relates to Council's Waste and Resource Recovery Policy 2022 which also demonstrates a VEN diagram showing social, environmental and economic benefits. FOGO targets these three areas.

In closing Ms Flament implored Councillors to introduce FOGO services in the Wollongong City Local Government Area.

- 142 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Rimmer seconded Councillor Walters that all speakers be thanked for their presentation and invited to table their notes.

CALL OF THE AGENDA

- 143 **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Kershaw that the staff recommendations for Items 4-6, 9-15 and 18-24 inclusive be adopted as a block.

ITEM A - NOTICE OF MOTION - COUNCILLOR BLAKEY - INVESTIGATION OF A FOOD ORGANICS GARDEN COLLECTION SERVICE

- 144 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Cox seconded Councillor Figliomeni that Council formally move to investigate developing a FOGO (Food Organics Garden Organics) collection service, and other systems that reduce residential and commercial waste going to landfill and that this include a briefing and report to consider the options for implementation.

Variation The variation moved by Councillor D Brown (the addition of the words "and other systems that reduce residential and commercial waste going to landfill") was accepted by the mover and seconder.

DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 1, Councillor Walters departed and returned to the meeting, the time being from 6.32 pm to 6.33 pm.

ITEM 1 - MT KEIRA SUMMIT PARK DRAFT PLAN OF MANAGEMENT

145 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Colacino seconded Councillor T Brown that -

- 1 The draft Mt Keira Summit Park Plan of Management and Landscape Concept Plan be exhibited for a minimum of 42 days including an independently chaired public meeting and Information Stand on site.
- 2 The draft Mt Keira Summit Park Plan of Management include a proposal to re-categorise a portion of community land from cultural significance to general community use to enable future suitable land use activities that align with the planning principles for the site (Attachment 4 to the report).
- 3 Previously engaged stakeholders involved in the Mt Keira visioning process be advised that the Draft Plan of Management has been prepared and will be placed on public exhibition.
- 4 Following the exhibition period and public meeting the submissions and comments be reported to Council.
- 5 The post exhibition report consider whether any changes to planning controls under the Wollongong Local Environmental Plan 2009 are required to assist with the implementation of the Plan of Management.

ITEM 2 - WEST DAPTO SECTION 94 DEVELOPMENT CONTRIBUTIONS PLAN (2017) - INDUSTRIAL LANDS

146 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor King seconded Councillor Figliomeni that -

- 1 To assist the development of industrial land at West Dapto, an interim contribution rate of 20 per cent of the adopted industrial land contribution rate be applied on development applications subject to the West Dapto Section 94 Development Contributions Plan 2017 for a maximum period of two years, or the commencement of a new Plan.
- 2 The industrial lands development contribution rate be reviewed as part of the future draft West Dapto Development Contributions Plan (2019).

ITEM 3 - PLACES FOR PEOPLE - WOLLONGONG SOCIAL INFRASTRUCTURE PLANNING FRAMEWORK: 2018-2028

147 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Colacino seconded Councillor Rimmer that Council endorses for public exhibition the Social Infrastructure Planning Framework Supporting Document for a period of 28 days.

ITEM 4 - PROPOSED CLASSIFICATION OF CROWN LAND AS A CONSEQUENCE OF THE CROWN LAND MANAGEMENT ACT 2016

The following recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 143).

COUNCIL'S RESOLUTION -

- 1 Council endorse the initial classification and categorisation of Crown Land as identified in Attachment 1, to the report.
- 2 The General Manager be authorised to finalise and submit a Classification of Crown Land as operational land form to apply for Ministerial consent to classify and manage the Crown land identified in Attachment 1 Part 3, of the report, as Operational Land.
- 3 The General Manager be authorised to finalise and provide written notice of initial categorisation applied to Crown land under the management of Council as a Crown Land Manager under section 3.23 of the Crown Land Management Act as identified in Attachment 1 Parts 1 and 2, of the report.

ITEM 5 - WOLLONGONG HERITAGE GRANT FUND ALLOCATION 2018-2019 AND 2017-2018

The following recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 143).

COUNCIL'S RESOLUTION -

That the allocation of the Wollongong Heritage Grant Fund for the 2018-2019 Financial Year be noted, which has been finalised in accordance with Council's Financial Assistance Policy under delegation as detailed in Attachment 1 to the report.

ITEM 6 - POLICY REVIEW: CLOTHING COLLECTION BINS ON COUNCIL LAND COUNCIL POLICY

The following recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 143).

COUNCIL'S RESOLUTION -

- 1 The Clothing Collection Bins on Council Land Council Policy be adopted.
- 2 The policy review date be updated to 31 August 2021.

148 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor King seconded Councillor T Brown that Items 7 and 8 be debated concurrently.

ITEM 7 - LEASE OF NORTH WOLLONGONG SURF LIFE SAVING CLUB

149 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor King seconded Councillor Figliomeni that –

- 1 Council approve a 21 year lease of premises known as North Wollongong Surf Life Saving Club Building, on part Lot 3 Crown DP 1136814, part Stuart Park (D580060), George Hanley Drive, North to North Wollongong Surf Life Saving Club Inc as shown in the Draft Lease - Attachment 2, to the report.
- 2 Council delegate to the General Manager the authority to finalise and execute the Lease and any other documentation required to give effect to this resolution.

- 3 Council grant authority for the use of the Common Seal on the lease and any other documentation, should it be required, to give effect to this resolution.
- 4 That a Councillor Briefing be held that covers options for Council to enter into Memoranda of Understanding with lessees to give effect to Council policies.

Variation The variation moved by Councillor D Brown (the addition of Point 4) was accepted by the mover and seconder.

ITEM 8 - LEASE OF HELENSBURGH-STANWELL PARK SURF LIFE SAVING CLUB

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor King seconded Councillor Figliomeni that –

- 1 Council approve a 21 year lease of premises known as Helensburgh-Stanwell Park Surf Life Saving Club Building, part Lots 20 and 21 DP 7871, part Lot 2 DP 1028355 and part Lot 60 DP 1174246 to Helensburgh-Stanwell Park Surf Life Saving Club Inc as shown in the draft lease - Attachment 1, to the report.
- 2 Council delegate to the General Manager the authority to finalise and execute the lease and any other documentation required to give effect to this resolution.
- 3 Council waive the additional licence preparation fee of \$178 (GST inclusive) and rental fee of \$690 (GST inclusive) per annum for the 12 month temporary Crown land licence as the surf club will pay this fee and rental for the lease on Community land as outlined in Item 1 of this recommendation.
- 4 Subject to any Ministerial approval that may be required pursuant to the Crown Land Management Act 2016, Council delegate to the General Manager the authority to vary the lease to include that portion of Crown land the surf club building occupies, being part Lot 7304 Crown DP 1142283 Stanwell Park Recreation Area, as shown in Attachment 2, to the report.
- 5 Council grant authority for the use of the Common Seal on the lease and any other documentation, should it be required, to give effect to this resolution.
- 6 That a Councillor Briefing be held that covers options for Council to enter into Memoranda of Understanding with lessees to give effect to Council policies.

Variation The variation moved by Councillor D Brown (the addition of Point 6) was accepted by the mover and seconder.

ITEM 9 - PROPOSED ACQUISITION OF 2 ARROW AVENUE, FIGTREE AND 470 PRINCES HIGHWAY, WOONONA UNDER THE VOLUNTARY PURCHASE SCHEME FOR FLOOD AFFECTED PROPERTIES

The following recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 143).

COUNCIL'S RESOLUTION -

- 1 Council authorise the acquisition of 2 Arrow Avenue, Figtree and 470 Princes Highway, Woonona, as shown by black hatching on the attachments to the report and subject to the following conditions:
 - a Purchase price of \$650,000 (GST free) for 2 Arrow Avenue, Figtree;
 - b Purchase price of \$2M (GST free) for 470 Princes Highway, Woonona;
 - c Each party be responsible for their own legal costs;

- d Funding being provided by the Office of Environment and Heritage for two-thirds of each purchase price and each demolition cost; and
 - e An amount of \$383,334 be provided from Council's Capital Budget Contingency for remaining purchase and demolition costs.
- 2 Upon the acquisitions being finalised, No 2 Arrow Avenue, Figtree and No 470 Princes Highway, Woonona be classified as Community land in accordance with the Local Government Act 1993.
 - 3 Authority be granted to the Lord Mayor and the General Manager to affix the Common Seal of Council to the transfer documents and any other documentation required to give effect to the resolution.

ITEM 10 - PROPOSED RENAMING OF A ROAD IN HELENSBURGH AND NAMING OF AN UNNAMED LANE IN WARRAWONG

The following recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 143).

COUNCIL'S RESOLUTION - Council, under Section 162 of the Roads Act 1993 -

- 1 Rename part of Club Lane, Helensburgh as 'Gibbons Lane', and
- 2 Name the unnamed lane known as Lane 125 at Warrawong as 'Steeltown Lane'.

ITEM 11 - APPOINTMENT OF CHAIRPERSON TO AUDIT, RISK AND IMPROVEMENT COMMITTEE

The following recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 143).

COUNCIL'S RESOLUTION - Council appoint Mr Terry Clout as independent chairperson of the Audit, Risk and Improvement Committee for a term of one year, to 30 October 2019.

ITEM 12 - APPOINTMENT OF MEMBERS TO THE LAKE ILLAWARRA ESTUARY MANAGEMENT COMMITTEE

The following recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 143).

COUNCIL'S RESOLUTION -

- 1 Ms Annie Marlow and Mr Wayne Cook be appointed as community representatives on the Lake Illawarra Estuary Management Committee for the next term of the Committee.
- 2 Dr Kerrylee Rogers and Dr Brian Jones be appointed as Independent Scientific Advisors to the Lake Illawarra Estuary Management Committee for the next term of the Committee.
- 3 The unsuccessful candidates be thanked for their nomination and interest in assisting in the management of Lake Illawarra.

- 4 A letter of thanks be sent to members of the Lake Illawarra Estuary Management Committee who have not re-nominated for their involvement and commitment to the management of Lake Illawarra.

ITEM 13 - ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2018 - POST ADVERTISING

The following recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 143).

COUNCIL'S RESOLUTION - The Audited Annual Financial Statements for the year ended 30 June 2018, together with the Auditor's report, be presented to the public.

ITEM 14 - TENDER T18/17 MARKET STREET CAR PARK – REPAIR AND MAINTENANCE WORKS

The following recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 143).

COUNCIL'S RESOLUTION -

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of SRG Services (Australia) Pty Ltd for repair and maintenance works to the Market Street Car Park, in the sum of \$794,482.00, 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 - TENDER T18/28 DAPTO RIBBONWOOD FIRE SYSTEM UPGRADE

The following recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 143).

COUNCIL'S RESOLUTION -

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of CHUBB Fire and Security Pty Ltd for Ribbonwood Fire System Upgrade Supply and Installation Works, in the sum of \$128,300 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 16 - TENDER T18/31 HILL 60 CONSERVATION MANAGEMENT PLAN AND ABORIGINAL CULTURAL HERITAGE ASSESSMENT REPORT CONSULTANCY

150 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Figliomeni seconded Councillor King that -

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Niche Environment and Heritage for the preparation of a Conservation Management Plan and Aboriginal Heritage Assessment Report as per NSW Office of Environment and Heritage guidelines, in the sum of \$92,445.00, 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 17 - TENDER T18/32 CONTINENTAL POOL SHADE SAIL STRUCTURE

151 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Colacino seconded Councillor Walters that -

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Hytech Plastics Pty Ltd for the design and construction of a shade sail structure at the Continental Pools, Cliff Road, Wollongong in the sum of \$61,000.00, 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 18 - TENDER T18/36 WINDANG BOAT RAMP ROCK RETAINING WALL - SCOUR PROTECTION WORKS

The following recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 143).

COUNCIL'S RESOLUTION -

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Coastwide Civil Pty Ltd for scour protection works adjacent to the Windang Boat Ramp, Windang Foreshore Park, Fern Street, Windang in the sum of \$313,360.00, 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 19 - TENDER T17/43 PROVISION OF A PANEL FOR COUNCIL'S PROJECT WASTE MATERIAL TREATMENT AND PURCHASE OF RECYCLED MATERIALS

The following recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 143).

COUNCIL'S RESOLUTION -

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tenders as identified in the Attachment A, to the report, for -
 - a Schedule A Disposal of Building, Demolition, Asphalt/Road Pavement And General Solid Waste Material;
 - b Schedule B Loading Of Waste Material And Transportation Of Waste Material;
 - c Schedule C Purchase Of Recycled Materials – Ex Bin;
 - d Schedule D Asbestos Collection And Disposal Services;
 - e Schedule E Hazardous Waste Material Collection And Disposal Services;
 - f Schedule F Restricted Waste Material Collection And Disposal Services; and
 - g Schedule G Collection And Disposal Of Dead Animals And Unlisted Waste Material;for the Collection, Receiving, Processing And Disposal Of Council's Waste Materials and the Purchase of Recycled Materials".
- 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 20 - SEPTEMBER 2018 FINANCIALS

The following recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 143).

COUNCIL'S RESOLUTION -

- 1 The financials be received and noted.
- 2 Council approve an increase in the capital budget of \$1.3M that is fully supported by corresponding level of funding from restricted assets.

ITEM 21 - STATEMENT OF INVESTMENT - AUGUST AND SEPTEMBER 2018

The following recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 143).

COUNCIL'S RESOLUTION - Council receive the Statement of Investment for August and September 2018.

ITEM 22 - ANNUAL TABLING OF RETURNS OF DISCLOSURES OF INTEREST AND OTHER MATTERS - 2017 TO 2018

The following recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 143).

COUNCIL'S RESOLUTION - Council note the tabling of the Annual Returns of Disclosures of Interests and Other Matters as required by Section 450A of the Local Government Act 1993.

ITEM 23 - BI-MONTHLY RETURNS OF DISCLOSURES OF INTERESTS AND OTHER MATTERS - OCTOBER 2018

The following recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 143).

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.

ITEM 24 - CITY OF WOLLONGONG TRAFFIC COMMITTEE - MINUTES OF MEETING HELD 12 SEPTEMBER 2018

The following recommendation was adopted as part of the Block Adoption of Items (refer to Minute Number 143).

COUNCIL'S RESOLUTION - In accordance with the powers delegated to Council, the Minutes and recommendations of the City of Wollongong Traffic Committee held on 12 September 2018 in relation to Regulation of Traffic be adopted.

CLOSED COUNCIL SESSION

The Lord Mayor (Acting) called for a motion to close the meeting for consideration of Item C1 Southern Suburbs District Community Centre and Library Project in accordance with Section 10A(2)(d(I)) of the Local Government Act 1993.

152 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Walters seconded Councillor Colacino that the meeting move into Closed Session to consider Item C1 - Southern Suburbs District Community Centre and Library Project in accordance with Section 10A(2)(d(I)) of the Local Government Act, 1993 on the basis that -

- 1 The report contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
- 2 On balance, the public interest in preserving the confidentiality of the information supplied outweighs the public interest in openness and transparency in Council decision-making by discussing the matter in open meeting.

Prior to putting the above Motion to the vote, the Lord Mayor (Acting) advised members of the press and gallery that Item C1 relates to the Southern Suburbs District Community Centre and Library and is classified as Confidential for the following reasons –

- 1 Section 10A(2)(d(I)) of the Local Government Act, 1993, permits the meeting to be closed to the public, as the report contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

- 2 In accordance with Section 10(A) (4) of the Local Government Act, The Lord Mayor (Acting) invited members of the gallery to make representations to the Council meeting as to whether this part of the meeting should be closed.

No submissions were received from the press or members of the gallery, the MOTION on being PUT to the VOTE was CARRIED UNANIMOUSLY.

At this stage, the time being 7.25 pm, members of the press and gallery departed the Council Chambers.

The meeting moved into Closed Session, the time being 7.26 pm.

ITEM C1 - SOUTHERN SUBURBS DISTRICT COMMUNITY CENTRE AND LIBRARY PROJECT

153 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Cox seconded Councillor Dorahy that -

- 1 Pursuant to Section 186 of the Local Government Act 1993, Council make application to the Minister for Local Government and the Governor for the compulsory acquisition of the following properties to facilitate construction of a district level library and community centre to service the southern suburbs:
 - 54 King Street, Warrawong – Lot 1 DP 515419
 - 56-60 King Street, Warrawong – Lot 37 DP 18875 and Lot 38 DP 18875
 - 62-64 King Street, Warrawong – Lot 39 DP 18875 and Lot 40 DP 18875
 - 68 King Street, Warrawong – Lot 42 DP 18875
- 2 Upon the acquisitions being finalised, the above properties be classified as Operational Land in accordance with Section 31 of the Local Government Act 1993.
- 3 Council allocate funds for the purchase of the properties from the Strategic Projects Restricted Account.
- 4 The General Manager be authorised to sign any documentation necessary to complete the compulsory acquisitions.

154 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Walters seconded Councillor Colacino that the meeting move out of Closed Session and into Open Council.

Council resumed into Open Session at 7.26 pm and members of the press, gallery and staff were invited back into the Council Chambers.

The Lord Mayor (Acting) advised the meeting of Council's resolutions whilst in Closed Session (refer to Minute No. 153).

THE MEETING CONCLUDED AT 7.29 PM.

Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on Monday 19 November 2018.

Chairperson

ITEM A NOTICE OF MOTION - COUNCILLOR FIGLIOMENI - HILL 60 MASTERPLAN

Councillor Figliomeni has submitted the following Notice of Motion –

I formally move that Wollongong City Council write to the Minister for the Environment and Heritage to –

- 1 Explore ways that the Hill 60 Master Plan projects and refurbishment can be brought forward and progressed with greater urgency
- 2 Note that Council has worked closely with the local Aboriginal Communities in the development of plans to extend the Ngaraba-aan cultural trail from MM beach to Hill 60 and beyond and request that this work be given urgent consideration as part of the approval process.

Background provided by Councillor Figliomeni:

Community consultation on the Hill 60 Master Plan Was completed in 2015. This followed a review of the Conservation Management Plan that was completed around 2000. The Conservation Management Plan amongst other sought to advise Council management on the requirements for the management of cultural heritage and to identify constraints and opportunities for development of these lands.

Since completion of these plans, little has progressed other than that the Department of Office of Environment and Heritage has rejected the earlier Conservation Plan and requested that a new plan be developed at considerable cost to Council, even though the work was previously approved by the Department. This cost and delay is not acceptable as the community has been waiting for many years for this site to be developed for tourism and cultural purposes.

ITEM B NOTICE OF MOTION - COUNCILLOR COX - WOLLONGONG FOOD TRUCKS TRIAL

Councillor Cox has submitted the following Notice of Motion –

I formally move that Council develop a strategy to encourage food trucks in our city to contribute to a vibrant night life in Wollongong.

The strategy to promote food trucks in Wollongong would encompass:

- Identifying public land that is appropriate for food trucks of mobile food vendors.
- Identifying spaces in need of night time activation and food options.
- Developing a simple process for food trucks to book a space and pay their fee.
- Reviewing our existing policy on Mobile Food Vending Vehicles.
- Applying learnings from food truck trials in other Local Government Areas such as the City of Sydney.

Background provided by Councillor Cox:

Food trucks are increasingly popular in cities around the world, and have been used successfully to promote nightlife and give people a reason to use our public spaces at night.

They promote community safety and harmony, as they generally do not sell alcohol and appeal to all ages, including children and older people. Having this mix of ages mingling of an evening is a powerful contributor to a sense of vibrancy and safety in public spaces.

Council currently has a Mobile Food Vending Vehicles Fact Sheet. This Fact Sheet outlines prohibitions on where food trucks can trade, and identifies just three locations where mobile kiosks can operate, all of which are day time trading.

Food trucks are specifically prohibited near Council licensed venues in key locations such as Belmore Basin, without regard for trading hours. Some of these locations could and should support evening food trucks without competing with local businesses.

While Wollongong nightlife has been steadily improving, we still have a long way to go to have a truly vibrant night time economy. Many places along the foreshore are popular in the day but deserted in the evening due to lack of food options.

This strategy should be aimed at encouraging food trucks, not prohibiting them. It should identify areas in need of night time activation, where they will not compete with bricks and mortar businesses. The strategy should make it easy for food truck vendors to see when and where they can trade, and have a simple process for booking a space and paying fees.

ITEM 1

PLANNING PROPOSAL FOR LOTS 1, 2 AND 3 DP 810104 LOCATED BETWEEN BONG BONG AND CLEVELAND ROAD WITHIN STAGE 3 OF THE WEST DAPTO URBAN RELEASE AREA - POST EXHIBITION

On 13 October 2014 Council considered a draft Planning Proposal request for rezoning of land between Bong Bong Road and Cleveland Road, West Dapto to permit residential development within the West Dapto Urban Release Area. Council resolved to support the progression of the draft planning proposal for a conditional Gateway Determination and require additional information to be submitted prior to public exhibition. The additional information was received in July 2017, December 2017, and February 2018 and resulted in modifications to the original proposal.

On 12 March 2018 Council considered a report assessing the submitted additional information and resolved to seek a revised conditional Gateway Determination and to exhibit the draft Planning Proposal and draft Neighbourhood Plan. The draft documents were exhibited from 23 July to 24 August 2018 and 11 submissions were received.

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

RECOMMENDATION

- 1 The draft Planning Proposal for Lot 1, 2 & 3 DP 810104 between Bong Bong Road, Horsley and Cleveland Road, Huntley, be progressed to finalisation. The Planning Proposal incorporate:
 - a Amending the Land Zoning Map to rezoning the land from RU2 Rural Landscape to a mix of E2 Environmental Conservation, E3 Environmental Management, E4 Environmental Living, R2 Low Density Residential, R3 Medium Density Residential, and RE1 Public Recreation.
 - b Amending the Maximum Height of Buildings Map to show 9m for the R2 Low Density Residential zone and 16m for the R3 Medium Density Residential zone.
 - Part C of this Recommendation was amended after the initial release of the business paper.**
 - c Amending the Minimum Lot Size Map to show **249m²** for the R2 Low Density Residential zone, **299m²** for the R3 Medium Density zone, 2000m² for the E4 Environmental Living zone and 39.99ha for the E2 Environmental Conservation and E3 Environmental Management zones.
 - d Amending the Floor Space Ratio map to show 0.5:1 for the R2 Low Density Residential zone, and 0.75:1 for R3 Medium Density Residential zone.
 - e Amending the Natural Resource Sensitivity Map to more accurately reflect the sensitive vegetation on the site.
 - f Amending the Land Reservation Acquisition Map to show the proposed acquisition of the two parks and the widening of Cleveland Road.
 - g Amending the Heritage Map to include curtilage of 'Waples Butchery / Swan Homestead' and 'Sunnyside', and including their listing in the Heritage Schedule as being of local significance.
 - h Amending the Flood Map to more accurately reflect the 1:100 flood planning area.
 - i Amending the Riparian Map to remove the non-excitant watercourse.
 - j Amending the Urban Release Area map to include the site.
 - k Including LEP model provision Clause 4.1C Minimum Lot size (Integrated Housing) – to apply to the West Dapto Release Area.
- 2 The final Planning Proposal be referred to the NSW Department of Planning and Environment for the making of arrangements for drafting to give effect to the final proposal.
- 3 Noting that the General Manager will thereafter proceed to exercise delegation issued by NSW Department of Planning and Environment under Section 3.36 of the Act, in relation to the final Planning Proposal.
- 4 The Neighbourhood Plan for Lot 1, 2 & 3 DP 810104 between Bong Bong Road, Horsley and Cleveland Road, Huntley be adopted as an amendment to the Wollongong Development Control Plan 2009 – Chapter D16 West Dapto Release Area.

REPORT AUTHORISATIONS

Report of: David Green, Manager Environmental Strategy and Planning (Acting)
Authorised by: Andrew Carfield, Director Planning and Environment - Future City and Neighbourhoods

ATTACHMENTS

- 1 Site Location
- 2 Site Zoning
- 3 Draft Concept Plan
- 4 Summary of Submissions
- 5 Final LEP Amendment Maps

BACKGROUND

West Dapto Release Area

The West Dapto Urban Release Area covers an area of approximately 4,700 hectares and is currently proposed to provide an additional 19,500 dwellings and 183 hectares of employment land when fully developed. West Dapto is the last remaining area for large scale urban development in the Wollongong Local Government Area. The area has been identified by the NSW Department of Planning and Environment as a priority urban release area which will contribute housing supply for the expected population growth. The development of West Dapto draws upon principles of economic, social and environmental sustainability.

Subject Site

The draft Planning Proposal applies to the land known as part of Stage 3 West Dapto Urban Land Release Area, being Lots 1, 2 and 3 DP810104 located between Bong Bong Road Horsely and Cleveland Road, Huntley, within the West Dapto Urban Release Area (Attachments 1 and 2). The subject site is approximately 110 hectares in size.

Property Details	Area (ha)	Owner	Current Zone(s)
Lot 1 DP 810104	45.9	Stockland	RU2 Rural Landscape E3 Environmental Management
Lot 2 DP 810104	6.3	Stockland	RU2 Rural Landscape
Lot 3 DP 810104	58.6	Stockland	RU2 Rural Landscape E3 Environmental Management

The topography of the site varies from flat through undulating in the central parts with the western and northern parts of the site being steep and extending into the foothills of the Illawarra Escarpment. The site is bisected by Reed Creek a number of smaller watercourses flowing in easterly and southerly directions from the escarpment. There are a number of structures throughout the site together with associated farm buildings, access roads, fences and other farm related infrastructure. There is a high voltage (330kV) overhead power lines traversing the site generally in a north south direction. In addition there is a large volume of coal washery reject situated immediately to the west of the proposed Bong Bong town centre which adjoins the subject site. The site is overlooked by the Illawarra Escarpment to the west and from the higher western parts of the site there are extensive views to the east and south east over Lake Illawarra extending to the Pacific Ocean.

Concept Plan

The draft Planning Proposal request is supported by a draft Concept Plan (Attachment 3) which forms the basis of a draft Neighbourhood Plan. The draft Concept Plan shows:

- A mix of low density and medium density housing, with the medium density adjacent to the Bong Bong Town Centre. An estimated 1,020 dwellings are proposed.
- The conservation of the western well vegetated steeper area, proposed to be zoned E2 Environmental Conservation.
- A north south collector road extending from Bong Bong Road to Cleveland Road, which will improve accessibility and form a future bus route.
- A riparian/flood plain corridor along Reed Creek.
- A 1ha park at Sunnyside which will include the Archaeological remains of the original homestead.

- A park on the emplacement area on the western side of the dam.
- Footpaths and cycleways along the collector road and riparian corridors.

Planning Proposal Request History

A draft Planning Proposal request was originally submitted by consultants on behalf of Stockland Residential Development (Stockland) for the rezoning of the northern part Stage 3 (between Brooks Reach and Cleveland Road) covering 10 properties in December 2011. The proponent was requested to provide the following additional information:

- Preliminary Flora and Fauna assessment.
- Current flooding constraints on future residential land.
- Phase 1 Contamination Study.
- Aboriginal Archaeological and Cultural Heritage Assessment.
- Draft Zoning Plan.
- Draft Neighbourhood Plan.
- An interim Access Strategy (noting that at that stage Council had not resolved to progress the Fowlers Road – Fairwater Drive link).

The draft Planning Proposal request was re-submitted again in January 2014. The request was similar to the 2011 request, but was accompanied by the following studies:

- Preliminary Flora and Fauna Assessment prepared by Hayes Environmental.
- Flood and Riparian Corridor Study prepared by Cardno.
- Stage 1 Environmental Site Assessment prepared by JBS Environmental.

The proponent advised that the proposal should be assessed based on previous work undertaken in the Council's West Dapto Local Environmental Study (2006), and the additional information can be deferred until a Gateway determination is sought. The proponent did not provide a concept plan or a draft neighbourhood plan, advising that these will be developed later in the planning process.

The 2014 proposal was restricted to the Stockland holdings of Lots 1,2 and 3 DP 810104 and involved rezoning the site from the RU2 Rural Landscape zone to a mix of R2 Low Density Residential, E4 Environmental Living, E3 Environmental Management and E2 Environmental Conservation zones with associated changes to the Floor Space Ratios and Minimum Lot Sizes.

On 13 October 2014, Council considered a report on the proposal and resolved to prepare a Draft Planning Proposal to rezone the Stockland Development lands being lots 1, 2 and 3 DP 810104, located to the south west of Brooks Reach between Bong Bong Road and Cleveland Road, West Dapto, subject to a number of conditions and the submission of additional information.

Council resolved (in part) that:

- 1 *A draft Planning Proposal be prepared to:*
 - a *Rezone the Stockland Residential Development lands being Lots 1, 2 and 3 DP 810104, located between Brooks Reach and Cleveland Road, from RU2 Rural Landscape to a mix of R2 Low Density Residential, E4 Environmental Living, E3 Environmental Management and E2 Environmental Conservation with associated changes to the Floor Space Ratios and Minimum Lot Size (Heights remain unchanged).*
 - b *Include updated flood information from the Mullet Creek Flood Extension Study (2010) in the Flood Planning maps for Stages 1 to 4 of the West Dapto Urban Release Area.*

- c *Update the Land Reservation Acquisition Map – to show Cleveland Road widening to reflect the future Type 3, two lane Collector Road – Minor (Bus Route) totalling a width of 20.4m.*
 - d *Include model Clause 4.1C to assist in the efficient delivery of integrated housing.*
- 2 *The draft Stage 3 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. The Gateway be requested to issue an 18 month timeframe and require the proponent to prepare the following information for the Stockland lands prior to formal exhibition:*
 - a *Draft Neighbourhood Plan to enable the community to consider the proposal;*
 - b *Aboriginal Heritage Assessment;*
 - c *Non-indigenous Heritage Assessment;*
 - d *Flora and Fauna Assessment;*
 - e *A water and sewerage servicing strategy that addresses Sydney Water’s concerns about the capacity and ability to service; and,*
 - f *Stormwater Assessment Management and Infrastructure Plan that addresses concerns identified in Wollongong City Council’s Lake Illawarra Catchment Stormwater Management Plan and other relevant Studies, including stormwater harvesting and reuse to minimise the impact on Lake Illawarra.*
- 3 *Stockland be advised that the development is to access via Bong Bong Road, and access to Cleveland Road is denied unless Stockland design and upgrade Cleveland Road to Council’s standards, and not expect reimbursement until at least 2030, as indicated in the West Dapto Section 94 Development Contribution Plan.*
- 4 *The other land owners affected by the original Planning Proposal request be advised that Council does not have sufficient information to pursue the rezoning of their properties at this time.*

(5 & 6 related to a Housing Keeping Planning Proposal amendment near Hayes Lane, north of Bong Bong Road)
- 7 *Council requests authority for the General Manager to exercise plan making delegations in accordance with Council’s resolution of 26 November 2012, for both Planning Proposals.*

On 3 February 2015 the Department of Planning and Environment issued a conditional Gateway Determination in support of the Planning Proposal.

In July 2017, December 2017 and February 2018, consultants on behalf of Stocklands, submitted additional information, to support the progress of the draft Planning Proposal. This information resulted in amendments to the draft Planning Proposal as originally submitted.

The amended 2018 Planning Proposal (February 2018) seeks to rezone the site to a mix of E2 Environmental Conservation, E3 Environmental Management, E4 Environmental Living, RE1 Public Open Space, R2 Low Density Residential and R3 Medium Density Residential including corresponding amendments proposed to the minimum lot size, floor space ratio and building height maps.

The submitted additional information included a draft Concept Plan / Neighbourhood Plan (Attachment 3).

On 12 March 2018 Council considered a report on the additional informational and the revised proposal. Council resolved that:

- 1 *A revised draft Planning Proposal be prepared for Lot 1, 2 & 3 DP 810104 between Bong Bong Road Horsley and Cleveland Road Huntley, and submitted to the NSW Department of Planning and Environment requesting a revised Gateway Determination be issued to amend the Wollongong Local Environmental Plan in the following manner:*
 - a *Rezone from RU2 Rural Landscape to a mix of E2 Environmental Conservation, E3 Environmental Management, E4 Environmental Living, R2 Low Density Residential, R3 Medium Density Residential, and RE1 Public Recreation.*
 - b *Amending the Maximum Height of Buildings Map to show 9m for the R2 Low Density Residential zone and 16m for the R3 Medium Density Residential zone.*
 - c *Amending the Minimum Lot Size Map to show 250m² for the R2 Low Density Residential zone, 300m² for the R3 Medium Density zone, 2000m² for the E4 Environmental Living zone and 39.99ha for the E2 Environmental Conservation and E3 Environmental Management zones.*
 - d *Amending the Floor Space Ratio map to show 0.5:1 for the R2 Low Density Residential zone, and 0.75:1 for R3 Medium Density Residential zone .*
 - e *Amending the Natural Resource Sensitivity Map to more accurately reflect the sensitive vegetation on the site (Attachment 4).*
 - f *Amending the Land Reservation Acquisition Map to show the proposed acquisition of the 2 parks and the widening of Cleveland Road.*
 - g *Amending the Heritage Map to include curtilage of 'Waples Butchery' and 'Sunnyside'.*
 - h *Amending the Flood Map to more accurately reflect the 1:100 flood planning area.*
 - i *Amending the Riparian Map to remove the non-excitant watercourse.*
 - j *Amending the Urban Release Area map to include the site.*
 - k *Including LEP model provision Clause 4.1C Minimum Lot size (Integrated Housing) – to apply to the Wollongong LGA.*
- 2 *Should a Gateway Determination be issues, consultation be undertaken with the following agencies:*
 - a *Water NSW.*
 - b *NSW Office of Environment and Heritage.*
 - c *NSW Rural Fire Service.*
 - d *Department of Education and Communities.*
 - e *Endeavour Energy.*
 - f *Transport for NSW – Roads and Maritime Services.*
 - g *State Emergency Services.*

- h Sydney Water.*
 - i Heritage Council.*
- 3 The Draft Planning Proposal be exhibited for a minimum period of 28 days.*
 - 4 The NSW Department of Planning and Environment be requested to issue authority to the General Manager to exercise plan making delegations in accordance with Council's resolution of 26 November 2012.*
 - 5 The draft Neighbourhood Plan for the precinct form an amendment to Chapter D16 West Dapto Release Area and be exhibited with the draft Planning Proposal.*
 - 6 The proposed dedication of the western E2 zoned land to Council with in perpetuity funding under a conservation covenant such as a Biodiversity Stewardship site, be supported in principle, subject to further consultation with Council Officers and the Office of Environment and Heritage.*
 - 7 The legal agreement for the transfer of E2 zoned land with in perpetuity funding to Council be finalised prior to development consent for subdivision.*
 - 8 The proponent be requested to undertake the following additional investigations and submit prior to the finalisation of the Planning Proposal:*
 - a Stage 2 – Detailed Site Investigation Contamination Report.*
 - b Remediation Action Plan.*
 - c Site Audit Statement reviewing the Stage 1 and Stage 2 Investigations and the Remediation Action Plan.*
 - d Amended Flood Study and Stormwater assessment.*
 - e Biodiversity Conservation Strategy detailing the in perpetuity conservation covenant and funding for restoration and enhancement of biodiversity values within the regional biodiversity corridor.*
 - f Escarpment Management Plan in accordance with Illawarra Escarpment Management Strategy 2015, addressing Clauses 5.52 Conservation Benefit, Clauses 5.53 Environmental Envelope and Clause 5.54 Assessment Criteria.*
 - g Bushfire Risk Assessment.*
 - h Aboriginal Heritage Cultural Assessment.*
 - i Traffic Impact Assessment to be prepared in accordance with Table 2.1 of the RTA Guide to Traffic Generating Development.*
 - j A revegetation and vegetation management plan for the rehabilitation of the riparian zone.*
 - k A Conservation Management Plan for the appropriate management and retention of the Waples Butchery and archaeological site at Sunnyside. In particular it is to take into consideration the extent to which the proposal affects the heritage significance of the item/streetscape/subdivision pattern.*

On 4 May 2018, the Department of Planning and Environment issued a revised Gateway Determination which required consultation with the NSW Rural Fire Service prior to exhibition. In a letter dated 7 June 2018 the NSW RFS advised it had no objection on the proposed rezoning and provided some comments on the draft Neighbourhood Plan (summarised in Attachment 4).

Subsequent to the Council meeting, the proponent submitted the following additional reports, which were also included in the exhibition material:

- A Bushfire assessment report prepared by Eco Logical.
- A Geotechnical Investigation report prepared by Cardno.
- A Detailed Stage 2 Site Investigation prepared by Cardno.
- A Biodiversity Conservation Strategy prepared by Eco Logical.
- Sunnyside and Waples Archaeological Sites Conservation Management Plan by Eco Logical.

The draft Planning Proposal and draft Neighbourhood Plan were exhibited from 23 July to 24 August 2018. The exhibition material included additional information / reports lodged on behalf of the owner, including information lodged after the Council meeting and Gateway determination. The exhibition arrangements are discussed later in this report.

PROPOSAL

The draft Planning Proposal, draft Neighbourhood Plan and supporting material were exhibited from 23 July to 24 August 2018. As a consequence of the exhibition, 11 submissions were received, six from Statutory Authorities, one on behalf of an adjoining land owner, one on behalf of Stockland and three from community members. Attachment four provides a summary of submissions.

The submissions did not identify any new issues, or identify significant concerns with the progression of the Planning Proposal or concept plan / neighbourhood plan.

CONSIDERATION OF ISSUES

Contamination

Part of Lots 1 and 3 DP 810104 was used for the emplacement of industrial waste from the Port Kembla Steelworks (development consent dated 9 May 1996) and the site adjoins the former Gun Club site (proposed Bong Bong Town Centre).

The original submitted draft Planning Proposal was supported by 'Stage 1 Environmental Assessment' prepared by JBS Environmental dated October 2012. The report notes the following actual or potential sources contamination:

- *“Lead and PAH contamination from lead shot and clay target - Area within lot 1 DP 810104 adjoining the western boundary of the Illawarra Gun club;*
- *Heavy metals, OCPs, asbestos and other COPC in Fill material – various areas of site;*
- *Combustible material in the coal wash emplacement;*
- *Heavy metals, OCPs, PAHs, BTEXT, TPH in storage tanks and drums across the site.”*

In addition, it also noted that there was potential for groundwater at the site to be a potentially contaminated medium and that the potential for off-site migration was beyond the scope of the assessment.

The review found that additional information was required to address the requirements of the Contaminated Land Planning Guidelines (and therefore SEPP 55) and Guidelines for consultants reporting on contaminated sites: 2011 State of NSW and Office of Environment and Heritage.

Subsequently the applicant submitted an addendum to the Preliminary Contamination Assessment prepared by Cardno and dated 12 December 2017.

The report concluded:

“Potential contaminants of concern were detected in the residual soil at the site and were reported in excess of the adopted human health and ecological assessment criteria for heavy metals (lead) in soil at one location adjoining the gun club. Potential asbestos containing material as observed within stockpiles in the northern portion of the coal wash emplacement and are considered to potentially pose a risk to human health if dermal or respiratory exposure were to occur...”

It is Cardno’s opinion that the Site can be made suitable for a low density residential land use subject to the implementation of the recommendations outlined in Section 8.2....”

Council’s officers reviewed the supporting information and noted;

“the Cardno Assessment builds on a 2012 Stage 1 Environmental Site Assessment prepared by JBS Environmental for a broad area of the WDURA including the subject site. The Cardno Preliminary Contamination Assessment did not include sampling in the southern portion of the site (Sunnyside Farm Complex) due to lack of access. The assessment identified lead and asbestos contamination and recommends a Stage 2 – Detailed Site Investigation. Don Fox Planning propose to defer this work to the Subdivision DA stage.”

The March 2018 Council report recommended that a Stage 2 Detailed Site Investigation and a Remediation Action Plan be submitted prior to the finalisation of the draft Planning Proposal. The Stage 2 Detailed Site Investigation report was submitted in July 2018 and exhibited with the draft Planning Proposal. The report notes:

Cardno collected 95 soil samples from stockpiled and subsurface soil across the northern and southern areas, oversaw the installation of six groundwater monitoring wells that were subsequently sampled and collected five surface water samples for laboratory analysis.

The results showed that concentrations of Contaminants of Potential Concerns in soil, surface water and groundwater were generally less than the adopted screening values. There are localised exceedances of the Tier I screening values in the stockpiled and subsurface soils in the northern portion of the site, near the former gun club and also around the Homestead in the southern portion of the site. The groundwater and surface water sampling results indicate that low concentrations of dissolved metals are present at concentrations above the Tier I screening values. The identified Contaminants of Potential Concern in soil, groundwater and surface water include lead, zinc, copper, total petroleum hydrocarbons (TPH) C10-C16 and C16-C36 fractions and asbestos.

It is likely that the measured Contaminants of Potential Concern concentrations in groundwater and surface water are related to regional background concentrations.

The overall risk profile for the site is considered low, however, there may be localised risk to future human receptors and the local environment, which require some remediation and management to validate that the site is suitable for the proposed change in land use. The Coal Washery Reject emplacement is considered to present a low to moderate risk to the future development.

The report recommends that:

- *A Remediation Action Plan (RAP) should be developed which evaluates the potentially applicable remedial technologies with a recommendation for the preferred strategy or strategies and the applicable validation criteria and sampling density.*
- *Structures in the Homestead Area should be removed by an appropriately licensed contractor based on the information in the hazardous materials report prepared as part of this ESA.*
- *Any soil proposed to be transported off-site for disposal should be classified in accordance with the NSW EPA Waste Classification Guidelines.*
- *Any future works involving demolition and soil disturbance should incorporate an unexpected finds protocol to facilitate the identification and management of previously undocumented contamination.*

No further contamination investigations are required. As noted, the March 2018 Council report proposed that the Remediation Action Plan (RAP) be submitted prior to the finalisation of the draft Planning Proposal. It was subsequently agreed by Council officers, that the RAP could be submitted with the Development Application.

On 4 September 2018, Development Application No. 2018/1095 was lodged for remediation earthworks over the site. The application proposed earthworks on all three lots, including land not affected by the emplacement. The application was withdrawn at Council request, as it proposed works on some lots to facilitate subdivision, rather than remediation. It is anticipated that a revised application will be lodged. It is noted that the Coal Washery emplacement area is proposed to be reshaped to remove the steep batter.

A Site Auditor will monitor the on-site works to ensure the site is remediated and is suitable for future residential development.

Flooding

Reed Creek, a tributary of Mullet Creek, crosses the site. The Mullet Creek Floodplain Risk Management Study and Plan (2010), Mullet Creek West Dapto Extension of Flood Model (2011) and the Mullet Creek Flood Study (2018) show flooding along Reed Creek. The creek and floodplain are proposed to be zoned E3 Environmental Management. Some minor modification to the floodplain extent is proposed.

The Concept Plan shows edge roads adjacent to the riparian corridor which will provide a public edge and enable passive surveillance and informal recreational opportunities. The road and footpath also forms part of the bushfire Asset Protection zone.

To the north of Reed Creek, the emplacement area has diverted the natural watercourse south to Reed Creek.

In the southern part of the site, two minor watercourses flow south under Cleveland Road to Mullet Creek.

As part of the development, stormwater drainage and runoff will need to be managed to reflect existing conditions to maintain downstream flows. The Concept Plan shows a number of detention basins that will assist in stormwater management.

The March Council report recommended that an Amended Flood Study and Stormwater assessment be submitted prior to the finalisation of the draft Planning Proposal. An update to the Flood and Riparian Corridor Study (Cardno July 2017) was submitted in February 2018 after Council exhibited the draft Mullet Creek Flood Study (October – November 2017) and exhibited with the draft Planning Proposal.

Biodiversity

The site has been largely cleared of native vegetation through past agricultural activities. The western portion of the site is covered in vegetation. The site contains the following vegetation types:

- Forest Red Gum – Thin-leaved Stringybark grassy woodland (part of the Illawarra Lowlands Grassy Woodland Endangered Ecological Community under the *Biodiversity Conservation Act 2016* and as a critically endangered ecological community under the *Environment Protection and Biodiversity Conservation Act 1999*).
- Sydney Blue Gum X Bangalay – Lily Pilly moist forest.
- Whalebone Tree – Native Quince dry subtropical rainforest (part of the threatened ecological community Illawarra Subtropical Rainforest under the *Biodiversity Conservation Act 2016*).
- Fig trees.
- Acacia scrub.
- Artificial Wetland.
- Cleared land.
- Planted native vegetation.

The western portion of the site is mapped within the 'Environmental Values' including supporting 'High Environmental Values' and the 'Biodiversity Corridor' of the Illawarra Shoalhaven Regional Plan (2015). Biodiversity corridor mapping of the Illawarra Biodiversity Strategy (2011), and significant native vegetation mapping in the Illawarra Regional Strategy 2006-31 (2007) are both captured in the area of the Illawarra Shoalhaven Regional Plan (2015) 'Biodiversity Corridor' on the subject site. The regionally and locally significant biodiversity corridor of the western portion of subject site is also acknowledged by inclusion in the Illawarra Escarpment Map and subject to the provisions of Wollongong LEP 2009 Clause 7.8 Illawarra Escarpment Area Conservation, conservation and planning outcomes of the Illawarra Escarpment Strategic Management Plan (IESMP 2015) and the Illawarra Escarpment Land Use Review Strategy (IELURS 2007). In addition to the landscape scale priority vegetation and important habitat corridors recognised in the Illawarra Shoalhaven Regional Plan (2015), Illawarra Biodiversity Strategy (2011), Illawarra Regional Strategy 2006-31 (2007) and IESMP 2015, the conservation significance of the vegetation and other habitats on the subject site have been validated by the applicants ecological consultants in further site investigations.

As noted, the site contains two endangered ecological communities listed under the *Biodiversity Conservation Act 2016* (BC Act) with one of these also listed as a critically endangered ecological community under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The endangered ecological communities primarily occur in the proposed E2 and E4 zones of the western and northern portions of the subject site.

In addition, five threatened bat species and one threatened plant species are known to be present on the subject site and there is potential habitat present for several other threatened fauna and flora species known from the locality.

As part of March 2018 report, Council supported the proposed dedication of the western E2 zoned land to Council subject to in perpetuity funding under a conservation covenant such as a Biodiversity Stewardship site. It is noted that the western bushland portion is part of a larger bushland area, worthy of conservation and public ownership. The proposal is still subject to discussions and the transfer will form part of a future development application.

The site is within the proposed West Dapto Urban Release Area Biodiversity Certification Assessment Area, which Council endorsed in 2014. The proposed Biodiversity Certification has been delayed, pending the determination of a funding mechanism to support the strategy, by the NSW Department of Planning and Environment.

Aboriginal Heritage

The amended Planning Proposal was accompanied by 'Aboriginal Heritage Review and Assessment' prepared by GML Heritage and dated July 2015.

The report provides a comprehensive assessment of the significance of the West Dapto region, located between the Escarpment and Lake Illawarra, and its use by Aboriginal people. Site surveys found 1 existing listed site, 1 new stone artefact site and 8 sites with Archaeological potential. The existing site is located in the western bushland area (proposed to be zoned E2), the stone artefact site is in Reed Creek riparian area (proposed to be zoned E3). The potential artefact sites are scattered across the site. The Fig Trees at Sunnyside were also noted as significant.

Due to sensitivities around the location of sites, the report was not exhibited, but will be used by Council and OEH as part of the ongoing assessment of development activities.

Non-Aboriginal Heritage

The amended Planning Proposal was accompanied by 'Historical Heritage Assessment' prepared by GML Heritage and dated July 2017. The historical heritage assessment has identified several heritage elements as being of local significance within the study area;

- The original Sunnyside House on Cleveland Road.
- Remains of a homestead established between 1840 and 1890 by the Swan family;
- Waples Butchery complex on Bond Bong Road;
- History of land use and local families, rural cultural landscape;
- Views across the study area.

The proposed development area has the potential to impact areas of Aboriginal Heritage Significance and non-indigenous Heritage Significance. Discussions have been held with the applicant regarding heritage matters and the intention to ensure that due respect is given during the refinement and development of the Neighbourhood Plan.

"The Waples Butchery Complex"

The remnants of Waples Abattoir has been identified by numerous studies as being an unlisted heritage item which, according to GML Heritage Pty Ltd, meets the heritage significance criteria at a local level for historic, scientific and representative values. GML Heritage, 2017 identify the ruin as having possible scientific, social and historical value and note that it is a unique aspect of the farming industries documented within the region and that the upstanding ruins are considered to be rare at the local level (p.89). In addition, the former Waples Butchery Complex has Aboriginal heritage associations, with oral history providing that a shed associated with the former Butchery complex was occupied by a group of Aboriginal people who worked on a nearby farm to assist in the harvest of peas in the 1950s (p.24; p.51).

The demolition of this item is not justified. Buildings with less structural integrity have been successfully restored. The contribution of the Waples Butchery remnants to the socially significant cultural landscape of the West Dapto Area, its association with the historically significant Bong Bong Pass, and its testimony to the historic use of the subject land all combine to warrant its retention.

It is considered appropriate that Council progress a heritage listing for the 'Butchery Complex, and 'Sunnyside' and the surrounding archaeological sites as part of the planning proposal. These unlisted heritage items should be retained as a component of the Neighbourhood Plan. In this regard, the revised Neighbourhood Plan is to indicate the residential lot layout within the proposed E4 zone (reflecting a minimum lot size of 5ha) affecting the 'Butchery Complex' including access points to these lots, and that 'Sunnyside' is appropriately managed and preserved within the grounds of the identified RE1 Public Open Space park.

The March 2018 report recommended that a Conservation Management Plan be developed to ensure the preservation of the 'Waples Butchery' and 'Sunnyside' archaeological site. A Conservation Management Plan (Ecological 2018) was submitted after the Council report and exhibited with the draft Planning Proposal. The report confirmed that there may be archaeological significance associated with the original Sunnyside homestead. The report however disagreed with the significance of the Butchery structure near Bong Bong road finding "*the existing c1920s brick structure adjacent to Bong Bong Road is not considered to be a heritage item. There is no evidence that it is a rare example of a slaughterhouse as proposed by GML (2017).*" The report did propose that the land "*has the potential to contain archaeological remains associated with the construction and use of a homestead on the south side of Bong Bong Road by the Swan family, who purchased the property in 1840, but appear to have built the house around 1890.*"

Despite the more recent report finding that the Butchery structure did not have significance, Council officers prefer the advice of the earlier GML report which did conclude that it had significance. It appears to be one of very few examples left in the LGA, and even dating from the 1920s has significance.

It is proposed that both sites be listed and mapped in the Wollongong LEP 2009 as archaeological sites of local significance and the butchery building be listed and mapped as a building of local significance.

Road Network

The site is located between Bong Bong Road and Cleveland Road. The concept plan proposes a north – south connection via a new collector road. This collector road is part of Council's West Dapto strategic road network and is known as New Road (NR) 7-8 (formerly called Road 6), in the West Dapto Development Contribution Plan (2017) and draft Structure Plan. The road starts at Bong Bong Road opposite Hayes Lane, and follows a narrow road reserve (10m wide) that will be widened onto Stocklands site to facilitate the future 4 lane road. The road crosses Reed Creek and then passes the proposed Sunnyside Park, containing the archaeological site, then joins Cleveland Road. The location of the Cleveland Road intersection has been determined to consider sight distances, and the future southwards extension to Avondale Road.

An intersection for east-west collector road that passes through the town centre property to east and will connect to Wholahan Avenue, has also been provided for in the concept plan. The location of the intersection has been agreed by the adjoining land owners.

The Concept Plan shows a series of internal roads, based on Council's road hierarchy, and provide for future connections to development on adjoining sites.

A Traffic Assessment report was submitted in July 2018 and exhibited with the draft Planning Proposal. The report notes that the proposed development of maximum 1,020 residential lots will generate approximately 735 trips during the AM peak hour and 816 during the PM peak hour. Modelling indicate that the proposed development will not have any substantial impact on key intersections in the vicinity of the subject site.

The ultimate development will be reliant on the upgrading of Cleveland Road. As part of the 2014 Council report, Council resolved Stockland be advised that the development is to access via Bong Bong Road, and access to Cleveland Road is denied unless Stockland design and upgrade Cleveland Road to

Council's standards, and not expect reimbursement until at least 2030, as indicated in the West Dapto Section 94 Development Contribution Plan (2011).

Council has now prepared a draft Concept Design for the upgrading of Cleveland Road, and commenced the preparation of the detailed design. The road widening acquisition is expected to take a number of years, or occur as part of future subdivision development, and construction remains scheduled to occur in 2028-30, as indicated in the West Dapto Section 94 Development Contribution Plan (2017).

Electricity Easement

A 330kV high voltage electricity transmission line diagonally crosses the site. Stockland initially proposed that this land be transferred to Council. Council officers were not supportive of its transfer as it would be a maintenance liability and not provide active recreational opportunities. As a result, the corridor is proposed to be zoned R2 Low Density Residential which would allow it to be incorporated into residential lots (i.e. large back yards) or could be used for a recreational areas, if a suitable use can be determined.

At the March 2018 Council meeting, Councillors requested that further consideration be given to transferring the land into public ownership. Council officers remain concerned about the limited recreational activities that could be provided (passive recreation and trails/tracks) and the on-going maintenance liability. The transfer of land is outside the scope of the draft Planning Proposal and will be considered as part of the future Development Application for urban development. Council officers are supportive of the transfer of the easement where it crosses the Reed Creek riparian corridor.

CONSULTATION AND COMMUNICATION

The draft Planning Proposal, draft Neighbourhood Plan and supporting documentation were exhibited from 23 July to 24 August 2018. The exhibition was notified via:

- Advertisement in the Illawarra Mercury on 21 July 2018
- Advertisement in the Advertiser on 25 July 2018
- Letters were sent to the owners of 322 surrounding and nearby properties
- Advertised on Council's website, Have your Say page
- Letters sent to 18 Statutory Authorities, including those nominated in the Gateway determination;
- Letters sent to Neighbourhood Forum 8 and the Lake Illawarra Estuary Management Committee.

The exhibition material was available to view at:

- Wollongong, Dapto and Unanderra libraries;
- Council's Customer Service Centre, Ground Floor Administration Building,;
- Council's website

The Have Your say page on Council's website was visited by 657 users and 555 documents were viewed or downloaded, including the Council report which was viewed/downloaded 74 times, the draft Planning Proposal 208 times and the draft Neighbourhood Plan 25 times. Two comments were received via the page, which are included in the Summary of Submissions (Attachment 4).

As a consequence of the exhibition, 11 submissions were received, 6 from Statutory Authorities, 1 on behalf of Stockland, 1 on behalf of an adjoining land owner and 3 from other community members. Attachment 4 provides a summary of submissions.

PLANNING AND POLICY IMPACT

Illawarra Shoalhaven Regional Plan 2036 (Department of Planning & Environment 2015)

The plan sets out to guide strategic planning within the region for the next 20 years. The Plan has set down goals to provide “a region with a variety of housing choices, with homes that meet needs and lifestyles” and also “a region with communities that are strong, healthy and well-connected”, which are relevant to this Planning Proposal.

In particular, the draft Planning Proposal is supportive of the following directions:

DIRECTION 2.1 Provide sufficient housing supply to suit the changing demands of the region

DIRECTION 2.2 Support housing opportunities close to existing services, jobs and infrastructure in the region’s centres

Council is required to plan for a diverse mix of housing that suits the projected growth, changing demographics and market demand particular to their area. This means that in some cases, zonings and planning controls can increase capacity for housing to promote development opportunities. The proposed amendments to Wollongong LEP 2009 seek to facilitate a diverse housing choice within a low and medium density zoning providing for single dwelling, semi-detached dwellings, townhouses, attached dwellings and potential for residential flat buildings. West Dapto has been identified as a location for increasing housing opportunity.

The intent of the concept Neighbourhood Plan supports the increase in housing opportunities.

DIRECTION 2.4 Identify and conserve biodiversity values when planning new communities

This direction provides Council with impetus to integrate biodiversity conservation with proposed development outcomes at the strategic planning stage. The proposal has identified two threatened ecological communities (Illawarra Lowlands Grassy Woodland and Illawarra Subtropical Rainforest) within the study area.

The dedication with in perpetuity funding of the well vegetated western Illawarra Escarpment foothills mapped within and adjacent to the ‘Biodiversity Corridor’ of the I-SRP Biodiversity Values map, and supporting the largest areas of the two threatened ecological communities will provide a measure to conserve biodiversity values.

DIRECTION 3.2 Enhance community access to jobs, goods and services by improving connections between centres and growth areas

DIRECTION 3.3 Build socially inclusive, safe and healthy communities

The draft Planning Proposal has the potential to provide a mix of housing providing connectivity and direct linkage to public transport, public facilities, pedestrian and cycle network and open space areas.

DIRECTION 3.4 Protect the region’s cultural heritage

A statement of Heritage Impact has been submitted in support of the Planning Proposal. Stage 3 is set within a rural landscape noted for its agricultural and natural character and has been historically linked with farming practises over the past 200 years. Stockland’s land is subject to rezoning and consequently a change of use from agricultural to residential. The change to residential use includes measures for environmental conservation, which will be formally recognised through land rezoning. As such, the environmental conservation zoning and recreational zoning represents an opportunity to retain certain historic sites within the context of the new land use namely ‘Waples Butchery’ and ‘Sunnyside’.

DIRECTION 5.1 Protect the region's environmental values by focusing development in locations with the capacity to absorb development

The proposed zoning pattern seeks to respect most sites values and capabilities. The proposed E2 area with a minimum Lot size 39.99 hectares will provide the foundation to avoid, minimise and mitigate the impact of development on significant environmental assets and the addition ISRP Action to 'Protect the region's biodiversity corridors in local planning controls.

Further, the dedication with in perpetuity funding of the well vegetated western Illawarra Escarpment foothills mapped within and adjacent to the 'Biodiversity Corridor' of the ISRP Biodiversity Values map, will be an appropriate land use within the corridor that maintains and will enhance landscape scale ecological connectivity as envisaged by the nominated Direction.

West Dapto Masterplan (WCC 2007) and draft West Dapto Vision and Structure Plan (WCC 2018)

Council's Vision for West Dapto is to grow and develop a series of integrated communities within the spectacular natural landscape of riparian valleys and escarpment backdrop. It seeks to ensure that these communities are to be highly accessible, be linked with public transport as well as encouraging walking and cycling. Local places and centres will provide for shopping services and jobs and significant new areas will be developed for employment generation for new residents.

The natural and cultural heritage of the area is to be integrated with new urban development and a long term strategy to oversee the timely implementation of infrastructure will deliver sustainable and high quality suburbs.

The West Dapto release area will provide around 19,500 dwellings over a predicted 40 year time frame, along with local employment opportunities, community and recreational facilities and the conservation of sensitive areas.

The subject site is included in the West Dapto Urban Release Area being a vital release area to meet the housing needs of the Illawarra Region. The area has been identified by the NSW Department of Planning and Environment as a priority urban release area which will contribute housing supply for the expected population growth. The proposal generally supports the Department's and Council's vision for West Dapto.

Developer Contributions Plan

Section 7.11 (formerly 94) of the Environmental Planning and Assessment (EP& A) Act 1979 enables Council to levy contributions for those public amenities and services required directly as a consequence of development. The main types of infrastructure generally associated with a major land release area include water, sewer, electricity and telecommunications infrastructure, roads, public transport, water cycle management facilities, community facilities, recreational facilities, open space and environmental protection.

Council on 11 December 2017 approved the adoption and finalisation of the updated [West Dapto Section 94 Plan 2017](#). The updated Plan incorporates changes following advice from the NSW Department of Planning and Environment (DPE) regarding their review of the draft Plan and Independent Pricing and Regulatory Tribunal's (IPART) Assessment of the Plan, along with some minor document improvements.

DPE has advised that Council, with this Contributions Plan, will be able to claim Local Infrastructure Growth Scheme (LIGS) funding for Development Approvals granted from 17 September 2017 onwards. This approval in relation to LIGS funding also gives Council permission to apply the contributions rates as outlined in the Department's Circular PS 17-002 for 27 July 2017.

The Development Contributions Plan includes a number of items which Stockland will be able to deliver during the development and be able to claim as an offset to their development contribution, including:

- The north-south collector road, and Reed Creek bridge, linking Bong Bong Road and Cleveland Road;
- The proposed two Neighbourhood Parks (shown on the Land Acquisition Reservation Map);
- The widening of Cleveland Road (shown on the Land Acquisition Reservation Map);
- Footpaths along the Reed Creek Riparian Corridor.

The current Development Contributions Plan does not allow for the acquisition of the Reed Creek drainage channel. It is anticipated that the channel and adjacent riparian corridor/floodplain will be transferred to Council.

The western steeper vegetated lands are also proposed to be transferred to Council, with a Biodiversity Conservation Agreement providing ongoing funding.

The proposed stormwater detention basins appear to be providing detention for the development, rather than a subcatchment and will not be offset.

Stockland have proposed entering into a Planning Agreement or Works in Kind Agreement with Council for the delivery of infrastructure and the payment of contributions. The details on the Planning Agreement / Works in Kind Agreement have not been finalised, and will form part of a future Development Application. Any draft Planning Agreement and will be reported to Council and exhibited.

Illawarra Escarpment Strategic Management Plan (WCC 2015)

The management plan is founded on the following vision for the Escarpment:

“The Illawarra Escarpment is an outstanding feature of the Illawarra region providing a natural backdrop to the city as well as encompassing areas of high conservation value and rich cultural heritage. The long term vision for this area is for these values to be preserved and enhanced through public reserve or private stewardship.”

The nominated objectives of the IESMP 2015 are noted as follows:

- 1 *“identify the environmental, cultural and economic values of the escarpment and foothills requiring conservation;*
- 2 *define the principles and strategic direction for protecting and enhancing escarpment values.*
- 3 *outline an action plan for Council to improve escarpment management.”*

The Plan recognises that ongoing management of areas of high ecological value will be required in order to maintain or improve biodiversity values of the Illawarra Escarpment, and stipulates that any development is linked to the protection and enhancement of key identified environmental attributes.

The land holdings includes land both in the West Dapto Release Area and the Illawarra Escarpment. The proposed western steep vegetated part (some 26.2ha) is proposed to be zoned E2 Environmental Conservation and transferred to Council, with in perpetuity funding (through a Bioconservation agreement).

Illawarra Biodiversity Strategy (Kiama Municipal Council, Shellharbour City Council and Wollongong City Council)

The Illawarra Biodiversity Strategy consolidates the Illawarra Councils' commitments to a range of higher order biodiversity targets set at the national, state and regional level.

The Strategy aims to address the following objectives:

- 1 *A co-ordinated and regional approach to biodiversity conservation so as to maximise knowledge sharing and efficient use of resources between the Illawarra Councils;*
- 2 *Identify biodiversity priorities to guide the Illawarra Council's and other land managers in future decisions and planning;*
- 3 *Encourage and promote the conservation of biodiversity across the Illawarra;*
- 4 *Identify and manage threats to biodiversity across the Illawarra;*
- 5 *Improve understanding of biodiversity values of the Illawarra;*
- 6 *Identify anticipated threats to biodiversity from climate change;*
- 7 *Improve community awareness, and encourage and support community participation in biodiversity conservation; and*
- 8 *Contribute to the achievement of targets defined by the Australian Biodiversity Conservation Strategy 2010-2020, NSW State Plan, SRCMA Catchment Action Plan, Illawarra Regional Strategy, and the NSW Threatened Species Priorities Action Statements.*

It is proposed that the well vegetated western Illawarra Escarpment foothills mapped within and adjacent to the 'Escarpment Moist Forest Corridor' of the Illawarra Regional Biodiversity Corridors map be dedicated to Council with in perpetuity funding. The proposed dedication with in perpetuity funding will be consistent with the actions and strategies for land use planning in the Strategy and provide increased certainty that landscape scale ecological connectivity is preserved and enhanced.

Urban Greening Strategy 2017 – 2037 (WCC 2017)

The *Urban Greening Strategy 2017-2037* was adopted on 11 December 2017 and aims to strategically increase the quality and quantity of all vegetation in an urban setting. The Strategy identifies opportunities for our City to harness the benefits of trees and vegetation, contributing towards creating a world class urban landscape.

The Vision is that:

Wollongong will grow and nurture a healthy, diverse and well-managed urban forest to deliver a renewed and resilient place for people, enterprise and the ecosystems that support us.

The following Principles will inspire and inform Council's approach to urban greening in Wollongong:

- more strategic and targeted urban greening;
- evidence-based decision making and programming;
- enhanced amenity of public spaces;
- maximisation of ecosystem services and biodiversity connections;
- stronger leadership and partnerships with the community; and

- greater diversity of urban greening.

The draft Planning Proposal was lodged before the adoption of the Strategy, but is generally consistent with the Strategy. It not only seeks to enhance and maintain connectivity and site linkage to an existing riparian corridor 'green link' comprising a waterway, pedestrian and bicycle path. It also seeks the enhancement of open space areas, riparian corridor and green link paths throughout the site. The proposal has the potential to foster a 'green' environment in accordance with Council's Vision, providing 2.5 hectares of Public open space, a riparian corridor of approximately 6.91 hectares and the dedication of 26.2 hectares of bushland.

Community Strategic Plan – Wollongong 2022

The Wollongong 2022 Community Strategic Plan outlines the communities priorities and aspirations, providing directions for the provision of key projects and services. This report contributes to the delivery of Wollongong 2022, specifically delivering on core business activities as detailed in the Service Plan 2018-19.

1. *We value and protect our environment*
 - 1.1 *The natural environment is protected and enhanced.*
 - 1.2 *Our coastal areas and waterways are protected and enhanced.*
 - 1.3 *Wollongong's ecological footprint is reduced.*
 - 1.4 *Community awareness and appreciation of heritage is increased.*
 - 1.5 *Local food production and community food initiatives are supported.*
 - 1.6 *The sustainability of our urban environment is improved.*

This proposal contributes to the delivery of Wollongong 2022 objective "*The natural environment is protected and enhanced*" under the Community Goal "*We value and protect our environment*", as it seeks to protect the existing riparian corridor and Escarpment vegetation correlating to the E3 Environmental zone. It also seeks to provide a transitional buffer by denoting a proposed road layout which will act as an asset protection zone to the residential development.

The proposal seeks to promote the nominated objectives and goals of Council's Community Strategic Plan.

5. *We are a healthy community in a liveable space*
 - 5.1 *There is an increase in the physical fitness, mental health and emotional wellbeing of all our residents.*
 - 5.2 *Residents have improved access to a range of affordable housing options.*
 - 5.3 *The public domain is maintained to a high standard.*
 - 5.4 *Community safety is improved.*
 - 5.5 *Participation in recreational and lifestyle activities is increased.*
 - 5.6 *Residents have a high level of life satisfaction and personal happiness.*

The Planning Proposal seeks to provide a diverse housing choice including low scale residential flat buildings, a mix of townhouses, semi-detached and semi attached dwellings on smaller lot holdings. The proponent is seeking to deliver housing that is affordable highlighting the push for the proposed R3 medium density zone.

The proposal seeks to promote the nominated objectives and goals of Council's Community Strategic Plan.

6. *We have sustainable affordable and accessible transport.*

6.1 *Walking, cycling and public transport is an accessible and well-resourced means of transport, and the use of private cars is reduced.*

6.2 *Wollongong is supported by an integrated transport system.*

6.3 *Transport disadvantaged communities have increased access to services.*

The proposal seeks to develop a pedestrian and cycle network throughout the site seeking to harness the opportunity to extend the existing green corridors providing connectivity to Bong Bong Town Centre and open space network throughout the site.

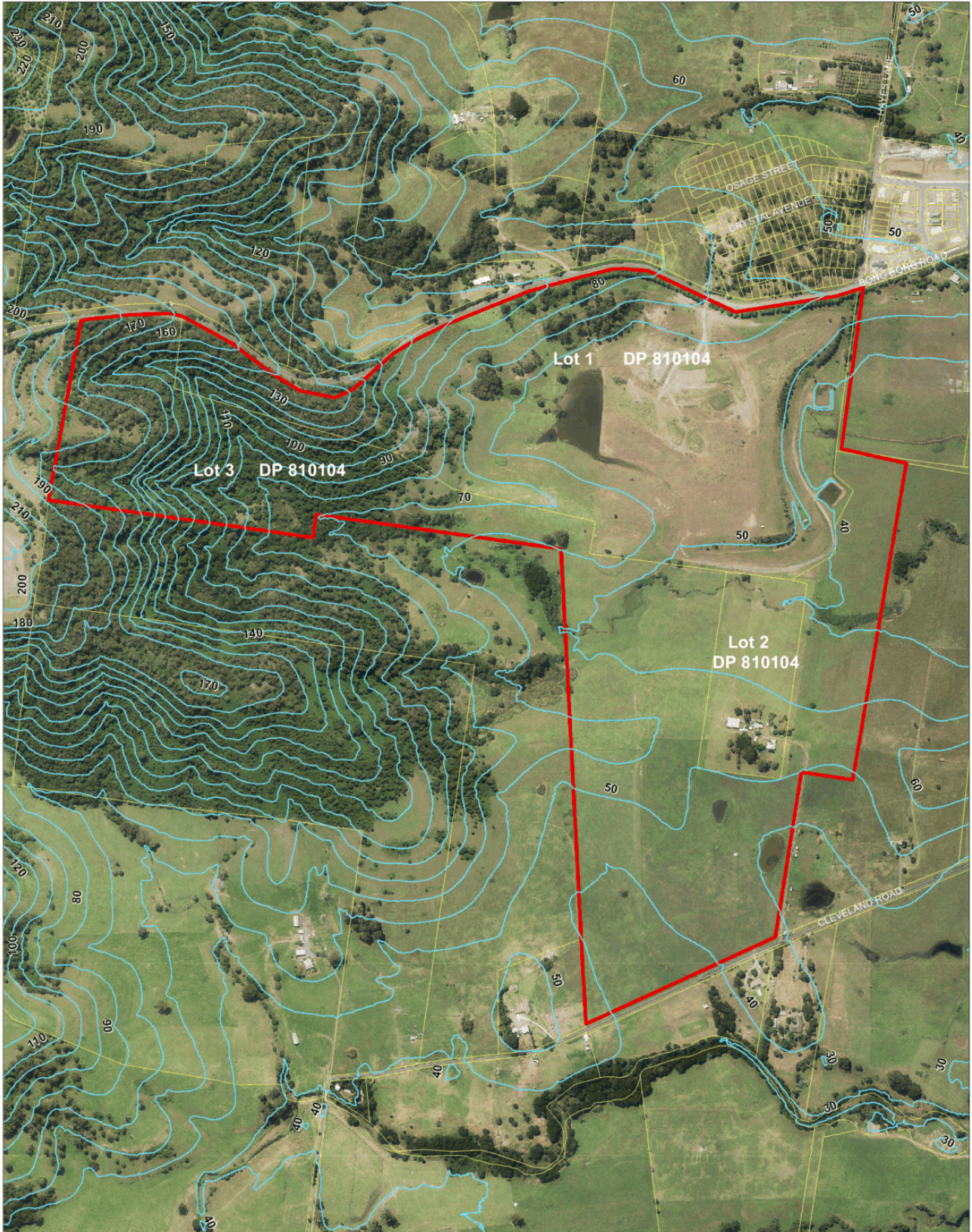
The proposal intends to promote the nominated objectives and goals of Council's Community Strategic Plan.

OPTIONS

- 1 Not proceed with draft planning proposal for Lots 1, 2 and 3 DP810104 which form part of Stage 3 West Dapto Urban Release Area
- 2 Progress the Planning Proposal to finalisation, as detailed in this report, through the preparation of an amending Local Environmental Plan, and adopting the amendment to the Wollongong DCP 2009. RECOMMENDED

CONCLUSION

In 2014, and 2018 Council considered and supported the preparation of a draft Planning Proposal request for Stockland land holdings in Stage 3 of the West Dapto Release Area. The draft Planning Proposal, draft Neighbourhood Plan and supporting documentation was exhibited from 23 July to 24 August 2018. As a consequence of the exhibition 11 submissions were received. It is recommended that the draft Planning Proposal be progressed and an amending Local Environmental Plan be prepared. It is also recommended that the Neighbourhood Plan be incorporated into the Wollongong Development Control Plan 2009.



**Planning Proposal
Lots 1, 2, 3 DP 810104
Bong Bong Rd West Dapto
Location Map**

Subject Site — 10m Contours

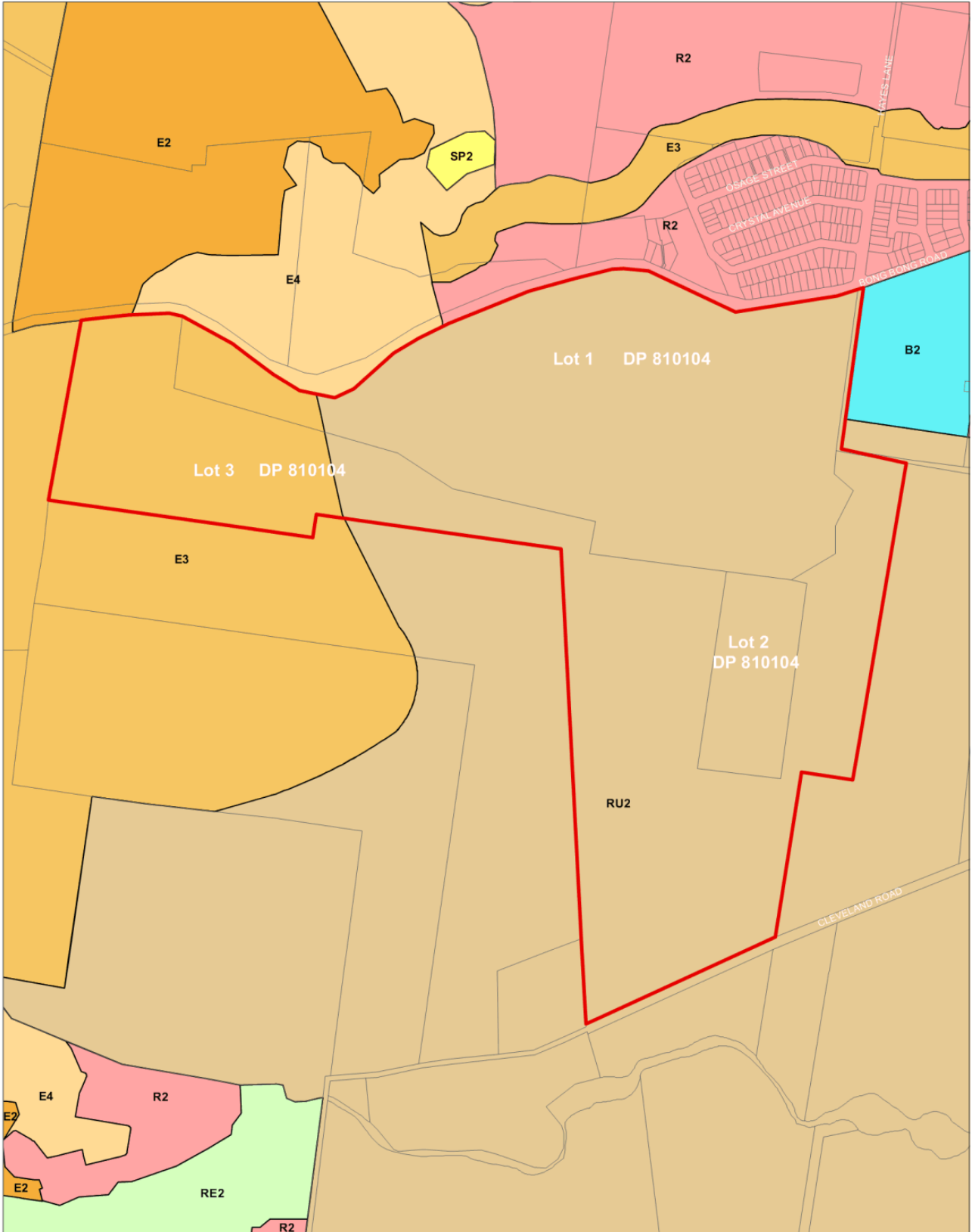
Drawn By: J Lewis

Date: 06.02.18

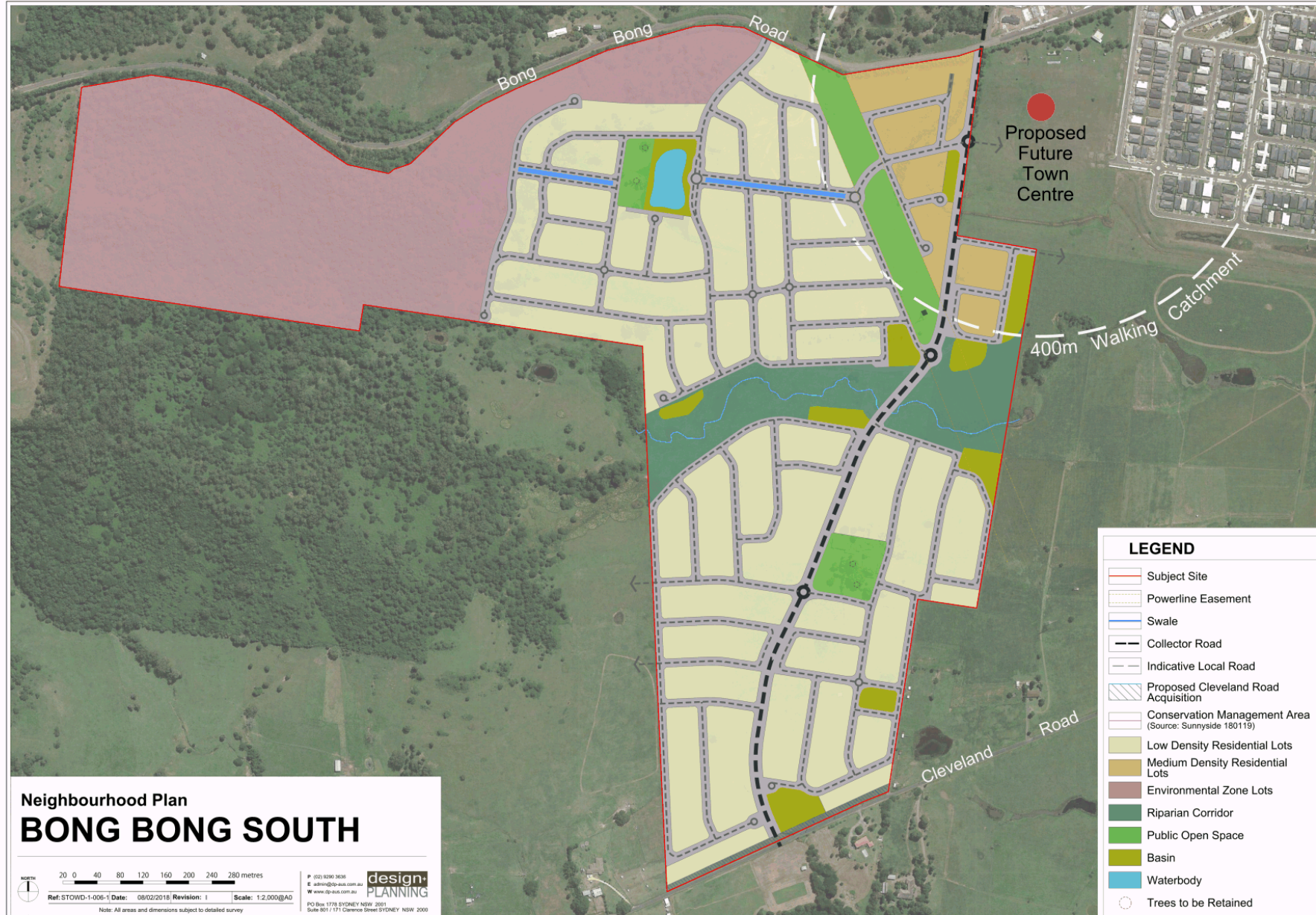


WD BongBongRd_Location_041017.mxd





	Planning Proposal Lots 1, 2, 3 DP 810104 Bong Bong Rd West Dapto Current Zoning	Drawn By: H. Jones Date: 06-11-18	
	Subject Site	WD BongBongRd_Zoning-06-1-18.mxd	



Stockland Stage 3 Planning Proposal – summary of submissions

Submitter	Comments	Response
Rural Fire Service	<p>Planning Proposal – no objection Neighbourhood Plan</p> <ul style="list-style-type: none"> • The concept plan should incorporate a perimeter road network in accordance with section 4.1.3(1) of PBP 2006. The perimeter road should form part of the APZ and is required to provide a separation between buildings and the boundary of the bush fire hazard. It should be noted that fire trails are not a substitute for perimeter roads. • All bush fire protection measures should be contained within the overall development and not on adjoining lands, other than in exceptional circumstances. Subsequent development should be designed to ensure all APZ requirements are contained within the proposed lots, road reserves, and park lands managed under a formal Plan of Management. 	Comments noted
Office of Environment and Heritage	<ul style="list-style-type: none"> • Support the establishment of a biodiversity stewardship agreement in Council ownership as the preferred in-perpetuity conservation mechanism over this area. However, there is uncertainty around the suggestion that this conservation measure should be imposed as an alternative to offsets for future DAs as required by the Biodiversity Conservation Act 2016. • Recommend the proposed conservation mechanism for environmental areas in the western portion of the site be explored further prior to rezoning, rather than at development application stage. • Recommend the planning proposal is revised to provide stronger integration of Aboriginal heritage management requirements. In particular, we recommend conservation options for PAD07 and PAD08 (GML 2017) and identified intangible heritage values be considered. • Aboriginal heritage management plans also need to be prepared to manage identified Aboriginal heritage values. An Aboriginal Heritage Impact Permit (AHIP) is required before construction work can proceed. • The proposal includes substantial site modifications and changes to flood behaviour. As such, flooding impacts on adjacent properties for events up to and including the probable maximum (PMF) and access during 	<p>Support noted</p> <p>An archaeological site is proposed to be introduced around the Waples/Swan homestead site</p> <p>To be considered as part of the DA and revised design</p> <p>Noted</p>

	<p>flood events should be given particular consideration.</p> <ul style="list-style-type: none"> Further assessment of water quality impacts upon Lake Illawarra should be undertaken, in accordance with the relevant coastal management and regional planning policy frameworks. 	<p>Agreed. Will be considered as part of the DA</p>
Roads and Maritime Service	<p>The site is located within the area covered by Council's "West Dapto Vision" which is also currently on exhibition. It is unclear from the information provided whether the north-south collector road depicted on the Bong Bong South Neighbourhood Plan is intended to form part of the overall West Dapto north-south road arterial corridor.</p> <p>Further to the above, if it is intended that the identified collector road forms part of the overall north-south arterial, it is unclear how intersections within the subject proposal are to be managed. RMS considers the appropriate controls need to be implemented to maintain the intended function and ensure it contributes to providing an attractive alternative to the Princes Highway and Princes Motorway (M1).</p>	<p>Comments noted The North-south road is part of the collector route and links with the widened Hayes Lane.</p>
Endeavour Energy	<p>The 'High Voltage Transmission Easement' which diagonally crosses the site and is mentioned in the Draft Planning Proposal is for a voltage in excess of the 132,000 volts / 132kV that are not part of Endeavour Energy's distribution network but are part of the high voltage electricity transmission network owned and operated by TransGrid</p> <p>There are no easements over the site benefitting Endeavour Energy.</p> <ul style="list-style-type: none"> the Bong Bong Road road verge / road way: <ul style="list-style-type: none"> Low voltage and 11,000 volt / 11 kV high voltage underground cables. Low voltage, 11 kV high voltage and 11 kV (constructed at 22,000 volts / 22 kV) high voltage overhead power lines. Two pole mounted substations no.s 41615 & 41062. Low voltage overhead power lines coming from pole mounted substation no. 41062 which traverses Lot 1 to provide a customer connection point for the eastern adjoining Lot 9001 DP 1189630 which is not held under easement. the Cleveland Road road verge / roadway: <ul style="list-style-type: none"> Low voltage and 11 kV high voltage overhead power lines. 	<p>Comments noted</p>

<p>Sydney Water</p>	<ul style="list-style-type: none"> ○ Two pole mounted substations no.s 24734 & 40667. ○ The 11 kV high voltage overhead power lines tees off over Lot 3 to pole mounted substation no. 41744 from where there is a low voltage overhead service conductor to the customer connection point on Lot 2 which is not held under easement. ○ 33,000 volt / 33 kV high voltage overhead power lines to the opposite side of the road / within an easement. <p>The low voltage and 11 kV high voltage overhead power lines requires a 9 metre minimum easement width ie. 4.5 metres to both sides of the centre line of the conductors / poles.</p> <p>Attached to the letter is a range of guidelines and fact sheets relevant for construction and development. Support the proposed rezoning of the land and has Concept Plan approval for the area, and Project Approval for water infrastructure delivery.</p> <p>Water</p> <ul style="list-style-type: none"> • The proposed developments at Cleveland North will be supplied from Wongawilli Water Supply system. • There is a 300mm existing main along Bong Bong Road that requires extension to service proposed development. <p>Wastewater</p> <ul style="list-style-type: none"> • The catchment plan developed for the proposed development area shows a part of the area drains to the existing SP1012 (approx. 800 dwellings, shown as cross-hatched in the Attached Figure, and the remaining area is proposed to drain to a future DN500 Dapto Carrier. • Preliminary options have been investigated if the Dapto Carrier (Proposed DN500) is not delivered as planned. 	<p>Comments noted</p>
<p>Department of Primary Industries</p>	<p>No comment</p>	<p>Noted</p>
<p>City Plan Services on behalf of Bong Bong Town Centre Pty Ltd (BBTC Pty Ltd)</p>	<p>Stockland's landholding (Lots 1, 2 and 3 DP810104) adjoins a large 9.5 ha land holding owned by BBTC Pty Ltd (Lot 9001 in DP 1189630), which is intended for future town centre uses within a key growth area of Wollongong. BBTC Pty Ltd's landholding is identified in the Wollongong City Council's West Dapto Master Plan as the future Bong Bong Town Centre.</p>	<p>Noted</p>

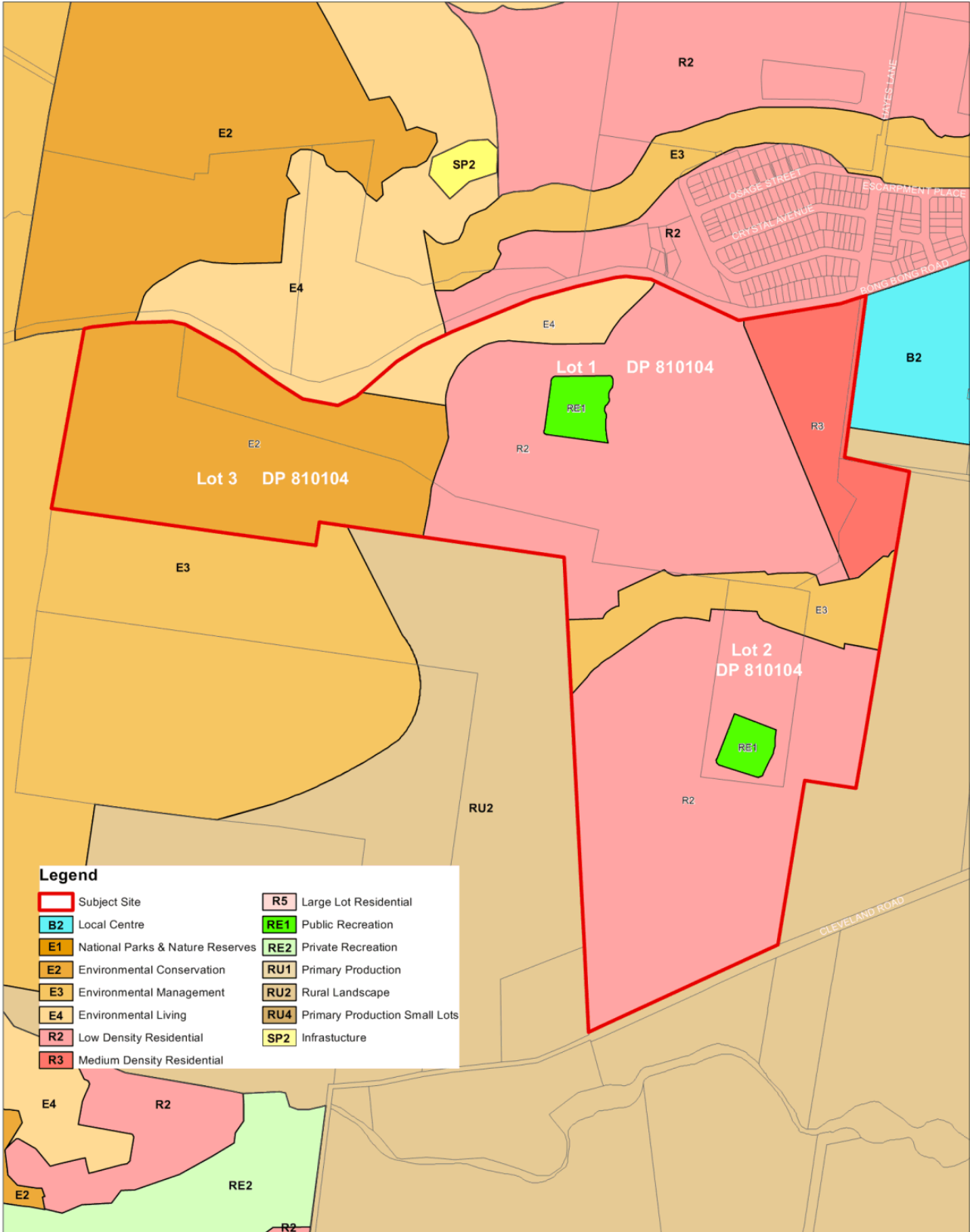
	<p>BBTC Pty Ltd is supportive of new residential development in the locality and recognises the benefits and catalytic effects that that increased population will have in relation to the future delivery of the Bong Bong Town Centre.</p> <p>The concept plan is generally supportable on the following grounds:</p> <ul style="list-style-type: none"> ▪ The Neighbourhood Plan provides a concentration of medium density residential uses within walking distance to the proposed Bong Bong Town Centre and provides good accessibility to the centre. ▪ Provision for a main north-south connection road from Bong Bong Road to Cleveland Road will result in good connectivity between the Bong Bong Town Centre and the future Stage 3 release area. ▪ The layout provides a generous area of recreation land, incremental to the Neighbourhood Plan requirements, which will make valuable contribution to liveability and connectivity for future residents. <p>Issues:</p> <p><i>(a) Proposed alignment of north south link road and east west connection into Bong Bong Town Centre</i></p> <p>It is BBTC Pty Ltd's position that the north south road should align directly with the existing alignment of Hayes Lane north of the site. That is, the eastern boundary of the Jersey Farm Road alignment should form the easternmost alignment of the north south road and required verges. This arrangement is the most logical and appropriate alignment of this connection and allows the full road to be delivered independent of BBTC Pty Ltd's delivery program for the Bong Bong Town Centre.</p> <p>DA 2017/262 for a contamination containment cell was conditionally approved by Wollongong Council on 20 July 2017. The approved location of the cell is at the north west corner of the site abutting the western boundary of Lot 9001 immediately adjacent to the unformed Jersey Farm Road. It appears that BBTC Pty Ltd's preferred road north south alignment has been accommodated in Stockland's plan.</p> <p>The use of the existing Jersey Farm Road alignment to accommodate new roads is supported by BBTC Pty Ltd, provided that no portion of the proposed north south link road or footpath verges encroaches into Lot 9001.</p> <p><i>(b) Integration of east-west road link into Lot 9001</i></p> <p>BBTC Pty Ltd and Stockland had previously discussed the alignment and integration of the east west road link between the two land holdings. It is BBTC Pty Ltd's position that this link should be located as provided for</p>	<p>The north south road is proposed to be widened on Stockland's side of the existing road reserve to align with Hayes Lane to the north</p> <p>Noted</p>
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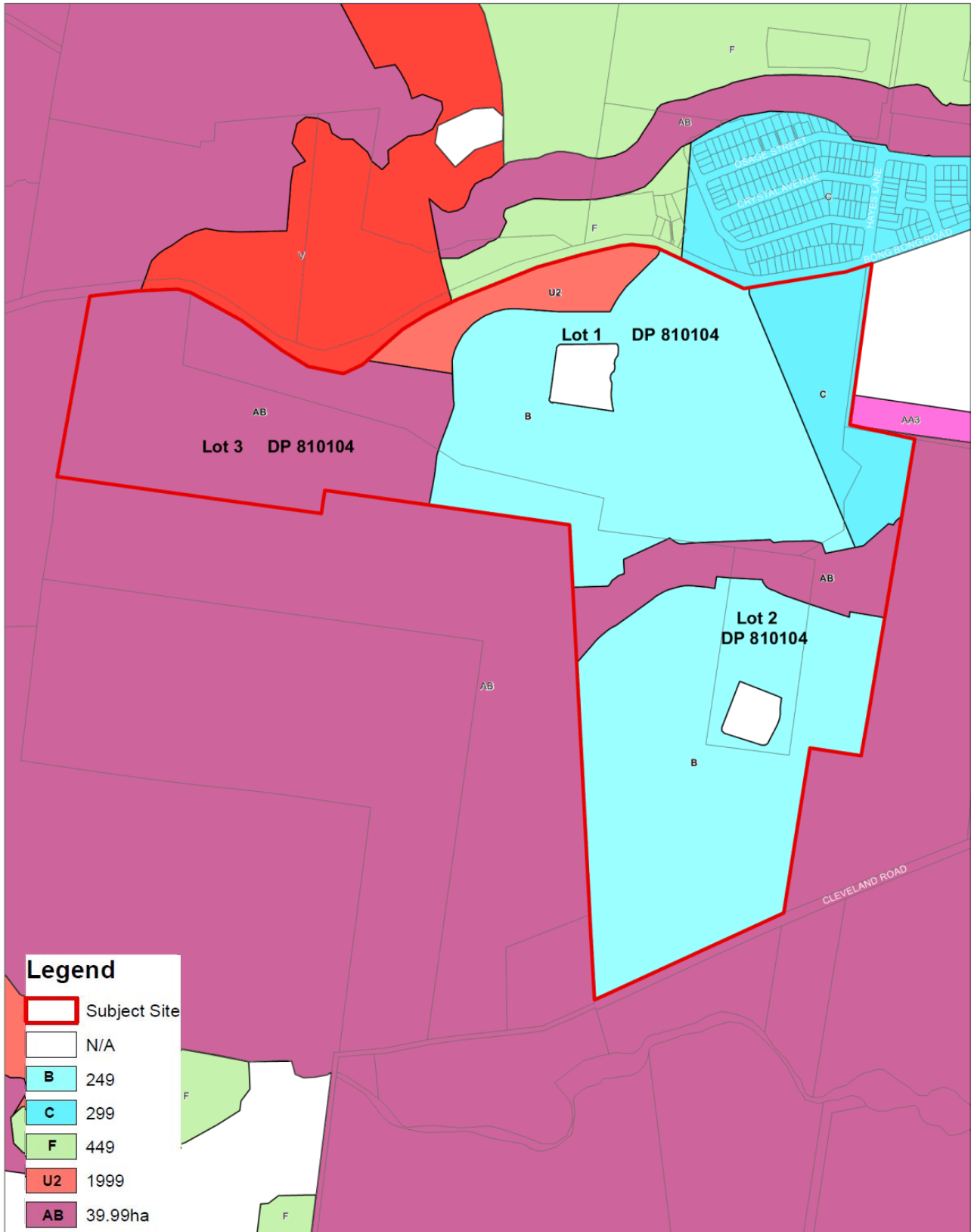
	<p>within BBTC Pty Ltd's current master plan. BBTC Pty Ltd reinforces that integration of this east west link in its preferred location is critical to the orderly development of Lot 9001. Based on the high-level overlay provided in Figure 3, it would appear that Stockland has reflected BBTC Pty Ltd's preferred outcome in its draft Neighbourhood Plan.</p> <p><i>(c) No adverse flooding impacts</i> The draft PP and Neighbourhood Plan indicate a number of detention basins will be provided that will assist in managing stormwater and overland flow. Any future design solution must not result in any worsening of flood impacts for Lot 9001.</p> <p><i>(d) Clarification of Planning Proposal boundary</i> The PP boundary adjacent to the east west portion of Jersey Farm Road at the south of Lot 9001 does not include a small portion of Jersey Farm Road. This will result in a small area of Jersey Farm Road between Lot 9001 in DP 1189630 and Lot 1 in DP 810104 being excluded from the proposed amendment to WLEP 2009. As such it is suggested that the PP boundary be realigned to follow the southern boundary of Lot 9001.</p>	<p>Noted</p> <p>The reasoning of the paper road is included</p>
<p>DPP on behalf of Stockland</p>	<p>Lot Sizes for the R3 zone and Model Clause 4.1C The Explanation of Provisions is unclear in terms of the lot sizes for the proposed R3 Zone. The explanation states a minimum lot size of 150m² to 300m² is proposed for the R3 zone, however the FSR Map nominates a 299m² minimum lot size. We request that Council revert to its original resolution to apply a 249m² lot size for the R3 zone consistent with the 12 March 2018 Council report.</p> <p>Council's report of 12 March 2018 notes that <i>Model Clause 4.1C – Exception to minimum lot sizes for certain residential development is intended to apply to the R3 zone, "allowing smaller lots (150sqm) for attached integrated housing."</i></p> <p>The Model Clause requires several matters to be specified:</p> <ol style="list-style-type: none"> 1. The zone(s) to which the clause applies; 2. The number of lots to form part of the subdivision (we note that a minimum of 3 lots is required); and 3. The lot size for a dwelling house, attached dwelling and semi-detached dwelling. 	<p>The Explanation of Provisions in the final Planning Proposal will be amended to reflect Council's resolution. The Minimum lot size for the R2 zone is proposed to be 249m² and the R3 zone 299m² consistent with the previous report.</p> <p>It is proposed to defer the introduction of the Model clause for further review and introduce it via a broader Planning Proposal</p>

	<p>Heritage The draft Planning Proposal includes the identification of Waples Butchery and Sunnyside as heritage items. We understand that the Heritage Map was prepared prior to Council receiving the Conservation Management Plan (CMP) prepared by Eco Logical in relation to these two items.</p> <p><u>Waples</u> The CMP identifies a management area. The CMP noted that the existing c1920s brick building adjacent to Bong Bong Road is not considered a heritage item, however, did note that it could be adaptively reused and interpreted in the future and this should be considered as a preferred option in the Neighbourhood Plan. Notwithstanding that the CMP did not recommend a heritage listing for this building, the draft LEP Heritage Map does identifies the brick building slightly to the west of the management area as a heritage item.</p> <p><u>Sunnyside</u> The CMP concludes that the existing buildings on the Sunnyside property do not require retention. The CMP included a management measure to consider the adaptive reuse of building materials or farm sheds for shelters within the park. The draft Planning Proposal report states that Sunnyside is identified as a heritage item to encourage its adaptive reuse, which does not reflect the CMP. Further, the draft Heritage Map identifies the whole of the proposed Sunnyside Park as a heritage item. However, the CMP proposes a conservation management area for Sunnyside as identified in the blue kidney shaped line in Figure 28 of the CMP (reproduced below). If a heritage item is applied to the park, then it should reflect the conservation management area, not the broader area of the future park.</p> <p>FSR for the R3 Zone The Explanation of Provisions states that a FSR of 0.7:1 is applied to the R3 zone. The accompanying FSR Map shows a FSR of 0.75:1. We note that the Planning Proposal request prepared on behalf of Stockland proposed a FSR of 0.75:1. We assume that this is simply a typographical error and that a FSR of 0.75:1 is intended as per the draft FSR Map and Council's report of 12 March 2018.</p>	<p>The 2 submitted reports have been reviewed. It is proposed to retain the proposed heritage listing of the butchery building near Bong Bong Rd, and introduce an archaeological site nearby for the Waples/Swan homestead. It is proposed to retain the archaeological site at Sunnyside.</p> <p>The Explanation of Provisions in the final Planning Proposal will be amended to reflect Council's resolution. An FSR of 0.75:1 for the R3 zone has been exhibited and is proposed to be progressed.</p>
<p>Community member (by email - address)</p>	<p>I feel that the original zoning of the properties as RU2 should stay or at least make minimum lot sizes larger. This development will increase traffic on already over used roads, will remove the rural setting that currently</p>	<p>The site is part of the West Dapto Release Area which is identified for urban</p>

<p>unknown)</p>	<p>exists and will increase strain on the local school system transport etc. I think its a very very bad idea to allow more Low-Medium density development. If they were bigger blocks with a more rural feel e.g around 1-2 acres each that would be much more beneficial to maintaining the rural aspect most people moved here for. No one wants to live in a city that has moved here.</p>	<p>development.</p>
<p>Have your say webpage comment 1</p>	<p>In relation to the West Dapto plan, my partner and I are very keen that it go ahead, with the community and environment being placed at the centre of this. We have recently purchased land at Sanctuary Ponds and are excited about living in this area. On buying the land we then found out that the area was being considered as a potential site for a jail. We are very much against this proposal. When we purchased the land we had researched the area based on the West Dapto master plan, at no point a jail being mentioned. We have been supporting the no Dapto jail campaign and are delighted that Wollongong Council recently voted against not supporting it. The West Dapto area is due to have a lot of residential development over the next few years and it is important that future planning for the area meets this purpose.</p>	<p>In October the NSW Government announced that it was not proceeding with the proposed Jail at Kembla Grange.</p>
<p>Have your say webpage comment 2</p>	<p>I would like to comment about the management of building related rubbish, particularly during the housing construction phase. I live at Brooks Reach and I see first hand the amount of building related rubbish that is lying around the West Dapto area, especially after strong winds. There are large pieces of waffle pod, plastic strewn in fences and up in trees, and other building related rubbish, everywhere. Just drive around the area and have a cursory glance and it is everywhere. We have all the master plans and lovely glossy brochures and visions promoting the area, yet, there is litter everywhere. The source of this rubbish is obvious - the building companies and their contractors disregard for taking the necessary steps to secure their rubbish and dispose of it properly. This submission is obviously related to this development proposal, however, the problem applies to all the developments in West Dapto.</p> <p>Perhaps consideration could be given to a small levy being placed on the developers, or the builders, and that money is used to fund regular (every 2 or 3 weeks) clean up operations around the new estate. In reality, a truck and a couple of workers could clean up all the rubbish easily. This is not a difficult problem to solve. We shouldn't have to wait for residents to report rubbish to the council before it is cleaned up. It is</p>	<p>This issue is outside the scope of the Planning Proposal but is of a concern. Council cannot impose a levy for the clean up of builders rubbish. An Environment crew has spent 2 days cleaning up builders rubbish along Bong Bong Road</p>

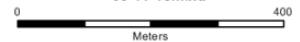
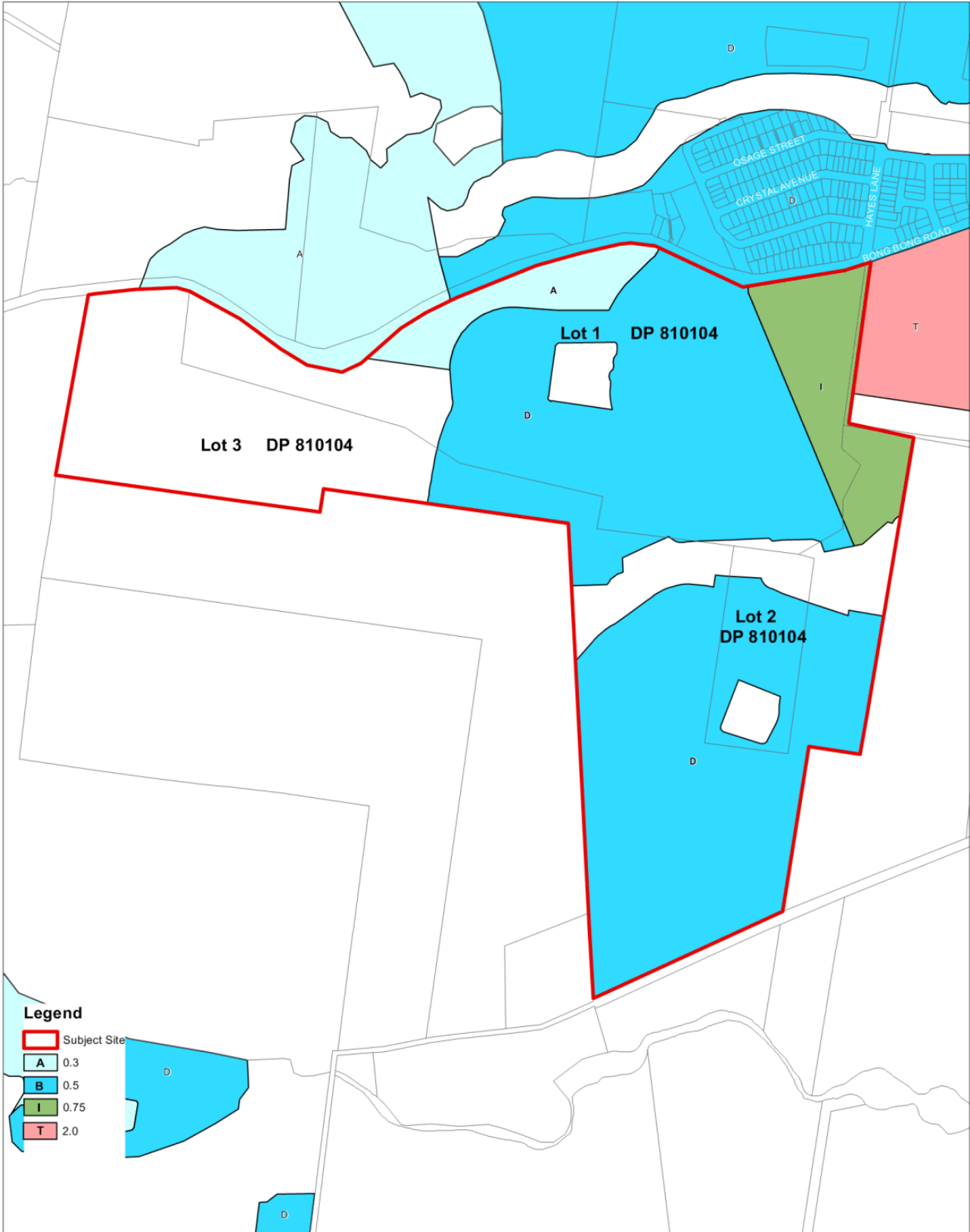
	<p>more than reasonable to assume that there will always be building related rubbish near development areas, especially after strong winds.</p> <p>I believe it is unrealistic to believe the developers, builders and contractors to self-regulate in this area. I assume there are already laws about polluting but that doesn't stop the building related litter being blown all around the area.</p> <p>Drive out to Brooks Reach and walk from McKelly street to Hayes Lane and look at all the rubbish on the side of the road and currently in the old gun club. I live opposite Purrungully Reserve and there is building rubbish in there - it's everywhere.</p> <p>Thus, I propose a levy on the developers or builders to fund a regular clean up crew that can do a thorough clean up every few weeks until the building has stopped.</p>	
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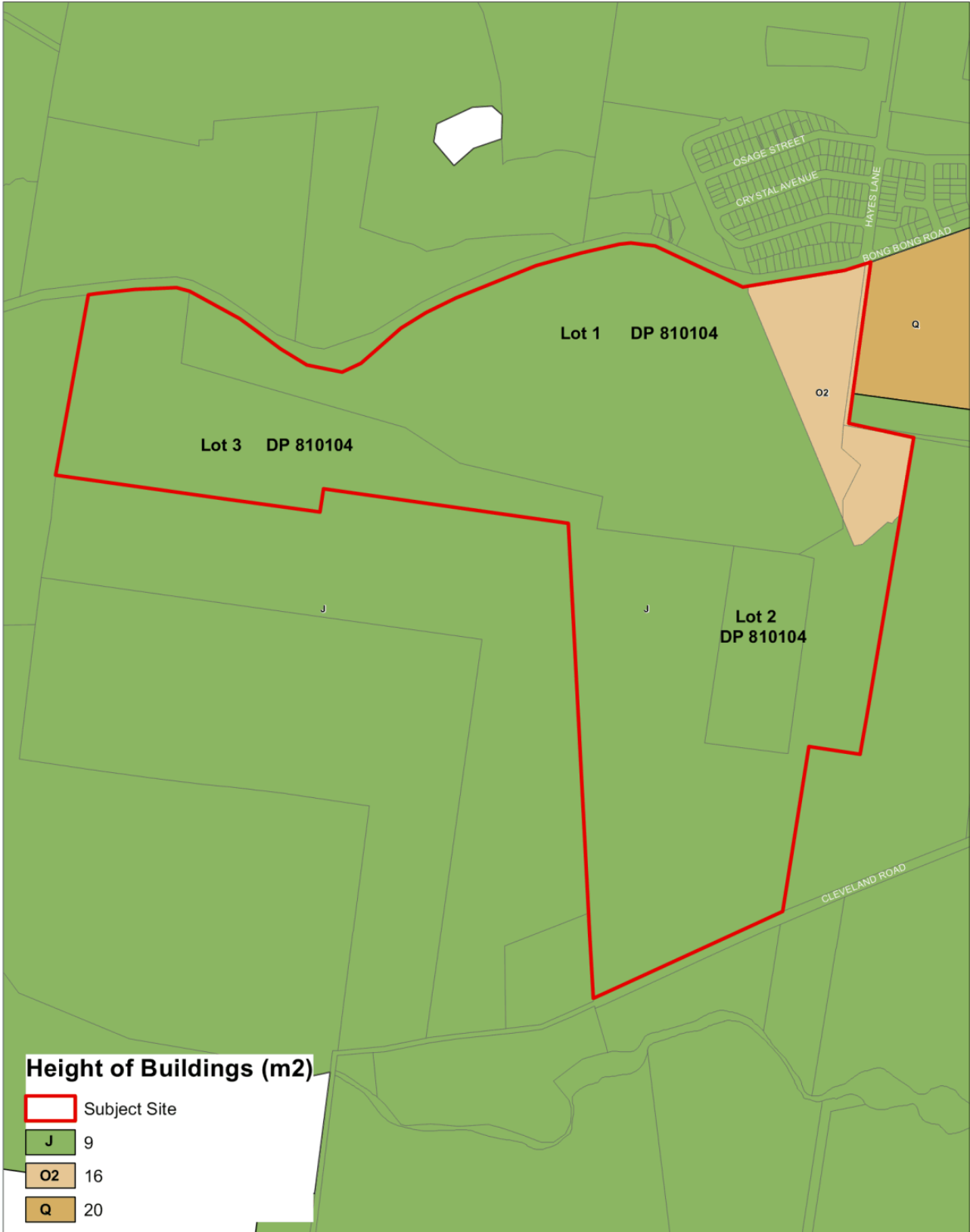


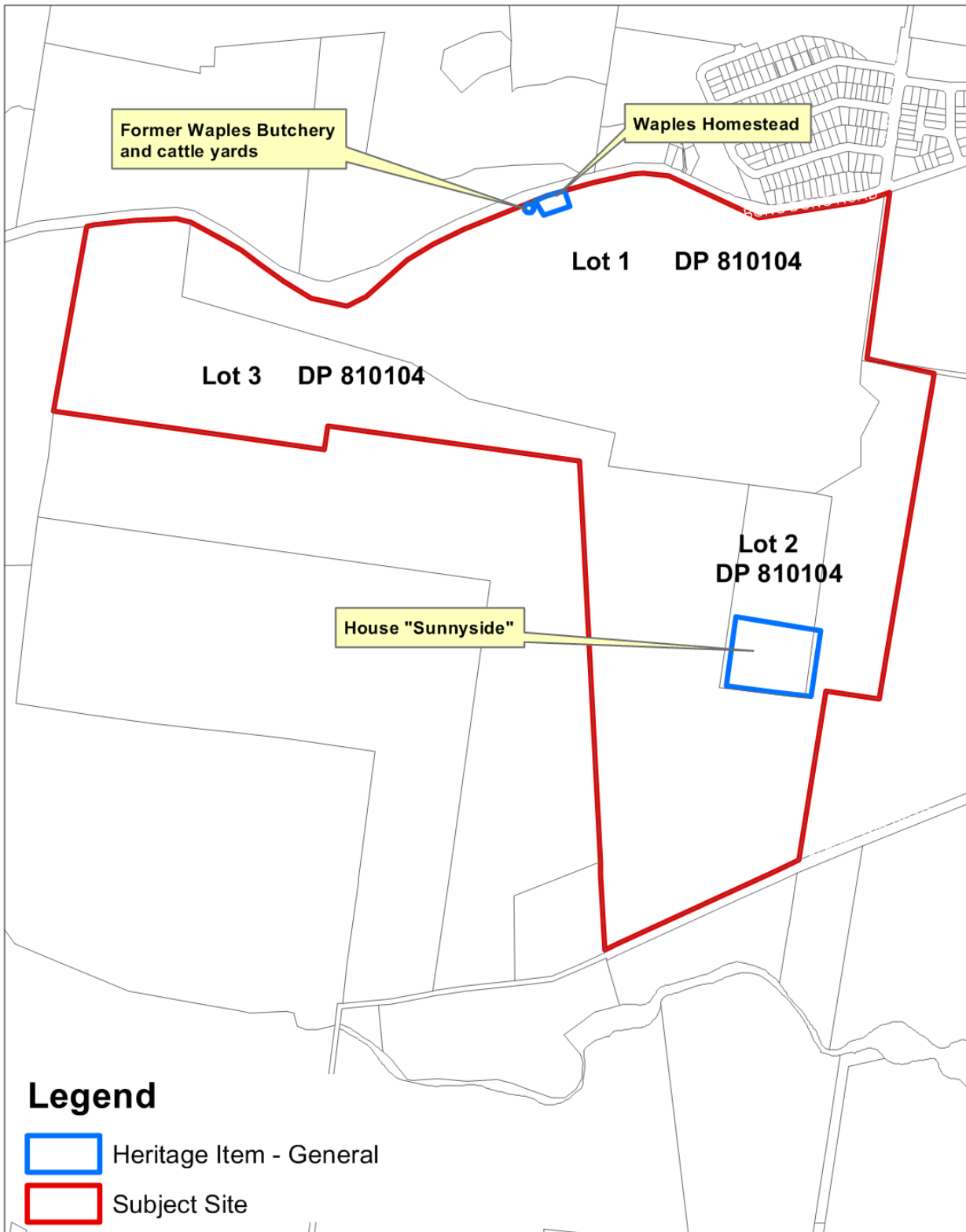




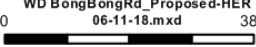
Legend	
	Subject Site
	N/A
	B 249
	C 299
	F 449
	U2 1999
	AB 39.99ha

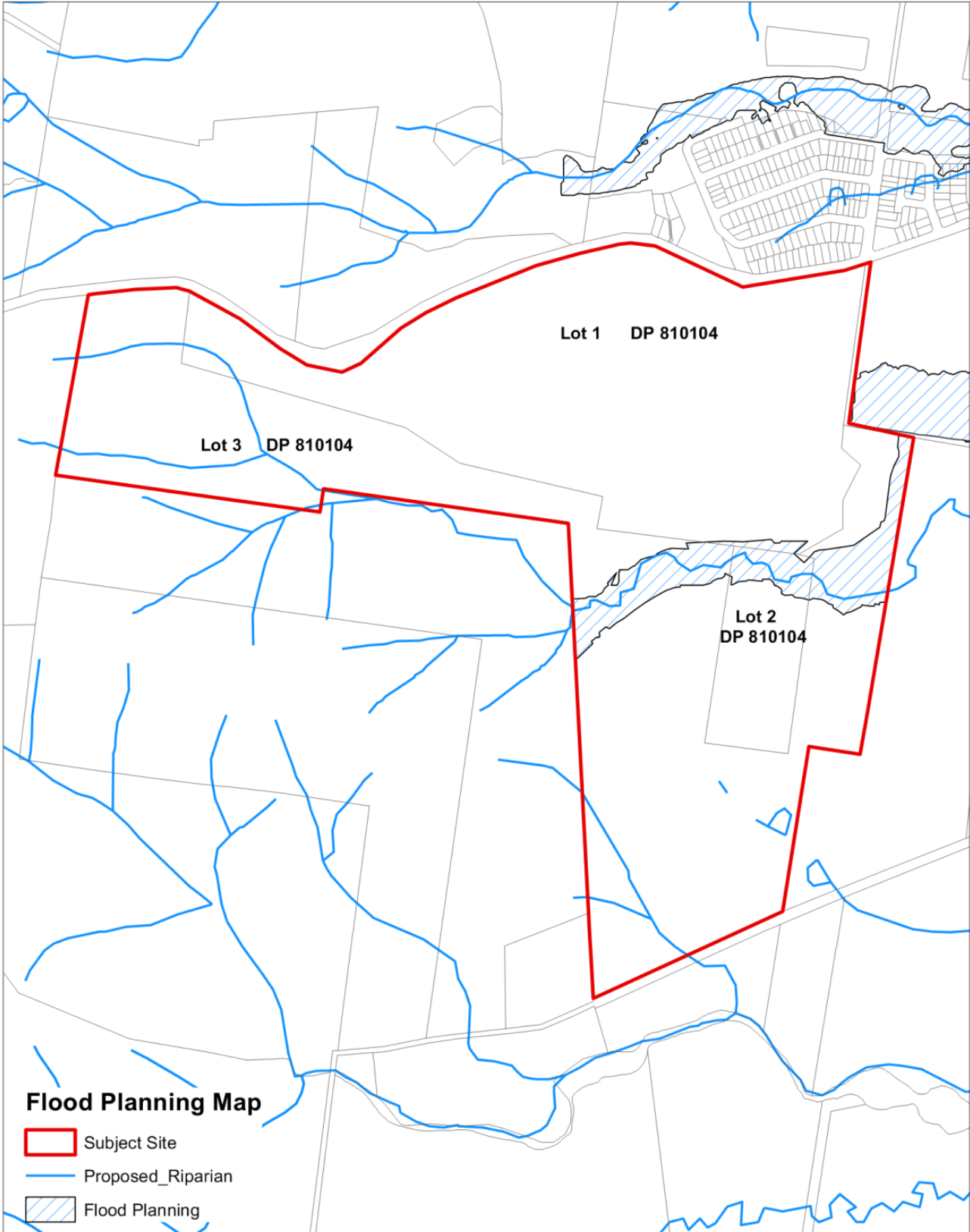


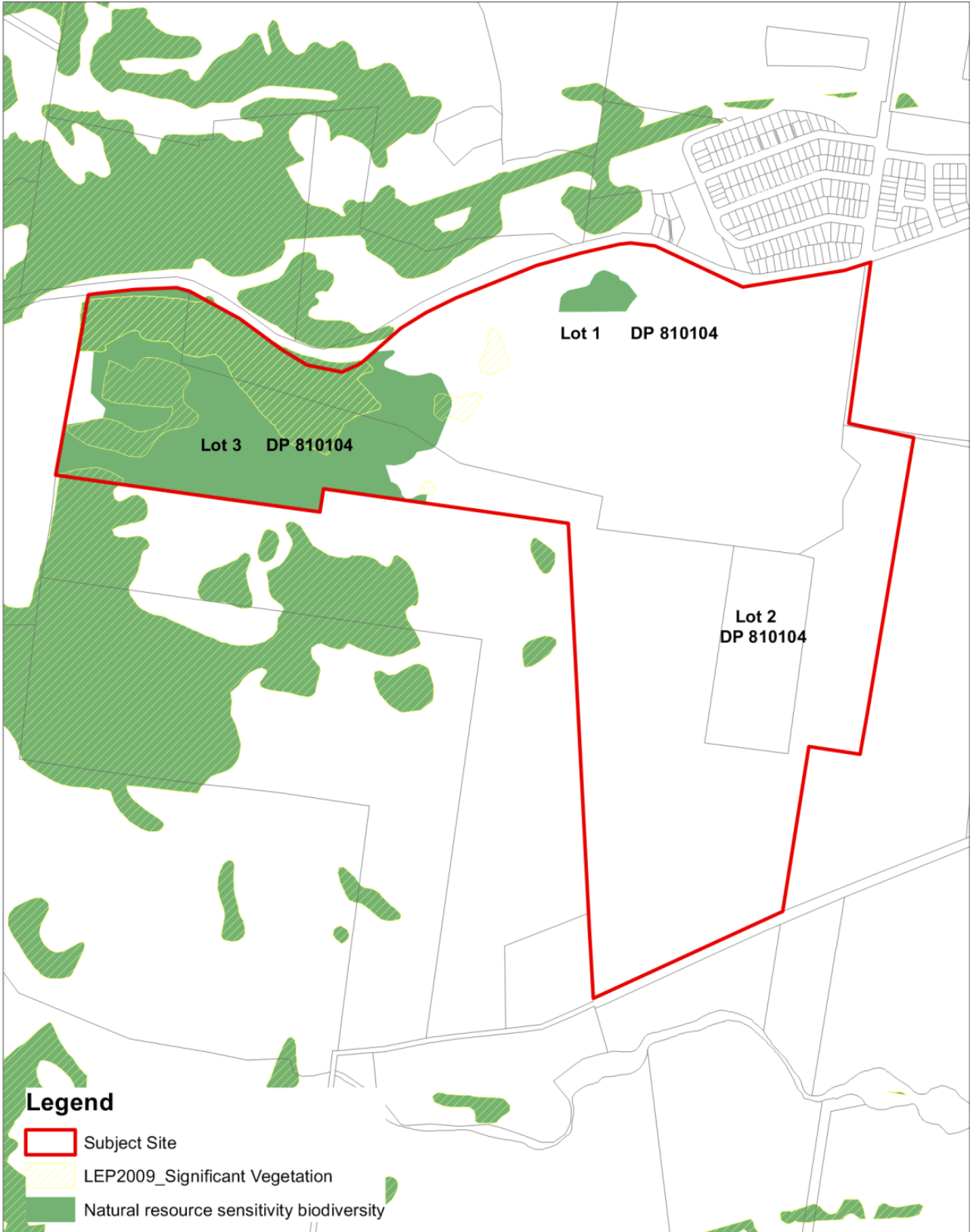


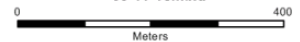
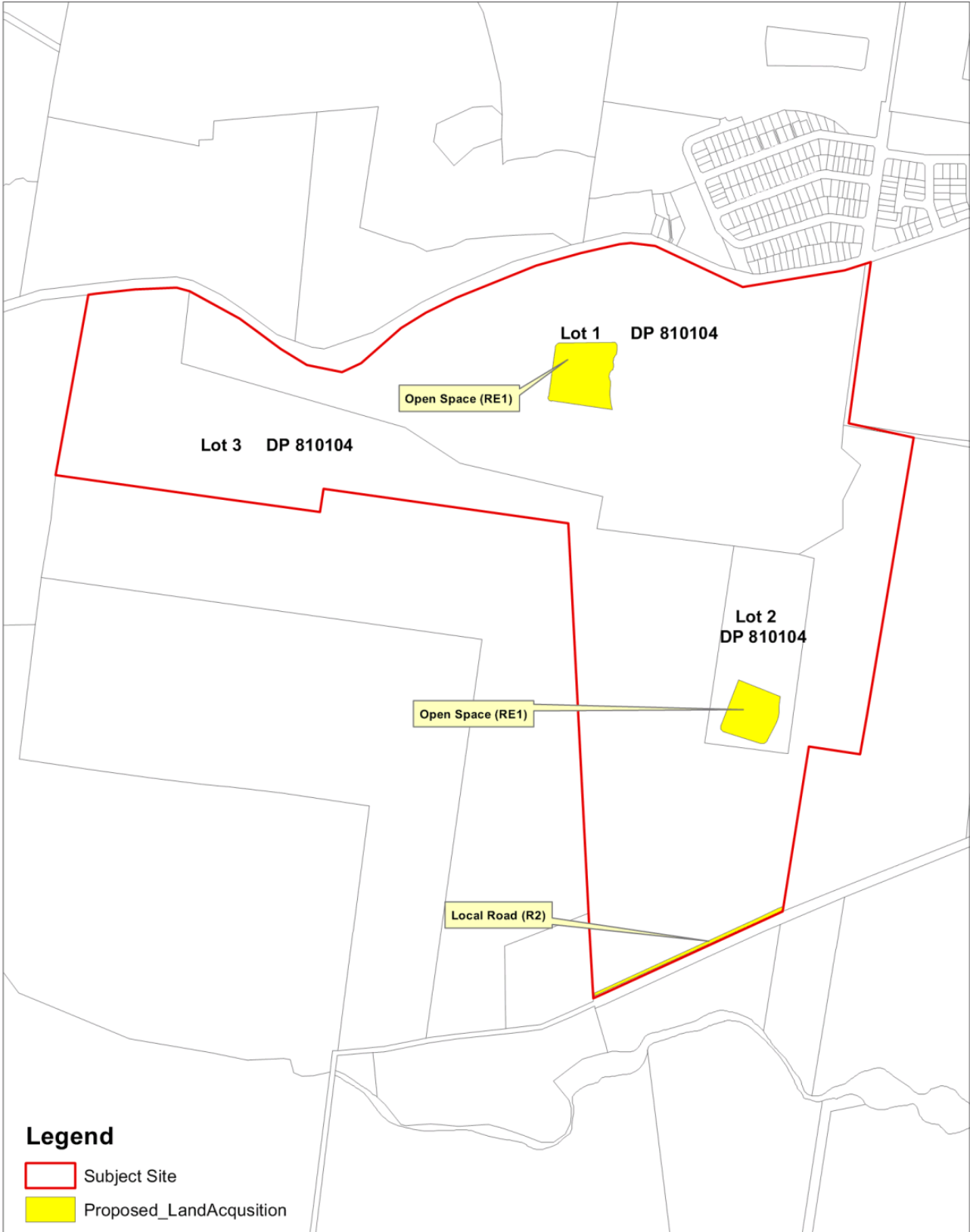




	Planning Proposal Lots 1, 2, 3 DP 810104 Bong Bong Rd to Cleveland Rd Proposed Heritage Map	Drawn By: H. Jones Date: 06-11-18	
		WD BongBongRd_Proposed-HER 0 06-11-18.mxd 380  Meters	









ITEM 2

PLANNING PROPOSAL PP-2018/7 PROPOSED AMENDMENT TO MINIMUM LOT SIZE MAP - LOTS 202 AND 203 DP 1175709, FAIRWATER DRIVE, CLEVELAND

Planning Proposal PP-2018/7 was lodged on 15 June 2018 to amend the minimum lot size. The Planning Proposal was referred to the Wollongong Local Planning Panel on 26 September 2018, for consideration. This report discusses the strategic merits of the Planning Proposal, and includes the Wollongong Local Planning Panel's advice to Council. Based on technical assessment by Council and recommendations of the Wollongong Local Planning Panel, the Planning Proposal is considered to lack strategic merit and that it is premature to amend the minimum lot sizes without considering the broader context within the West Dapto Urban Release Area.

RECOMMENDATION

- 1 Planning Proposal PP-2018/7 for Lots 202 and 203 DP 1175709 – Fairwater Drive, Cleveland not be supported and not be referred to the NSW Department of Planning and Environment for a Gateway Determination, as the proposal lacks strategic planning merit and does not consider the broader context within the West Dapto Urban Release Area.
- 2 The applicant be advised of Council's decision.

REPORT AUTHORISATIONS

Report of: David Green, Manager Environmental Strategy and Planning (Acting)
Authorised by: Andrew Carfield, Director Planning and Environment - Future City and Neighbourhoods

ATTACHMENTS

- 1 Site Locality Plan
- 2 Current Zoning
- 3 Proposed Concept Plan
- 4 Recommendation of the Wollongong Local Planning Panel

BACKGROUND

The Site

The site is located at Lot 202 and Lot 203 DP 1175709 Fairwater Drive, Cleveland (Attachment 1). Lot 202 is divided into 2 parts located on either side of Fairwater Drive which were created when Lot 202 was bisected by the Fairwater Drive extension. Both lots are irregular in shape with the two portions of Lot 202 having a combined site area of 24.88ha (248800m²) and Lot 203 having an overall site area of 9.95ha (99500m²). Lot 202 slopes gently towards the East with Lot 203 falling toward the North.

The site is currently vacant. The site is characterised by natural features including open grassland, mature forest vegetation and a riparian corridor. Lot 202 has direct frontage to Fairwater Drive. Lot 203 has frontage to Reed Park Place. Neither lot has formalised vehicular access to the street.

The street scene in the immediate vicinity is characterised by a mixture of land uses including rural land, low density residential development of single and double storey construction and an educational establishment. Adjoining development consists of low density residential dwellings to the north of Lot 202 and west of Lot 203, rural land to the south and east and Reed Park to the north of Lot 203.

The site is part of the West Dapto Urban Release Area, which is currently being developed. The site is in Stage 3 of the Urban Release Area, which is the next stage to be considered for rezoning.

On 15 June 2018, a draft Planning Proposal request was lodged for Lots 202 and 203 DP 1175709, Fairwater Drive, Cleveland to amend the minimum lot size to enable a boundary adjustment. The Planning Proposal was lodged with an associated Development Application DA-2018/711 which was rejected on 19 June 2018. A subsequent Development Application DA-2018/802 was lodged for the same development on 4 July 2018. The applicant was provided with a request to withdraw the draft Planning Proposal on 16 August 2018. The request to withdraw indicated that Council could not progress the application as the Planning Proposal did not satisfy Council's Planning Proposal Policy and lacks strategic justification to proceed. The applicant has advised that they do not wish to withdraw, and also requested that the Planning Proposal be exempt from being considered by the Local Planning Panel

The subject site is zoned part RU2 Rural Landscape and part E2 Environmental Conservation under the Wollongong Local Environmental Plan (WLEP) 2009 (Attachment 2). Subdivision is permissible with consent in the zone subject to complying with the minimum lot size. The minimum lot size under the Wollongong Local Environmental Plan 2009 is 39.99ha. The current proposal for a boundary adjustment would therefore require an amendment to the Wollongong Local Environmental Plan 2009 in order to proceed.

PROPOSAL

The submitted draft Planning Proposal request proposed to amend Wollongong Local Environmental Plan 2009 to include a clause in Schedule 1 (Additional Permitted Uses) to enable a subdivision that would permit a boundary adjustment between Lot 202 and Lot 203 Fairwater Drive, Cleveland. The proposal would enable the consolidation of Lot 203 with a portion of Lot 202 situated on the North eastern side of Fairwater Drive, this separated portion of Lot 202 was created through the extension of Fairwater Drive which bisected Lot 202.

The Planning Proposal would permit a development application to be considered that would result in a decrease in area to Lot 202 from 24.882 ha to 20.94ha and an increase in area for Lot 203 from 9.95ha to 13.892ha (Attachment 3).

The site is located within Stage 3 of the West Dapto Urban Release Area. While Stages 3 and 4 of the release area were deferred when Wollongong Local Environmental Plan (West Dapto) 2010 was made, the area remains part of the Urban Release Area under the Illawarra Shoalhaven Regional Plan. The area is identified under the West Dapto Structure Plan (2008) and also the revised draft Structure Plan (2018) and is still intended to be rezoned to enable urban development.

The draft Planning Proposal request considers one site in isolation and does not consider the future desired directions of the precinct as part of the West Dapto Urban Release Area. Planning Proposals in this significant urban release area should consider the site constraints and desired future land uses as part of a holistic consideration of the wider precinct.

There is a current Planning Proposal (PP-2014/1) for rezoning in the western portion of Stage 3, a recently lodged Planning Proposal PP-2018/9 in the south-eastern portion of Stage 3 and Council has had multiple enquiries from developers intending to lodge Planning Proposals for rezoning near the subject site. Consideration of appropriate minimum lot sizes is best undertaken as part of a Planning Proposal considering the wider precinct in the context of the urban release area.

CONSULTATION AND COMMUNICATION

Development Application DA-2018/802 was publicly exhibited with from 19 July – 8 August 2018. No submissions were received following the notification. As the development application and the draft Planning Proposal request are related and intended to achieve the same outcome, this exhibition of the DA is considered sufficient to inform the process for pre-gateway consideration.

The draft Planning Proposal request lacks strategic justification to proceed. There is no benefit in requesting environmental studies for the current Planning Proposal. Any studies on environmental impacts and suitable minimum lot sizes are best done as part of a holistic study into the future land uses and layout of this precinct as part of a wider study into Stage 3 of the West Dapto Urban Release Area.

Consideration By The Wollongong Local Planning Panel

The proposal was referred to the Wollongong Local Planning Panel (formerly IHAP) for advice pursuant to the Local Planning Panels Direction – Planning Proposals issued under the Environmental Planning and Assessment Act 1979. The panel considered the proposal at its meeting on 26 September 2018. The Panel's unanimous advice to Council is that the Planning Proposal lacks strategic merit, that it is premature to amend the minimum lot sizes without considering the broader context within the West Dapto Urban Release Area and the Planning Proposal should not proceed. A copy of the Panel's decision is at Attachment 4.

At the same meeting, the Panel also considered DA-2018/802 and determined that the application should be refused. The development application has subsequently been determined by refusal.

The applicant submitted additional information on 16 October 2018 after the Wollongong Local Planning Panel consideration to address some of the issues raised. Whilst the applicant has addressed some concerns, the proposal still lacks strategic merit and does not justify progression of the Planning Proposal in a standalone context.

PLANNING AND POLICY IMPACT

The main issues arising from the preliminary assessment process are:

- Compliance with Council's adopted Planning Proposal Policy (2018).
- Low strategic merit and justification.
- Inconsistent with West Dapto Structure Plan and strategic outcomes.
- Relationship with the concurrently lodged Development Application PP-2018/7.

The following planning policies apply to the proposal:

- Local Planning Directions (section 9.1 of EP&A Act 1979).
- Illawarra Shoalhaven Regional Plan (NSW Department of Planning & Environment 2015).
- Planning Proposals – A Guide to Preparing Planning Proposals (NSW Department of Planning & Environment 2016).
- Planning Proposal Policy (Wollongong City Council, 2018).
- West Dapto Structure Plan [and revised draft Structure Plan 2018].

Local Planning Directions (Section 9.1 of EP&A Act 1979)

The proposal is minor and does not contradict the Local Planning Directions (formerly known as Section 117 Directions). One direction requires consistency with the Illawarra Shoalhaven Plan which is discussed below.

Illawarra Shoalhaven Regional Plan (NSW Department Of Planning & Environment 2015)

The site is identified as part of a Regionally Significant Release Area on Figure 3 of the plan. The site is part of a wider release area, which needs to be considered in a coordinated manner to enable proper servicing and land use considerations. Whilst the individual proposal is minor, in the circumstances of this case it is best considered holistically as part of the significant future changes proposed for the area.

Planning Proposals – A Guide To Preparing Planning Proposals (NSW Department Of Planning & Environment 2016)

The guide is intended to inform the consideration of Planning Proposals and their merits.

Section 1.3 of the guide states “A Planning Proposal must demonstrate the strategic merit of the proposed LEP amendment.” The current proposal does not respond to any strategic study, report or strategy. The proposal does not achieve a strategic purpose as it is proposing a boundary adjustment.

Section 2.3 of the guide outlines the justification for a Planning Proposal, including the need for the proposal and its relationship to a wider strategic purpose. The current Planning Proposal is not responding to, or supported by, a strategic report, study, strategy or plan. The proposal is not responding to any new technology or changes in demographic trends. The current Planning Proposal is of limited public benefit to the community and is consequently of low priority.

Whilst the boundary adjustment sought requires a change to the provisions of the Wollongong Local Environmental Plan 2009, the minimum lot size matters the applicant seeks to be addressed could be incorporated into a future Planning Proposal for development of this portion of the West Dapto Urban Release Area. It is noted that there are landholders/developers considering lodgement of a Planning Proposal for rezoning in this vicinity and the issue of minimum lot sizes and future uses of the land are better considered holistically as part of a wider consideration of this stage of the Urban Release Area. The intent of the guide and the “gateway” process is to test Planning Proposals for strategic merit, and discourage or eliminate those proposals that do not meet such criteria.

Planning Proposal Policy (Wollongong City Council, 2018)

On 7 May 2018, Council adopted a Planning Proposal Policy which seeks to assist in determining the priority for Planning Proposals and also identify the circumstances in which Council would not support progression of a proposal.

Council's policy advises that minor Planning Proposal requests, such as this, which are not part of a wider strategy, plan or policy, will generally not be supported by Council. Council's policy also advises that Planning Proposal requests will be prioritised to ensure that those with the greatest public benefit are given propriety over those with an individual interest. The Planning Proposal under consideration is for a minor boundary adjustment and does not provide a wider benefit to the community. It does not contribute to economic growth, provide for employment generation, or provide housing, community facilities, infrastructure or services. The proposal submitted does not provide for environmental conservation and does not implement an endorsed strategy or plan.

Planning Proposal PP-2018/7 is not supported by a strategy, plan or policy. It is of limited or no public benefit to the community and is therefore of low priority.

As previously discussed, the minimum lot size matters to be addressed could also be incorporated into a future Planning Proposal for development of Stage 3 of the West Dapto Urban Release Area. A wider, holistic Planning Proposal will better consider broader issues of land use, including minimum lot sizes with greater strategic merit. There are landholders and developers currently considering lodgement of a Planning Proposal for rezoning in this vicinity.

The issue of minimum lot sizes raised by the applicant are better considered in this context, holistically as part of a wider consideration of this stage of the Urban Release Area.

FINANCIAL IMPLICATIONS

There are no significant financial implications resulting from this report.

CONCLUSION

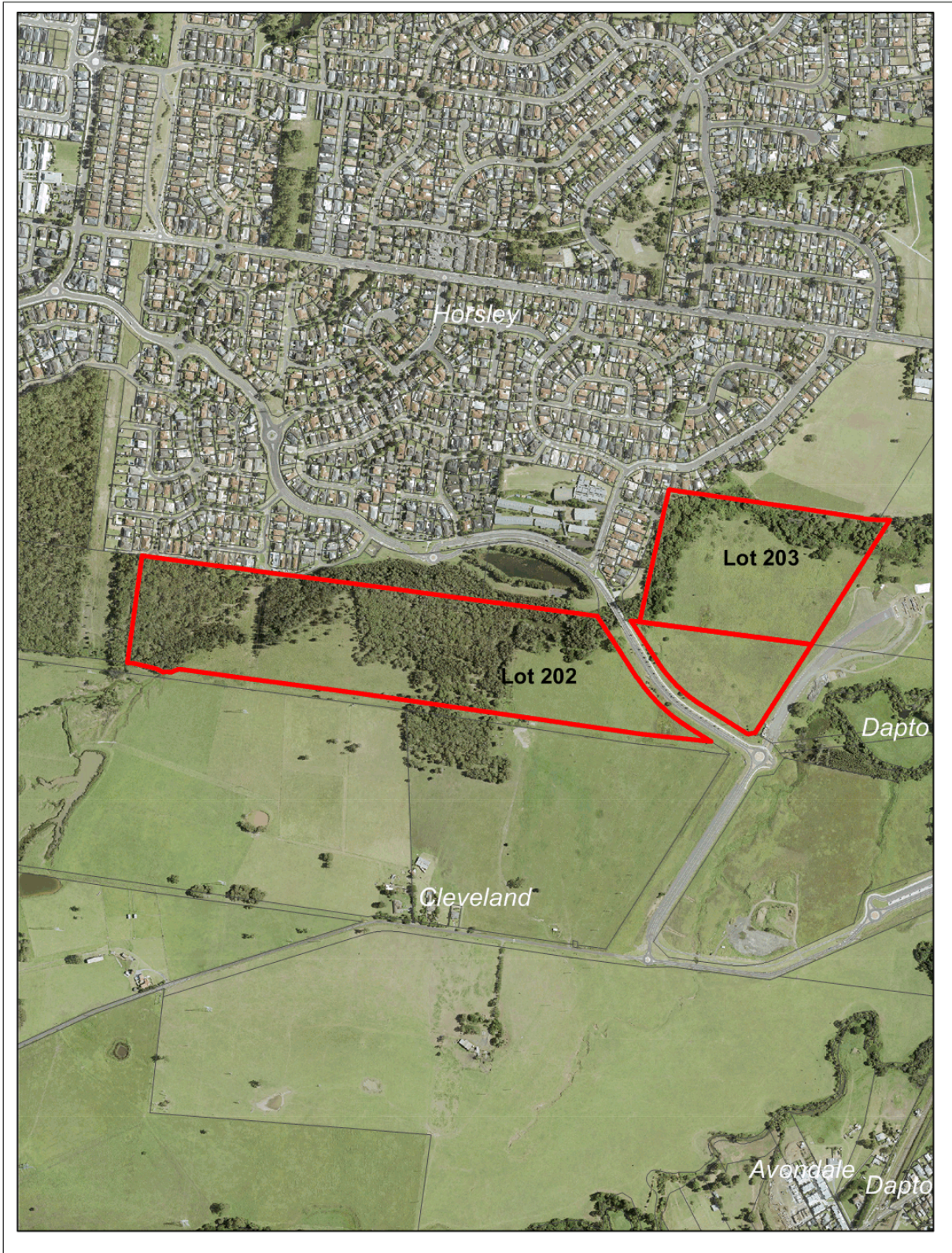
An assessment indicates that the Planning Proposal does not comply with Council's Planning Proposal Policy, as it is not supported by a strategy, plan or policy and is of limited public benefit to the greater Wollongong community.

The current Planning Proposal does not meet with the policy and is consequently of low priority. The minimum lot size matters to be addressed could be incorporated into a future Planning Proposal for development of this portion of the West Dapto Urban Release Area. It is noted that there are parties considering lodgement of a Planning Proposal for rezoning in this vicinity, and the issue of minimum lot sizes and also future uses of the land are better considered holistically as part of a wider consideration of this stage of the Urban Release Area.

The intent of Council's Planning Proposal policy, the Departments Planning Proposal guidelines and the "gateway" process is to test Planning Proposals for strategic merit. These policies and guides seek to discourage or eliminate proposals that do not meet strategic criteria. This Planning Proposal does not meet with the criteria.


The Wollongong Local Planning Panel has considered the Planning Proposal and its unanimous advice is that the proposal is premature, lacks strategic merit and should not proceed.

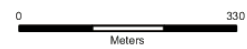
It is recommended Council not support the Planning Proposal request and that it does not progress to a "Gateway" determination.

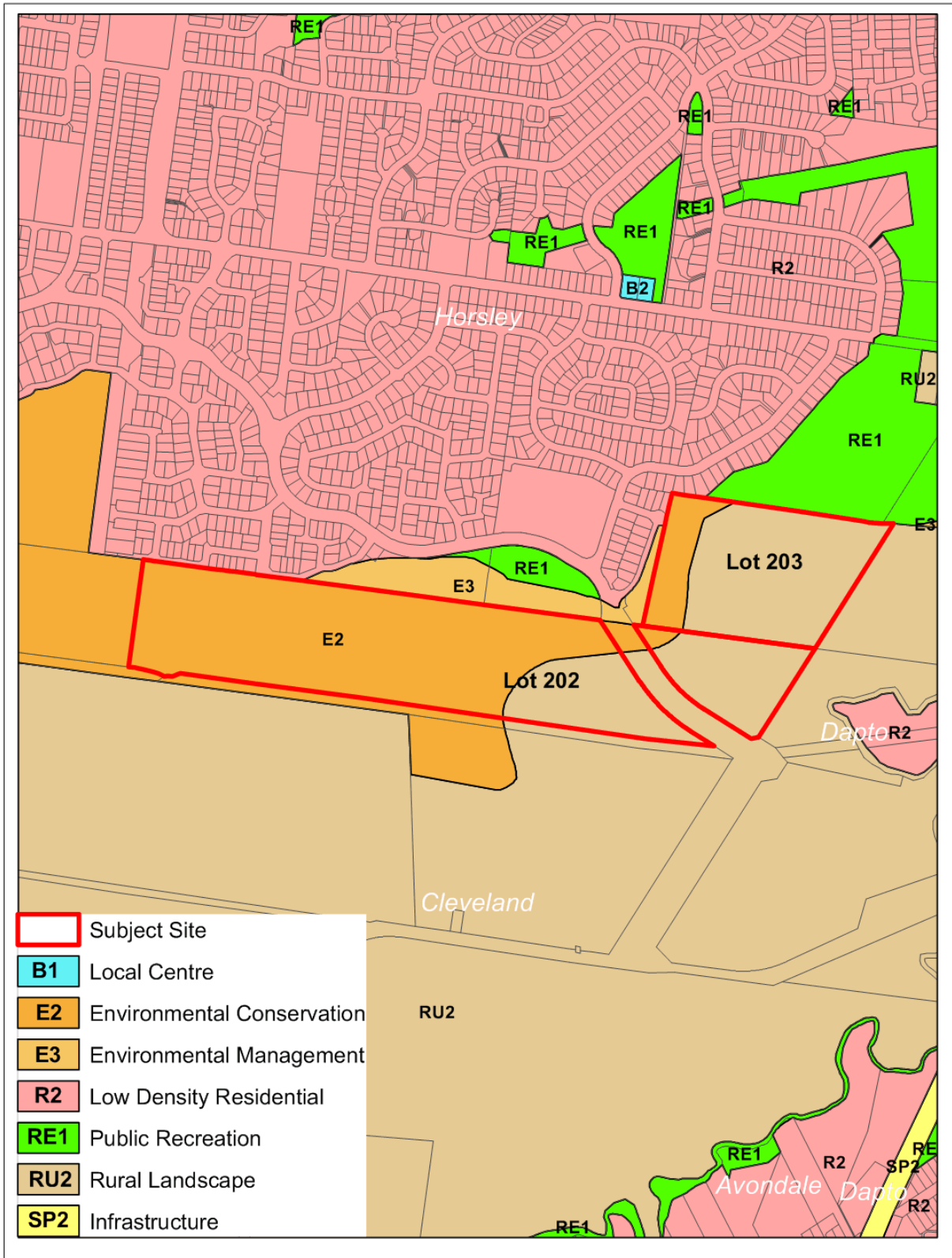


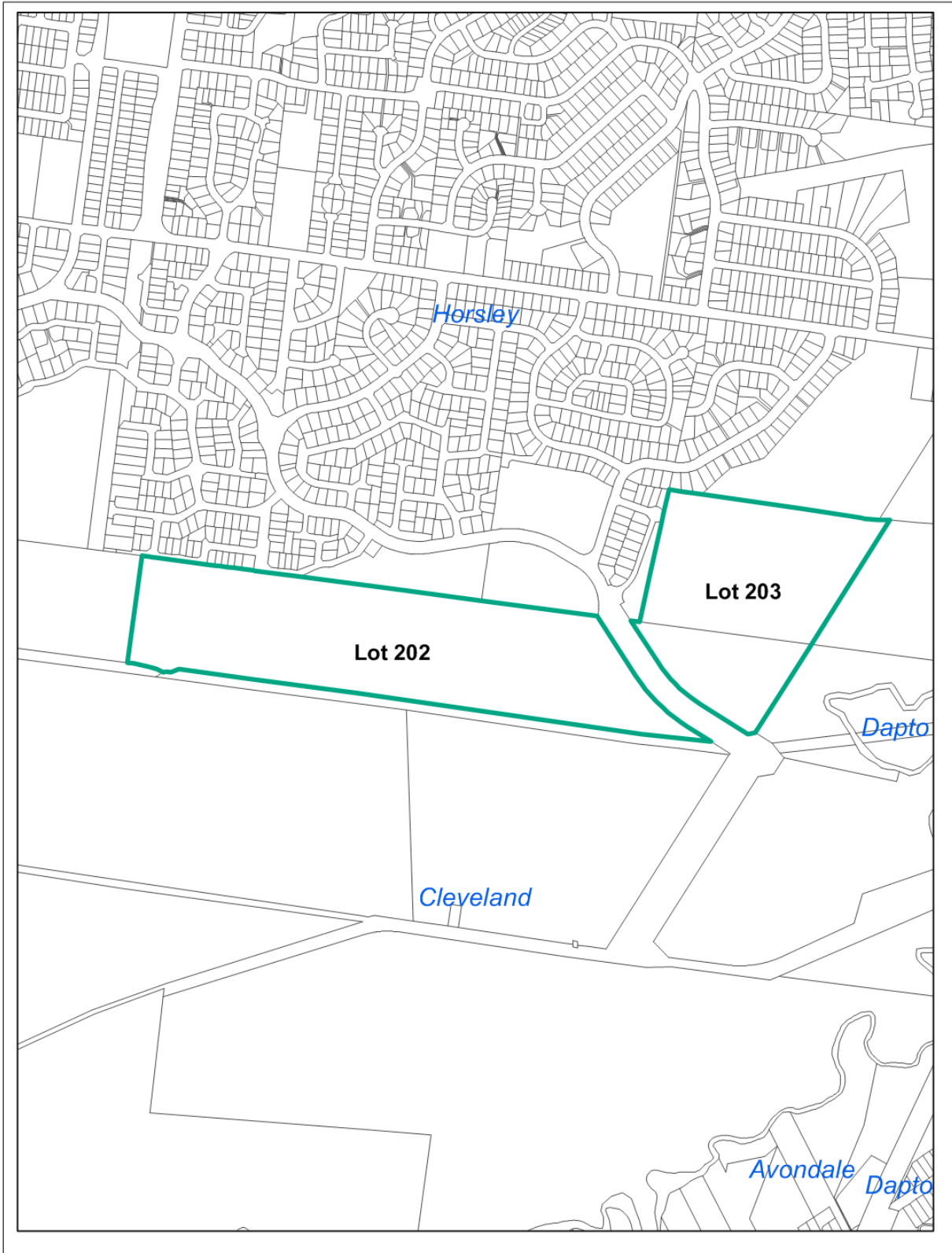
Locality Plan
Lots 202 and 203 DP 1175709 Fairwater Drive
Cleveland

 Subject Site

Drawn By: J Lewis	
Date: November 2018	
Locality Plan.mxd	



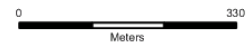




Concept Plan
Lots 202 and 203 DP 1175709 Fairwater Drive
Cleveland

 Concept Plan

Drawn By: J Lewis	
Date: November 2018	
Locality Plan.mxd	



ADVICE AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF HEARING	26 September 2018
PANEL MEMBERS	Robert Montgomery (Chair), Susan Hobley, Brendan Randles, Patricia McBride (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 26 September 2018 opened at 5:00pm and closed at 6.28pm.

MATTER CONSIDERED

PP-2018/7, Lot 202 and Lot 203 DP 1175709, Lot 202 and Lot 203 Fairwater Drive, Cleveland NSW 2530.

PUBLIC SUBMISSIONS

No submitters addressed the Panel.

The Panel heard from the applicant and owner, who provided background information in relation to the creation of Fairwater Drive and the resultant severance of Lot 202 by the road acquisition. Currently Lot 203 has no physical road access and relies on access through Lot 202.

PANEL CONSIDERATION AND DECISION

The Panel considered the Officer's report which provided detailed information about the site and its strategic context, particularly in relation to Stage 3 of the West Dapto Urban Release Area. While the planning proposal may appear to be relatively minor, the Panel agrees that the planning proposal is premature given the release area context. Accordingly the Panel considers that this site specific planning proposal does not exhibit strategic merit.

The Panel agrees that the planning proposal should not proceed.

The decision was unanimous.

REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

- The planning proposal lacks strategic merit
- It is premature to amend the minimum lot size provisions applying to this site without consideration for the broader context within the West Dapto Urban Release Area.

ITEM 3 DRAFT PLANNING PROPOSAL: LOT 100 DP 1207784 CORDEAUX ROAD, MT KEMBLA

On 30 January 2018, Council resolved to prepare a draft Planning Proposal for Lot 100 DP 1207784 Cordeaux Road, Mt Kembla, which seeks to facilitate the subdivision of the land into three large residential lots, together with the establishment of a Conservation Agreement and funding mechanism administered by the Biodiversity Conservation Trust (OEH) to protect in perpetuity the identified environmental values on site. This site was considered in the Farmborough Heights to Mt Kembla Concept Plan that was endorsed by Council (9 December 2013) and the Department of Planning (20 March 2014) to guide future development potential for this area. The draft Planning Proposal was exhibited between 29 May and 27 June 2018 and 18 submissions were received including three form letters.

The purpose of this report is to provide feedback on the exhibition and the advice of the Wollongong Local Planning Panel, and to finalise the Planning Proposal.

RECOMMENDATION

- 1 The draft Planning Proposal for Lot 100 DP 1207784 Cordeaux Road, Mt Kembla be progressed, following the registration of the Conservation Agreement on land title with the Office of Environment and Heritage, by finalising the Planning Proposal that seeks to amend the Land Zoning Map by -
 - a rezoning 2.36 hectares of the site from E3 Environmental Management to E4 Environmental Living with a Minimum Lot Size of 5,999m² and Floor Space Ratio of 0.3:1; and
 - b rezoning 6.61 hectares from E3 Environmental Management to E2 Environmental Conservation with a Minimum Lot Size of 39.99 hectares.
- 2 The final Planning Proposal be referred to the NSW Department of Planning and Environment for the making of arrangements for drafting to give effect to the final Proposal, noting that the General Manager will thereafter proceed to exercise his delegation issued by the NSW Department of Planning and Environment under Section 69 in relation to the final Proposal.
- 3 The Conservation Agreement for the riparian lands be finalised and registered on land title with the Biodiversity Conservation Trust (OEH), funding obtained and active management underway, prior to the issuing of a subdivision development approval.

REPORT AUTHORISATIONS

Report of: David Green, Manager Environmental Strategy and Planning (Acting)

Authorised by: Andrew Carfield, Director Planning and Environment - Future City and Neighbourhoods

ATTACHMENTS

- 1 Concept Plan 2013 Map: Mount Kembla
- 2 Site Locality Map and Current Zoning
- 3 Indicative Subdivision Plan
- 4 Proposed Zoning, Minimum Lot Size and Floor Space Ratio Maps
- 5 Vegetation Management Plan
- 6 Petition received prior to Public Exhibition
- 7 Summary of Submissions
- 8 Wollongong Local Planning Panel Advice

BACKGROUND

On 13 April 2011, the NSW Department of Planning and Infrastructure (now Department of Planning and Environment) requested that Wollongong City Council prepare a Planning Strategy for the area between Farmborough Heights and Mt Kembla in order to develop a strategic framework to properly consider rezoning proposals, so that a lasting solution to the development potential and environmental management of the area could be identified. A working party comprising representatives from the Department and Council officers developed a Scope of Works and identified a study area boundary for the Planning Strategy, which were reported to Council at the 27 February 2012 meeting.

Council resolved to commit \$171,527 to prepare the Farmborough Heights to Mt Kembla Concept Plan, in recognition of concerns raised by the community surrounding the need for an independent and up to date assessment of the environmental attributes of the area and the capacity to accommodate any increase in residential development. A comprehensive series of technical studies was conducted, including:

- Ecological and Riparian Assessment;
- Bushfire Constraints Analysis;
- Geotechnical and Topography Assessment;
- Contamination Assessment;
- Preliminary Assessment of Aboriginal and Non-Indigenous Heritage;
- Traffic and Transport Assessment;
- Stormwater Management, Drainage and Flooding Review;
- Visual Impact and Landscape Character Assessment;
- Utilities and Essential Services Review; and
- Strategic Planning Context Analysis.

The Department of Planning and Infrastructure (the Department) required the Concept Plan to be consistent with and complement the Illawarra Escarpment Strategic Management Plan (IESMP) and Illawarra Escarpment Land Use Review Strategy (IELURS). A significant objective of the Concept Plan was to identify the key environmental attributes to be enhanced, and require that any development be linked to the protection and enhancement of those environmental attributes. The environmental attributes were mapped, with areas identified for conservation and hence recommended for no residential development. The residual lands were identified as having potential to accommodate an appropriate scale of residential development on the basis of a lack of constraints (ie. dominated by cleared land and exotic vegetation with little ecological value) and provided it could be demonstrated through a Planning Proposal that an improved environmental outcome could be achieved.

The Farmborough Heights to Mt Kembla Concept Plan (GHD 2013) identified:

- 231 hectares of proposed conservation areas;
- 100 hectares of potential residential development areas;
- An estimated maximum additional development potential of:
 - 78 dwellings in Farmborough Heights;
 - 107 dwellings in Cordeaux heights; and
 - 26 dwellings in Mount Kembla.

On 9 December 2013, Council considered a report on the outcomes of the studies and extensive community and stakeholder consultation, and resolved to adopt the Farmborough Heights to Mt Kembla Concept Plan and seek endorsement of the strategic document by the Department of Planning and Infrastructure to guide any future rezoning proposals. In a letter dated 20 March 2014, the Deputy Director General acknowledged the significant resources committed to the preparation of the Concept Plan by Council, and endorsed the Concept Plan as a strategic study to guide future Planning Proposals in the precinct.

The role of the Concept Plan is to guide development in the area in the context of active conservation, with individual Planning Proposals invited for specific land holdings identified in the Concept Plan, supported by updated and more detailed studies. The key objectives of the Concept Plan were to provide certainty for the community by identifying land suitable for conservation and potential development, and provide the opportunity to implement a number of mechanisms that will conserve and manage the environmental attributes of the area.

In January 2017, a Planning Proposal request was submitted by Cardno on behalf of the landowner for Lot 100 DP 1207784 Cordeaux Road, Mt Kembla which seeks to facilitate the subdivision of the land into three large residential lots, together with the establishment of a Conservation Agreement and funding mechanism administered by the Biodiversity Conservation Trust (Office of Environment and Heritage) to protect in perpetuity the identified environmental values on site. This site was considered in the Farmborough Heights to Mt Kembla Concept Plan that was endorsed by Council (2013) and the NSW Department of Planning (2014). The Concept Plan identified potential for limited development at this site, provided (among other considerations) that in perpetuity conservation efforts supported by funding could be demonstrated (Attachment 1).

The site is approximately nine hectares in size and is currently zoned E3 Environmental Management. It is bounded by land zoned E4 Environmental Living to the south and east, and E3 Environmental Management to the west (Attachment 2).

The endorsed Concept Plan identified potential to rezone this site at Cordeaux Road Mt Kembla to permit additional large lot residential development, subject to satisfying the accompanying Planning Principles and demonstration that an improved environmental outcome could be achieved for the land. The Concept Plan recommended an E4 Environmental Living zoning for the developable area with a minimum lot size of 5,000m², given the proximity to the escarpment and the desire for any development to be rural residential in character. This zoning controls for a more limited range of permitted land uses appropriate to the surrounding environmental setting and importantly this E4 Environmental Living zoning won't allow further subdivision for dual occupancies and multi dwelling houses. The Concept Plan identified the opportunity for the long term management, protection and enhancement of the riparian corridors on site, recommending an E2 Environmental Conservation zoning for these vegetated watercourses.

The development strategy contained in the draft Planning Proposal request seeks large lot residential development opportunity on land identified in the Concept Plan with little ecological value in the north west corner of the site (areas dominated by cleared land, grazed areas and exotic vegetation), and proposes to undertake ecological conservation and rehabilitation works associated with the riparian corridor in the south identified as containing environmental values. The submitted draft Planning Proposal request included an indicative subdivision layout depicting three rural/residential large lots, 5,801m², 18,474m² and 74,715m² in size in the north western part of the site, seeking a rezoning to the recommended E4 Environmental Living with a minimum lot size at 4,999m² (Attachment 3). An E2 Environmental Conservation zoning was proposed for 5.14 hectares of the site associated with the riparian corridor. The requirement in the Farmborough Heights to Mt Kembla Concept Plan to achieve a conservation outcome as the result of any Planning Proposal is proposed through the protection of the riparian corridor and vegetation in the south of the site with an E2 Environmental Conservation zoning and the establishment of a Conservation Agreement on land title for in perpetuity rehabilitation and management works. The Planning Proposal request is consistent with the Farmborough Heights to Mt Kembla Concept Plan:

<p>Concept Plan recommendation:</p> <p>Potential for three dwelling houses with E4 Environmental Living zoning with a minimum lot size of 5,000m² and E2 Environmental Conservation zoning for riparian corridors on site. Any Planning proposal request must demonstrate active conservation - in perpetuity conservation efforts with funding.</p>	<p>Planning Proposal request:</p> <p>Rezone part of the site as identified in the Farmborough Heights to Mt Kembla Concept Plan (north western corner) to E4 Environmental Living to facilitate three dwelling houses, with a minimum lot size of 4,999m²; and</p> <p>Rezone part of the site identified in the Farmborough Heights to Mt Kembla Concept Plan requiring environmental protection and restoration to E2 Environmental Conservation – an in perpetuity Conservation Agreement for the riparian corridors will be registered on land title, administered by the Biodiversity Conservation Trust (NSW Office of Environment and Heritage).</p>
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The draft Planning Proposal request also indicates the desire the continue limited grazing on the proposed Lot 3 (74,715m²), with the Vegetation Management Plan (VMP) including the installation of stock proof fencing as one measure to protect the riparian corridors identified for in perpetuity restoration and conservation works. The submitted draft Planning Proposal request proposed an E2 Environmental Conservation zoning over the riparian and cleared grazing lands. However, as the cleared grazing land does not have ecological value and will continue to be used for grazing, an E2 Environmental Conservation zone is not appropriate. Accordingly, it is proposed to retain the current E3 Environmental Management zoning in the cleared part of the site earmarked for grazing and achieve the conservation outcome through the protection of the riparian corridor and vegetation in the south with an E2 Environmental conservation zoning and the establishment of a Conservation Agreement for in perpetuity rehabilitation works.

The Office of Environment and Heritage (OEH) has identified that the subject site represents a strategically important linkage opportunity in the context of the foothills and escarpment, and strongly support a long term conservation outcome being achieved for the site through establishing the proposed conservation areas. A Vegetation Management Plan (VMP EcoPlanning 2017) details the management and restoration efforts for the areas designated as conservation zones, identifying an amount of \$100,878 to provide on ground rehabilitation works over a five year period (Attachment 5). This VMP will provide the basis for a Conservation Agreement registered on land title and administered by the Biodiversity Conservation Trust (OEH) to ensure in perpetuity funding of conservation works. An in perpetuity Conservation Agreement will be required to be registered on land title, funding obtained and active management underway prior to the issuing of a subdivision development approval.

On 30 January 2018, Council considered a report on the draft Planning Proposal request and resolved:

- 1 *A draft Planning Proposal be submitted to the NSW Department of Planning and Environment for Lot 100 DP 1207784 Cordeaux Road, Mount Kembla seeking a Gateway determination to:*
 - a *rezone 2.36 hectares of the site from E3 Environmental Management to E4 Environmental Living with a Minimum Lot Size of 5,000m² and Floor Space Ratio of 0.3:1;*
 - b *rezone 5.14 hectares of the site from E3 Environmental Management to E2 Environmental Conservation; and*
 - c *retain 1.47 hectares of the site as E3 Environmental Management zoning.*
- 2 *The draft Planning Proposal be exhibited for a minimum period of 28 days.*

3 *The Department of Planning and Environment be requested to issue authority to the General Manager to exercise plan making delegations in accordance with Council's resolution of 26 November 2012.*

A favourable Gateway determination was subsequently received on 29 March 2018 and the draft Planning Proposal was placed on exhibition between 29 May and 27 June 2018.

PROPOSAL

The purpose of the draft Planning Proposal request is to facilitate a development strategy for the subject lands to allow large lot residential development on part of the site, together with the establishment of a Conservation Agreement and funding mechanism administered by the Biodiversity Conservation Trust (OEH) to protect in perpetuity the identified environmental values on site. This is consistent with the Farmborough Heights to Mt Kembla Concept Plan and associated planning principles (2013), where any rezoning on a property must lead to an overall conservation improvement.

The development strategy for this site has the potential to support, rehabilitate and improve the following important environmental functions of the riparian corridor on site:

- Providing a diversity of fauna and flora habitat resources;
- Providing connectivity between wildlife habitats;
- Providing bed and bank stability and reducing bank and channel erosion;
- Protecting water quality by trapping sediment, nutrients and other contaminants; and
- Conveying flood flows and controlling the direction of flood flows.

The Vegetation Management Plan (VMP) prepared for the site has identified the following standard and other management actions for the restoration and stabilisation of the riparian areas, to improve biodiversity values:

- Weed control of noxious and exotic weed species;
- Revegetation to restore native vegetation cover over areas of cleared and disturbed pasture;
- Supplementary planting in areas of sparse native vegetation cover, to supplement natural regeneration and provide weed suppression;
- Sediment and erosion controls;
- Impede cattle access to revegetated areas of the site (stock proof fencing)
- Vertebrate pest management; and
- Create a vegetation buffer to riparian zones and maintenance of natural flow regimes in the riparian zone.

This VMP will provide the basis for a Conservation Agreement registered on land title and administered by the Biodiversity Conservation Trust (Office of Environment and Heritage) to ensure in perpetuity funding of conservation works.

The Farmborough Heights to Mt Kembla Concept Plan identifies Mt Kembla as having a high scenic and environmental quality that will need to be maintained and refers to Council's Development Control Plan (DCP) which has specific controls to preserve the historic identity and character of Mt Kembla village, as well as maintain a green corridor around the eastern approach to provide separation from the neighbouring suburbs of Cordeaux Heights and Unanderra. Consultation with the community during the development of the Concept Plan indicated a concern that, although recognised in the Illawarra Escarpment Management Plan (IESMP) and Council's DCP, there was at the time no current strategy to improve vegetation management of this corridor. The community feedback at that time additionally centred on the need for any development to be low scale to prevent urban creep from Cordeaux Heights.

The long term effects of the abovementioned management actions outlined in the Vegetation Management Plan for this site will be to strengthen the green physical and visual corridor between Cordeaux Heights and Mt Kembla, in line with the community's long standing vision to retain a unique historical identity, and secure a long term conservation outcome in association with the riparian corridor. Larger lot sizes were the recommendation of the Concept Plan in line with the environmental setting and the requirement to retain a green buffer around Mt Kembla.

CONSULTATION AND COMMUNICATION

The draft Planning Proposal was exhibited between 29 May and 27 June 2018 following the Gateway determination. The Gateway determination required that the following public authorities be consulted:

- NSW Roads and Maritime Services;
- NSW Rural Fire Service;
- NSW Office of Environment and Heritage;
- Department of Primary Industries – Water; and
- Sydney Water.

The public exhibition was advertised through Council's website and in the Illawarra Mercury (26 May 2018) and Advertiser (30 May 2018) newspapers. Copies of the suite of documents were available for viewing on Council's website, in Wollongong and Unanderra libraries, and at Council's Customer Service Centre in the Administration Building, Wollongong. Adjoining property owners, public authorities, and Neighbourhood Forum 5 were notified of the public exhibition by mail.

It should also be noted that Council received a petition signed by 91 residents in March 2018 prior to the suite of documents being placed on public exhibition (Attachment 6). Residents signing that petition were sent a letter advising of the exhibition period. All letters notifying the public exhibition included a reference to the Farmborough Heights to Mt Kembla Concept Plan (GHD 2013), and the suite of exhibition material included a copy of the Concept Plan.

As a result of the exhibition the website page received 208 views, five public authority submissions, 10 community letters (with 12 signatures), and three community form letters (total of 22 signatures) (Attachment 7).

Public Authority Submissions

The *Office of Environment and Heritage (OEH)* attended a site visit in March 2017 and identified that the subject site represents a strategically important linkage opportunity in the context of the foothills and escarpment. The OEH strongly support a long term conservation outcome being achieved for the site through establishing the proposed conservation areas. The Biodiversity Conservation Act 2016 and associated reforms commenced in August 2017, which have now introduced the Biodiversity Conservation Trust (Office of Environment and Heritage) with a key role to support and encourage landholders to enter into Conservation Agreements to protect biodiversity on private land. Under the new Biodiversity Conservation legislation, some Conservation Agreements will be eligible for stewardship payments and a range of assistance, with landowners able to access the Landholder Support Program.

The focus of the Planning Proposal on riparian conservation to improve the ecological value of the watercourse is consistent with the Illawarra Biodiversity Strategy (2011), which highlights the degradation of native riparian vegetation and invasion of exotic weeds as major threats to biodiversity in the Illawarra, and identifies the importance of Council encouraging conservation and restoration efforts on private land in this regard. The value of landscape connectivity is well recognised by various state, regional and local policies, including Australia's Biodiversity Conservation Strategy (2009) and the Southern Rivers Catchment Action Plan (2013-23). Maintaining connectivity and enhancing existing connectivity within corridors by regenerating or revegetating missing links is also one of the three recommended approaches to managing biodiversity in the face of climate change.

The OEH submission during the preliminary consultation phase requested the completion of an Aboriginal cultural heritage due diligence assessment. A due diligence assessment was subsequently completed in accordance with OEH guidelines (Biosis 2017), involving a desktop analysis and archaeological survey. No new sites were discovered during the archaeological survey with the conclusion drawn that the entire study area is assessed as having low archaeological potential.

The *NSW Rural Fire Service (RFS)* raised no objection to the Planning Proposal, however noted that future lots will be required to provide Asset Protection Zones (APZs) as identified in the Bushfire Assessment report prepared by Peterson Bushfire (2017). Some minor adjustments to the VMP boundary were suggested by the RFS as a result of the public exhibition to ensure compliance with Planning for Bushfire Protection 2006. The VMP boundary adjustments recommended do not result in any reduction in the total area that will be subject to the VMP. In addition, the overall objectives and target of the VMP are unchanged.

The *Roads and Maritime Services (RMS)* raised no objections to the Planning Proposal, however noted that Council must be satisfied there are sufficient sight lines at the site's access point with Cordeaux Road.

Sydney Water raised no objections, noting that more detailed comments relating to servicing future residential developments will be provided when development applications are submitted to Council and referred to Sydney Water. Initial investigations show there is adequate capacity to service the proposed development, noting amplifications or extensions to the drinking water network may be required, however limited capacity exists in the trunk wastewater network system and a feasibility application will need to be lodged with Sydney Water.

The *Department of Primary Industries – Water* raised no objections, however stated that following a rezoning, appropriate protections would be required to ensure that the E2 Environmental Conservation zoned riparian area is protected from future activities such as hazard reduction measures to create Asset Protection Zones.

Community Submissions

As a result of the exhibition, a total of 13 submissions were received from the community, three of these submissions received as form letters (containing 22 signatures):

- Community Individual Letters (10, with 12 signatures);
- Community Form Letter 1 (10 signatures);
- Community Form Letter 2 (eight signatures); and
- Community Form Letter 3 (four signatures).

The key concern expressed in 26 community submissions centred on the need to retain the green corridor at the entrance to the village and running behind the existing houses up to the fire trail. The green corridor is valued by the community as a physical and visual separation between neighbourhoods, allowing the Mt Kembla village to maintain its unique historic character and identity, as a separate locality. Additional residential development and the potential for urban sprawl were cited as a threat to the green corridor, which could render Mt Kembla an extension of Cordeaux Heights and Unanderra. Related to this, 11 submissions questioned whether additional residential development could contribute to the rehabilitation of environmentally sensitive areas and result in an improved environmental outcome at the site. Submissions cited a desire to retain the paddocks on the approach to the village where the shared pathway is well utilised and valued by the wider community, and were concerned about loss of vegetation and the impact on wildlife corridors at the foothills of Mt Kembla.

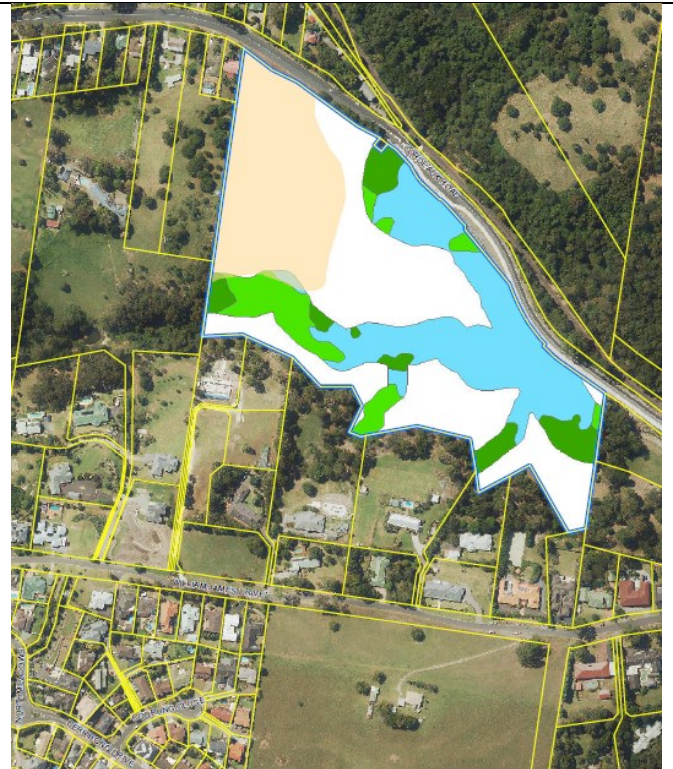
The Farmborough Heights to Mt Kembla Concept Plan identifies Mt Kembla as having a high scenic and environmental quality that will need to be maintained and refers to Council's Development Control Plan (DCP) which has specific controls to preserve the historic identity and character of Mt Kembla village, as well as maintain a green corridor around the eastern approach to provide separation from the neighbouring suburbs of Cordeaux Heights and Unanderra. The Concept Plan for the Mt Kembla precinct highlights the green corridor to be preserved (and for proposed rehabilitation) as "E2 Environmental Constraint" (Attachment 1).


The Vegetation Management Plan (VMP) prepared for the site responds to the Concept Plan, detailing the management and restoration efforts for the riparian corridor designated as a conservation zone. An amount of \$100,878 has been identified to provide on ground rehabilitation works. This VMP will provide the basis for a Conservation Agreement registered on land title and administered by the Biodiversity Conservation Trust (OEH) to ensure in perpetuity funding of conservation works. This report is seeking a Council resolution that the Planning Proposal be finalised once the Conservation Agreement is registered on land title with OEH, and then the issuing of subdivision development approval being conditional on funding being obtained and active management underway. These measures are to ensure any development occurs in the context of active conservation, with the long term effects of the VMP management actions being to strengthen the green physical and visual corridor between Cordeaux Heights and Mt Kembla, in line with the community's long standing vision to retain a unique historical identity. This is illustrated in the aerial maps below, depicting:

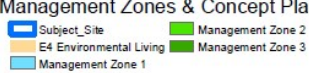
- 1 The current extent of the green corridor around the eastern approach to Mt Kembla village and separation from Cordeaux Heights, and
- 2 The VMP three Management Zones identified for specific regeneration and revegetation works, aimed at expanding the green corridor at the entrance to the Mt Kembla precinct and between the adjoining suburbs, as envisaged by the Farmborough Heights to Mt Kembla Concept Plan.




Aerial showing current extent of Green Corridor




 Planning Proposal
 Lot 100 DP 1207784 Cordeaux Rd
 Mt Kembla
 Management Zones & Concept Plan





Vegetation Management Plan Proposed Extension of Green Corridor

Management Zone 1: Reconstruction through revegetation

Management Zone 2: Assisted natural regeneration and revegetation

Management Zone 3: Assisted natural regeneration

The *Office of Environment and Heritage (OEH)* has identified this site as representing a strategically important linkage opportunity and support the protection and rehabilitation of the riparian corridor area by an in perpetuity Conservation Agreement registered on land title.

A total of 26 submissions expressed concern that the properties had been purchased in the full knowledge of the planning restrictions and landowners therefore should not expect to have their properties rezoned. A further 25 submissions raised concerns that allowing these rezonings would set a precedent and encourage other rezoning and subdivision enquiries. The intent of the developing the Concept Plan in 2013 was to provide the community with certainty, identifying areas that could potentially accommodate additional limited residential development, along with the areas of environmental quality to be protected and rehabilitated. Planning Proposals are now being considered for the sites identified in the Concept Plan and evaluated in relation to consistency with that Plan.

Overall nine submissions expressed the view that, given Council is a financial beneficiary of increased rates with these subdivisions, can they be trusted to act on the behalf of the community. The Council made the decision to invest significant funds in 2013 to engage independent professional advice to develop the Farmborough Heights to Mt Kembla Concept Plan in order to provide certainty to the community as to development potential of the area and identify areas of ecological significance to be protected.

The table below summaries the key findings from the public exhibition:

Submission		Comment
Support exhibited draft Planning Proposal.	Office of Environment and Heritage (OEH)	<p>This support reflects acknowledgement that the riparian corridor represents a strategically important linkage opportunity. The OEH support the long term conservation and protection of the riparian corridor area through establishing the proposed environmental corridor under an E2 Environmental Conservation zoning, as envisaged by the Farmborough Heights to Mount Kembla Concept Plan (2013), and by an in perpetuity Conservation Agreement registered on land title and administered by the Biodiversity Conservation Trust (OEH).</p> <p>The OEH submission states the property is identified in the Illawarra Shoalhaven Regional Plan (2015) as occurring within a biodiversity corridor, with the proposal considered consistent with the ISRP provisions to look for opportunities to improve funding and resilience of corridors in strategic planning.</p>
No objection.	NSW Rural Fire Service (FRS) Roads and Maritime Services (RMS) Sydney Water Department of Primary Industries – Water	Noted.

Submission		Comment
<p>Concern about need to retain the green corridor at the entrance to the village and running behind the existing houses up to the fire trail.</p> <p>Question whether additional residential development could contribute to the rehabilitation of environmentally sensitive areas and result in an improved outcome at the site.</p>	<p>26 community submissions</p> <p>11 community submissions</p>	<p>The Farmborough Heights to Mt Kembla Concept Plan identifies Mt Kembla as having a high scenic and environmental quality that will need to be maintained and refers to Council's Development Control Plan which has specific controls to preserve the historic identity and character of Mt Kembla village, as well as maintain a green corridor around the eastern approach to provide separation from the neighbouring suburbs of Cordeaux Heights and Unanderra.</p> <p>The Vegetation Management Plan prepared for the site responds to the Concept Plan, and will provide the basis for a Conservation Agreement registered on title and administered by the Biodiversity Conservation Trust (OEH) to ensure in perpetuity funding of conservation works. The long term effects of the VMP management actions will be to strengthen the green physical and visual corridor between Cordeaux Heights and Mt Kembla, in line with the community's long standing vision to retain a unique historical identity.</p> <p>The OEH identified that the site represents a strategically important linkage opportunity. The OEH submission states the property is identified in the Illawarra Shoalhaven Regional Plan (2015) as occurring within a biodiversity corridor, with the proposal considered consistent with the ISRP provisions to look for opportunities to improve funding and resilience of corridors in strategic planning. An amount of \$100,878 has been identified in the VMP to provide on ground rehabilitation works to strengthen the green corridor.</p>
<p>Concern that the properties have been purchased in the full knowledge of the planning restrictions and landowners should not expect to have their properties rezoned.</p> <p>Allowing these rezonings will set precedent and encourage other rezoning and subdivision enquiries.</p>	<p>26 community submissions</p> <p>25 community submissions</p>	<p>The intent of developing the Concept Plan in 2013 was to provide the community with certainty, identifying areas that could potentially accommodate additional limited residential development, along with the areas of environmental quality to be protected and rehabilitated. Planning Proposals are now being considered for the sites identified in the Concept Plan and evaluated in relation to consistency with that Plan.</p> <p>The Concept Plan identified potential to rezone this site to permit additional large lot residential development, subject to demonstration that an improved environmental outcome could be achieved.</p>

Submission		Comment
Can Council be trusted to act on the behalf of the community; given Council is a financial beneficiary of increased rates with these subdivisions.	9 community submissions	Council made the decision to invest significant funds in 2013 to engage independent professional advice to develop the Farmborough Heights to Mt Kembla Concept Plan in order to provide certainty to the community as to development potential of the area and identify areas of ecological significance to be protected.

Internal Feedback

Comment on the draft Planning Proposal was received from four internal divisions of Council. Development Engineering indicated no objection from a stormwater and floodplain management perspective, noting that any future development of the land will be subject to the requirements of Wollongong DCP 2009 Chapters E13 and E14, Clause 7.3 of Wollongong LEP 2009 and the NSW Government's Floodplain Development manual 2009.

The Traffic team had no objection, noting that the land proposed for rezoning is located adjacent an existing residential area and the indicative development scheme provides connectivity with the existing road network and pedestrian infrastructure.

The geotechnical review indicated that the proposal demonstrates feasibility of the proposed development from a geotechnical perspective.

The Environment team attended a site visit to confirm environmental values on site and indicated that the actions outlined in the VMP would result in a moderate to high level Biodiversity outcome being achieved. The recommendation was that an appropriate conservation agreement should be registered, funding obtained and active management underway prior to the issuing of a subdivision DA to ensure an improved biodiversity outcome, as envisaged by the new Biodiversity Conservation Act 2016.

Wollongong Local Planning Panel Advice

The Wollongong Local Planning Panel considered the Planning Proposal on 31 October 2018 following a request from Ward 2 Councillors seeking the Panel's independent advice on consistency with the Farmborough Heights to Mt Kembla Concept Plan.

The Panel agreed that the site has both strategic and site specific merit and is consistent with the Farmborough Heights to Mt Kembla Concept Plan. The Panel noted the submissions received from residents and suggested:

- Council might consider removing the proposed E3 Environmental Management zone and making it E2 Environmental Conservation – this would not prevent the indicated subdivision and anticipated uses of the site but would better meet the community concern to maintain the site's rural character; and
- Council consider increasing the minimum lot size from 4,999m² to 5,999m² in the proposed E4 Environmental Living zone to ensure only three lots can be achieved, consistent with the Concept Plan (Attachment 1).

It is recommended that Council accept the advice of the Panel and amend the Draft Planning Proposal accordingly. The draft LEP maps have been updated accordingly (Attachment 4).

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2028 goal “*The natural environment is protected and enhanced*” under the Community Goal “*We value and protect our environment*”. It specifically delivers on the following:

Community Strategic Plan	Delivery Program 2018-2021	Operational Plan 2018-19
Strategy	3 Year Action	Operational Plan Actions
1.6.1 Our urban environment minimises impacts on habitat and biodiversity and areas of high conservation value are protected	1.6.1.1 Review planning controls for environmentally sensitive locations	Continue to assess Planning Proposals against environmental strategies, including the Illawarra Biodiversity Strategy and the Illawarra Escarpment Strategic Management Plan.

The endorsed Farmborough Heights to Mt Kembla Concept Plan is importantly consistent with and complements the Illawarra Escarpment Strategic Management Plan (IESMP 2015) and the Illawarra Escarpment Land Use Review Strategy (IELURS 2007). Succinctly, the IESMP and IELURS consider that limited development may be possible having regard to the environmental sensitivity of the receiving environment provided there are mechanisms in place to drive rehabilitation and restoration of the land and its surrounds. One of the principles of the IESMP is “recognition that the asset (the Escarpment) is in a degraded state and therefore continual improvement is required”. The Farmborough Heights to Mt Kembla Concept Plan is also consistent with the objectives and targets of regional strategies including the Illawarra Biodiversity Strategy (2011) and Illawarra Regional Strategy 2006-31 (2007), with a focus on priority vegetation and important habitat corridors.

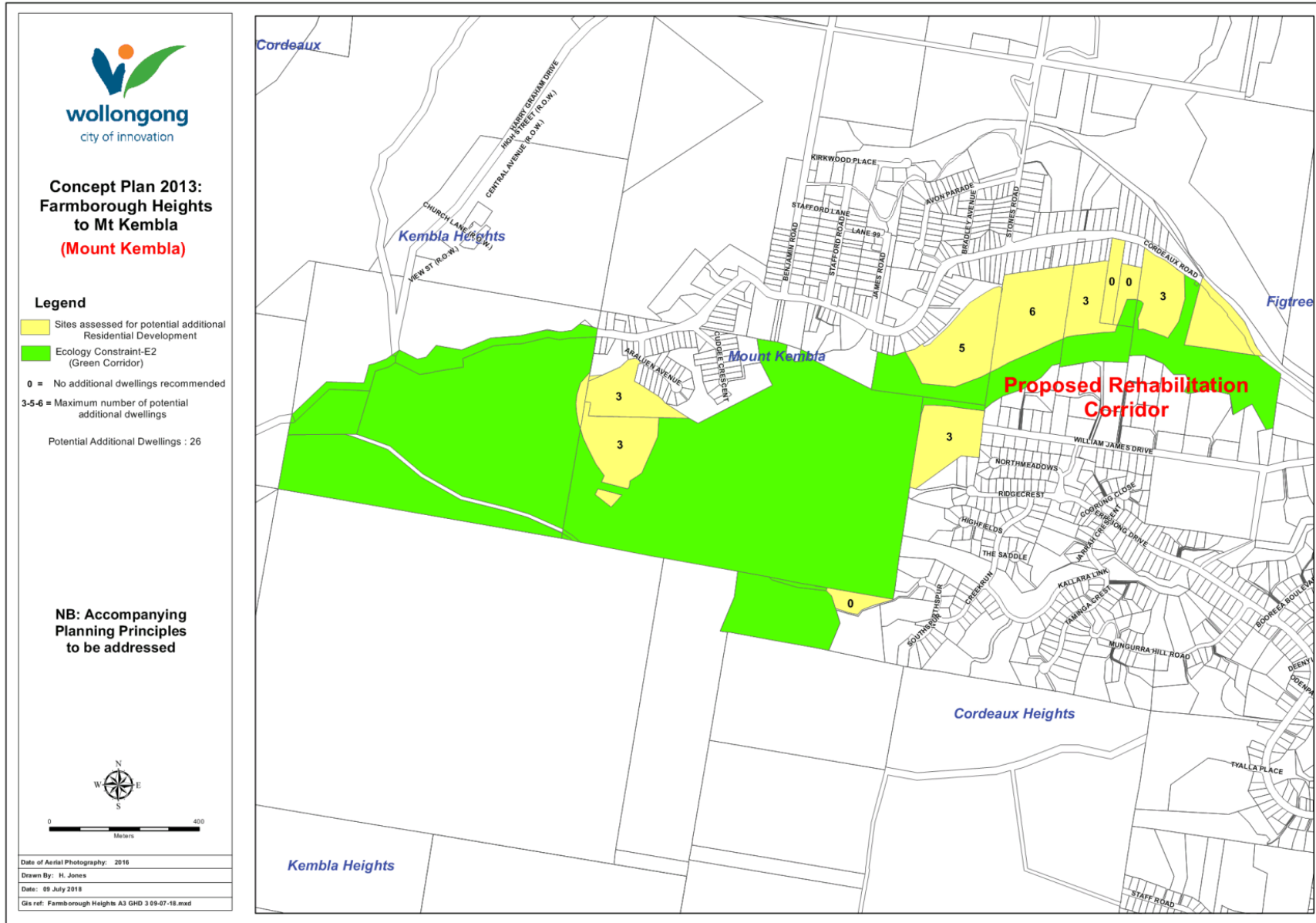
CONCLUSION

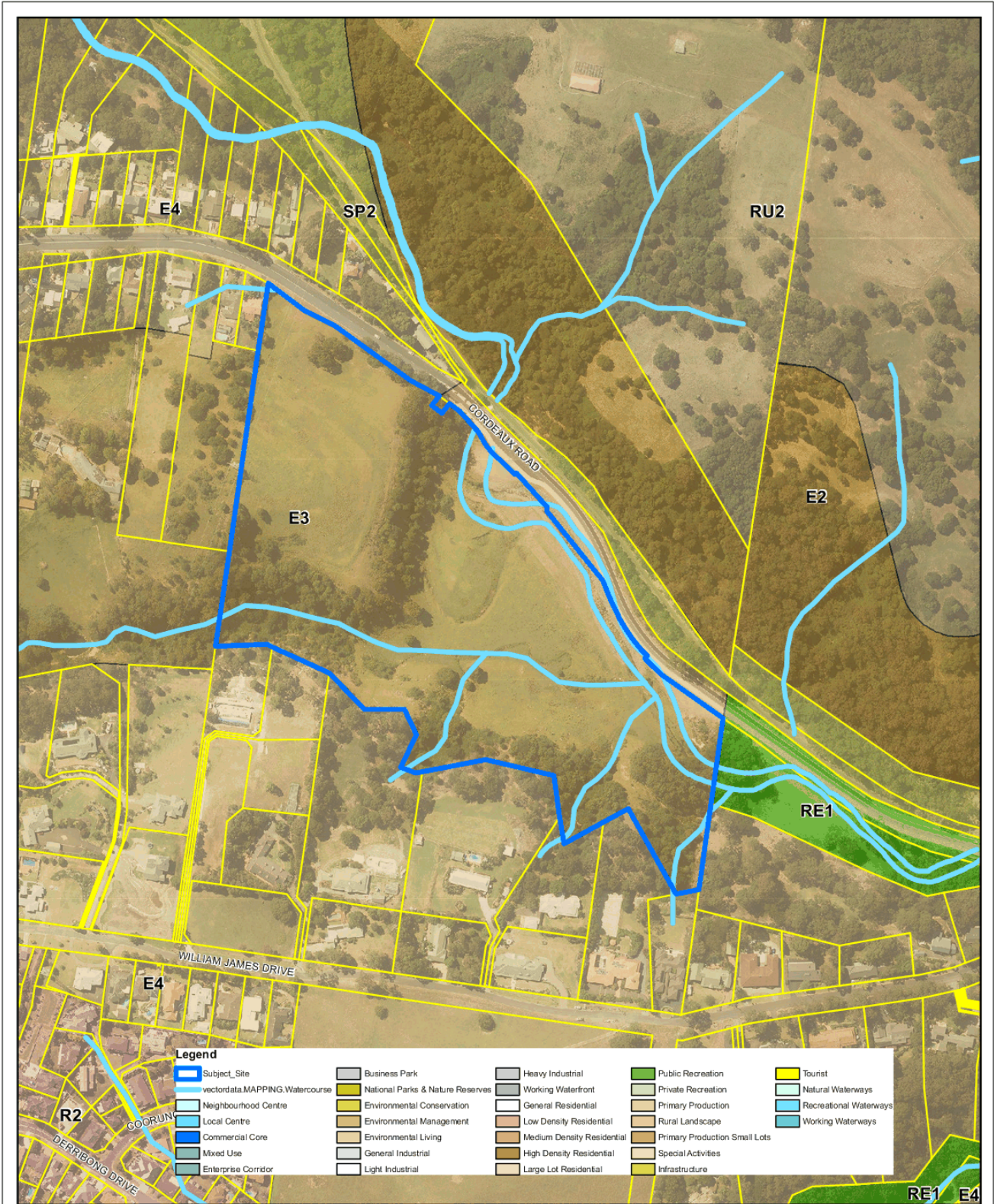
Council at its 27 February 2012 meeting resolved to commit \$171,527 to prepare the Farmborough Heights to Mt Kembla Concept Plan to guide future development in the precinct. The Department of Planning and Infrastructure endorsed the Concept Plan, stipulating that any development must be accompanied by an improved environmental outcome.

The Planning Proposal for Lot 100 DP 1207784 Cordeaux Road Mt Kembla is consistent with the recommendations contained in the Farmborough Heights to Mt Kembla Concept Plan. The Office of Environment and Heritage has acknowledged the potential for net conservation gains at this site and support a long term conservation outcome being achieved. The establishment of a Conservation Agreement, registered on land title and administered by the Biodiversity Conservation Trust (OEH) will provide the legal and financial mechanism to achieve active conservation on this site, as required by the Concept Plan.

The in perpetuity protection of ecologically constrained land with funding in association with low density limited residential development will provide a suitable development outcome for this site whilst significantly enhancing the biodiversity values of an important riparian and habitat corridor. Registration of the Conservation Agreement on land title with the Office of Environment and Heritage will be required prior to finalisation of the Planning Proposal, as evidence of the active conservation required by the Concept Plan. The management actions outlined in the VMP, including extensive revegetation works, will expand and strengthen the green physical and visual corridor between Cordeaux Heights and Mt Kembla, in line with the community’s long standing vision to retain the unique historical identity of Mt Kembla village.

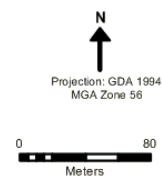
It is recommended that Council resolve to finalise the exhibited Planning Proposal for Lot 100 DP 1207784 Cordeaux Road, Mt Kembla.



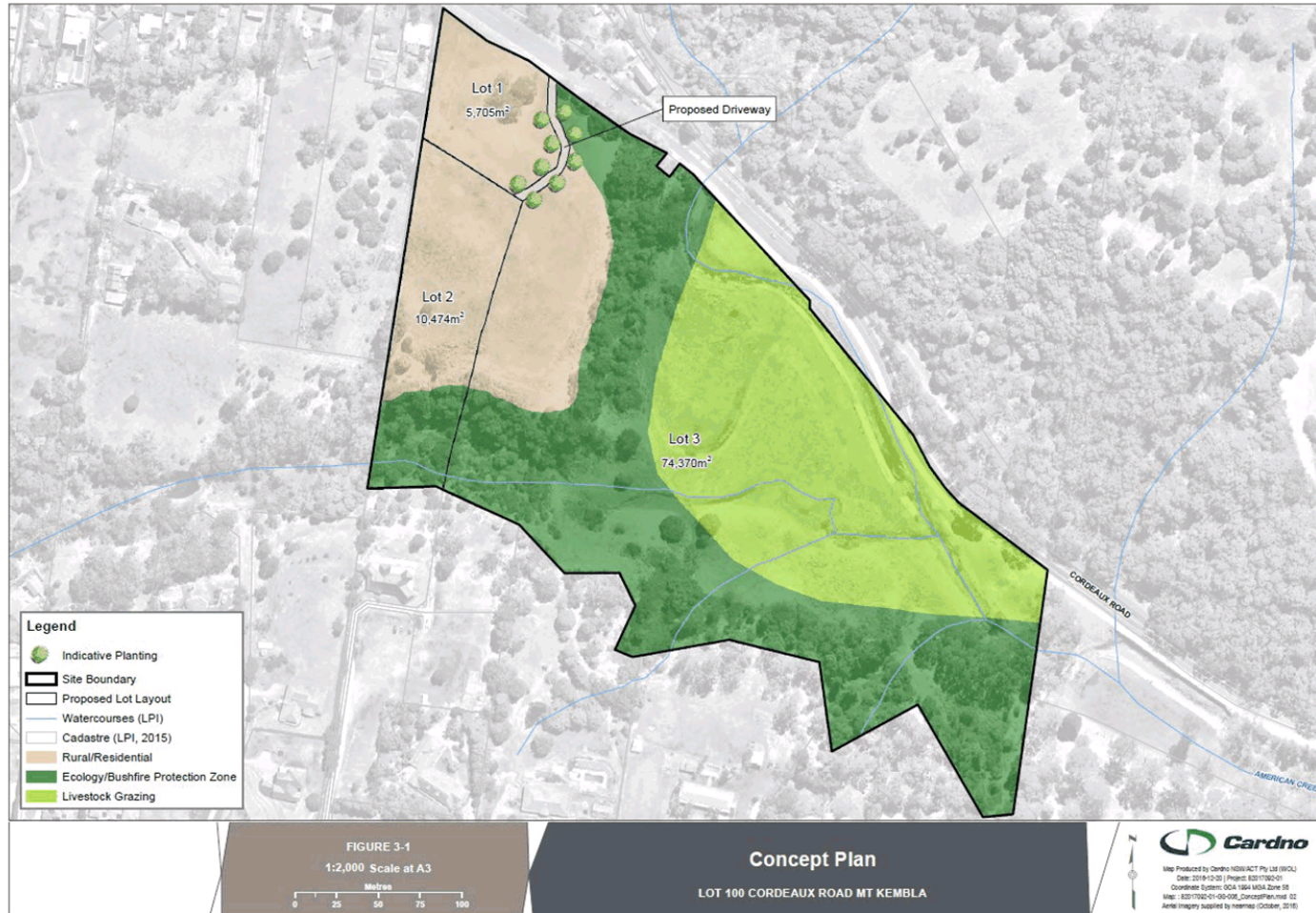


Planning Proposal
Lot 100 DP 1207784 Cordeaux Rd
Mt Kembla
Site Locality and Current Zoning

Subject_Site



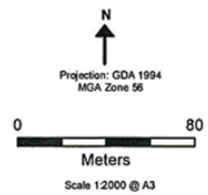
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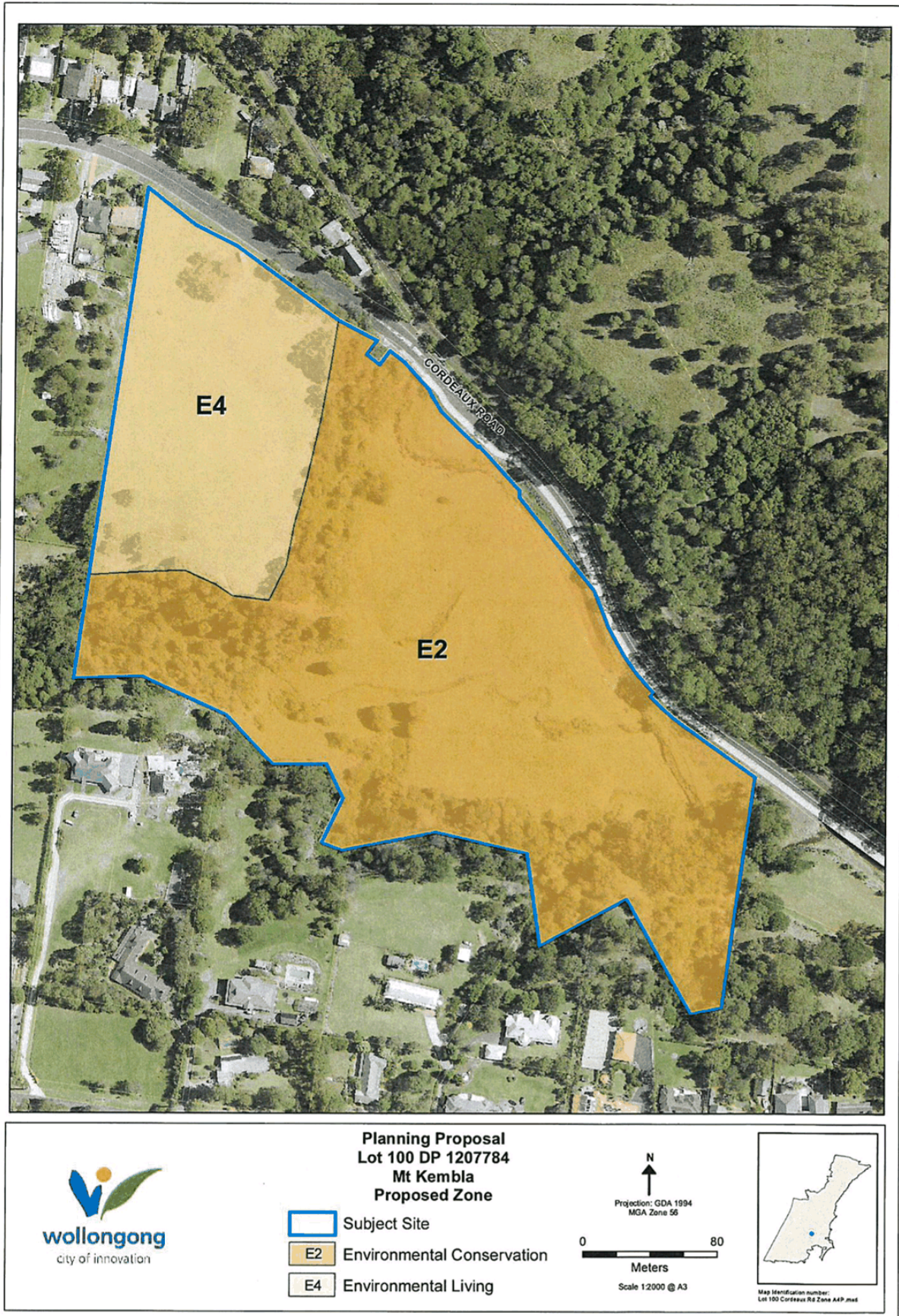


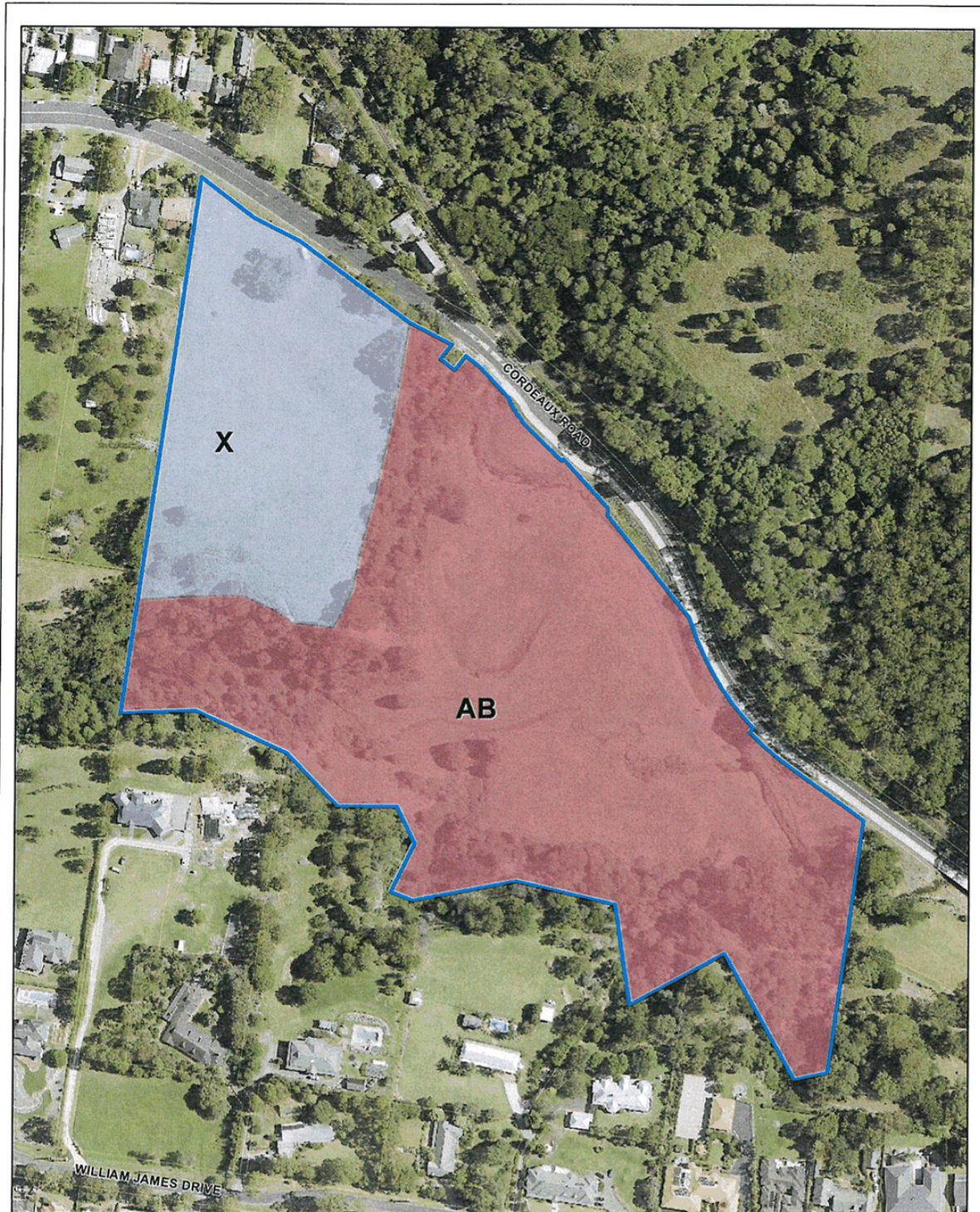
**Planning Proposal
Lot 100 DP 1207784
Mt Kembla
Proposed Floor Space Ratio**

-  Subject Site
-  0.3:1






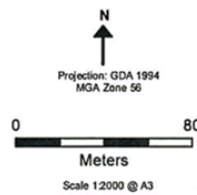
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Lot 100 Cordeaux Rd FSR A&P.mxd





Planning Proposal
Lot 100 DP 1207784
Mt Kembla
Proposed Minimum Lot Size

	Subject Site
	AB 39.99ha
	X 5999sqm



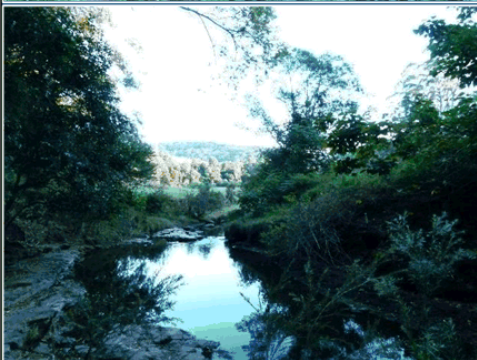
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Lot 100 Cordreau Rd Zone A&P.mxd



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Vegetation Management Plan



Lot 100 // DP 1207784

Cordeaux Road, Mount Kembla, NSW 2526

Proposed residential subdivision

Prepared for Cardno Pty Ltd

1 August 2017

**Vegetation Management Plan
Cordeaux Road, Cordeaux Heights**

PROJECT NUMBER	2016-084		
PROJECT NAME	Vegetation Management Plan		
PROJECT ADDRESS	Lot 100 // DP 1207784, Cordeaux Road, Mount Kembla, NSW, 2526		
PREPARED FOR	Cardno Pty Ltd		
AUTHOR/S	Thomas Hickman		
REVIEW	Bruce Mullins		
VERSION	Version	Draft/Final	Date to client
	1.0	Draft	01/08/17

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**Vegetation Management Plan
Cordeaux Road, Cordeaux Heights**

Glossary and abbreviations

Abbreviation	Description
*	Denotes exotic species
DA	Development Application
DCP	Development Control Plan
DPI	Department of Primary Industries
EPBC Act	Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i>
ha	Hectares
LGA	Local Government Area
MZ	Management Zone
NOW	NSW Office of Water (now DPI Water)
TSC Act	NSW <i>Threatened Species Conservation Act 1995</i>
VMP	Vegetation Management Plan
WLEP	Wollongong Local Environmental Plan 2009
WM Act	<i>NSW Water Management Act 2000</i>
WoNS	Weeds of National Significance

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**Vegetation Management Plan
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1. Introduction

1.1 Description of project and purpose of Vegetation Management Plan

The study area is Lot 100, DP 1207784, Cordeaux Road, NSW (**Figure 1.1**) on land that is currently zoned E3 – Environmental Management under the Wollongong Local Environmental Plan 2009 (WLEP). The objective of this VMP is to provide feasible management options for rehabilitating the riparian zones of the study area. At present, the cleared land in the north west of the study area is proposed to be sub-divided into three (3) residential Lots, with a majority of the conservation land to be contained within one of these lots. The vegetation management plan (VMP) is required to vegetate the riparian zone of all watercourses in the study area (referred to as the subject site, **Figure 1.1**). Several watercourses meander through the study area, including two 1st order streams, a 2nd order stream and American Creek, a 3rd order stream (**Figure 1.2**).

A review of aerial imagery from 1948/51, 1977, 2006, 2012 and 2014 illustrates that native vegetation has been removed from areas currently consisting of grassland/pasture for almost 70 years. The aerial imagery from 1948/51 shows the subject site to be mostly cleared, with a few patches of vegetation remaining in the west of the study area. Further clearing of native woody vegetation occurred between 1948/51 to 1977, with the exception of some scattered trees, which were retained. There is a general trend in the increase of vegetation cover since the early 2000's. The site assessment identified patches of Moist Box-Red-Gum Foothills Forest (MU13), 'Acacia scrub' and 'weeds and exotics' in the study area.

This VMP outlines management methods for the restoration and stabilisation of the riparian zones within the subject site in consideration of the recommendations outlined in Chapter E23 of the Wollongong Development Control Plan (DCP) 2009. Most of the land intended for management consists of cleared land, which has been grazed extensively. Cleared areas of the site consist predominantly of exotic pasture grasses, with occasional native groundlayer species, such as *Carex longebrachiata*. Some areas of the VMP subject site are partly vegetated, particularly in the east and west of the site. A stand of establishing *Eucalyptus saligna x botryoides* (Wollongong Woollybutt) is present in the south eastern corner of the site adjacent to American Creek. Woody weeds, including *Lantana camara** (Lantana), *Senna pendula* var. *glabrata** and *Solanum mauritianum** (Wild Tobacco) dominate the midstorey, particularly in the west of the study area.

Revegetation of the cleared areas of the site, primary removal of woody weeds and the facilitation of assisted regeneration will be implemented to achieve the VMPs primary objectives:

- reduce the abundance and cover of all exotic species, particularly woody weeds, which are preventing the establishment and further succession of native plant species
- create revegetated riparian zones to buffer the watercourse from the impacts of the surrounding land use (e.g. nutrient enriched runoff). This will contribute to the health of the watercourse in the subject site and the overall catchment
- revegetate the subject site with a combination of native midstorey, overstorey and grasses/groundcovers, with considerations made towards the sites flooding capacity

**Vegetation Management Plan
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- Impede cattle access to revegetated areas of the site, whilst allowing unimpeded access for grazing to occur in the remainder of the study area.
- increase the complexity of the habitat within the riparian zone for macroinvertebrates and terrestrial fauna, and
- improve the soil stability of the riparian zone through the revegetation of appropriate species.

Wollongong Local Government Area (LGA) require the submission of a VMP with any Development Application (DA) lodged for proposed developments within 40 m from the top of bank of any watercourse, lake or estuary in accordance with the Wollongong Development Control Plan (DCP) (2009). This report includes a proposal for staging of works to guide the weed management, revegetation and general restoration of the subject site by a qualified bush regeneration company. This VMP is intended to be implemented over a five year period, however, further maintenance may be required beyond the scope of this VMP (WCC 2017).

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Figure 1.1: VMP subject site and study area.

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Figure 1.2: Strahler stream order and associated riparian buffers.

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1.2 Site description

The suburb of Mount Kembla is situated on the midslopes of the Illawarra Escarpment. Mount Kembla is located approximately 4 km to the south west of the study area (**Figure 1.3**). An unnamed 2nd order watercourse runs in a north easterly direction through the centre of the study area. Two 1st order watercourses run in a north easterly direction and enter the 2nd order watercourse in the south of the study area. American Creek (a 3rd order stream) enters the site from the north of Cordeaux Road, flowing east, where it exits the subject site on the eastern boundary. American Creek joins with the unnamed 2nd order stream in the eastern section of the study area.

Most of the study area consists of cleared land 'pasture grassland' and 'weeds'. Native vegetation is present along the southern boundary of the study area in a low – moderate condition. A strip of regrowth vegetation runs from the north of the study area (opposite Cordeaux Heights train station) to within 50 m of the study areas southern boundary, then in a westerly direction. This strip of vegetation contains the most intact area of regrowth in the study area, with establishing canopy species, including *Eucalyptus tereticornis* (Red Gum) and *Eucalyptus quadrangulata* (White-topped Box). The midstorey is mostly dominated by woody weeds, including *Lantana camara** (Lantana) and *Solanum mauritianum**. Several areas of *Acacia* regrowth occur through the study area, which tend to lack a native midstorey and overstorey species.

The VMP subject site is restricted to the riparian buffers of all mapped watercourses in the study area (**Figure 1.2**). The riparian buffer widths are based on the Strahler System of ordering watercourses in accordance with the specifications outlined by the NSW DPI Water. The stream order and riparian corridor widths required by DPI (2012) for the watercourses in the study area include:

- 1st order stream – 10 m each side of the watercourse
- 2nd order stream – 20 m each side of the watercourse
- 3rd order stream – 30 m each side of the watercourse

The western portion of the 2nd order watercourse contains a high cover and abundance of *Lantana camara**, with occasional *Acacia* spp. regrowth and a low – moderate cover of native groundcover species. The eastern portion of the 2nd order watercourse is heavily cleared and grazed, thus contains few native midstorey or overstorey species. The two 1st order streams that join the 2nd order stream are sparsely vegetated with *Melaleuca styphelioides* (Prickly-leaved Tea Tree) and *Acacia* spp. regrowth. The south eastern portion of American Creek contains a reasonable assemblage of midstorey and overstorey species, including several regenerating *E. saligna* x *botryooides*. The groundlayer includes an assemblage of native grasses, forbs and sedges, including *Carex longebrachiata* and *Microlaena stipoides* var. *stipoides* (Weeping Grass). However, this patch also contains a high cover and abundance of herbaceous weeds, including *Ageratina adenophora** (Crofton Weed), *Gomphocarpus fruticosus** (Narrow-leaved Cotton Bush) and *Senecio madagascariensis** (Fireweed).

Restoration of the VMP subject site will require substantial intervention, including fencing, revegetation and ongoing maintenance works. Cleared areas of the site have minimal resilience, thus will require ongoing maintenance, particularly in the first 5 years, to ensure the successful establishment of planted native vegetation and reduction of herbaceous weeds and exotic grasses (see **Section 2.2.3**).

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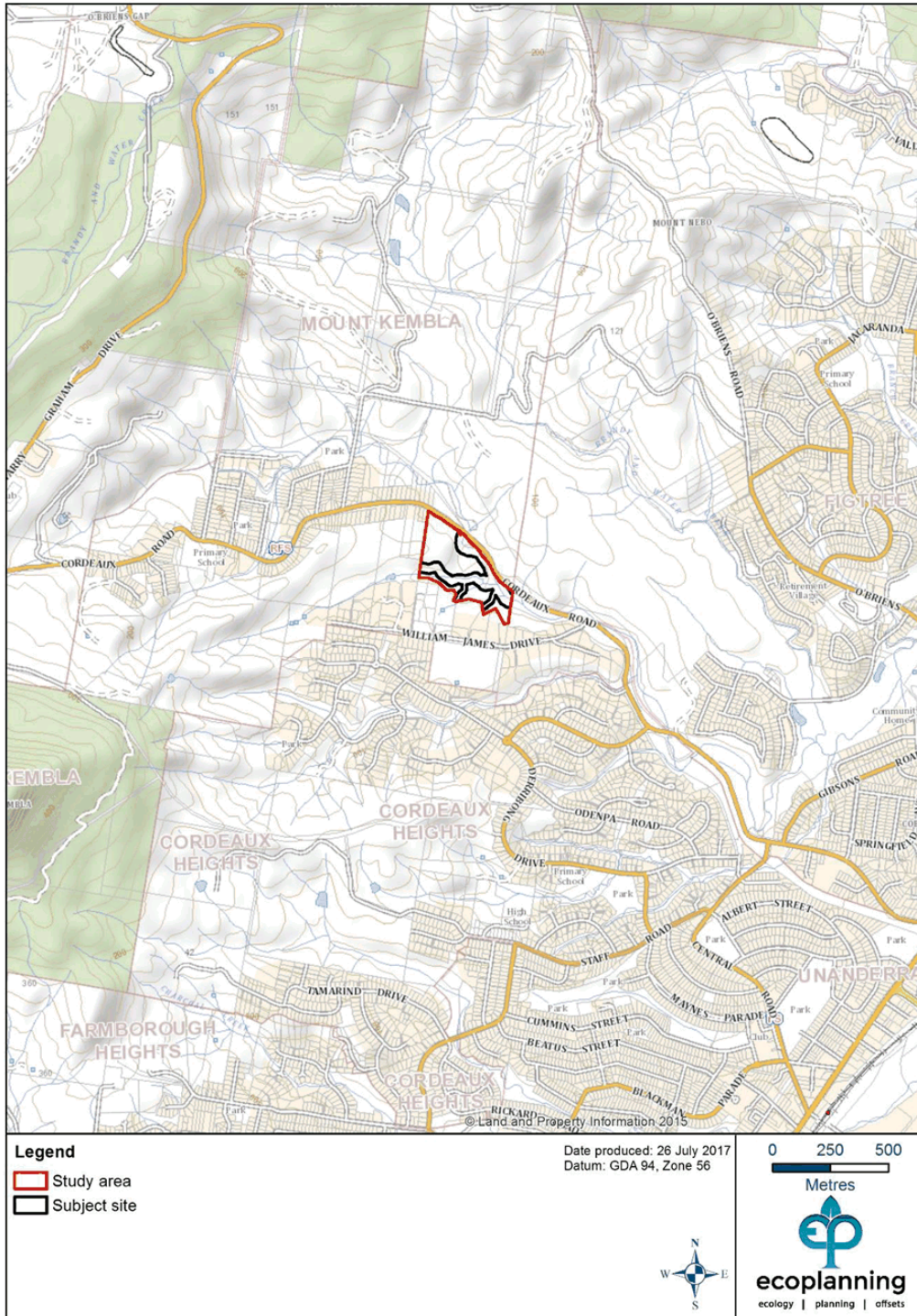


Figure 1.3: Locality of the study area and VMP subject site depicting surrounding suburbs and landscape features.

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Cordeaux Road, Cordeaux Heights**

2. Site assessment

2.1 Methods

An assessment of ecological constraints for the site by Ecoplanning (2017) was reviewed prior to field survey.

A field survey was undertaken on 26 May 2017 by Thomas Hickman (Ecologist, Ecoplanning). The study area and subject site were traversed by foot on either side of the unnamed creek. The weather conditions on the day were cool – warm with clear skies (**Table 2.1**).

Table 2.1. Daily weather observation at Albion Park (Wollongong Airport)– station 068241 (15km north-east of the development site)

Date	Temp (°C)		Rainfall (mm) ¹	Max wind	
	Min	Max		Direction	Speed (km/h)
26/05/17	5.7°C	20.8°C	0 ¹	SSE	24

The field assessment aimed to determine the overall resilience of the subject site, thus its capacity to respond to regeneration works. Appropriate management methods were considered, with the aim of identifying areas of the site requiring revegetation, as opposed to assisted natural regeneration. The site was surveyed to determine the problematic exotic species onsite, and aimed to identify all priority weeds and Weeds of National Significance (WoNS). During the survey, appropriate weed control techniques were considered, for the dominant exotic species onsite. All vegetation patches were assessed to determine their location and extent, and to confirm their structure and floristics.

2.2 Results

2.2.1 Plant communities

Ecoplanning (2017) confirmed the presence of Moist Box-Red Gum Foothills Forest (MU13), Acacia scrub and Weeds and Exotics on site (**Figure 2.1**).

2.2.2 Moist Box-Red Gum Foothills Forest (MU13)

As a result of extensive clearing, underscrubbing and grazing, only a few small patches of vegetation discernible as Moist Box-Red Gum Foothills Forest (MU13) had been mapped in the study area. Two distinct patches had been mapped in the south east of the study area, with additional patches in the north west of the study area, which were dispersed amongst Weeds (MU56c) and *Acacia* Scrub (MU56a). This community was the only mapped native vegetation community in the subject site, and occurred as moderately intact areas of vegetation in a stage of regrowth.

The dominant canopy species in the study area were *E. quadrangulata*, *E. saligna* x *botryoides* and *E. tereticornis*, of which few mature – over mature species were present. A mature *E. quadrangulata* located in the study area had developed multiple hollows and was one of the larger canopy species onsite. More intact areas of the site contained a native midstorey of species, including *Alphitonia excelsa* (Red Ash), *Elaeodendron australe* var. *australe*,

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Exocarpos cupressiformis (Cherry Ballart), *Melaleuca styphelioides*, *Myrsine variabilis*, *Pittosporum multiflorum* (Orange Thorn) and *Pittosporum undulatum* (Sweet Pittosporum). Native groundcovers and grasses were present, particularly where the native canopy and midstorey had established. These species included, *Carex longebrachiata*, *Microlaena stipoides* var. *stipoides* and *Pellaea falcata* (Sickle Fern).

Exotic species had become established across 70 – 80% of the areas mapped as Moist Box-Red Gum Foothills Forest (MU13). Woody and herbaceous weeds were the most abundant weeds, particularly the species *Ageratina adenophora**, *Ageratina riparia*, *Erythrina x sykesii** (Coral Tree), *Lantana camara**, *Senecio madagascariensis* (Fireweed), *Senna pendula* var. *glabrata** and *Solanum mauritianum**. *Lantana camara** was the most abundant weed issue on site and will require a substantial amount of primary and secondary work (**Figure 3.3** and **Figure 3.4**). Exotic vines species occurred through the mapped MU13, including *Araujia sericifera** (Moth Vine), *Delairea odorata** (Cape Ivy) and *Ipomoea indica** (Morning Glory).

2.2.3 Site resilience

Field assessment determined that a majority of the VMP subject site had a low capacity for natural regeneration to occur. The riparian buffers in the site were heavily degraded from past and current land use, including vegetation clearing and intensive grazing (**Figure 2.2**). These areas will require substantial intervention for restoration to be successful, including, revegetation, cattle proof fencing and ongoing maintenance works. The southern portions of the two 1st order streams contained a small amount of native vegetation including a patch of Moist Box Red-Gum Foothills Forest along the eastern 1st order watercourse. The 1st order watercourses were otherwise dominated by woody weeds and vegetation indicative of a disturbed landscape, such as *Acacia* spp. regrowth.

The south eastern portion of American Creek retained a somewhat intact assemblage of native midstorey and canopy species and was one of the more intact patches of vegetation in the subject site. An area of regenerating Moist Box Red-Gum Foothills Forest (MU13), included a stand of early mature *E. saligna x botryoides* on the southern slope of American Creek (**Figure 2.3**). A large *E. saligna x botryoides* was located along the southern bank, as well as several mesic midstorey species, such as *Alphitonia excelsa* (Red Ash). Several additional patches of vegetation mapped as Moist Box Red-Gum Foothills Forest occurred within the VMP subject site, such as in the north west of the study area.

The western portion of the unnamed 2nd order watercourse contained a reasonably intact area of vegetation, which was otherwise surrounded by woody weeds and *Acacia* regrowth. Revegetation of midstorey and canopy species will likely be necessary in this section of the subject site. Although, can occur at relatively low densities. Ample time should be allowed to determine the potential for areas of the site to regenerate naturally, prior to revegetation in more resilient areas of the site.

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Figure 2.1: Vegetation within the study area (Ecoplanning 2017).

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Figure 2.2: Pasture grassland looking toward the north west of the study area and the 2nd order watercourse.



Figure 2.3: Regenerating patch of Moist Box Foothills Forest (MU13) in the east of the study area.

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Flora species

A total of 74 flora species were identified within the study area, of which 35 are exotic and 39 are native species (**Appendix A**). Four weeds listed under the NSW *Biosecurity Act 2015* in accordance with the Wollongong LGA are known within the study area (**Table 2.2**). All four of these species are Weeds of National Significance WoNS.

Table 2.2. Priority weeds and Weeds of National Significance (WoNS).

Common name	Scientific name	WoNS	Duty
Blackberry	<i>Rubus fruticosus</i> species agg.	Y	Mandatory Measure <i>Must not be imported into the State or sold</i> All species in the <i>Rubus fruticosus</i> species aggregate have this requirement, except for the varieties Black Satin, Chealem, Chester Thornless, Loch Ness, Murrindindi, Silvan, Smooth Stem and Thornfree.
Ground Asparagus	<i>Asparagus aethiopicus</i>	Y	Mandatory Measure <i>Must not be imported into the State or sold</i>
Fireweed	<i>Senecio madagascariensis</i>	Y	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land
Lantana	<i>Lantana camara</i>	Y	

No threatened flora species listed under the *Threatened Species Conservation Act 1995* (TSC Act) or *Environment Protection Biodiversity Conservation Act 1999* (EPBC Act) were recorded in the study area or subject site.

**Vegetation Management Plan
Cordeaux Road, Cordeaux Heights**

3. VMP weed management and revegetation

Vegetation management works outlined below should be implemented for the subject site. Weed management should begin prior to subdivision of the study area. A suitably qualified and experienced bush regeneration contractor as per **Section 4.3** must be engaged to carry out vegetation management works.

3.1 Preliminary Works

Seed collection

Seed collection will be required to ensure indigenous species are available for revegetation works; species identified for revegetation are outlined in **Appendix B**. All plantings should be of local provenance, collected from adjacent patches of vegetation. However, nurseries that supply indigenous seedling stock, (not horticultural varieties), may also be used to supplement the plantings.

Seed collection zones can extend within a radius of 3 km for groundcover, shrubs and trees and up to 10 km for grasses. The collection site should reflect the natural conditions that exist for the area being regenerated.

Record keeping of seed collection and planting locations is to be as per the Flora Bank guidelines (Mortlock 2000), the bush regeneration contractor is responsible for recording this information. A Section 132C licence under the NSW *National Parks and Wildlife Act 1974* will be required to undertake seed collection works.

Fencing

Stock proof fencing should be installed around the perimeter of the VMP subject site. An indicative proof location for the fence is displayed in **Figure 3.1**. Given that the perimeter of the subject site bends and curves it may be necessary to include additional areas of pasture within the fenced areas of the site to create a straight fence line. These additional areas will not technically be part of the VMP subject site, thus will not require revegetation. However, occasional spot spraying could be conducted to prevent the spread of grasses and herbaceous weeds into the subject site. A costing has been provided for the installation of stock proof fencing for the perimeter of the VMP subject site (approximately 1500 m) (see **Table 3.2**).

Signage

Signage in accordance with WCC standardised signs for conservation areas will be installed at select locations along the perimeter of the subject site.

3.2 Weed Management Techniques

Weed management will be carried out using primary and secondary weed control followed by ongoing maintenance. Weed control will include mechanical removal techniques, herbicide application and natural shading techniques. Disturbance of the soil during the weed management process should be minimised at all times (see Buchanan 2000, Bradley 2002). Weed control objectives and treatment techniques are outlined below (**Appendix C**) in accordance with weed type.

**Vegetation Management Plan
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Primary Weed Control

Primary weed control is the initial removal of weed species. Mechanical removal techniques relevant to the weed being removed (Buchanan 2000; Bradley 2002; DPI 2015) should be used for all woody weeds and herbaceous plants. Herbicide application, such as backpack spraying should be avoided where off target loss of native species is likely to occur.

Secondary Weed Control

Secondary weed control involves follow-up weed control to remove seedlings that have emerged after primary control and treatment of any existing plants that reshoot. Any new weed infestation areas identified must also be treated.

Maintenance

Maintenance is the long-term management of a site to prevent weeds from becoming re-established after primary and secondary work. Substantial effort should be focussed on reducing the weed seed bank, eradicating problematic weeds and supporting the growth of native vegetation. Areas of high resilience should be the focus of intensive maintenance works, which will include fine hand weeding. A structured maintenance regime following primary and secondary work will reduce the time taken for the site to reach a reasonable level of stability.

Weed Disposal

All seeding herbaceous/grass material and tubers should be bagged, removed from site and disposed of at an appropriate green waste facility. Woody weeds, such as *Lantana. camara**, *Solanum mauritianum** and *Senna pendula var. glabrata** should be removed offsite, given the relatively small size of the site, its potential to flood and the large volume of *L. camara** in some areas of the site. Small piles of woody weeds may be stored onsite for fauna habitat, however should not be located within the flooding extent of the watercourses.

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Figure 3.1: Indicative location for the installation of stock proof fencing.

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3.3 Vegetation Management Zones

The VMP subject site has been categorised into three management zones, based on the different management actions required to restore the vegetation onsite (**Figure 3.7** and **Appendix C**).

3.3.1 Management Zone 1 – Reconstruction through revegetation

This zone encompasses the cleared areas of the VMP subject site, which constitutes 2.17 ha or approximately 62.36% of the site (**Figure 3.2**). No established canopy or midstorey species are located within the zone, which consists predominantly of exotic grasses and herbaceous weeds. Therefore, the management of this zone will be achieved by revegetation, which aim of reconstructing the native vegetation community Moist Box-Red Gum Foothills Forest (MU13). This zone should be revegetated with a combination of native midstorey and overstorey species based on the planting densities outlined in **Section 3.4**. Preparation prior to planting will include the establishment of 50cm diameter weed free zones, where native tubestock will be installed. This will be achieved through the use of herbicides, such as Roundup Biactive® at a solution suitable for the target species, which may include rates of up to 2% Roundup Biactive® if treating species that are difficult to eradicate, such as *Cynodon dactylon** (Couch). The establishment of native canopy and midstorey vegetation will be ensured through regular spot spraying and hand weeding in proximity of the plantings.

The spread of native groundlayer species, such as *Carex longebrachiata* will be facilitated through the MZ, with all extant individuals to be hand weeded and carefully spot sprayed around. All herbaceous weeds through the zone, including *Senecio madagascariensis**, *Cirsium vulgare** (Spear Thistle), *Gomphocarpus fruticosus** and *Ageratina adenophora** will be regularly managed using a combination of spot spraying and hand weeding around native species. The use of a broadleaf herbicide (i.e. Starane Advanced) will suppress herbaceous weed growth, whilst retaining exotic grass cover, where it is providing stability for the bank and floodplain, particularly along the 2nd and 3rd order watercourses. Exotic grasses should gradually be suppressed as the native midstorey and canopy become established and native groundlayer species are consolidated.

3.3.2 Management Zone 2 – Assisted natural regeneration and revegetation

This management zone includes areas of the subject site consisting of ‘weeds’ and ‘Acacia scrub’ and is mostly confined to the western portion of the 2nd order watercourse and the southern portions of the 1st order watercourses (**Figure 3.3** and **Figure 3.4**). The management zone has a dense midstorey of woody and herbaceous weeds, including *Lantana camara**, *Solanum mauritianum** and *Ageratina adenophora** with sections containing regrowth of *Acacia* spp., such as *Acacia maidenii* (Maiden’s Wattle). Management of this zone will initially require the primary removal of all woody weeds. Treatment of woody weeds, such as *Lantana camara** will be achieved by cutting and painting the stems at ground level with neat Roundup Biactive®. Smaller individuals should be hand removed, only if minimal soil disturbance will occur. These works should occur concurrently with planting preparation and revegetation in MZ1.

The recruitment and establishment of native species will be facilitated through the zone for one – two years following primary and secondary works. This will allow sufficient time to determine the resilience of the zone, prior to installing additional plants to increase the cover, abundance and richness of native flora species. Site inspection determined that this zone has a low – moderate potential for natural regeneration, given that the zone contains a heavy cover of *Lantana camara**. However, native midstorey species are located sporadically through the zone, which is also proximal and downslope of establishing *E. quadrangulata* and *E. tereticornis*,

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which may disperse their seed into the MZ. Native groundlayer species, such as *Pellaea falcata*, *Geranium homeanum* and *Oplismenus imbecillis* (Creeping Beard Grass) are located through the zone. These species will respond well to the removal of woody weeds, although it is uncertain to what extent. As such, the installation of native canopy, shrub and groundcover will be necessary, and has been scheduled for mid-way through year two.

Spraying should generally be avoided through the MZ, given that there are native species in the groundlayer that would be adversely impacted. However, it may be necessary to implement a spray regime in the degraded areas of the MZ where native species are absent. This will likely be of most relevance following the removal of woody weeds, which is likely to promote the growth of annual herbaceous weeds and exotic grasses. Herbaceous weeds should be treated prior to seeding, which will assist in reducing the weed seed bank. The use of spraying will be gradually reduced, with hand weeding becoming the dominant treatment method as the abundance and cover of exotic species is reduced.

Exotic vines and scramblers, including *Delairea odorata** (Cape Ivy) and *Araujia sericifera** (Moth Vine) occur sporadically through the MZ. These species should be targeted intensively during primary and secondary weed treatments. *Araujia sericifera** will be treated using a combination of scrape and painting with neat Roundup Biactive®, whereas *Delairea odorata** should be hand removed and carefully spot sprayed with a 1% Roundup Biactive® solution, where possible without resulting in off target damage to native species.

3.3.3 Management Zone 3 – Assisted natural regeneration

This management zone includes sections of the site mapped as Moist Box-Red Gum Foothills Forest (MU13). Several patches of this community occur within the VMP subject site, however, the largest patches are where American Creek enters the sites northern boundary, and where it exits on its south eastern perimeter (**Figure 3.5**). Patches of the MZ are also mapped in the southern portions of the 1st order watercourse and in the west of the study area. Management of this zone will consist of primary, secondary and maintenance works, however unlike MZ1 and 2, it will not require revegetation, as restoration can mostly be achieved utilising the zones capacity to naturally regenerate.

Primary and secondary work will consist of the removal of woody weeds and herbaceous weeds, including *Lantana camara** and *Ageratina adenophora**, which are well established through the MZ. The portion of the MZ in the south east the subject site consists of a moderately intact area of vegetation with establishing *E. saligna* x *botryoides* (**Figure 3.6**). The groundlayer in this area is quite diverse, although may possibly benefit from the installation of native midstorey species in the future. This MZ contains the most resilient patches of native vegetation in the subject site. As such, restoration works in the earlier part of the management should focus on stabilising this area. This will assist in creating weed free areas of the VMP subject site, where future restoration efforts can be expanded out from.

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Figure 3.2: Looking in a north westerly direction towards the 2nd order watercourse in MZ1.



Figure 3.3: A 1st order watercourse in MZ2, consisting of *Acacia* scrub dominated by *Lantana camara** and *Ageratina adenophora**.

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Figure 3.4: Taken in the west of MZ2 along the 2nd order watercourse, depicting a *Lantana camara** dominated midstorey.



Figure 3.5: Looking in a westerly direction up American Creek in MZ3.

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Figure 3.6: Looking in a northerly direction above MZ3 with American Creek located below the regenerating MU13.

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Figure 3.7: Management zones within the VMP subject site.

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3.4 Revegetation

Revegetation of MZ1 and MZ2 will be necessary to achieve a reasonable restoration outcome. The densities and timing of revegetation will depend on the level of degradation in each of the MZs, thus its capacity to respond to assisted natural regeneration. Infill planting will be conducted in MZs with a reasonable potential to regenerate naturally (i.e. MZ2), whereas denser planting will be necessary in the heavily cleared areas of the site (i.e. MZ1).

3.4.1 Staging and logic

Management zone 1

This MZ consists of cleared land with a long disturbance history, thus reconstruction of the vegetation will be necessary. This will be achieved by installing midstorey and canopy species mid-way through the first year of the contract. Areas of 50 cm diameter will be sprayed throughout the MZ to reflect the advised planting densities for midstorey and canopy species (see **Section 3.4.2**). The removal of all exotic pasture grasses should be avoided until the planted midstorey and canopy species are sufficiently established. The installation of groundlayer species has not been considered for this zone, as the main aim of the VMP in this MZ is to improve the structural connectivity in the canopy and midstorey strata. Supplementary revegetation should be conducted if more than 10% attenuation occurs and will be conducted mid-way through year 3.

Management zone 2

Native canopy and midstorey species will be installed into the MZ following the completion of primary works, whilst allowing ample time to determine whether natural recruitment is likely. All primary work on woody weeds, including *Lantana camara** will have been removed prior to revegetation. As such, revegetation will be conducted mid-way through year two, approximately 6 months – one year after the completion of primary woody weed removal. This will allow enough time to determine where revegetation will need to occur at lower or higher densities, given the recruitment of native midstorey and canopy species. Supplementary revegetation should be conducted if more than 10% attenuation occurs and will be conducted mid-way through year three.

Management zone 3

This zone requires minimal revegetation, as it contains an established, or establishing *Eucalyptus* spp. overstorey, as well as a reasonably intact native groundlayer. It is possible following restoration works that the native midstorey develops in this vegetation zone, which currently contains a less species rich midstorey than typical of Moist Box-Red. Planting densities are advised below for midstorey species should this zone require supplementary planting. In the case that is not necessary these plants could be utilised in other areas of the subject site, particularly where natural attenuation has occurred. Revegetation of this zone is a low priority, and should be scheduled for mid-way through the 3rd year of the contract. Given that native midstorey species will likely self-recruit following restoration work, infill planting to account for a %10 natural attenuation rate was not seen as necessary.

3.4.2 Planting densities and species

Plantings will be installed at a density resembling the vegetation community Moist Box-Red Gum Foothills Forest (MU13) in an 'unmodified' condition. The native species used for revegetation should be consistent with the planting palette provided (**Appendix B**), with the aim of reconstructing the floristics of the site to be representative of Moist Box-Red Gum Foothills

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Forest (MU13) (see NSW NPWS 2002 for list of representative species). Planting densities have been determined for each MZ based on site condition and flooding capacity of the study area, and guided by the Wollongong LGA DCP (Chapter E23), as follows:

Management Zone 1:

- 1 shrub species per 5 m²
- 1 canopy per 20 m²

Management Zone 2:

- 1 shrub species per 5 m²
- 1 canopy per 10 m²
- 1 groundcover (grass, fern, forb or sedge) at a density of 1 per 5 m²

Management Zone 3:

- 1 shrub species per 5 m²

Table 3.1. Planting density table for revegetation works.

Zone	Area (ha)	No. of plants			Zone total
		G	S	C	
1	2.17 ha	-	4,340	2,170	6,510
2	0.7 ha	700	1,400	1,400	3,500
3	0.61 ha	-	1,220	-	1,220

G = groundcover, S = shrubs and C= canopy.

3.4.3 Equipment, installation and timing

Plantings should be planned for late winter leading up to spring when regular rainfall is naturally occurring and growth conditions are ideal. Planting of tube-stock (tree and shrub species) and Hiko or Viro cells (grasses and other groundcover species) will be favoured over broad scale seed application, such as direct seeding or brush matting.

A water retaining and fertilising product (e.g. Terraform™) should be applied to each hole, to assist in the establishment of the plants. Each plant should be sufficiently watered on the same day as installation and regular watering should continue *in lieu* of rainfall for a period of 6 weeks, or until plantings have taken. The bush regenerator should oversee and assist with watering.

3.5 Concurrent Works

Vegetation management works will be carried out concurrently with civil construction works, therefore, planning between the bush regeneration contractor and civil works supervisor must be undertaken.

The civil works team will install environmental management controls across the site including exclusion zone fencing and erosion and sediment control. It is the responsibility of the bush regeneration contractor not to damage these controls and if any damage is observed or inadvertently caused it must be notified to the civil works supervisor immediately.

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3.6 Maintenance

The maintenance phase must continue for 4 years, following 1 year of primary and secondary works. Regular inspections of site condition will be conducted, including general site monitoring for potential new infestation areas and subsequent weed control of any identified weed species. Inspections and site monitoring must occur every 3 months during winter and autumn and every 1-month during summer and spring. This schedule could be revised depending on performance criteria recorded.

Weed maintenance works will include:

- Removal of all exotic species prior to establishment and seeding
- Spot spraying of exotic grasses and herbaceous weed through MZ1
- Maintaining woody weeds and exotic vines at low levels

Re-vegetation maintenance works will include:

- Replacement of poorly growing or diseased individuals consistent with the prescribed planting
- Management of insect damage, if necessary
- Watering during dry periods
- Augmenting past planting areas where attenuation has occurred

Additional maintenance tasks will include:

- Repairs to the cattle proof fencing along the sites perimeter.

3.7 Cost of implementation

The costing for the VMP has been calculated over a five-year period and is estimated at a total of \$100,878 (**Table 3.2**), including the cost of monthly and annual reporting. This figure reflects a first year cost of \$32,375, second year costs of \$21,400, third year costs of \$16,903, fourth year costs of \$9,600 and fifth year costs of \$9,600. Monthly and annual reporting costs over the five year period add up to a total of \$11,000. The costs have been calculated based on the employment of trained bush regenerators at a rate of \$400 pp/day (\$50 pp/hr for an 8 hour working day), which covers crew and supervisor wages, equipment, herbicides, and all other associated business costs.

The costing indicates how many crew members are required to attend monthly visits over the three year contract, based on the size of the site, extent of weed infestation and expected timeframes for the completion of primary, secondary works and initiation of maintenance works. The costs are indicative of commercial bush regeneration charge out rates, and some variation is expected depending on the bush regeneration company used and their associated charge out rates.

Plantings

Additional plantings may be required to augment previous plantings if some are lost to natural attenuation. The cost of revegetation was based on \$2.50 per plant, including purchasing and installation costs. Supplementary plantings have been calculated based on a 10% attenuation rate from original installation numbers.

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Table 3.2: Cost of VMP implementation over the three year contract period.

Timing	Task	Cost
Year 1	<u>Primary and secondary weed control</u> based on the cost of employing a team of 3 bush regenerators at \$400 (\$50 per hour for 8 hours) pp/day to attend site monthly.	\$14,400
Initiation of contract	Installation of stock proof fencing based on an installation cost of \$10 per lineal meter. A total of 1,700 lineal metres of fencing is required to fence the perimeter of the site, as displayed in Figure 3.1 . Note: The proposed fence line is indicative and can be slightly altered, so long as it is functional and prevents cattle from entering the riparian buffers.	\$17,000
Mid-way through year 1.	Revegetation of MZ1 with a total of 6,510 midstorey and canopy plants (see Table 3.1) at \$2.50 per plant.	\$16,275
	Year 1 total	\$32,375
Year 2	<u>Maintenance weed control</u> throughout based on the cost of employing a team of 3 bush regenerators at \$400 (\$50 per hour for 8 hours) pp/day monthly.	\$14,400
Mid-way through year 2	Revegetation of M2 with a total of 3,500 plants (see Table 3.1) at \$2.50 per plant.	\$7,000
	Year 2 total	\$21,400
Year 3	<u>Maintenance weed control</u> based on the cost of employing a team of 3 bush regenerators at \$400 pp/day on a monthly basis.	\$14,400
Mid-way through year 3	Revegetation of MZ1 based on a ~10% attenuation of the initial plantings (~651 plants) at \$2.50 per plant.	\$1,628
Mid-way through year 3	Revegetation of MZ2 based on a ~10% attenuation of the initial plantings (~350 plants) at \$2.50 per plant.	\$875
	Year 3 total	\$16,903
Year 4	<u>Maintenance weed control</u> based on the cost of employing a team of 2 bush regenerators at \$400 pp/day on a monthly basis.	\$9,600
	Year 4 total	\$9,600
Year 5	<u>Maintenance weed control</u> based on the cost of employing a team of 2 bush regenerators at \$400 pp/day on a monthly basis.	\$9,600
	Year 5 total	\$9,600
Monthly	Cost of monthly reporting over the 5 year contract period. Report should consist of a one - two page report detailing the works conducting onsite (\$100 per month).	\$6,000
Annually	Annual report detailing all works conducted onsite, weed treatment methods, planting success and failures etc. (\$1,000 annually)	\$5,000
	Reporting costs total	\$11,000
	Grand Total	\$100,878

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4. Performance criteria and Monitoring

4.1 Performance criteria

The progress and compliance with the VMP will be monitored and reviewed annually. This process will involve the bush regeneration contractor and land manager. The performance criteria listed in **Table 4.1** below are considered to be best practice and are not linked with any specific legislation. The bush regeneration contractor, in consultation with Wollongong City Council can adapt these criteria as required in response to the success of restoration works. Based on the success of the management works, further performance criteria may need to be developed for the maintenance phase.

Table 4.1. Revegetation performance monitoring criteria.

Treatment Zones	Year 1	Year 2	Year 3	Year 4	Year 5
All Zones	Commencement of all tasks outlined in the VMP or evidence of planning for their implementation.				
	A demonstrated increase in native cover and diversity and a demonstrated decrease in exotic species cover and diversity by the end of the 3 rd year.				
	A minimum of 90% survival rate of all revegetation.				
	A visible improvement of soil stability along the riparian zone.				
	An 80% reduction in exotic vine cover.	An 80-95% reduction in exotic vine cover.	Exotic vines maintained at <5% cover.	Exotic vines maintained at <5% cover.	No exotic vines >5 cm in length with low abundance and cover (<5%) throughout the site.
	A 50% reduction in herbaceous weeds and exotic grass cover.	A 50-70% reduction in herbaceous weeds and exotic grass cover.	A 70-90% reduction in herbaceous weeds and exotic grass cover.	Herbaceous weeds and exotic grasses maintained at <5% cover.	Herbaceous weeds and exotic grasses maintained at <5% cover.
An 80% reduction in woody weed cover.	Woody weeds retained at low levels (<5% cover).	Woody weeds retained at low levels (<5% cover).	Woody weeds retained at low levels (<5% cover).	No woody weeds >10 cm in height remaining, with low cover (<5%) and abundance throughout the site.	

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4.2 Monitoring reports

The bush regeneration contractor and the land manager will monitor the vegetation for changes over time. The objective of the monitoring and reporting program is to record changes to the vegetation as a result of vegetation management works. Monitoring works will require liaison with the land manager, the bush regeneration contractor and Wollongong Council.

Monthly monitoring and reporting must be documented and compiled into an annual report to determine the effectiveness of the works undertaken. Site conditions should be recorded on the work plan template at the beginning and end of on-ground works. This data should be included in the annual report. Monitoring photo points should be established at 3 permanent reference points.

An example report is detailed in **Table 4.2**, the report should include:

- Works carried out, including weed species targeted and their location;
- An approximation of the time spent on each task;
- Any observations, such as the occurrence of new weed species;
- Rates of regeneration of native species;
- A description of any problems encountered and how they were overcome;
- A summary of how the site-specific objectives have been met (or not);
- Herbicide and other chemicals used, including quantity, dilution rate and other relevant information;
- Weed control mechanisms used during the period;
- Climatic conditions which may have influenced weed germination and growth;
- Performance criteria and success; and
- If required, maps of weed distribution and density.

4.3 Bush regeneration contractors

Suitably qualified and experienced bush regeneration contractors that are members of the Australian Association of Bush Regenerators or fulfil the membership criteria must undertake all vegetation management works. In addition to this, team leaders should hold a Certificate III in Conservation & Land Management or possess equivalent field experience and certification. The contractor should carry out best practice bush regeneration techniques as described by Buchanan (2009).

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Table 4.2. Example monitoring report template.

Date			
Name of Contractor:			
Hours worked on site since last monitoring report:			
Site Condition:	Zone		
	Weed cover %		
	Seedling survival %		
	Planting numbers		
	Herbicide used (in Litres)		
	Other		
Describe relevant weed management techniques:			
Describe problems; e.g. weed invasions, damage to planted material, etc.:			
Photographic evidence:			
Planned work before next monitoring report:			

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Appendix A: Flora inventory

Table A1 – Flora species recorded during site visit

Family Name	Scientific Name	Common Name	Native/Exotic
Apiaceae	<i>Centella asiatica</i>	Indian Pennywort	Native
Apocynaceae	<i>Araujia sericifera</i>	Moth Vine	Exotic
Apocynaceae	<i>Gomphocarpus fruticosus</i>	Narrow-leaved Cotton Bush	Exotic
Asparagaceae	<i>Asparagus aethiopicus</i>	Asparagus Fern	Exotic
Asteraceae	<i>Ageratina adenophora</i>	Crofton Weed	Exotic
Asteraceae	<i>Bidens pilosa</i>	Cobbler's Peg	Exotic
Asteraceae	<i>Cirsium vulgare</i>	Spear Thistle	Exotic
Asteraceae	<i>Conyza</i> sp.	Fleabane	Exotic
Asteraceae	<i>Hypochaeris radicata</i>	Catsear	Exotic
Asteraceae	<i>Senecio madagascariensis</i>	Fireweed	Exotic
Asteraceae	<i>Sigesbeckia orientalis</i>		Native
Bignoniaceae	<i>Jacaranda mimosifolia</i>	Jacaranda	Exotic
Bignoniaceae	<i>Pandorea pandorana</i>	Wonga Wonga Vine	Native
Blechnaceae	<i>Doodia aspera</i>		Native
Caesalpiniaceae	<i>Senna pendula</i> var. <i>glabrata</i>	Cassia	Exotic
Celastraceae	<i>Elaeodendron australe</i> var. <i>australe</i>		Native
Convolvulaceae	<i>Dichondra repens</i>	Kidney Weed	Native
Convolvulaceae	<i>Ipomea indica</i>	Morning Glory	Exotic
Cyperaceae	<i>Carex longebrachiata</i>		Native
Dennstaedtiaceae	<i>Pteridium esculentum</i>	Bracken	Native
Dilleniaceae	<i>Hibbertia scandens</i>	Climbing Guinea Flower	Native
Fabaceae	<i>Acacia binervia</i>	Coastal Myall	Native
Fabaceae	<i>Acacia maidenii</i>	Maiden's Wattle	Native
Fabaceae	<i>Acacia mearnsii</i>	Black Wattle	Native
Fabaceae	<i>Erythrina x sykesii</i>	Coral Tree	Exotic
Fabaceae	<i>Glycine clandestina</i>		Native
Fabaceae	<i>Vicia</i> sp.	Vetch	Exotic
Gentianaceae	<i>Centaurium</i> sp.		Exotic
Geraniaceae	<i>Geranium</i> sp.		Native
Iridaceae	<i>Romulea rosea</i>	Onion Grass	Exotic
Juncaceae	<i>Juncus</i> sp.		Native
Lauraceae	<i>Cinnamomum camphora</i>	Camphor Laurel	Exotic
Luzuriagaceae	<i>Geitonoplesium cymosum</i>	Scrambling Lily	Native
Malaceae	<i>Pyracantha angustifolia</i>	Orange Firethorn	Exotic
Malvaceae	<i>Sida rhombifolia</i>	Paddy's Lucerne	Exotic
Meliaceae	<i>Melia azedarach</i>	White Cedar	Native
Myrsinaceae	<i>Myrsine variabilis</i>		Native
Myrtaceae	<i>Backhousia myrtifolia</i>	Grey Myrtle	Native
Myrtaceae	<i>Eucalyptus bosistoana</i>	Coastal Grey Box	Native
Myrtaceae	<i>Eucalyptus eugenioides</i>	Large-leaf Stringybark	Native
Myrtaceae	<i>Eucalyptus quadridentate</i>	Coastal White Box	Native
Myrtaceae	<i>Eucalyptus saligna</i> x <i>botryoides</i>	Wollongong Woollybutt	Native
Myrtaceae	<i>Eucalyptus tereticornis</i>	Forest Red Gum	Native

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Family Name	Scientific Name	Common Name	Native/Exotic
Myrtaceae	<i>Melaleuca styphelioides</i>	Prickly-leaved Tea Tree	Native
Oleaceae	<i>Ligustrum lucidum</i>	Large-leaved Privet	Exotic
Oleaceae	<i>Ligustrum sinense</i>	Broad-leaf Privet	Exotic
Phyllanthaceae	<i>Glochidion ferdinandi</i>	Cheese Tree	Native
Pittosporaceae	<i>Pittosporum multiflorum</i>		Native
Pittosporaceae	<i>Pittosporum revolutum</i>	Rough-fruit Pittosporum	Native
Pittosporaceae	<i>Pittosporum undulatum</i>	Sweet Pittosporum	Native
Plantaginaceae	<i>Plantago lanceolata</i>	Plantain	Exotic
Poaceae	<i>Axonopus fissifolius</i>	Carpet Grass	Exotic
Poaceae	<i>Briza subaristata</i>		Exotic
Poaceae	<i>Bromus catharticus</i>	Prairie Grass	Exotic
Poaceae	<i>Cynodon dactylon</i>	Cooch Grass	Exotic
Poaceae	<i>Dichelachne</i> sp.		Native
Poaceae	<i>Echinopogon ovatus</i>		Native
Poaceae	<i>Ehrharta erecta</i>	Panic Veldt Grass	Exotic
Poaceae	<i>Holcus lanatus</i>	Yorkshire Fog	Exotic
Poaceae	<i>Microlaena stipoides</i>	Weeping Grass	Native
Poaceae	<i>Paspalum dilatatum</i>	Paspalum	Exotic
Poaceae	<i>Pennisetum clandestinum</i>	Kikuyu	Exotic
Poaceae	<i>Rytidosperma racemosum</i>		Native
Polygonaceae	<i>Persicaria</i> sp.		Native
Rhamnaceae	<i>Alphitonia excelsa</i>	Red Ash	Native
Rosaceae	<i>Rubus fruticosus</i> spp. agg	Blackberry	Exotic
Rosaceae	<i>Rubus parvifolius</i>	Native Raspberry	Native
Santalaceae	<i>Exocarpos cupressiformis</i>	Cherry Ballart	Native
Sapindaceae	<i>Dodonaea viscosa</i> subsp. <i>angustifolia</i>		Native
Solanaceae	<i>Solanum mauritianum</i>	Wild Tobacco	Exotic
Solanaceae	<i>Solanum pseudocapsicum</i>	Jerusalem Cherry	Exotic
Urticaceae	<i>Urtica incisa</i>	Stinging Nettle	Native
Verbenaceae	<i>Lantana camara</i>	Lantana	Exotic
Verbenaceae	<i>Verbena officinalis</i>	Common Verbena	Exotic

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Appendix B – Fauna species recorded during site inspection
Table B1 – Opportunistic fauna sightings (heard, visual or evidence)

Scientific name	Common name
<i>Physignathus lesueurii</i>	Eastern Water Dragon
<i>Litoria fallax</i>	Eastern Dwarf Tree Frog
<i>Dama dama</i>	Fallow Deer
<i>Felis catus</i>	Cat
<i>Anthochaera carunculata</i>	Red Wattlebird
<i>Cacatua galerita</i>	Sulphur-crested Cockatoo
<i>Chrysococcyx lucidus</i>	Shining Bronze-cuckoo
<i>Corvus coronoides</i>	Australian Raven
<i>Cracticus torquatus</i>	Grey Butcherbird
<i>Dacelo novaeguineae</i>	Laughing Kookaburra
<i>Eolophus roseicapillus</i>	Galah
<i>Eopsaltria australis</i>	Eastern Yellow Robin
<i>Grallina cyanoleuca</i>	Magpie Lark
<i>Leucosarcia melanoleuca</i>	Wonga Pigeon
<i>Malurus cyaneus</i>	Superb Fairy-wren
<i>Meliphaga lewinii</i>	Lewin's Honeyeater
<i>Pachycephala rufiventris</i>	Rufous Whistler
<i>Psophodes olivaceus</i>	Eastern Whipbird
<i>Pycnonotus jocosus</i>	Red-whiskered Bulbul
<i>Rhipidura albiscapa</i>	Grey Fantail
<i>Rhipidura leucophrys</i>	Willie Wagtail
<i>Trichoglossus haematodus</i>	Rainbow Lorikeet
<i>Turdus merula</i>	European Blackbird

Vegetation Management Plan
Cordeaux Road, Cordeaux Heights

Appendix B: Planting palette

Planting palette for the vegetation community Moist Box-Red Gum Foothills Forest, as described in the Native Vegetation of the Illawarra Escarpment and Coastal Plain (NPWS 2003).

Scientific Name	Common Name
Tree	
<i>Alphitonia excelsa</i>	Red Ash
<i>Eucalyptus quadrangulata</i>	White-topped Box
<i>Eucalyptus saligna x botryoides</i>	Wollongong Woollybutt
<i>Eucalyptus tereticornis</i>	Forest Red Gum
Small Tree	
<i>Acmena smithii</i>	Lilly Pilly
<i>Elaeodendron australe</i> var. <i>australe</i>	Red Olive Plum
<i>Melaleuca styphelioides</i>	Prickly-leaved Tea Tree
<i>Melicope micrococca</i>	Hairy-leaved Doughwood
<i>Pittosporum undulatum</i>	Native Daphne
<i>Rapanea variabilis</i>	Muttonwood
<i>Rhodamnia rubescens</i>	Scrub Turpentine
<i>Streblus brunonianus</i>	Whalebone Tree
<i>Wilkiea huegeliana</i>	Veiny Wilkiea
Shrub	
<i>Backhousia myrtifolia</i>	Grey Myrtle
<i>Clerodendrum tomentosum</i>	Hairy Clerodendrum
<i>Croton verreauxii</i>	Green Native Cascarilla
<i>Notelaea venosa</i>	Veined Mock-olive
<i>Pittosporum multiflorum</i>	Orange Thorn
<i>Pittosporum revolutum</i>	Wild Yellow Jasmine
<i>Backhousia myrtifolia</i>	Grey Myrtle
Grasses	
<i>Entolasia marginata</i>	Bordered Panic
<i>Microlaena stipoides</i> var. <i>stipoides</i>	Weeping Grass
<i>Oplismenus imbecillis</i>	Creeping Beard Grass
<i>Panicum pygmaeum</i>	Pygmy Panic
<i>Poa labillardierei</i>	Tussock
Fern	
<i>Adiantum formosum</i>	Black Stem
<i>Asplenium flabellifolium</i>	Necklace Fern
<i>Doodia aspera</i>	Prickly Rasp Fern
<i>Doodia australis</i>	Common Rasp Fern
<i>Pellaea falcata</i>	Sickle Fern
Climber	

**Vegetation Management Plan
Cordeaux Road, Cordeaux Heights**

Scientific Name	Common Name
<i>Eustrephus latifolius</i>	Wombat Berry
<i>Geitonoplesium cymosum</i>	Scrambling Lily
<i>Marsdenia rostrata</i>	Milk Vine
<i>Morinda jasminoides</i>	Sweet Morinda
<i>Pandorea pandorana</i> subsp. <i>pandorana</i>	Wonga Wonga Vine
<i>Parsonsia straminea</i>	Monkey Rope
<i>Smilax australis</i>	Lawyer Vine
Other	
<i>Dichondra repens</i>	Kidney Weed
<i>Gymnostachys anceps</i>	Settlers' Twine
<i>Nyssanthes diffusa</i>	Barbwire Weed
<i>Pseuderanthemum variable</i>	Pastel Flower

Appendix C: Weed treatment methods

Zone	Objective	Main Weeds	Method	Key Performance Indicators (KPI)
All	<ul style="list-style-type: none"> Control and suppress exotic grasses and herbaceous weeds. 	<ul style="list-style-type: none"> <i>Ageratina adenophora</i>, <i>Cenchrus clandestinus</i>, <i>Cynodon dactylon</i>, <i>Cirsium vulgare</i>, <i>Senecio madagascariensis</i> and <i>Verbena bonariensis</i>. 	<ul style="list-style-type: none"> Primary and secondary treatment of herbaceous weeds and exotic grasses will occur in the first year of the contract. This will include a combination of spot spraying and hand weeding, particularly in MZ2 and MZ3, where off target damage could occur to native groundcover species. Aquatic weeds, such as <i>Ageratina adenophora</i> should be cut and painted with neat Roundup Biactive®. Maintenance works will consist of detailed hand weeding amongst developing patches of native groundlayer species in MZ2 and MZ3 and spot spraying in MZ1. Herbaceous weeds will be treated prior to seeding, bagged, removed from site and disposed at a licensed green waste facility. 	<ul style="list-style-type: none"> A 50% reduction in cover by the end of year one. A 50-70% reduction by end of year two. A 70-90% reduction by the end of year three. <5% cover by the end of year four. <5% cover by the end of year five.
	<ul style="list-style-type: none"> Deseeding, skirting and eventual eradication of exotic vine species. 	<ul style="list-style-type: none"> <i>Araujia sericifera</i>, <i>Delairea odorata</i> and <i>Ipomoea indica</i>. 	<ul style="list-style-type: none"> Primary and secondary work will aim to substantially reduce exotic vine abundance and cover in the first year of the contract. Exotic vines should be treated using a combination of hand removal and scrape and painting with neat Roundup Biactive®. Maintenance sweeps will be conducted to prevent the establishment of exotic vines species, particularly <i>Araujia sericifera</i>, which is likely to have viable seed stored in the weed seed bank. 	<ul style="list-style-type: none"> An 80% reduction in cover by the end of year one. An 80-95% reduction in cover by the end of year two. Exotic vines maintained at

Ecological Constraints Assessment, 227 Cordeaux Road, Mount Kembla

Zone	Objective	Main Weeds	Method	Key Performance Indicators (KPI)
	<ul style="list-style-type: none"> Treatment of all woody weeds. 	<ul style="list-style-type: none"> <i>Erythrina x sykesii</i>, <i>Lantana camara</i>, <i>Ligustrum lucidum</i>, <i>Ligustrum sinense</i>, <i>Solanum mauritianum</i>. and <i>Senna pendula var. glabrata</i>. 	<ul style="list-style-type: none"> Primary and secondary woody weed removal will be conducted in the first year of the contract. Initial works should aim to eradicate all woody weed species with a focus on MZ2 and MZ3. Stem injection should be utilised for the treatment of <i>Erythrina x sykesii</i> using neat Roundup Biactive®. All smaller woody weeds (i.e. <i>Lantana camara</i>, <i>Senna pendula var. glabrata</i> and <i>Solanum mauritianum</i>) will be treated by cut and painting with neat Roundup Biactive®. Maintenance woody removal will consist of sweeps through the VMP subject site to prevent woody weeds from becoming re-established. Maintenance work should be conducted regularly, with a focus on removing woody weeds before reaching >50 cm, or prior to seeding. It is recommended that all cut woody weed material is removed from site and disposed of at a licenced green waste facility. However, small habitat piles can be constructed out of woody weed material (i.e. <i>Lantana camara</i> and <i>Solanum mauritianum</i>). <i>Erythrina x sykesii</i> should not be retained and piled within the subject site, given the ability for offcuts to rapidly layer and re-establish. 	<ul style="list-style-type: none"> <5% cover by the end of year 3. No vines >5cm in length and maintained at <5% cover by end of year 5. An 80% reduction in woody weed cover by the end of year one. Woody weeds maintained at <5% cover by end of year 2. No individuals >10cm remaining and maintained at <5% cover by end of year five.

369 Cordeaux Road
MT KEMBLA NSW 2526

March 9, 2018

Councillor Gordon Bradbery AM, Lord Mayor
Councillor David Brown, Deputy Lord Mayor
Councillor Cath Blakey
Councillor Tania Brown
Councillor Leigh Colacino
Councillor Chris Connor
Councillor Mithra Cox
Councillor John Dorahy
Councillor Dom Figliomeni
Councillor Janice Kershaw
Councillor Vicky King
Councillor Jenelle Rimmer
Councillor Cameron Walters

Wollongong City Council
Locked Bag 8821
Wollongong DC NSW 2500

Dear Councillors

We are writing on behalf of a number of Mount Kembla residents to advise you of our serious concerns about two recent proposals to rezone lots on Cordeaux Road:

1. Lot 100 DP 1207784 Cordeaux Road, Mount Kembla
2. 227 Cordeaux Road (Lot 100 DP 1123517) Mount Kembla

Our concerns are:

1. Both these rezoning proposals relate to properties that have changed hands over the past two years. The recent purchasers of both properties would have been aware of the constraints on development of the properties they purchased. One can only assume that their motivation for purchase was the potential of subdividing their properties to make money, despite the existing planning constraints.
2. These proposals, at least to some degree, contravene the intention of the Farmborough Heights to Mt Kembla Concept Plan endorsed by Council and the State Government in 2013/14. This plan aimed to provide certainty for the community on potential development sites and established larger lot developments such as the two, and others around them, that are the subjects of these rezoning proposals.

3. If these properties are rezoned, there will be no certainty about further developments in the same area, and within a relatively short time, the unique village character of Mt Kembla will be compromised.

4. Wollongong City Council in the 1980s promoted a long term strategy to keep Mount Kembla a village. They achieved this then by working with the community in many public meetings and directly with the developer of Cordeaux Heights subdivision. One of the conditions imposed on the Cordeaux Heights developers was that a minimum five acre lot size was maintained in certain areas of the subdivision and building envelopes designed that have provided separation from Mount Kembla allowing it to retain its village atmosphere.

5. The Concept Plan also sought to ensure the conservation and management of the environmental attributes of the foothills of the Illawarra Escarpment. It recognised the contribution that appropriately scaled and located residential development could make to conserving land of high ecological value, restoring degraded lands and providing an overall community benefit in terms of creating conservation opportunities.

Our questions for Council are:

- Is the current Council still promoting its long term strategy of protecting Mt Kembla's village atmosphere and mining heritage?
- If not, can we please learn about, and have input into, any new strategy for the future of Mt Kembla and Kembla Heights?
- If this strategy is still supported by the current Council, what is the reason for Council officers recommending these rezonings?

We ask that Councillors consider carefully the implications of these rezoning proposals on the future of Mt Kembla village, and vote against them.

Attached is a list of those residents who, in the short time available, have shared the concerns that are outlined in this letter. Past experience tells us that within the village there are many others who will support our initiative in writing to Council.

Yours respectfully,

Elizabeth Roberts
Chairperson, Mt Kembla Mining Heritage Inc.

Vivien Twyford
Convener of 2017 Community Meeting

Cc: Mr David Farmer – General Manager
Mr Andrew Carfield – Director of Planning

**SUMMARY OF SUBMISSIONS – DRAFT PLANNING PROPOSAL – LOT
100 DP 1207784 COREDEAUX ROAD, MT KEMBLA**

Community

Submitter	Comment
Resident Mt Kembla	<p>Objection:</p> <ul style="list-style-type: none"> • Inconsistent with the Farmborough Heights to Mt Kembla Concept Plan. • Fail to understand how any residential development on these foothills would actually conserve and manage the environmental attributes of the foothills - supporting residential development is in direct contrast. • Allowing any further residential development would destroy the only remaining distinct historical village in the Wollongong LGA – any development that does not reserve a discrete physical and visual separation between neighbourhoods will destroy the character of the village of Mt Kembla, rendering it an extension of Cordeaux Heights and Unanderra. Council will lose its last opportunity to maintain a heritage sector to preserve the site of the most significant mining disaster in Australia – Mt Kembla is a valuable and critical historical asset to Council but this has not been considered – no heritage assessment has been made. • Planning approvals have led to inadequate and disappointing results across the city – many housing developments and in particular high density housing in the city are architecturally lacking and detracting from the character of the surrounding structures and the city as a whole – I have no confidence in your ability to limit developments to remain within their boundaries nor do I have any confidence that you will ensure any construction will be consistent with environmental and heritage concerns. Ardent supporter of good planning that sustains healthy living and community engagement. • Would be keen to understand how additional development would benefit the quality of life of those of us who currently live in Mt Kembla – increased housing on the approach to the village would render our neighbourhood less attractive with reduced vegetation surrounding us, limiting the movement of many of the native animals that live and move across the two areas under consideration. • Council has spent many millions of rate payer funds to develop the “Blue Mile” but there are equally valuable community and cultural assets, such as the village of Mt Kembla, that warrant attention in order that they retain their distinct characteristics and can be enjoyed by all residents of the city, but it seems to have been completely overlooked. • The walking and cycle pathway leading into Mt Kembla is an attribute enjoyed by many residents, particularly as it leads to green open areas and to grazing cattle in the paddocks as you enter Mt Kembla. Housing on the foothills would destroy these features. • Believe Wollongong Council has a vested interest in supporting further development as the Council will always make a financial gain and it is impossible for you to be an objective arbiter of any development submission. It appears that Council will always look favourably on these type of proposals.
Resident Mt Kembla	Writing to express concern about potential developments and subdivisions:

	<ul style="list-style-type: none"> • Community letter signed by almost 100 residents who object to the rezoning of rural land that would allow for subdivision. Mt Kembla is a valued locality by residents and visitors for its unique village and heritage atmosphere. Tourists enjoy scenic rural views on way to historic village and heritage listed sites. It is the open paddocks and remaining heritage cottages and buildings that make Mt Kembla an attractive tourist destination and home. • Council recently invested heavily in a shared pathway at the entrance to Mt Kembla that looks over these rural paddocks and is very well utilised and valued – to now add some modern housing on the slopes would destroy the character of this asset. • The letter Council sent in response to the community letter showed a lack of regard for the communities strong views opposing these developments - disappointing to read Council ignoring the longstanding agreements, consultations and plans they have engaged with our community over many years to preserve our unique character. • To suggest that this development would aid the rehabilitation of land by adding more houses, exotic trees and domestic predatory animals to the area is simply unbelievable. Wollongong is fast losing its open grassland habitat to extensive development at the foothills of the escarpment. <p>This patch of open space had been set aside as a 5 acre buffer zone around Mt Kembla that achieves the following outcomes for the community:</p> <ul style="list-style-type: none"> • Serves as a buffer to the encroaching Wollongong suburban sprawl • Maintains the unique historic village atmosphere of Mt Kembla as a separate locality and tourist destination and gate way to the escarpment • Maintains open grass lands essential to species biodiversity in conjunction with adjoining rainforest habitat • Provides a wildlife corridor for wildlife to move freely from the escarpment to the foothills of Mt Kembla as they have always been able to do • Maintains a much loved historic rural view being in the James family from pioneering days until recently. <p>Urge Council to see the short sightedness of this proposal and to put value on what is a unique locality and asset to the Wollongong LGA. With the loss of the only remaining pioneer home in Mt Kembla recently along with these rezoning proposal the community is reeling at the erosion of what we've held dear and fought for for decades.</p>
<p>Resident Mt Kembla</p>	<ul style="list-style-type: none"> • Recently moved to Mt Kembla – purchased based on unique nature of the Mt Kembla village, semi-rural feel, heritage value of village. Felt confident Council would also value the attributes that make Mt Kembla so unique. • Deeply concerned and upset at recent events in Mt Kembla as well as the current proposals for rezoning • Feel it is short sighted not to preserve the grazing paddocks when entering Mt Kembla – these paddocks set whole scene for the village and set it apart from the surrounding suburbs. To replace it with houses would mean that Mt Kembla would no longer be separate and unique • The idea that building houses would somehow help rehabilitate the land seems bizarre and contradictory

	<ul style="list-style-type: none"> • Mt Kembla’s unique character and heritage values have great untapped tourism potential - once the village feel is lost so too will this potential • People who purchase properties purchase with the zoning stipulated and should not expect to have their properties rezoned for profit at the expense of the community • Urge Council to reject these proposals and preserve a unique part of Wollongong that once lost will not be able to be regained.
Resident Mt Kembla	<ul style="list-style-type: none"> • Oppose this development as it destroys the notion of a “green corridor” established in the late 1980s • Mt Kembla retains its distinct identity because there is a visual separation between the village and suburbia – any building that is placed within this space will remove the separation – there will be visual disturbance • Easy to see the ways that the planning rules and regulations can be manipulated by property owners – the “quasi” 3 story house/meeting hall at 223 Cordeaux Road – three single story residences are connected and climb the sloping block. A second example is the removal of a 100 year old tree because it was too close to a house thus conforming to Council’s tree removal plan – then the house is demolished days later, one hundred and twenty five years of history gone. We have been seriously let down by the Council and the State government in this example • The property has been bought in the full knowledge of the existing planning restrictions • The community has been consulted twice for its input regarding the development of Mt Kembla – in the 1980s and more recently. The community does not want Mt Kembla to be swallowed up by the suburban sprawl. • You asked us what we thought. We told you what we thought. Will you hear us or will you let us down again?
Resident Mt Kembla	<ul style="list-style-type: none"> • Have written to you about the proposed rezonings – the concerns I raised in that letter were supported by 91 Mt Kembla residents all of whom are worried about the suburbs encroaching on the amenity of the village of Mt Kembla. • Sad that Council officers have recommended that these proposals be approved – since 1973 have enjoyed unique community. Fear Mt Kembla will be replaced by a suburb that uses up every inch of land for new housing. We all thought that the Mt Kembla Concept Plan drawn up 20 years ago would protect the village and create a green barrier between it and Unanderra/Cordeaux Heights – it would appear that that is not the case. Council officers have responded to all our concerns in planning speak, negating them all. • Ask that you consider what happens after these zonings are approved – several other land owners waiting to see the outcome of these rezoning applications so they get confirmation that if they invest in applications to rezone their land their investments are likely to be rewarded even though they knew when they bought the property that there were development constraints. • Thin edge of the sword – people need homes and Mt Kembla is a desirable residential area – however its very desirability may well be its undoing and be the reason for its transformation into just another Wollongong suburb • Ask you to think about the need for oases within the urban sprawl

	and the importance of not losing the few we still have.
Resident Mt Kembla	Write to express my disgust in the proposed rezoning of Mt Kembla – we have a unique heritage and it needs to be preserved and is highly cherished by residents
Resident Mt Kembla	<ul style="list-style-type: none"> • See change as a necessary part of the evolution of a place, however change must be to address an emerging need, not just a mercenary one. Change must improve – object when the essential qualities of Mt Kembla, the very things that make people want to live here, are being lost • Mt Kembla is a village separated from other developments by a green “buffer” at the entrance to the village and running behind the existing houses up to the fire trail – this application jeopardises that corridor. • Owner has bought the property with the full knowledge of the subdivision restrictions. If approval is given for 2 houses then it is probable that these will be further subdivided in the future. Once 2 houses are in place they could be used to support an argument that the green corridor no longer exists – it is the thin edge • Nothing has changed since the purchase of this property that would justify this development application – no new need is being addressed • Please do not compound the lack of commitment to the village evidenced by the recent demolition of a 125 year old house in the historical precinct. Mt Kembla’s unique industrial history necessitates a specific development strategy that allows change without sacrificing heritage and village life. The community of Mt Kembla thought this had been done (Community Consultative Committee of the 1980s and the more recent Farmborough Hts to Mt Kembla Plan).
Resident Mt Kembla	<p>Objection:</p> <ul style="list-style-type: none"> • Clear violation of previous plan put in place to protect the individual character of the village of Mt Kembla • When William James Drive rezoning was allowed this land was to be kept as one parcel to maintain a buffer to the village – allowing this land to be subdivided is a clear violation of the trust the Mt Kembla residents put in Council that this would be maintained in perpetuity • Allowing a subdivision with lots up to 5000m² with a 30% plot ratio is outrageous – could have houses of 1500m² in size which is the size of a small factory – what is to say these lots would not be further subdivided in the future – WCC is setting a precedent • Object that developer bought this property with the current zoning, allowing further subdivision just gives that developer a windfall profit at the expense of the community – cannot see how this could be justified.
Resident Mt Kembla	<ul style="list-style-type: none"> • Support letter of concern dated 9 March 2018 • The proposed subdivision does not highlight the two existing properties currently using the common drive which also services the property at 227 Cordeaux Road – does the width of the proposed driveway entering off Cordeaux Road to the subdivision comply with Council rules? • The amount of traffic to possibly use the proposed driveway only increases risk of any emergency which may occur • The infrastructure is currently OK for the number of people we currently have but to start adding density to the village with the increase in traffic is not

	<ul style="list-style-type: none"> • People who live in the village live here because that have invested their time and money to create a village atmosphere as a neighbourhood - why must it be developed to destroy what now exists • We elect our city councillors to represent we the public interests - this development is not in the public interest
Form Letter 1: 10 Mt Kembla Resident signatures	<p>As long term residents we are concerned about the proposed zoning changes to properties:</p> <ul style="list-style-type: none"> • Feel these properties have been purchased with sole intent on developing them at substantial profit • These developments will destroy the unique character of Mount Kembla • These developments will set a precedence for future development along the fragile escarpment area
Form Letter 2: 8 Mt Kembla Resident signatures	<p>As a resident, extremely opposed to paddocks being rezoned and subdivided for following reasons:</p> <ul style="list-style-type: none"> • Reduction of green buffer around Mt Kembla erodes unique village character. Mt Kembla in one of the last distinct villages within the LGA – these subdivisions endanger it from being part of the suburban sprawl • The green open spaces are a valued community asset. The new shared pathway into Mt Kembla takes in these historic green views, people love looking across paddocks at cows and wildlife – they do not want these views interrupted by modern housing • Council going back on long standing promises to community to protect Mt Kembla from the suburban sprawl • These rezonings have potential to encourage further subdivisions in Mt Kembla • Properties were recently purchased with current zonings and restrictions in place – should not be changed for individuals seeking to profit at the expense of community concerns • More housing on the foothills of Mt Kembla can in no way be seen as contributing to the rehabilitation of environmentally sensitive areas – absurd and contradictory • Loss of wildlife corridors at the foothills of Mt Kembla – concerns of further strains on local wildlife with the induction of more housing, exotic plants and domestic animals • Loss of open grasslands impact on some animals – grasslands being reduced at an alarming rate • Council's focus and investment on the "Blue Mile" as a tourist attraction while ignoring the green spaces and heritage tourism Mt Kembla provides is short sighted and limiting the tourism growth of the LGA • As Council is a financial beneficiary of increased rates with these subdivisions can they be trusted to act on the behalf of the community
Form Letter 3: 4 Mt Kembla Resident signatures	<p>As long term residents concerned about the proposed zoning changes:</p> <ul style="list-style-type: none"> • Concerned people are buying properties at a price that reflects its "not for development zoning" and then applying to have the zoning changed to allow for development, thus making a sizable profit on their investment. Suggest these purchasers are developers, interested in profits and not concerned with maintaining Mount Kembla's unique village atmosphere • Will set precedence for future rezoning/developments and Mount

	Kembla will cease to exist as a unique village with links to our mining heritage.
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State Authorities

Office of Environment and Heritage (OEH)	<ul style="list-style-type: none"> • Support a long term conservation outcome being achieved for the site. This would be achieved through establishing the proposed environmental corridor under an E2 Environmental Conservation zoning, as envisaged by the Farmborough Heights to Mount Kembla Concept Plan (2013). It is also consistent with the suggested biodiversity corridor outcomes espoused in ISRP 2015. A VMP should be prepared and exhibited. • The mechanism for securing and managing the environmental corridor is critical and should be resolved as part of the Planning Proposal. Dedication of the corridor to Council along with in-perpetuity management funding should be considered to ensure a long term conservation outcome. While dedication would be preferable, another funded alternative would be for community title development, with the environmental corridor and access road forming part of a community lot. Other options include a Property Vegetation Plan or Conservation Agreement. • Question the proposed minimum lot size of 5,000 m2 applying to both the E4 developable lots and E2 zoned lands. Whilst appropriate for the E4 lots, a minimum lot size of 5000m2 could lead to fragmentation and degradation of the environmental corridor and grazing land in the future. • Supportive of the proposed development layout which ensures additional vegetation clearing is not required for APZs – recommend building envelopes be identified early so that APZs can be established without the risk of native vegetation clearing. Riparian corridor buffers should be applied consistent with the Riparian Corridor Management Study (2004). • The proponent should conduct a due diligence assessment at planning proposal stage in accordance with OEH guidelines, before any ground disturbance works that may result from the proposed subdivision of this land. The due diligence process should determine whether a more detailed Aboriginal Cultural Heritage assessment is required.
NSW Rural Fire Service (RFS)	<ul style="list-style-type: none"> • No objection to the proposed rezoning. Future lots will be required to provide Asset Protection Zones (APZs) as per the plan in the Bushfire Assessment report prepared by Peterson Bushfire. The Vegetation Management Plan revegetation zones must be capable of achieving the required APZs, consistent with Section 9.1 Ministerial Directions and specifications set out in Planning for Bush Fire Protection 2006.
Sydney Water	<ul style="list-style-type: none"> • No objection. Adequate capacity in water trunk system to service the proposed development – amplifications or extensions may be required. • Limited capacity in trunk wastewater network system. Latest hydraulic model indicates there may be surcharges from the wastewater system under extreme wet weather conditions at ground levels below approximately 39 metres. A feasibility application will be required to be lodged with Sydney Water. • Lot 100 DP 1207784 is burdened by an Easement for Sewerage Purposes and Access and Drainage protecting the 250DN pressure

	main and Sewer Pump Station – this easement is not to be built over or encroached in without the consent of Sydney Water.
Roads and Maritime Services (RMS)	<ul style="list-style-type: none"> No objection in principle as it is unlikely to have a significant impact on the state road network. The Planning Proposal is consistent with the endorsed Farmborough Heights to Mt Kembla Concept Plan which, in part, identifies potential for additional residential development on this site. Council will need to be satisfied that sufficient sight lines are available/not restricted at the site's access points with Cordeaux Road.
Department of Primary Industries - Water	<ul style="list-style-type: none"> No objection to the rezoning. Once rezoned appropriate protections should be included to ensure that the E2 zone is protected from future activities. It is suggested that physical structures be incorporated along the E2 zone to ensure that no hazard reduction activities to create the Asset Protection Zone (APZ) encroach into the riparian corridor.

Internal Consultation

Flooding Issues	<ul style="list-style-type: none"> Development Engineering Section has no objection to the rezoning of this land for the purpose of subdividing from a stormwater and floodplain management perspective. Any future development on the land will be subject to the requirements of Chapters E13 and E14 of Council's Wollongong DCP 2009, Clause 7.3 of the Wollongong LEP 2009 and the NSW Government's Floodplain Development Manual 2009.
Access Issues	<ul style="list-style-type: none"> The land proposed for rezoning is located on the edge of an existing residential area. The indicative development scheme for the proposed rezoning provides connectivity with the existing road network and pedestrian infrastructure. Should the rezoning be approved; subsequent DAs would need to be supported by further detailed assessment of traffic impacts, car parking, and site servicing/manoeuvring and waste collection. The proposed access to the site would need to comply with AS2890.1 with adequate grades, widths and sight distance etc. No objections to the proposed rezoning in principle.
Geotechnical Issues	<ul style="list-style-type: none"> The geotechnical report dated 5 December 2016 by Southern Geotechnics provided a good description of the land proposed for rural/residential development and demonstrates feasibility of the proposal from a geotechnical perspective.
Environment Issues	<ul style="list-style-type: none"> The Ecological Constraints Assessment (EcoPlanning 2017) states no threatened species habitat or hollow bearing trees – site inspection undertaken 2/3/17 identified hollow bearing trees with potential to provide habitat for a number of threatened species. No additional survey or assessment required at this stage as all areas of potential habitat are currently proposed to be retained within the riparian area/E2 zoning. Vegetation community MU13 Moist Box-Red Gum Foothills Forest mapped and confirmed Rezoning from E3 to E2/E4 will result in a low level conservation and improvement outcome as outlined in the IESMP 2015 and Farmborough Heights to Mt Kembla Concept Plan (2013) The proposed E2 zoning area is too small for a BioBanking

	<p>Agreement. Not recommended that E2 zone have minimum lot size of 5,000m².</p> <ul style="list-style-type: none">• The successful implementation of a Vegetation Management Plan through a Property Vegetation Plan would result in a moderate to high level Biodiversity outcome being achieved – an appropriate Conservation Agreement will need to be administered/registered, funding obtained and active management underway prior to the issuing of a subdivision DA to ensure an improved biodiversity outcome (new Biodiversity Conservation Act 2016)• To ensure high level conservation and improvement outcome, preference for area proposed for E2 zone to be dedicated to Council with VMP and funding. If the landowner does not wish to dedicate to Council, recommended all proposed E2 land to be contained within one separate lot to be owned and managed through Community Title.
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ADVICE**WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)**

DATE OF HEARING	31 October 2018
PANEL MEMBERS	Sue Francis (Chair), Mark Carlon, Larissa Ozog, Bernard Hibbard (Community Representative)

MATTER

PP-2017/2 – Lot 100 Cordeaux Road, Mount Kembla.

PROPONENT SUBMISSION2

The Panel was addressed by the proponents and experts.

PANEL CONSIDERATION AND ADVICE

The Panel considered the matters listed in the Council officer's report, and the material presented at the meeting and the matters observed at the site inspection.

The Panel considers that the Planning Proposal has strategic and site specific merit and is consistent with the Farmborough Heights and Mount Kembla Concept Plan.

The Panel has noted the submissions from residents and suggests that Council might consider removing the E3 Zone and making it E2. This would not prevent the indicated subdivision and anticipated uses of the site but would better meet the communities concern to maintain the sites rural character.

The Panel also suggests that Council consider increasing the minimum lot size from 4999 square metres to 5999 square metres in the E4 Zone to ensure only three lots can be achieved as requested by the applicant and consistent with the Concept Plan.

VOTING

The voting in respect of this matter was unanimous

ITEM 4

DRAFT PLANNING PROPOSAL: LOT 100 DP 1123517 NO. 227 CORDEAUX ROAD, MT KEMBLA

On 12 March 2018, Council resolved to prepare a draft Planning Proposal for 227 Cordeaux Road, Mt Kembla (Lot 100 DP 1123517), which seeks to facilitate the subdivision of the land into two additional large residential lots, together with the establishment of a Conservation Agreement and funding mechanism administered by the Biodiversity Conservation Trust (OEH) to protect in perpetuity the identified environmental values on site. This site was considered in the Farmborough Heights to Mt Kembla Concept Plan that was endorsed by Council (9 December 2013) and the Department of Planning (20 March 2014) to guide future development potential for this area. The draft Planning Proposal was exhibited between 29 May and 27 June 2018 and 18 submissions were received, including three form letters.

The purpose of this report is to provide feedback on the exhibition and the advice of the Wollongong Local Planning Panel, and to finalise the Planning Proposal.

RECOMMENDATION

- 1 The draft Planning Proposal for 227 Cordeaux Road, Mt Kembla (Lot 100 DP 1123517) be progressed, following the registration of the Conservation Agreement on land title with the Office of Environment and Heritage, by finalising the Planning Proposal that seeks to amend the Land Zoning Map by:
 - a rezoning 4.3 hectares of the site from E3 Environmental Management to E4 Environmental Living with a Minimum Lot Size of 5,000m² and Floor Space Ratio of 0.3:1; and
 - b rezoning the remainder of the site (1.5 hectares) from E3 Environmental Management to E2 Environmental Conservation with a Minimum Lot Size of 39.99 hectares.
- 2 The final Planning Proposal be referred to the NSW Department of Planning and Environment for the making of arrangements for drafting to give effect to the final proposal, noting that the General Manager will thereafter proceed to exercise his delegation issued by the NSW Department of Planning and Environment under Section 69 in relation to the final proposal.
- 3 The Conservation Agreement for the riparian land be finalised and registered on land title with the Biodiversity Conservation Trust (OEH), funding obtained and active management underway, prior to the issuing of a subdivision development approval.

REPORT AUTHORISATIONS

Report of: David Green, Manager Environmental Strategy and Planning (Acting)

Authorised by: Andrew Carfield, Director Planning and Environment - Future City and Neighbourhoods

ATTACHMENTS

- 1 Concept Plan 2013 Map - Mount Kembla
- 2 Site Locality Map and Current Zoning
- 3 Indicative Subdivision Plan
- 4 Proposed Zoning, Minimum Lot Size and Floor Space Ratio Maps
- 5 Vegetation Management Plan
- 6 Petition received prior to Public Exhibition
- 7 Summary of Submissions
- 8 Wollongong Local Planning Panel Advice

BACKGROUND

On 13 April 2011, the NSW Department of Planning and Infrastructure (now Department of Planning and Environment) requested that Wollongong City Council prepare a Planning Strategy for the area between Farmborough Heights and Mt Kembla in order to develop a strategic framework to properly consider rezoning proposals, so that a lasting solution to the development potential and environmental management of the area could be identified. A working party comprising representatives from the Department and Council officers developed a Scope of Works and identified a study area boundary for the Planning Strategy, which were reported to Council at the 27 February 2012 meeting.

Council resolved to commit \$171,527 to prepare the Farmborough Heights to Mt Kembla Concept Plan, in recognition of concerns raised by the community surrounding the need for an independent and up to date assessment of the environmental attributes of the area and the capacity to accommodate any increase in residential development. A comprehensive series of technical studies was conducted, including:

- Ecological and Riparian Assessment;
- Bushfire Constraints Analysis;
- Geotechnical and Topography Assessment;
- Contamination Assessment;
- Preliminary Assessment of Aboriginal and Non-Indigenous Heritage;
- Traffic and Transport Assessment;
- Stormwater Management, Drainage and Flooding Review;
- Visual Impact and Landscape Character Assessment;
- Utilities and Essential Services Review; and
- Strategic Planning Context Analysis.

The Department of Planning and Infrastructure (the Department) required the Concept Plan to be consistent with and complement the Illawarra Escarpment Strategic Management Plan (IESMP) and Illawarra Escarpment Land Use Review Strategy (IELURS). A significant objective of the Concept Plan was to identify the key environmental attributes to be enhanced, and require that any development be linked to the protection and enhancement of those environmental attributes. The environmental attributes were mapped, with areas identified for conservation and hence recommended for no residential development. The residual lands were identified as having potential to accommodate an appropriate scale of residential development on the basis of a lack of constraints (ie dominated by cleared land and exotic vegetation with little ecological value) and provided it could be demonstrated through a Planning Proposal that an improved environmental outcome could be achieved.

The Farmborough Heights to Mt Kembla Concept Plan (GHD 2013) identified:

- 231 hectares of proposed conservation areas;
- 100 hectares of potential residential development areas;
- An estimated maximum additional development potential of:
 - 78 dwellings in Farmborough Heights;
 - 107 dwellings in Cordeaux heights; and
 - 26 dwellings in Mount Kembla.

On 9 December 2013, Council considered a report on the outcomes of the studies and extensive community and stakeholder consultation, and resolved to adopt the Farmborough Heights to Mt Kembla Concept Plan and seek endorsement of the strategic document by the Department of Planning and Infrastructure to guide any future rezoning proposals. In a letter dated 20 March 2014, the Deputy Director General acknowledged the significant resources committed to the preparation of the Concept Plan by Council, and endorsed the Concept Plan as a strategic study to guide future Planning Proposals in the precinct.

The role of the Concept Plan is to guide development in the area in the context of active conservation, with individual Planning Proposals invited for specific land holdings identified in the Concept Plan, supported by updated and more detailed studies. The key objectives of the Concept Plan were to provide certainty for the community by identifying land suitable for conservation and potential development, and provide the opportunity to implement a number of mechanisms that will conserve and manage the environmental attributes of the area.

In January 2017, a Planning Proposal request was submitted by Cardno on behalf of the landowner for 227 Cordeaux Road, Mt Kembla, with additional information and revisions submitted between June 2017 and February 2018. This site was considered in the Farmborough Heights to Mt Kembla Concept Plan that was endorsed by Council (2013) and the NSW Department of Planning (2014). The Concept Plan identified potential for limited development at this site, provided (among other considerations) that in perpetuity conservation efforts supported by funding could be demonstrated (Attachment 1).

The original draft Planning Proposal request sought to facilitate an additional four residential lots on the site, however following feedback received during the preliminary consultation period in relation to access to the site, the draft Planning Proposal request has been revised down to two additional residential lots. The draft Planning Proposal request includes the establishment of a Conservation Agreement and funding mechanism administered by the Biodiversity Conservation Trust (Office of Environment and Heritage) to protect in perpetuity the identified environmental values on site associated with the riparian corridor.

The site is approximately 5.8 hectares in size and is currently zoned E3 Environmental Management. It is bounded by land zoned E4 Environmental Living to the north and south and E3 Environmental Management to the east and west. The site currently contains one residential dwelling and a shed, with a riparian corridor traversing the southern portion of the property. Vehicular access is provided via a single lane, right of way driveway, which also provides vehicular access to properties 1/227A and 2/227A Cordeaux Road (Attachment 2).

The endorsed Concept Plan identified potential to rezone this site at 227 Cordeaux Road, Mt Kembla to permit additional large lot residential development, subject to satisfying the accompanying Planning Principles and demonstration that an improved environmental outcome could be achieved for the land. The Concept Plan recommended an E4 Environmental Living zoning for the developable area with a minimum lot size of 5,000m², given the proximity to the escarpment and the desire for any development to be rural residential in character. This zoning controls for a more limited range of permitted land uses appropriate to the surrounding environmental setting and importantly this E4 Environmental Living zoning won't allow further subdivision for dual occupancies and multi dwelling houses. The Concept Plan identified the opportunity for the long term management, protection and enhancement of the riparian corridor on site, recommending an E2 Environmental Conservation zoning for the vegetated watercourse.

The development strategy contained in the Planning Proposal request seeks large lot residential development opportunity on land identified in the Concept Plan with little ecological value (areas dominated by cleared land, grazed areas and exotic vegetation), and proposes to undertake ecological conservation and rehabilitation works associated with the riparian corridor in the south identified as containing environmental values. The submitted Planning Proposal request included an indicative subdivision layout depicting two rural/residential large lots, seeking a rezoning to the recommended E4 Environmental Living with a minimum lot size of 5,000m² (Attachment 3). An E2 Environmental Conservation zoning is being proposed for 1.5 hectares of the site associated with the riparian corridor (Attachment 4).

The requirement in the Farmborough Heights to Mt Kembla Concept Plan to achieve a conservation outcome as the result of any Planning Proposal is proposed through the protection of the riparian corridor and vegetation in the south of the site with an E2 Environmental Conservation zoning and the establishment of a Conservation Agreement on land title for in perpetuity rehabilitation and management works. The Planning Proposal request is consistent with the Farmborough Heights to Mt Kembla Concept Plan.

Concept Plan recommendation	Planning Proposal request
<p>Potential for six dwelling houses with E4 Environmental Living zoning with a minimum lot size of 5,000m² and E2 Environmental Conservation zoning for riparian corridor on site. Any Planning Proposal request must demonstrate active conservation - in perpetuity conservation efforts with funding.</p>	<p>Rezone part of the site as identified in the Farmborough Heights to Mt Kembla Concept Plan to E4 Environmental Living to facilitate two additional dwelling houses, with a minimum lot size of 5,000m²; and</p> <p>Rezone part of the site identified in the Farmborough Heights to Mt Kembla Concept Plan requiring environmental protection and restoration to E2 Environmental Conservation – an in perpetuity Conservation Agreement for the riparian corridor will be registered on land title, administered by the Biodiversity Conservation Trust (NSW Office of Environment and Heritage).</p>

The Office of Environment and Heritage (OEH) support a long term conservation outcome being achieved for the site through establishing the proposed conservation areas. A Vegetation Management Plan (VMP EcoPlanning September 2017) details the management and restoration efforts for the areas designated as conservation zones, identifying an amount of \$101,288 to provide on ground rehabilitation works over a five year period (Attachment 5). This VMP will provide the basis for a Conservation Agreement registered on land title and administered by the Biodiversity Conservation Trust (Office of Environment and Heritage) to ensure in perpetuity funding of conservation works. An in perpetuity Conservation Agreement will be required to be registered on land title, funding obtained and active management underway prior to the issuing of a subdivision development approval.

On 12 March 2018, Council considered a report on the draft Planning Proposal request and resolved:

- 1 *A draft Planning Proposal be prepared and submitted to the NSW Department of Planning and Environment for 227 (Lot 100 DP 1123517) Cordeaux Road Mount Kembla seeking a Gateway determination to:

 - a *Rezone (4.3ha) of the site from E3 Environmental Management to E4 Environmental Living with a Minimum Lot Size of 5,000m² and Floor Space Ratio of 0.3:1; and*
 - b *Rezone the remainder of the site (1.5ha) from E3 Environmental Management to E2 Environmental Conservation.**
- 2 *The draft Planning Proposal be exhibited for 28 days.*
- 3 *The Department of Planning and Environment be requested to issue authority to the General Manager to exercise plan making delegations in accordance with Council’s resolution of 26 November 2012.*

A favourable Gateway determination was subsequently received on 2 May 2018 and the draft Planning Proposal was placed on exhibition between 29 May and 27 June 2018.

PROPOSAL

The purpose of the draft Planning Proposal request is to facilitate a development strategy for the subject lands to allow large lot residential development on part of the site, together with the establishment of a Conservation Agreement and funding mechanism administered by the Biodiversity Conservation Trust (OEH) to protect in perpetuity the identified environmental values on site. This is consistent with the Farmborough Heights to Mt Kembla Concept Plan and associated planning principles (2013), where any rezoning on a property must lead to an overall conservation improvement.

The development strategy for this site has the potential to support, rehabilitate and improve the following important environmental functions of the riparian corridor on site:

- Providing a diversity of fauna and flora habitat resources;
- Providing connectivity between wildlife habitats;
- Providing bed and bank stability and reducing bank and channel erosion;
- Protecting water quality by trapping sediment, nutrients and other contaminants; and
- Conveying flood flows and controlling the direction of flood flows.

The Vegetation Management Plan (VMP) prepared for the site has identified the following standard and other management actions for the restoration and stabilisation of the riparian area, to improve biodiversity values:

- Reduce the abundance and cover of exotic species, including woody weeds, which are preventing the establishment and further succession of native plant species;
- Creating a revegetated riparian zone to buffer the watercourse from the impacts of the surrounding land use (eg nutrient enriched runoff);
- Revegetating the subject site with a combination of native mid storey, over-storey and occasional grasses/groundcovers;
- Increasing the complexity of the habitat within the riparian zone for macroinvertebrates and terrestrial fauna;
- Implementing a “top of catchment approach” by reducing the vegetative and propagule spread of exotic species further down the catchment.

This VMP will provide the basis for a Conservation Agreement registered on land title and administered by the Biodiversity Conservation Trust (Office of Environment and Heritage) to ensure in perpetuity funding of conservation works.

The Farmborough Heights to Mt Kembla Concept Plan identifies Mt Kembla as having a high scenic and environmental quality that will need to be maintained and refers to Council’s Development Control Plan (DCP) which has specific controls to preserve the historic identity and character of Mt Kembla village, as well as maintain a green corridor around the eastern approach to provide separation from the neighbouring suburbs of Cordeaux Heights and Unanderra. Consultation with the community during the development of the Concept Plan indicated a concern that, although recognised in the Illawarra Escarpment Management Plan (IESMP) and Council’s DCP, there was at the time no current strategy to improve vegetation management of this corridor. The community feedback at that time additionally centred on the need for any development to be low scale to prevent urban creep from Cordeaux Heights.

The long term effects of the abovementioned management actions outlined in the Vegetation Management Plan for this site will be to strengthen the green physical and visual corridor between Cordeaux Heights and Mt Kembla, in line with the community’s long standing vision to retain a unique historical identity, and secure a long term conservation outcome in association with the riparian corridor. Larger lot sizes were the recommendation of the Concept Plan in line with the environmental setting and the requirement to retain a green buffer around Mt Kembla.

CONSULTATION AND COMMUNICATION

The draft Planning Proposal was exhibited between 29 May and 27 June 2018 following the Gateway determination. The Gateway determination required that the following public authorities be consulted:

- NSW Roads and Maritime Services;
- NSW Rural Fire Service;
- NSW Office of Environment and Heritage;
- Department of Primary Industries – Water;
- Sydney Water.

The exhibition was advertised through Council's website and in the Illawarra Mercury (26 May 2018) and Advertiser (30 May 2018) newspapers. Copies of the suite of documents were available for viewing on Council's website, in Wollongong and Unanderra libraries, and at Council's Customer Service Centre in the Administration Building, Wollongong. Adjoining property owners, public authorities, and Neighbourhood Forum 5 were notified of the public exhibition by mail.

It should also be noted that Council received a petition signed by 91 residents prior to the Planning Proposal being considered at the 12 March 2018 meeting, and prior to the suite of documents being placed on exhibition (Attachment 6). Residents signing that petition were sent a letter advising of the exhibition period. All letters notifying the exhibition included a reference to the Farmborough Heights to Mt Kembla Concept Plan (GHD 2013), and the suite of exhibition material included a copy of the Concept Plan.

As a result of the exhibition the website page received 208 views, five public authority submissions, 10 community letters (with 12 signatures), and three community form letters (total of 22 signatures) (Attachment 7).

Public Authority Submissions

The *Office of Environment and Heritage (OEH)* attended a site visit in March 2017, identifying that the subject site represents a strategically important linkage opportunity, and contains a diversity of native flora species with good potential for rehabilitation and recovery. The OEH support the protection of the riparian corridor area by an in perpetuity Conservation Agreement registered on land title. The Biodiversity Conservation Act 2016 and associated reforms commenced in August 2017, which have now introduced the Biodiversity Conservation Trust (Office of Environment and Heritage) with a key role to support and encourage landholders to enter into Conservation Agreements to protect biodiversity on private land. Under the new Biodiversity Conservation legislation, some Conservation Agreements will be eligible for stewardship payments and a range of assistance, with landowners able to access the Landholder Support Program. The OEH submission additionally states that the property is identified in the Illawarra Shoalhaven Regional Plan (ISRP 2015) as occurring within a biodiversity corridor, with the proposal considered consistent with the ISRP provisions to look for opportunities to improve funding and resilience of corridors in strategic planning.

The focus of the Planning Proposal on riparian conservation to improve the ecological value of the watercourse is consistent with the Illawarra Biodiversity Strategy (2011), which highlights the degradation of native riparian vegetation and invasion of exotic weeds as major threats to biodiversity in the Illawarra, and identifies the importance of Council encouraging conservation and restoration efforts on private land in this regard. The value of landscape connectivity is well recognised by various state, regional and local policies, including Australia's Biodiversity Conservation Strategy (2009) and the Southern Rivers Catchment Action Plan (2013-23). Maintaining connectivity and enhancing existing connectivity within corridors by regenerating or revegetating missing links is also one of the three recommended approaches to managing biodiversity in the face of climate change.

The OEH submission during the preliminary consultation phase requested the completion of an Aboriginal cultural heritage due diligence assessment. A due diligence assessment was subsequently completed in accordance with OEH guidelines (Biosis 2017), involving a desktop analysis and archaeological survey. No new sites were discovered during the archaeological survey with the conclusion drawn that the entire study area is assessed as having low archaeological potential.

The original Planning Proposal request for four additional lots was forwarded to the *NSW Rural Fire Service (RFS)* for comment during the preliminary consultation phase. The RFS did not support the original Planning Proposal due to Planning for Bushfire Protection 2006 compliancy issues regarding access to the site. The RFS submission stated that the development of the site should be restricted to a maximum of two additional dwellings if reliant solely on the existing access (noting the potential for the site to accommodate more dwellings if alternative access could be arranged such as acquisition of other properties, as suggested in the Farmborough Heights to Mt Kembla Concept Plan). The Planning Proposal request was subsequently amended based on this advice, seeking an additional two lots (down from the four lots originally proposed) in order to meet access requirements.

The *Roads and Maritime Services (RMS)* raised no objections to the Planning Proposal, however noted that Council must be satisfied that the access arrangements are suitable for the proposed intensification/additional dwellings (including sight lines), and that suitable arrangements are in place for ongoing garbage pickup.

Sydney Water raised no objections, noting that more detailed comments relating to servicing future residential developments will be provided when development applications are submitted to Council and referred to Sydney Water. Initial investigations show there is adequate capacity to service the proposed development, noting amplifications or extensions to the drinking water network may be required, however limited capacity exists in the trunk wastewater network system and a feasibility application will need to be lodged with Sydney Water.

The *Department of Primary Industries – Water* raised no objections, however stated that following a rezoning, appropriate protections would be required to ensure that the E2 Environmental Conservation zoned riparian area is protected from future activities such as hazard reduction measures to create Asset Protection Zones.

Community Submissions

As a result of the exhibition, a total of 13 submissions were received from the community, three of these submissions received as form letters (containing 22 signatures):

- Community Individual Letters (10, with 12 signatures);
- Community Form Letter 1 (10 signatures);
- Community Form Letter 2 (eight signatures); and
- Community Form Letter 3 (four signatures).

The key concern expressed in 26 community submissions centred on the need to retain the green corridor at the entrance to the village and running behind the existing houses up to the fire trail. The green corridor is valued by the community as a physical and visual separation between neighbourhoods, allowing the Mt Kembla village to maintain its unique historic character and identity, as a separate locality. Additional residential development and the potential for urban sprawl were cited as a threat to the green corridor, which could render Mt Kembla an extension of Cordeaux Heights and Unanderra. Related to this, 11 submissions questioned whether additional residential development could contribute to the rehabilitation of environmentally sensitive areas and result in an improved environmental outcome at the site. Submissions cited a concern about loss of vegetation and the impact on wildlife corridors at the foothills of Mt Kembla.

The Farmborough Heights to Mt Kembla Concept Plan identifies Mt Kembla as having a high scenic and environmental quality that will need to be maintained and refers to Council's Development Control Plan (DCP) which has specific controls to preserve the historic identity and character of Mt Kembla village, as well as maintain a green corridor around the eastern approach to provide separation from the neighbouring suburbs of Cordeaux Heights and Unanderra. The Concept Plan for the Mt Kembla precinct highlights the green corridor to be preserved (and for proposed rehabilitation) as "E2 Environmental Constraint" (Attachment 1).

The Vegetation Management Plan (VMP) prepared for the site responds to the Concept Plan, detailing the management and restoration efforts for the riparian corridor designated as a conservation zone. An amount of \$101,288 has been identified to provide on ground rehabilitation works. This VMP will provide the basis for a Conservation Agreement registered on land title and administered by the Biodiversity Conservation Trust (OEH) to ensure in perpetuity funding of conservation works. This report is seeking a Council resolution that the Planning Proposal be finalised once the Conservation Agreement is registered on land title with OEH, and then the issuing of subdivision development approval being conditional on funding being obtained and active management underway. These measures are to ensure any development occurs in the context of active conservation, with the long term effects of the VMP management actions being to strengthen the green physical and visual corridor between Cordeaux Heights and Mt Kembla, in line with the community's long standing vision to retain a unique historical identity. The Office of Environment and Heritage (OEH) has identified this site as representing a strategically important linkage opportunity, containing a diversity of native flora species with good potential for rehabilitation and recovery. The OEH support the protection and rehabilitation of the riparian corridor area by an in perpetuity Conservation Agreement registered on land title.

A total of 26 submissions expressed concern that the properties had been purchased in the full knowledge of the planning restrictions and landowners therefore should not expect to have their properties rezoned. A further 25 submissions raised concerns that allowing these rezonings would set a precedent and encourage other rezoning and subdivision enquiries. The intent of developing the Concept Plan in 2013 was to provide the community with certainty, identifying areas that could potentially accommodate additional limited residential development, along with the areas of environmental quality to be protected and rehabilitated. Planning Proposals are now being considered for the sites identified in the Concept Plan and evaluated in relation to consistency with that Plan.

Concern about the safety and practicality of access to the site with the existing shared driveway was raised in four submissions, given the proximity to the existing houses and insufficient width for two vehicles to pass. The Planning Proposal was accompanied by a Desktop Traffic Assessment confirming that vehicular access to the site is currently provided via a single lane, two-way right of way driveway approximately 80 metres in length, which also provides access to properties No 1/227A and 2/227A Cordeaux Road. The Assessment also included a Vehicle Conflict Analysis in order to determine whether the existing single lane right of way will continue to operate satisfactorily with an increased number of traffic movements. The analysis concluded that the probability of two vehicles meeting along the driveway is negligible, and that in the rare occasion that a vehicle is seeking to enter or exit the driveway when it is already occupied by another vehicle travelling in the opposite direction, there is ample sight distance for two vehicles to see each other. The Rural Fire Service (RFS) and internal Traffic Division Council referrals recommended limiting the proposed subdivision to a maximum of two additional dwellings if reliant on the current access arrangements.

Overall nine submissions expressed the view that, given Council is a financial beneficiary of increased rates with these subdivisions, can they be trusted to act on the behalf of the community. The Council made the decision to invest significant funds in 2013 to engage independent professional advice to develop the Farmborough Heights to Mt Kembla Concept Plan in order to provide certainty to the community as to development potential of the area and identify areas of ecological significance to be protected.

The table below summarises the key findings from the public exhibition:

Submission	Submitter	Comment
Support exhibited draft Planning Proposal	Office of Environment & Heritage (OEH)	<p>This support reflects acknowledgement that the riparian corridor represents a strategically important linkage opportunity and contains a diversity of native flora species with good potential for rehabilitation and recovery. The OEH support the protection of the riparian corridor area by an in perpetuity Conservation Agreement registered on land title and administered by the Biodiversity Conservation Trust (OEH).</p> <p>The OEH submission states the property is identified in the Illawarra Shoalhaven Regional Plan (2015) as occurring within a biodiversity corridor, with the proposal considered consistent with the ISRP provisions to look for opportunities to improve funding and resilience of corridors in strategic planning.</p>
No objection	NSW Rural Fire Services (RFS) Roads and Maritime Services (RMS) Sydney Water Department of Primary Industries - Water	Noted
Concern about need to retain the green corridor at the entrance to the village and running behind the existing houses up to the fire trail.	26 community submissions	The Farmborough Heights to Mt Kembla Concept Plan identifies Mt Kembla as having a high scenic and environmental quality that will need to be maintained and refers to Council's Development Control Plan which has specific controls to preserve the historic identity and character of Mt Kembla village, as well as maintain a green corridor around the eastern approach to provide separation from the neighbouring suburbs of Cordeaux Heights and Unanderra.
Question whether additional residential development could contribute to the rehabilitation of environmentally sensitive areas and result in an improved outcome at the site.	11 community submissions	The Vegetation Management Plan prepared for the site responds to the Concept Plan, and will provide the basis for a Conservation Agreement registered on title and administered by the Biodiversity Conservation Trust (OEH) to ensure in perpetuity funding of conservation works. The long term effects of the VMP management actions will be to strengthen the green physical and visual corridor between Cordeaux Heights and Mt Kembla, in line with the community's long standing vision to retain a unique historical identity.

Submission	Submitter	Comment
		<p>The OEH identified that the site represents a strategically important linkage opportunity and contains a diversity of native flora species with good potential for rehabilitation and recovery. The OEH submission states the property is identified in the Illawarra Shoalhaven Regional Plan (2015) as occurring within a biodiversity corridor, with the proposal considered consistent with the ISRP provisions to look for opportunities to improve funding and resilience of corridors in strategic planning. An amount of \$101,288 has been identified in the VMP to provide on ground rehabilitation works.</p>
<p>Concern that the properties have been purchased in the full knowledge of the planning restrictions and landowners should not expect to have their properties rezoned</p>	<p>26 community submissions</p>	<p>The intent of developing the Concept Plan in 2013 was to provide the community with certainty, identifying areas that could potentially accommodate additional limited residential development, along with the areas of environmental quality to be protected and rehabilitated. Planning Proposals are now being considered for the sites identified in the Concept Plan and evaluated in relation to consistency with that Plan.</p>
<p>Allowing these rezonings will set precedent and encourage other rezoning and subdivision enquiries</p>	<p>25 community submissions</p>	<p>The Concept Plan identified potential to rezone this site to permit additional large lot residential development, subject to demonstration that an improved environmental outcome could be achieved.</p>
<p>Can Council be trusted to act on the behalf of the community; given Council is a financial beneficiary of increased rates with these subdivisions.</p>	<p>9 community submissions</p>	<p>Council made the decision to invest significant funds in 2013 to engage independent professional advice to develop the Farmborough Heights to Mt Kembla Concept Plan in order to provide certainty to the community as to development potential of the area and identify areas of ecological significance to be protected.</p>
<p>Concern about the safety and practicality of access to the site with the existing shared driveway, given proximity to existing houses and insufficient width for two vehicles to pass.</p>	<p>4 community submissions</p>	<p>A Vehicle Conflict Analysis was conducted to determine whether the existing single lane right of way will continue to operate satisfactorily with an increased number of traffic movements. The analysis concluded that the probability of two vehicles meeting along the driveway is negligible, and that in the rare occasion that a vehicle is seeking to enter or exit the driveway when it is already occupied by another vehicle travelling in the opposite direction, there is ample sight distance for two vehicles to see each other.</p>

Submission	Submitter	Comment
		<p>The Rural Fire Service and internal Council Traffic Division recommend limiting the proposed subdivision to a maximum of two additional dwellings if reliant on the current access arrangements, and the Planning Proposal request was modified (down from 4 additional dwelling sites to 2) to address the access issue.</p> <p>Concept Plan identified sufficient capacity within existing road network to accommodate estimated traffic generation from proposed development and sufficient capacity re utilities.</p>

Internal feedback

Comment on the draft Planning Proposal request was received from four internal divisions of Council. Development Engineering indicated no objection from a stormwater and floodplain management perspective, noting that any future development of the land will be subject to the requirements of Wollongong DCP 2009 Chapters E13 and E14, Clause 7.3 of Wollongong LEP 2009 and the NSW Government’s Floodplain Development manual 2009.

The feedback from the traffic division was that the proposed development of the site would need to be revised down to two additional lots (as opposed to the four initially sought) in order to comply with AS2890.1 in relation to the width of the driveway and the provision of passing opportunities.

The geotechnical review indicated that the building envelopes are considered feasible from a geotechnical perspective and encountered geotechnical constraints can readily be managed through routine earthworks.

The Environment division attended a site visit to confirm environmental values on site and indicated that the actions outlined in the VMP would result in a moderate to high level Biodiversity outcome being achieved. A key recommendation was that the indicative building envelopes be moved north to enable a 50 metre set back from the riparian corridor, to ensure all APZs are located in the E4 Environmental Living zoned land. A further recommendation was that an appropriate conservation agreement should be registered, funding obtained and active management underway prior to the issuing of a subdivision DA to ensure an improved biodiversity outcome, as envisaged by the new Biodiversity Conservation Act 2016.

Wollongong Local Planning Panel

On 31 October 2018, the Wollongong Local Planning Panel considered the Planning Proposal following a request from Ward 2 Councillors seeking the Panel’s independent advice on the consistency with the Farmborough Heights to Mt Kembla Concept Plan.

The Panel agreed that the site has both strategic and site specific merit and is consistent with the Farmborough Heights to Mt Kembla Concept Plan. The Panel noted the submissions received and considered that the proposed E2 Environmental Conservation zoning would create a reasonable and satisfactory buffer, both visual and physical, to Mount Kembla village (Attachment 8).

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2028 goal “*The natural environment is protected and enhanced*” under the Community Goal “*We value and protect our environment*”. It specifically delivers on the following:

Community Strategic Plan	Delivery Program 2018-2021	Operational Plan 2018-19
Strategy	3 Year Action	Operational Plan Actions
1.6.1 Our urban environment minimises impacts on habitat and biodiversity and areas of high conservation value are protected	1.6.1.1 Review planning controls for environmentally sensitive locations	Continue to assess Planning Proposals against environmental strategies, including the Illawarra Biodiversity Strategy and the Illawarra Escarpment Strategic Management Plan.

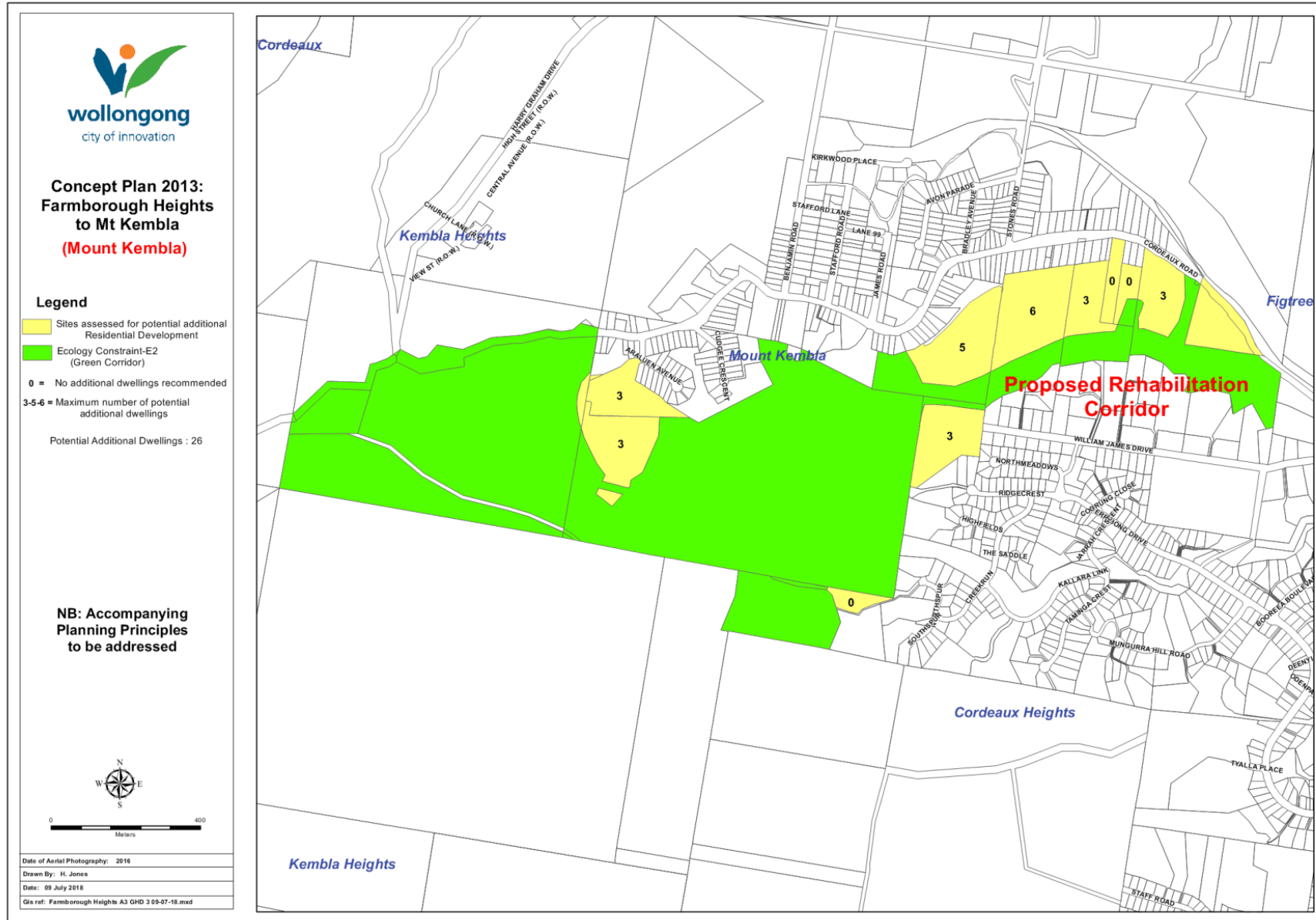
The endorsed Farmborough Heights to Mt Kembla Concept Plan is consistent with and complements the Illawarra Escarpment Strategic Management Plan (IESMP 2015) and the Illawarra Escarpment Land Use Review Strategy (IELURS 2007). Succinctly, the IESMP and IELURS consider that limited development may be possible having regard to the environmental sensitivity of the receiving environment provided there are mechanisms in place to drive rehabilitation and restoration of the land and its surrounds. One of the principles of the IESMP is “recognition that the asset (the Escarpment) is in a degraded state and therefore continual improvement is required”. The Farmborough Heights to Mt Kembla Concept Plan is also consistent with the objectives and targets of regional strategies including the Illawarra Biodiversity Strategy (2011) and Illawarra Regional Strategy 2006-31 (2007), with a focus on priority vegetation and important habitat corridors.

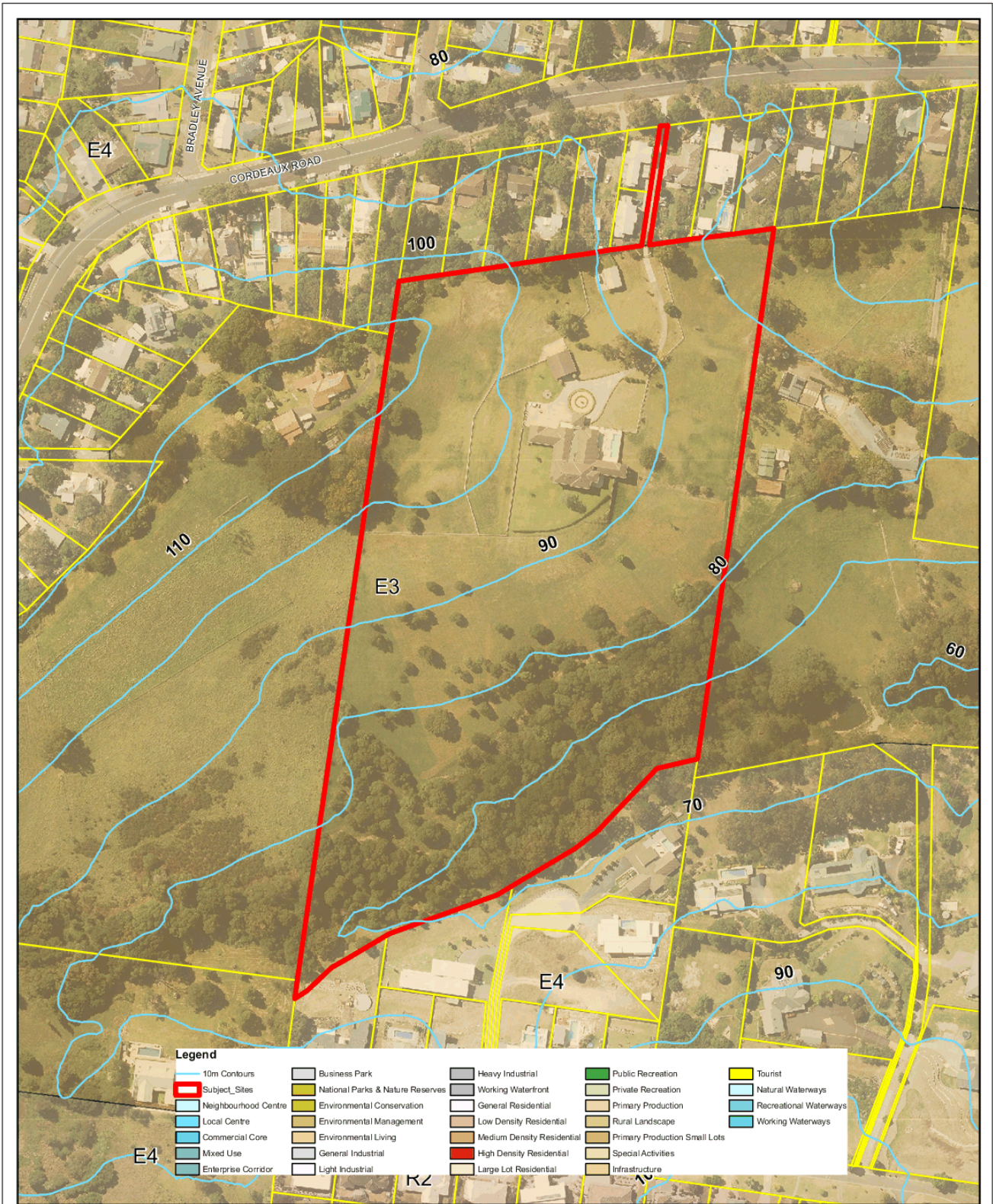
CONCLUSION

The Planning Proposal for 227 Cordeaux Road, Mt Kembla is consistent with the recommendations contained in the Farmborough Heights to Mt Kembla Concept Plan. The Office of Environment and Heritage has acknowledged the potential for net conservation gains at this site and support a long term conservation outcome being achieved. The establishment of a Conservation Agreement, registered on land title and administered by the Biodiversity Conservation Trust (OEH) will provide the legal and financial mechanism to achieve active conservation on this site, as required by the Concept Plan.

The in perpetuity protection of ecologically constrained land with funding in association with low density limited residential development will provide a suitable development outcome for this site whilst significantly enhancing the biodiversity values of an important riparian and habitat corridor. Registration of the Conservation Agreement on land title with the Office of Environment and Heritage will be required prior to finalisation of the Planning Proposal, as evidence of the active conservation required by the Concept Plan. The management actions outlined in the Vegetation Management Plan, including extensive revegetation works, will strengthen the green physical and visual corridor between Cordeaux Heights and Mt Kembla, in line with the community’s long standing vision to retain the unique historical identity of Mt Kembla village.

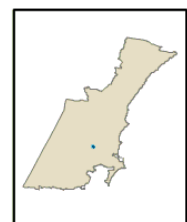
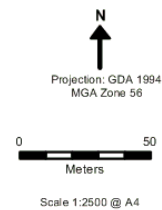
It is recommended that Council resolve to finalise the exhibited Planning Proposal for 227 Cordeaux Road, Mt Kembla.



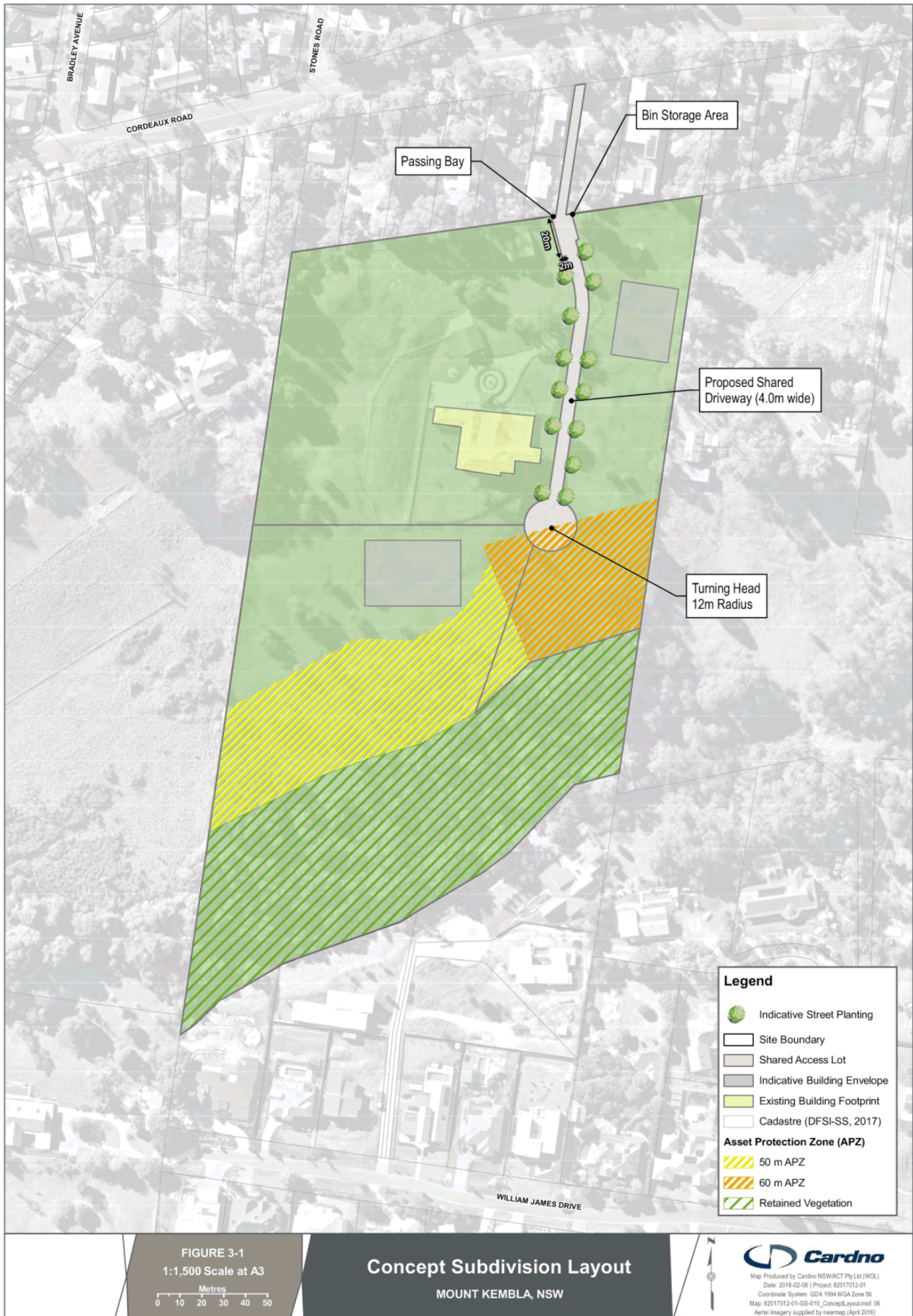


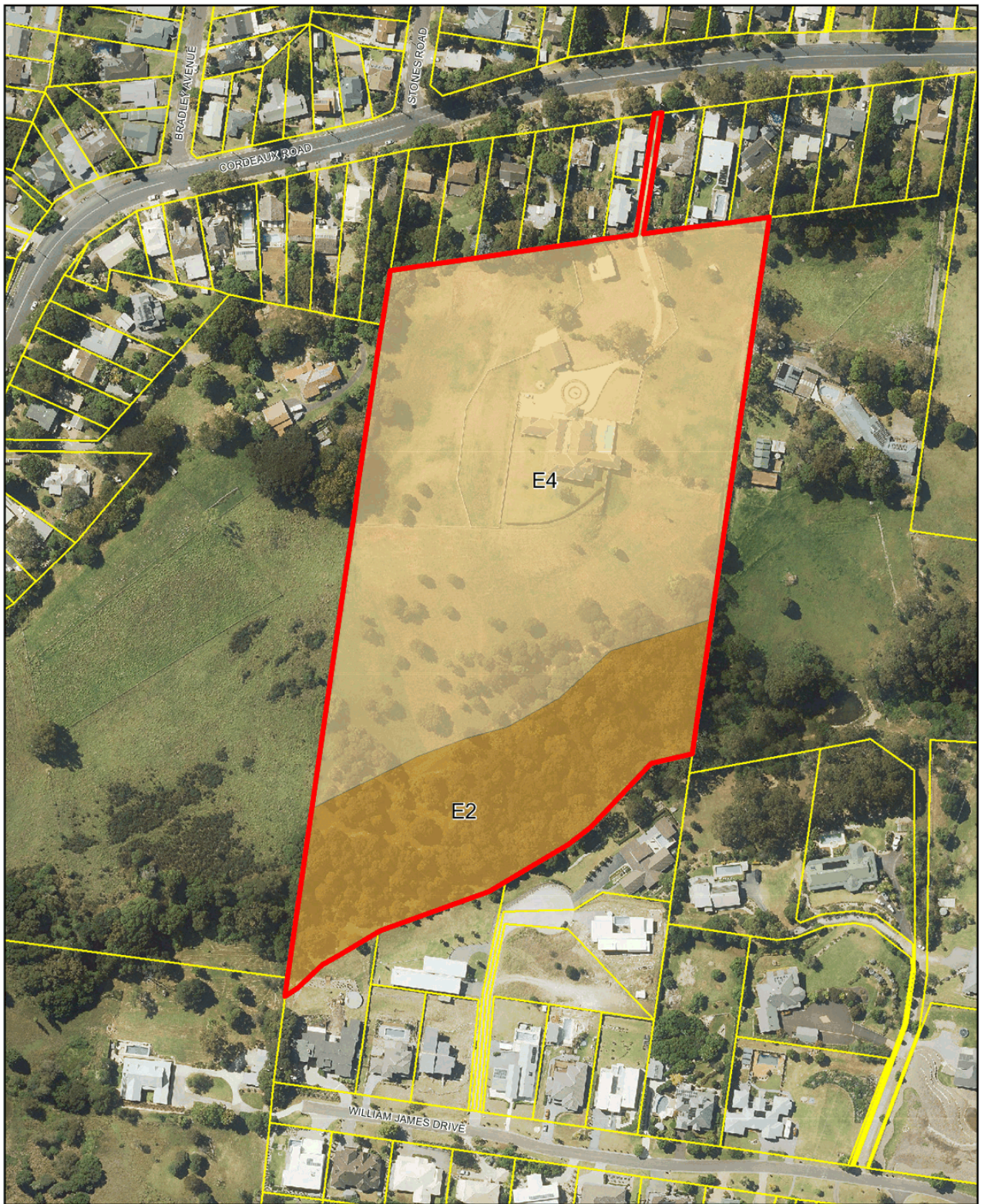
Site Location And Current Zoning for 227 Cordeaux Rd Mt Kembla

10m Contours
Subject_Sites






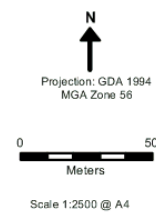
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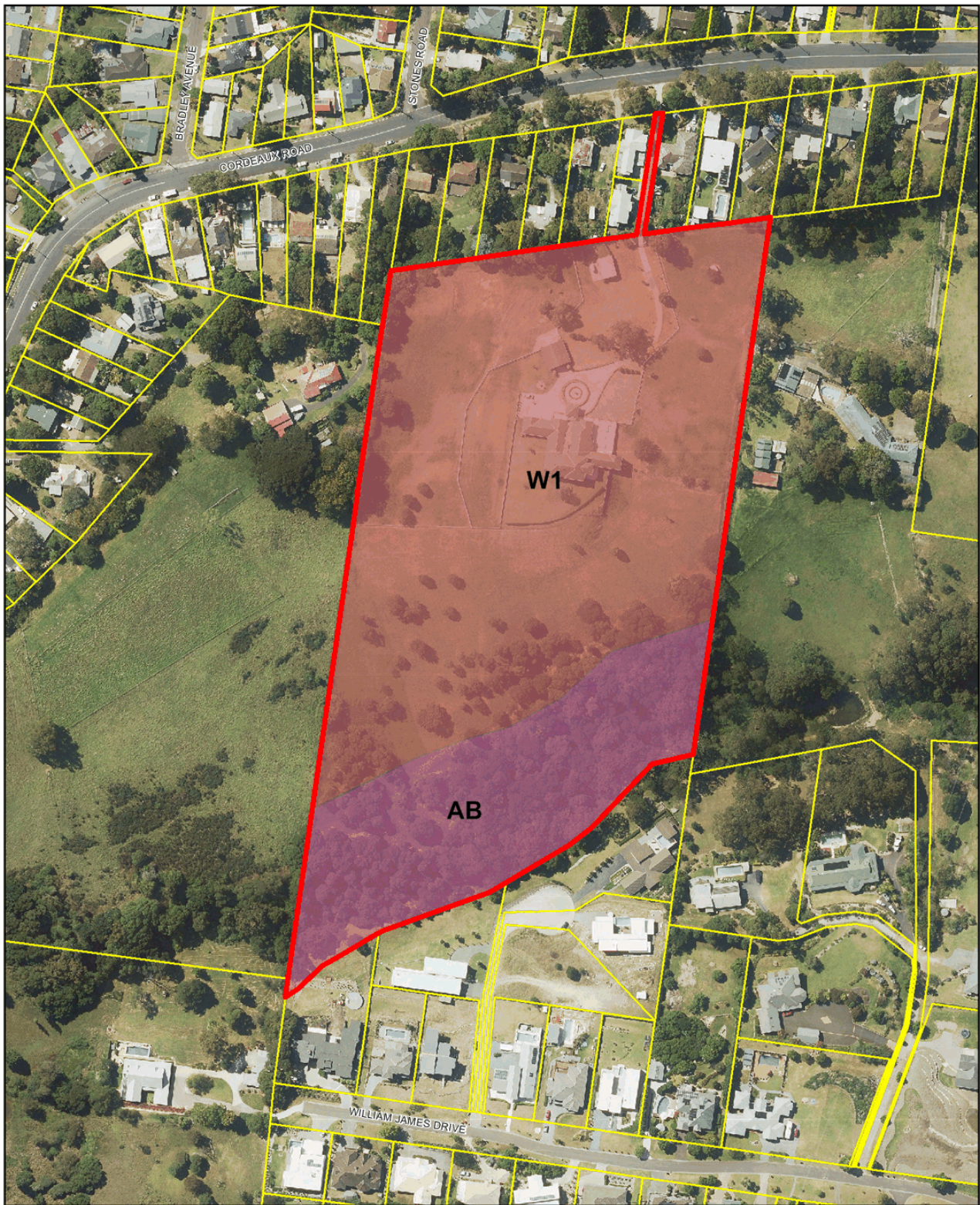


Proposed Zoning for 227 Cordeaux Rd Mt Kembla

-  Subject_Sites
-  E2 Environmental Conservation
-  E4 Environmental Living

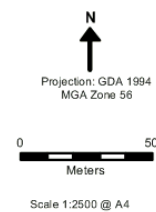


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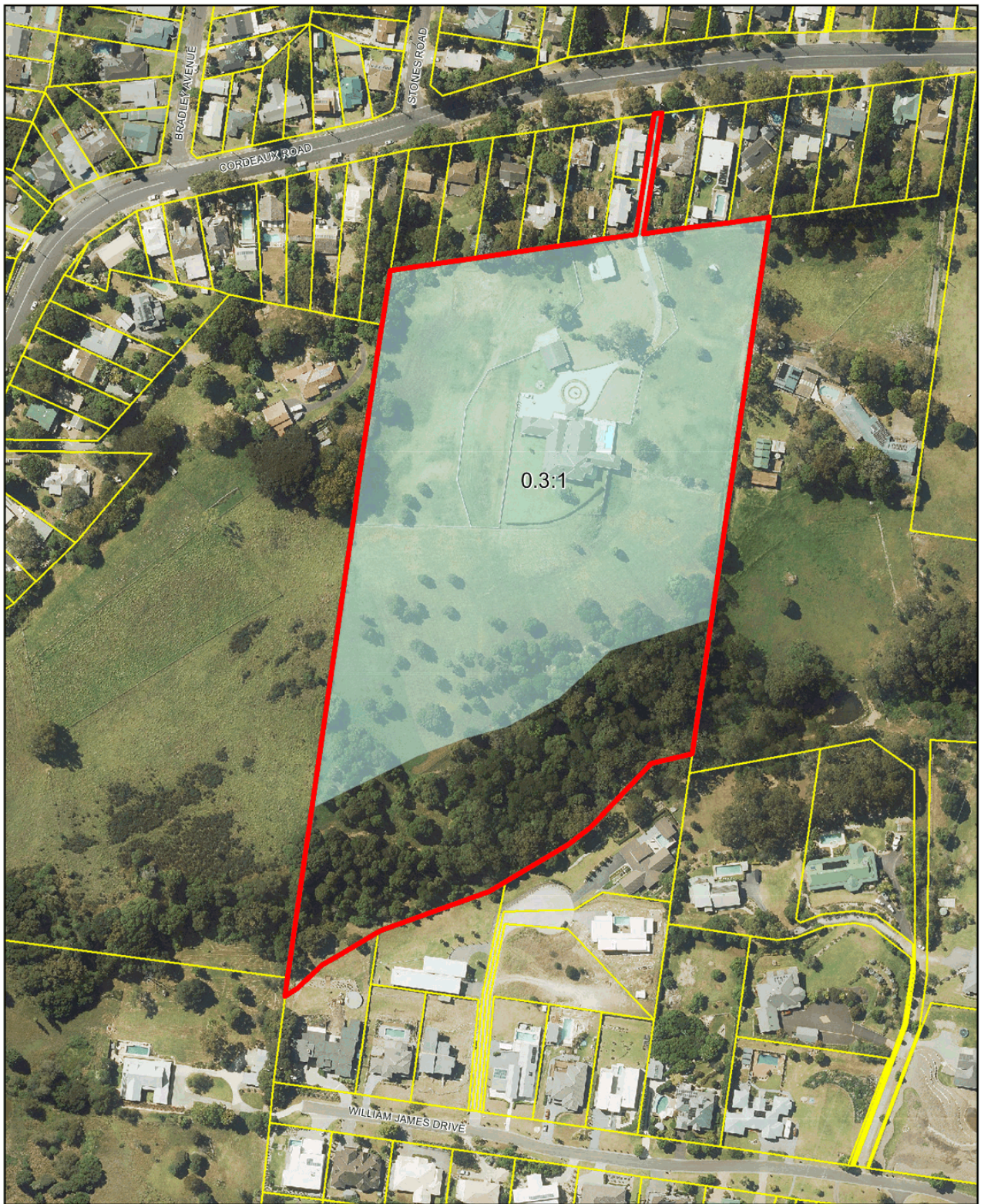


Proposed Minimum Lot Size for
227 Cordeaux Rd
Mt Kembla



- Subject_Sites
- AB 39.99ha
- W1 4999sqm

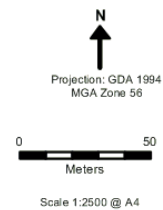


Map Identification number:
227 Cordeaux Rd_PP_MLS.mxd



Proposed Floor Space Ratio for
227 Cordeaux Rd
Mt Kembla

-  Subject_Sites
-  0.3:1



Map Identification number:
227 Cordeaux Rd_LEP2009.mxd



ecoplanning

ecology | planning | offsets

Vegetation Management Plan – Riparian Corridor



Lot 100 // DP 1123517

227 Cordeaux Road, Mount Kembla, NSW 2526

Proposed residential subdivision

Prepared for Cardno Pty Ltd

5 September 2017

**Vegetation Management Plan
227 Cordeaux Road, Mount Kembla**

PROJECT NUMBER	2016-054		
PROJECT NAME	Vegetation Management Plan – Riparian Corridor		
PROJECT ADDRESS	Lot 100 // DP 1123517, Cordeaux Road, Mount Kembla, NSW, 2526		
PREPARED FOR	Cardno Pty Ltd		
AUTHOR/S	Thomas Hickman		
REVIEW	Bruce Mullins		
VERSION	Version	Draft/Final	Date to client
	1.0	Draft	25/07/17
		Final	5/09/2017

This report should be cited as: 'Ecoplanning (2017). *Vegetation Management Plan – Riparian Corridor, Lot 100, DP 1123517, 227 Cordeaux Road, Mount Kembla. Prepared for Cardno Pty Ltd.*'

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**Vegetation Management Plan
227 Cordeaux Road, Mount Kembla**

Glossary and abbreviations

ABBR./TERM	DESCRIPTION
*	Denotes exotic species
APZ	Asset Protection Zone
DA	Development Application
DCP	Development Control Plan
EPBC Act	Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i>
ha	Hectares
IPA	Inner Protection Area
LCA	Local Control Authority
LGA	Local Government Area
TEC	Threatened ecological community, listed as vulnerable, endangered or critically endangered under either the TSC Act or EPBC Act
ToB	Top of Bank
TSC Act	NSW <i>Threatened Species Conservation Act 1995</i>
VMP	Vegetation Management Plan
VRZ	Vegetated Riparian Zone
WLEP	Wollongong Local Environmental Plan 2009
WM Act	NSW <i>Water Management Act 2000</i>
WoNS	Weeds of National Significance

**Vegetation Management Plan
227 Cordeaux Road, Mount Kembla**

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Vegetation Management Plan
227 Cordeaux Road, Mount Kembla

1. Introduction

1.1 Description of project and purpose of Vegetation Management Plan

Ecoplanning were commissioned by Cardno Pty Ltd to prepare a Vegetation Management Plan (VMP) for the riparian corridor contained within Lot 100, DP 1123517, 227 Cordeaux Road, NSW, 2526 (**Figure 1.1**) on land that is currently zoned E3 – Environmental Management under the Wollongong Local Environmental Plan 2009 (WLEP). At present, the Lot (hereafter referred to as the ‘study area’) is proposed to be sub-divided into five (5) lots, including the existing residential property. This VMP relates to a Vegetated Riparian Zone (VRZ) of an unnamed 2nd order stream in the south of the study area (the ‘subject site’). A majority of the subject site occurs on the northern bank of the watercourse. However, a small portion is also situated on the southern side. A 1st order stream flows in a northerly direction, and joins the 2nd order stream on the southern boundary of the subject site (**Figure 1.2**).

A review of aerial imagery from 1948/51, 1977, 2006, 2012 and 2014 reveals that the extent and density of vegetation in the subject site has varied over the years (**Appendix C**). The aerial imagery from 1948/51 shows the subject site to be mostly cleared, with a few patches of vegetation directly along the watercourse. However, since the early 2000’s, there has been an increase in cover, particularly between the years of 2006 – 2012. The increase in vegetation cover in the subject site coincides with the revegetation of *Eucalyptus* spp. and *Acacia* spp. outside the northern boundary of the subject site. It is possible that revegetation has occurred in the subject site itself, although appears to be unlikely.

This VMP outlines management methods for the restoration and stabilisation of the riparian zone within the subject site with consideration of the recommendations outlined in Chapter E23 of the Wollongong Development Control Plan (DCP) 2009. A majority of the land intended for management retains a moderately intact native groundlayer with occasional midstorey and canopy species. Woody weeds, including *Lantana camara* (Lantana), *Solanum mauritianum* (Wild Tobacco) and *Senna pendula* var. *glabrata* occur in dense patches, in niches that native plant species would otherwise occupy. Therefore, primary removal of woody weeds will be the main management focus to achieve the VMP’s primary objectives, including:

- Reduce the abundance and cover of all exotic species, particularly woody weeds, which are preventing the establishment and further succession of native plant species,
- Creating a revegetated riparian zone to buffer the watercourse from the impacts of the surrounding land use (e.g. nutrient enriched runoff). This will contribute to the health of the watercourse in the subject site and the overall catchment,
- Revegetating the subject site with a combination of native midstorey, overstorey and occasional grasses/groundcovers,
- Increasing the complexity of the habitat within the riparian zone for macroinvertebrates and terrestrial fauna,
- Implementing a ‘top of catchment approach’ by reducing the vegetative and propagule spread of exotic species further down the catchment.

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Wollongong Local Government Area (LGA) requires the submission of a VMP with any Development Application (DA) lodged for any proposed development within 40 metres from the top of bank of any watercourse, lake or estuary in accordance with the Wollongong Development Control Plan (DCP) (2009). As indicated in **Figure 1.2**, the subject site incorporates additional areas outside of the minimum 20 m buffer from the 2nd order watercourse in the north of the site. This report includes a proposal for staging of works to guide the weed management, revegetation and general restoration of the subject site by a qualified bush regeneration company. This VMP is intended to be implemented over a five-year period.

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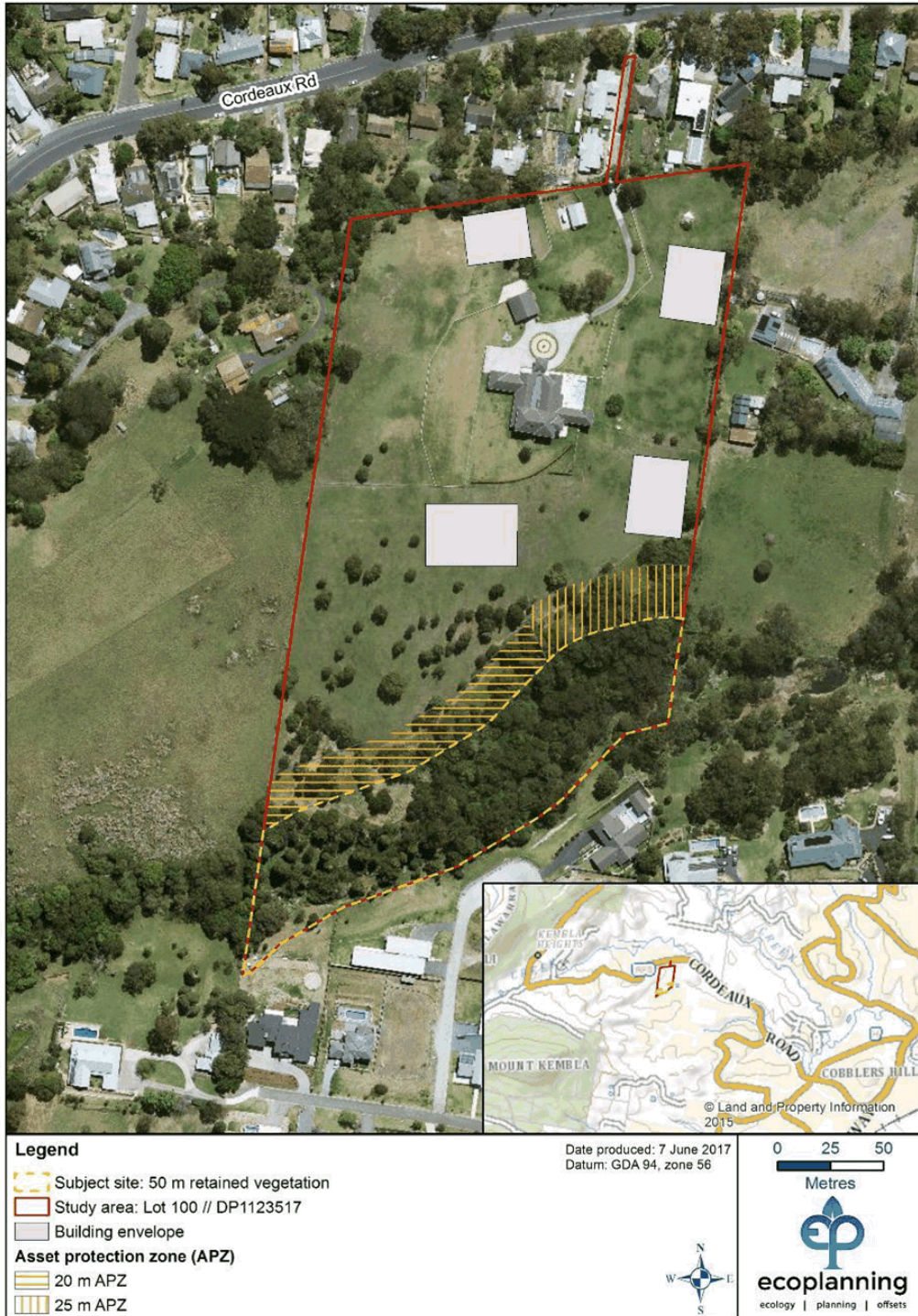


Figure 1.1: The study area and VMP subject site, including the proposed lot layout and APZs.

Vegetation Management Plan
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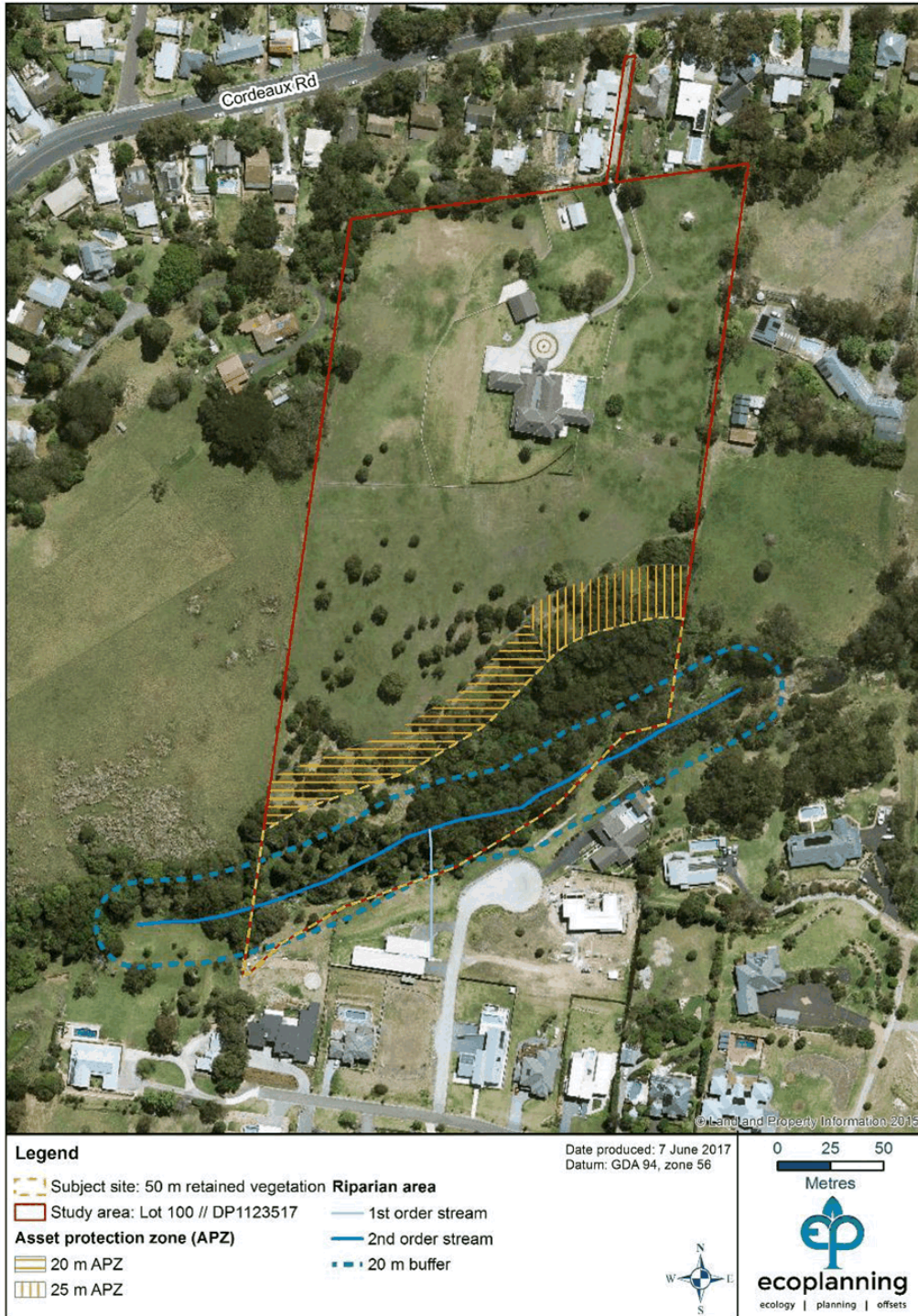


Figure 1.2: Strahler stream order and associated VRZ buffer.

Vegetation Management Plan
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1.2 Site description

The **study area** is situated in Wollongong LGA and includes all land contained within Lot 100, DP 1123517, 227 Cordeaux Road, Mount Kembla, NSW, 2526. The surrounding land is mostly zoned E4 – Environmental Living (WLEP 2009). The suburb of Mount Kembla is situated on the lower - mid slopes of the Illawarra Escarpment, with Mount Kembla situated approximately 1.5km to the south west of the study area. The northern portion of the study area consists of cleared land ‘exotic grassland with scattered trees’ and ‘existing infrastructure’. Cleared areas of the site are regularly mown, including amongst the planted vegetation in the south of the study area. An unnamed 2nd order watercourse runs in a north easterly direction through the south of the study area, which subsequently joins American Creek, a 3rd order stream.

The VMP **subject site** includes all land 50 m south from the southern boundary of the Lot, which incorporates a 20 m buffer from the Top of Bank (ToB), with additional areas of vegetation in the north. The subject site retains connectivity with the large expanse of vegetation to the west of the site, as well as the vegetation to the east of the subject site (**Figure 1.3**). The vegetation to the east mostly consists of vegetation associated with American Creek and Brandy and Water Creek, and is substantially more fragmented than the vegetation to the west. The subject site consists of a mixture of regenerating natives and exotic species, with a reasonably intact native groundlayer. As this site was once extensively cleared, there are few mature – over mature canopy species, however a few individuals remain, including *Eucalyptus saligna* x *botryoides* (Wollongong Woollybutt) and *Eucalyptus quadrangulata* (White-topped Box) (**Figure 1.4**). Revegetation of native midstorey and canopy species is occurring through the site, including *Acacia melanoxylon* (Blackwood), *Alphitonia excelsa* (Red Ash), *Backhousia myrtifolia* (Grey Myrtle), *Rhodamnia rubescens* (Scrub Turpentine), *Clerodendrum tomentosum* (Hairy Clerodendrum) and *Melicope micrococca* (Hairy-leaved Doughwood).

The composition of native flora in the subject site reflects the vegetation community, Moist Box-Red Gum Foothills Forest (MU13) (NPWS 2002), which occurs through the full extent of the subject site (Ecoplanning 2016). The vegetation to the north of the subject site consists of plantings, including *A. melanoxylon*, *Acacia maidenii* (Maiden’s Wattle), *Acacia mearnsii* (Black Wattle) and *Acmena smithii* (Lilly Pilly). Due to the mapping of the subject site as Moist Box-Red Gum Foothills Forest (MU13), the recommended species for planting (**Appendix B**) mostly consist of species representative of this community. Further discussion of the vegetation classification is included in **Section 2.2.1**.

Asset Protection Zone

An asset protection zone (APZ) will be situated between the northern boundary of the VMP subject site and the proposed residential properties in the north (**Figure 1.1**). The western portion of the APZ will be 20 m wide, whereas the eastern portion will be 25 m. The difference in APZ widths reflects two slope classes; ‘15-18 degrees downslope’ for the eastern third of the corridor, and ‘10-15 degrees downslope’ for the western two thirds of the corridor. Slight modifications to the vegetation mapped as Moist Box-Red Gum Foothills Forest (MU13) within the riparian corridor will be necessary to decrease the width of the corridor to a maximum of 50 m, whilst complying with Inner Protection Area (IPA) standards (**Figure 1.5**). This will reduce the bushfire risk for the proposed lots to a ‘low hazard’, whilst also accommodating the 40 m riparian corridor required under the NSW *Water Management Act 2000* (WM Act).

Vegetation Management Plan
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The proposed APZ incorporates some of the planted vegetation to the north of the VMP subject site, which will be managed within the APZ. The APZ containing the Moist Box-Red Gum Foothills Forest (MU13) and 'planted native vegetation' should comply with the following IPA requirements:

- Trees are to be thinned to prevent a continuous canopy by achieving gaps between crowns and to the roofline of a dwelling of 2 to 5 m minimum. A clump (e.g. two or three smaller trees) may be retained as 'one crown'. Preference for removal is to be given to trees with lower SULE rating and with least ecological benefit;
- Understorey shrubs and saplings should not be retained within the APZ;
- Ground covers are to be regularly slashed or mowed, and ground fuels are to be reduced by removing all dead material and removing leaf litter and other fine fuels.

The planted native vegetation to the north of the VMP subject site contains few native midstorey species and mostly consists of exotic grasses and herbaceous weeds and is currently mown. Given the cover of the plantings is sparse and the understorey is managed, it is likely that a majority of the vegetation currently meets IPA requirements. Future management of the APZ area mapped as 'planted native vegetation' should be achieved by regular mowing, with the aim of preventing the propagule spread of herbaceous weeds and grasses into the subject site. The Moist Box-Red Gum Foothills Forest within the APZ should be managed to reduce the cover and abundance of exotic species, whilst meeting the requirements of the IPA. Revegetation will not be conducted in this area, and vegetation removal should be in accordance with the above requirements.

Vegetation Management Plan
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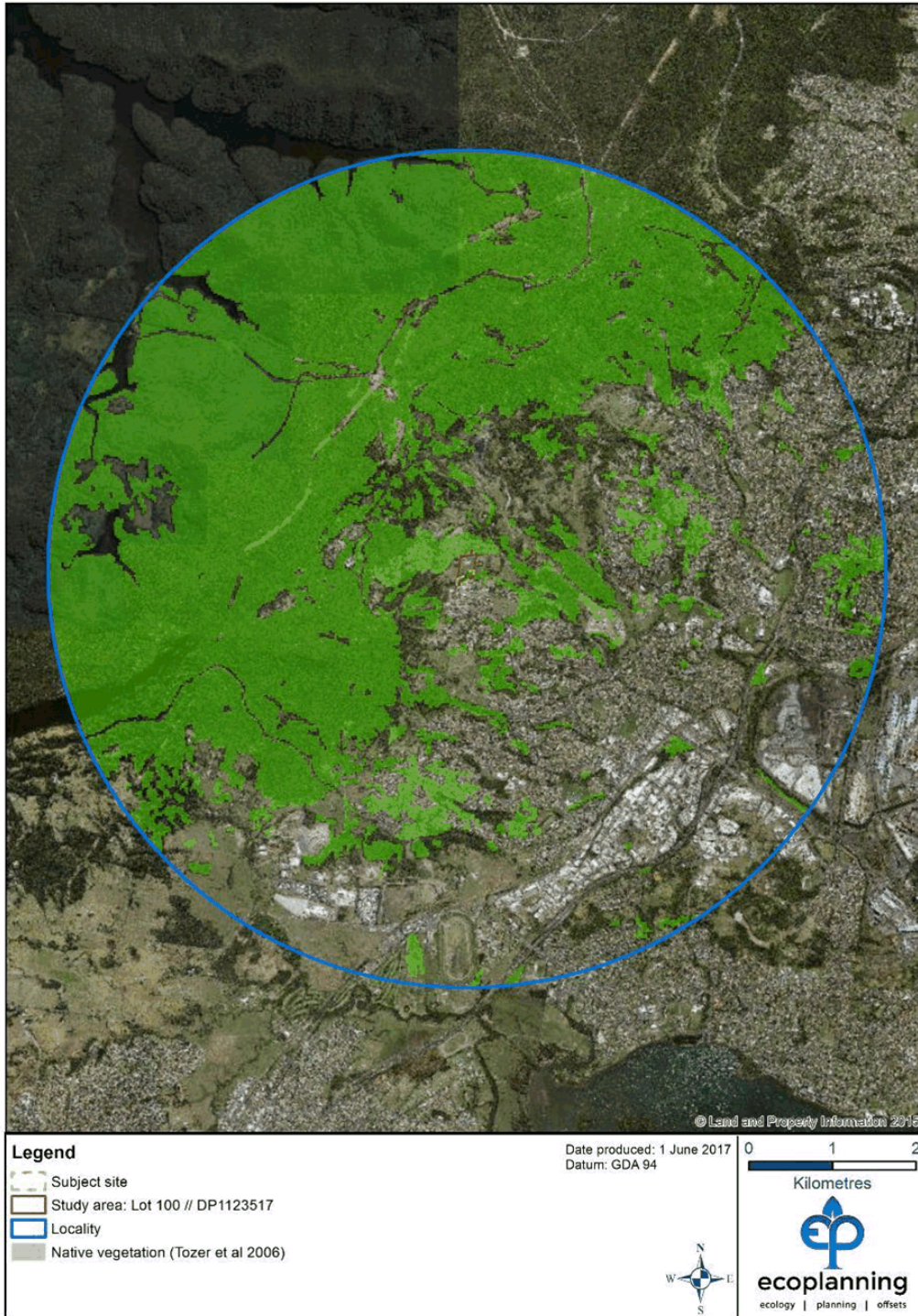


Figure 1.3: Locality of the VMP subject site and connectivity to surrounding native vegetation (Tozer et al. 2010).

**Vegetation Management Plan
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Figure 1.4: Hollow bearing mature – over mature *E. saligna x botryoides* in the VMP subject site.

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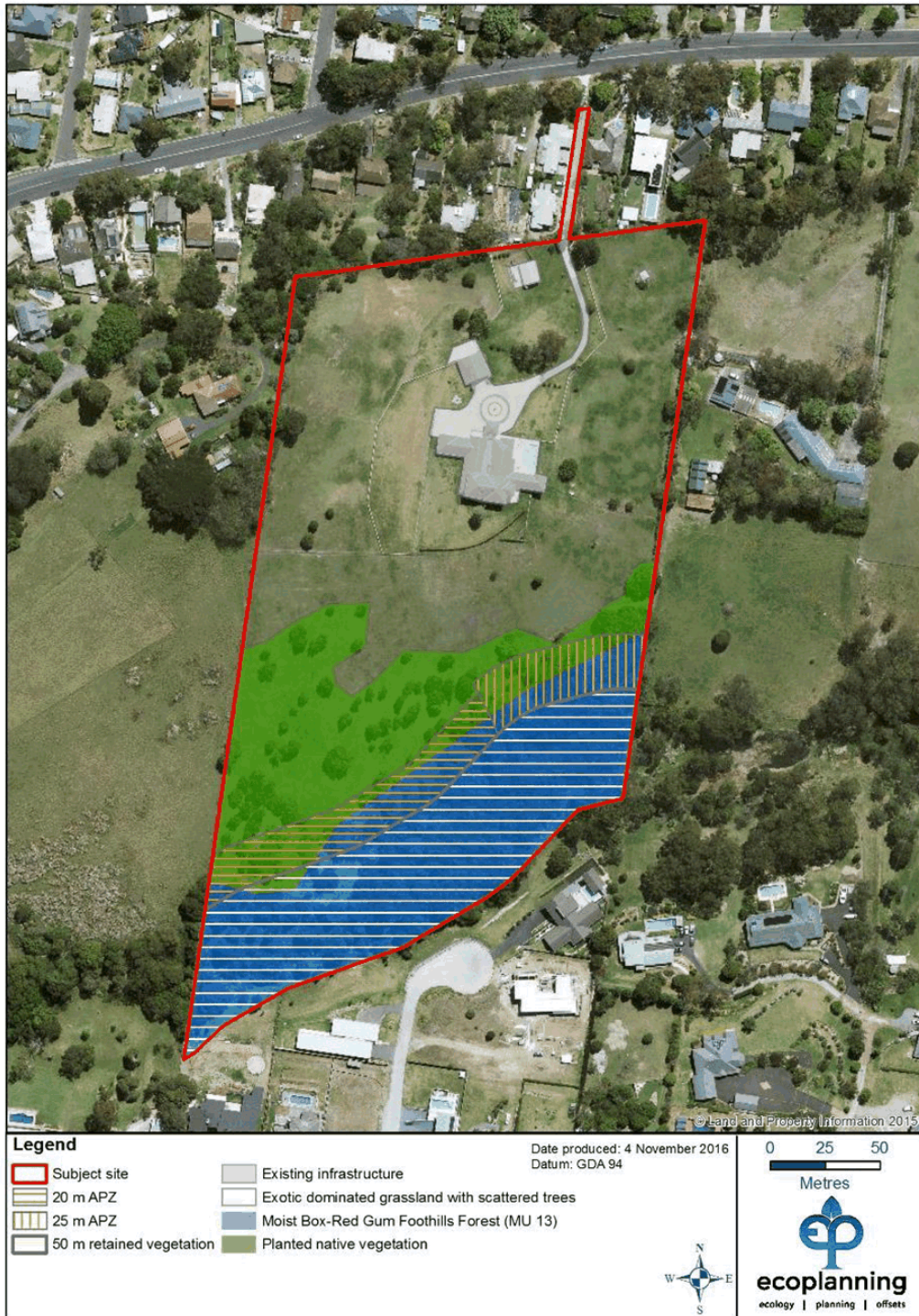


Figure 1.5: Retained vegetation and MU13/'planted native vegetation' within the APZ.

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2. Site assessment

2.1 Methods

A field survey was undertaken on 26 May 2017 by Thomas Hickman (Ecologist, EcoPlanning). The study area and subject site were traversed by foot on either side of the unnamed creek. The weather conditions on the day were cool – warm with clear skies (**Table 2.1**).

Table 2.1. Daily weather observation at Albion Park (Wollongong Airport)– station 068241 (15 km north-east of the development site)

Date	Temp (°C)		Rainfall (mm) ¹	Max wind	
	Min	Max		Direction	Speed (km/h)
26/05	5.7°C	20.8°C	0mm ¹	SSE	24

The field assessment aimed to determine the overall resilience of the subject site, thus its capacity to respond to regeneration works. Appropriate management methods were considered, with the aim of identifying areas of the site requiring revegetation, as opposed to assisted natural regeneration. The site was surveyed to determine the problematic exotic species onsite, and aimed to identify all noxious species and Weeds of National Significance (WoNS). During the survey, appropriate weed control techniques were considered, for the dominant exotic species onsite. All vegetation patches were assessed to determine their location and extent, and to confirm their structure and floristics.

2.2 Results

2.2.1 Plant communities

Regional vegetation mapping (NPWS 2002) of the study area was reviewed, with Moist Box-Red Gum Foothills Forest (MU13) being the only mapped native vegetation type in the study area (**Figure 2.1**). Additional vegetation was mapped by NPWS (2003) in the study area, including *Acacia* Scrub (MU56a), Cleared Land (MU56d) and Weeds and Exotics (MU56c). Regional vegetation mapping of the study area by Tozer et al. (2010) indicates three vegetation communities within the study area (**Figure 2.2**), including:

- South Coast Grassy Woodland (p.34)
- Subtropical Dry Rainforest (p.111)
- Warm Temperate Layered Forest (p.110)

Field assessment confirmed the presence of Moist Box-Red Gum Foothills Forest in the VMP subject site (MU13) (EcoPlanning 2016) (**Figure 2.3**). No Threatened Ecological Communities (TECs) listed under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) or *Threatened Species Conservation Act 1995* (TSC Act) were identified in the subject site or study area during field assessment.

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2.2.2 Moist Box-Red Gum Foothills Forest (MU13)

As a result of past logging and underscrubbing only a small portion of the original suite of native species representative of Moist Box-Red Gum Foothills Forest (MU13) are present in the subject site. This community is the only mapped native vegetation community in the subject site, and occurs as a moderately intact area of vegetation in a stage of regrowth. The dominant canopy species include *E. quadrangulata* and *E. saligna* x *botryoides*, of which few mature – over mature species are present. Some sections of the site contain a moderately dense native midstorey, including *Alphitonia excelsa*, *Backhousia myrtifolia*, *Clerodendrum tomentosum*, *Melaleuca styphelioides* (Prickly-leaved Tea Tree), *Melicope micrococca*, *Pittosporum multiflorum* (Orange Thorn) and *Rhodamnia rubescens* (Scrub Turpentine). Sections of the site retain a high species richness and cover of native grasses and groundcovers, including *Carex appressa* (Tall Sedge), *Tylophora barbata* (Bearded Tylophora), *Stellaria flaccida* (Forest Starwort), *Gymnostachys arvensis* (Settlers Twine), *Dichondra repens* (Kidney Weed), *Veronica plebeia* (Trailing Speedwell), *Microlaena stipoides* var. *stipoides* (Weeping Grass) and *Pellaea falcata* (Sickle Fern).

Exotic species have become established across approximately 80 – 90% of the subject site, particularly in the midstorey, where woody weeds, such as *Lantana camara*, *Ligustrum lucidum* (Large-leaved Privet), *Solanum mauritianum* and *Senna pendula* var. *glabrata* have become established. *Lantana camara* is the most abundant weed issue on site and will require a substantial amount of primary work (**Figure 2.4**). Groundlayer exotic species include *Ageratina adenophora* (Crofton Weed), *Cirsium vulgare* (Spear Thistle), *Senecio madagascariensis* (Fireweed), *Sida rhombifolia* (Paddy's Lucerne), *Axonopus fissifolius* (Carpet Grass), *Solanum pseudocapsicum* (Jerusalem Cherry) and *Ehrharta erecta* (Panic Veldt Grass) (**Figure 2.5**). The vegetation has a reasonable resilience, with a good potential to recover with the removal of exotic species, such as *Lantana camara* and *Ageratina adenophora*.

2.2.3 Site resilience

Field assessment determined that a large portion of the VMP subject site has a moderate – high potential for natural regeneration to occur. This is mostly relevant to the groundlayer, which is well established through the site, particularly where *Lantana camara* is low (**Figure 2.6**). It is anticipated that native groundcovers will rapidly populate cleared areas following the primary removal of woody and herbaceous weeds. In degraded areas, natural regeneration may be dependent on the deposition of seed from native patches surrounding the area, as opposed to an established native seedbank. The overall aim should be to improve and consolidate resilient areas of native groundlayer species through the site.

Revegetation of midstorey and canopy species will be necessary. This can occur at relatively low densities given that establishing canopy species and areas of dense midstorey are already present (see **Section 3.4**). It may be necessary to install native grasses and groundcovers in areas that show little potential for natural regeneration following primary and secondary works. Ample time should be allowed to determine the ability for areas of the site to regenerate naturally, prior to resorting to revegetation. Revegetation is scheduled mid-way through the second year of the contract, which will allow sufficient time for natural recruitment to occur following the completion of primary woody and herbaceous works at the end of year one.

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Figure 2.1: Regional vegetation mapping of the VMP subject site and study area (NPWS 2002).

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Figure 2.2: Regional vegetation mapping of the VMP subject site and study area (Tozer et al. 2010).

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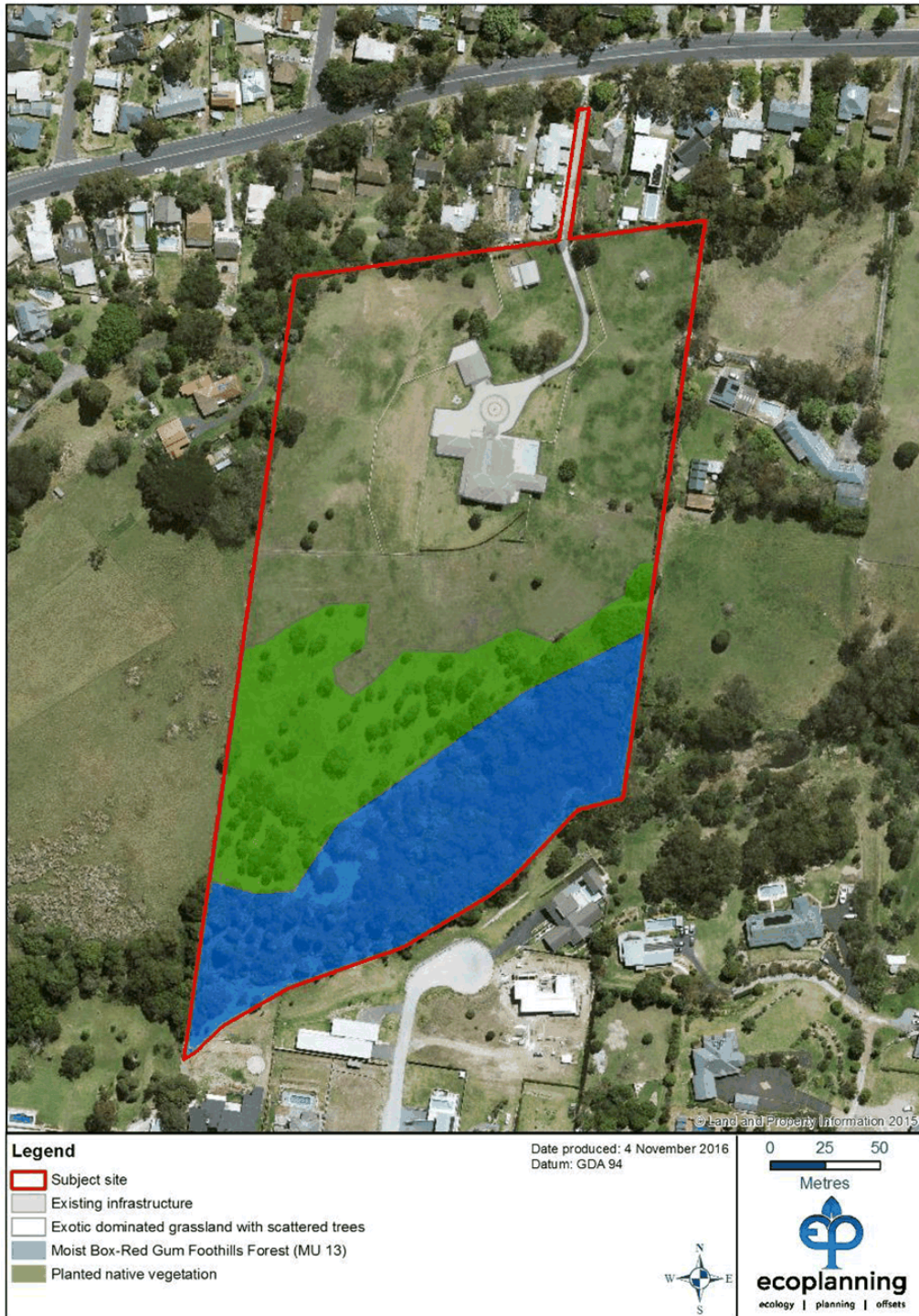


Figure 2.3: Vegetation within the VMP subject site Ecoplanning (2016).

**Vegetation Management Plan
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Figure 2.4: Dense patch of *Lantana camara in the VMP subject site.**



Figure 2.5: Patch of *Ageratina adenophora in the west of the VMP subject site.**

**Vegetation Management Plan
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Figure 2.6: Area with intact native groundcover and relatively low cover/abundance of woody and herbaceous weeds.

Flora species

A total of 79 flora species were identified within the subject site, of which 32 are exotic species (**Appendix A**). Three weeds listed under the NSW *Noxious Weeds Act 1993* in accordance with the Wollongong Local Control Authority (LCA) are known within the subject site and study area (**Table 2.2**). All three of these species are WoNS.

Table 2.2. Noxious weeds under the Wollongong LCA and Weeds of National Significance (WoNS).

Common name	Scientific name	WONS	Class	Requirement
Asparagus Fern	<i>Asparagus aethiopicus</i>	Y	4	<p><u>Locally controlled weed</u></p> <p>The growth of the plants must be managed in a manner that continuously inhibits the ability of the plant to spread and the plants must not be sold, propagated or knowingly distributed.</p>
Lantana	<i>Lantana camara</i>	Y	4	
Fireweed	<i>Senecio madagascariensis</i>	Y	4	

No threatened flora species listed under the TSC Act or EPBC Act were recorded in the study area or subject site.

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3. VMP weed management and revegetation

Vegetation management works outlined below should be implemented for the subject site. Weed management should begin upon the initiation of works proposed under the DA. A suitably qualified and experienced bush regeneration contractor as per **Section 4.3** must be engaged to carry out vegetation management works.

3.1 Preliminary works

Seed collection

Seed collection will be required to ensure indigenous species are available for revegetation works; species identified for revegetation are outlined in **Appendix B**. All plantings should be of local provenance, collected from adjacent patches of vegetation. However, nurseries that supply indigenous seedling stock, (not horticultural varieties), may also be used to supplement the plantings.

Seed collection zones can extend within a radius of 3 km for groundcover, shrubs and trees and up to 10 km for grasses. The collection site should reflect the natural conditions that exist for the area being regenerated.

Record keeping of seed collection and planting locations is to be as per the Flora Bank guidelines (Mortlock 2000), the bush regeneration contractor is responsible for recording this information. A Section 132C licence under the NSW *National Parks and Wildlife Act 1974* will be required to undertake seed collection works.

Fencing

Cyclone fencing currently surrounds a substantial portion of the VMP subject sites perimeter. All fencing should be regularly maintained and monitored for damage and entry points of introduced herbivores (e.g. rabbits and deer). Field assessment identified several gaps along the bottom of the fence where rabbits and/or deer could access the site (**Figure 3.1** and **Figure 3.2**). Grazing by introduced herbivores will prevent the establishment of native species and contribute to the further degradation of the site.

Signage

Signage in accordance with WCC standardised signs for conservation areas will be installed at each lot.

3.2 Weed management techniques

Weed management will be carried out using primary and secondary weed control followed by ongoing maintenance. Weed control will include mechanical removal techniques, herbicide application and natural shading techniques. Disturbance of the soil during the weed management process should be minimised at all times (Buchanan 2000, Bradley 2002). Weed control objectives and treatment techniques are outlined below (**Appendix C**) in accordance with weed type.

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Primary Weed Control

Primary weed control is the initial removal of weed species. Mechanical removal techniques relevant to the weed being removed (Buchanan 2000; Bradley 2002; DPI 2015) should be used for all woody weeds and herbaceous plants. Herbicide application, such as backpack spraying should be avoided where off target loss of native species is likely to occur.

Secondary Weed Control

Secondary weed control involves follow-up weed control to remove seedlings that have emerged after primary control and treatment of any existing plants that reshoot. Any new weed infestation areas identified must also be treated.

Maintenance

Maintenance is the long-term management of a site to prevent weeds from becoming re-established after primary and secondary work. Substantial effort should be focussed on reducing the weed seed bank, eradicating problematic weeds and supporting the growth of native vegetation. Areas of high resilience should be the focus of intensive maintenance works, which will include fine hand weeding. A structured maintenance regime following primary and secondary work will reduce the time taken for the site to reach a reasonable level of stability.

Weed Disposal

All seeding herbaceous/grass material and tubers should be bagged, removed from site and disposed of at an appropriate green waste facility. Woody weeds, such as *Lantana camara*, *Solanum mauritianum*, *Senna pendula* var. *glabrata* and *Olea europaea* subsp. *cuspidata* can be neatly piled in small quantities as fauna habitat. However, some woody weed material should be removed offsite, given the relatively small size of the site, its potential to flood and the large volume of *L. camara* in some areas of the site.

3.3 Vegetation Management Zones

The VMP subject site has been classified as one management zone, due to its small size and the homogeneity of weed species and management actions across the site (**Figure 3.3** and **Appendix C**).

3.3.1 Management Zone 1 – Regeneration and supplementary revegetation

This zone encompasses the full extent of the VMP subject site, which includes all vegetation 50 north of the southern boundary of Lot 100, DP 1123517 (**Figure 3.3**), and is partly defined by a length of cyclone fencing. Fencing also defines the east and west of the subject site. As previously mentioned, the dominant weed issues in the subject site are woody weeds, including *Lantana camara*, *Ligustrum lucidum*, *Olea europaea* subsp. *cuspidata* and *Senna pendula* var. *glabrata*. *Lantana camara* forms dense thickets in some sections of the site, where it has become established in the midstorey, and is currently inhibiting the germination and establishment of native species. Treatment of *Lantana camara* will be achieved by cut and painting the stems at ground level with neat Roundup Biactive®, and skirting all biomass from the midstorey. Smaller individuals should be hand removed, only if minimal soil disturbance will occur. Most of other woody weeds in the subject site, such as *Solanum mauritianum* and *Senna pendula* var. *glabrata* are present in low abundance and cover, thus little effort will be required to eradicate them from the site.

Herbaceous weeds and grasses occur through the site in moderate densities, including *Cirsium vulgare* (Spear Thistle), *Senecio madagascariensis*, *Conyza* sp., *Ehrharta erecta*, *Solanum pseudocapsicum*, *Sida rhombifolia*, *Verbena bonariensis* (Purpletop), *Ageratina adenophora*

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and *Cenchrus clandestinus* (Kikuyu Grass). In most instances, these species occur at manageable levels. However, this is not the case for *Ageratina adenophora*, which occurs extensively through the site. Substantial effort should be focussed on the removal of *Ageratina adenophora*, which will be removed using a combination of hand weeding and cut and painting with neat Roundup Biactive®. The removal of herbaceous weeds should be conducted prior to seeding where possible, with all material bagged and removed from site. Spraying of herbaceous weeds and grasses should be avoided, due to the high proportion of native grasses, groundcovers, sedges and ferns in the groundlayer across a majority of the site. However, it may be possible to carefully spray grasses, such as *Cynodon dactylon* (Couch), where few native species occur, such as along the northern perimeter of the subject site.

Exotic vines and scramblers, including *Delairea odorata* (Cape Ivy) and *Araujia sericifera* (Moth Vine) occur sporadically through the subject site. No established and seeding *Araujia sericifera* were noted during field survey and *Delairea odorata* appears to be a relatively minor issue onsite. Nevertheless, regeneration work should focus on eradicating these species prior to their further establishment.

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Figure 3.1: Rabbit diggings under the subject sites northern fence line.



Figure 3.2: Deer scats in the subject site.

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Figure 3.3: Management zone within the VMP subject site.

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3.4 Revegetation

Revegetation of native midstorey and canopy species will be necessary in the subject site once ample time has been allowed to determine site resilience. A small amount of grasses and groundcovers should also be installed, depending on the response of restoration work. The site has not been divided into revegetation zone, given its small size and the relative homogeneity of resilience across the site.

Staging and logic

Native canopy and midstorey species will be planted on the subject site following the completion of primary works, whilst allowing ample time to determine whether natural recruitment is likely. All primary work on woody weeds, including *Lantana camara* will have been completed by the end of the first year of the contract. Revegetation will be conducted approximately 6 months – one year after the completion of primary woody weed works. This will allow enough time to determine where revegetation will need to occur at lower or higher densities, given the recruitment of native midstorey and canopy species. Supplementary revegetation should be conducted if more than 10% attenuation occurs and will be conducted one year after the initial planting.

Planting densities and species

Plantings will be installed at a density resembling the vegetation community Moist Box-Red Gum Foothills Forest (MU13) in an 'unmodified' condition. Planting densities should achieve quick vegetative cover and root mass to maximise bed and bank stability along the subject watercourse. The native species used for revegetation should be consistent with the planting palette provided (**Appendix B**), with the aim of reconstructing the floristics of the site to be representative of Moist Box-Red Gum Foothills Forest (MU13) (see NSW NPWS 2002 for list of representative species). Planting densities have been determined based on site condition, and guided by the Wollongong LGA DCP (Chapter E23), as follows:

- 1 shrub species per 10 m²
- 1 canopy per 20 m²
- 1 groundcover (grass, fern, forb or sedge) at a density of 1 per 5 m²

The planting densities above are based on site resilience and are an estimate of plants required to achieve a cover representative of Moist Box-Red Gum Foothills Forest (MU13). Field assessment determined the subject site to have a moderate resilience, therefore, a reasonable capacity for native species to recruit following primary works. Should native midstorey and canopy species recruit extensively through the site the densities listed above can be altered to reflect a desirable number of plants for revegetation.

Table 3.1. Planting density table for revegetation works.

Zone	Area (ha)	No. of plants			Zone total
		G	S	C	
1	1.38	2,760	1,380	690	4,830

G = groundcover, S = shrubs and C= canopy.

Equipment, installation and timing

Plantings should be planned for late winter leading up to spring when regular rainfall is naturally occurring and growth conditions are ideal. Planting of tube-stock (tree and shrub species) and Hiko or Viro cells (grasses and other groundcover species) will be favoured over broad scale seed application, such as direct seeding or brush matting.

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A water retaining and fertilising product (e.g. Terraform™) should be applied to each hole, to assist in the establishment of the plants. Each plant should be sufficiently watered on the same day as installation and regular watering should continue *in lieu* of rainfall for a period of 6 weeks, or until plantings have taken.

3.5 Concurrent Works

Vegetation management works will be carried out concurrently with civil construction works, therefore planning between the bush regeneration contractor and civil works supervisor must be undertaken.

The civil works team will install environmental management controls across the site including exclusion zone fencing and erosion and sediment control. It is the responsibility of the bush regeneration contractor not to damage these controls and if any damage is observed or inadvertently caused it must be notified to the civil works supervisor immediately.

3.6 Maintenance

The maintenance phase must continue for 4 years, following an initial year of primary and secondary works. Regular inspections of site condition will be conducted, including general site monitoring for potential new infestation areas and subsequent weed control of any identified weed species. Inspections and site monitoring must occur every 3 months during winter and autumn and every month during summer and spring. This schedule could be revised depending on performance criteria recorded.

Weed maintenance works will include:

- Removal of all exotic species prior to establishment and seeding.

Re-vegetation maintenance works will include:

- Replacement of poorly growing or diseased individuals consistent with the prescribed planting
- Management of insect damage, if necessary
- Watering during dry periods
- Augmenting past planting areas where attenuation has occurred.

3.7 Cost of implementation

The costing for the VMP has been calculated over a five-year period and is estimated at a total of \$101,288 (**Table 3.2**), including the cost of monthly and annual reporting. This figure reflects a first year cost of \$29,000, second year costs of \$26,475, third year costs of \$15,613, fourth year costs of \$9,600 and fifth year costs of \$9,600. Monthly and annual reporting costs over the five year period add up to a total of \$11,000. The costs have been calculated based on the employment of trained bush regenerators at a rate of \$400 pp/day (\$50 pp/hr for an 8 hour working day), which covers crew and supervisor wages, equipment, herbicides, and all other associated business costs.

The costing indicates how many crew members are required to attend monthly visits over the five year contract, based on the size of the site, extent of weed infestation and expected timeframes for the completion of primary, secondary works and initiation of maintenance works. The costs are indicative of commercial bush regeneration charge out rates, and some variation

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is excepted depending on the bush regeneration company used and their associated charge out rates.

Plantings

The cost of revegetation is a reasonable onsite expense, which is incurred in the second year of the contract. Additional plantings may be required to augment previous plantings if some are lost to natural attenuation. The cost of revegetation was based on \$2.50 per plant, including purchasing and installation costs (see **Section 3.7b**). Supplementary plantings have been calculated based on a 10% attenuation rate from original installation numbers.

Table 3.2: Cost of VMP implementation over the five year contract period.

Timing	Task	Cost
Year 1	<u>Primary and secondary weed control</u> based on the cost of employing a team of 5 bush regenerators at \$400 (\$50 per hour for 8 hours) pp/day to attend site monthly.	\$24,00
Initiation of contact	Repair existing fencing and install where not present along the perimeter of the VMP subject site. Fencing should inhibit the access of deer and rabbit into the site, whilst considering the importance of the riparian corridor for dispersing native fauna, particularly mammals.	\$5,000
	Year 1 total	\$29,000
Year 2	<u>Maintenance weed control</u> throughout based on the cost of employing a team of 3 bush regenerators at \$400 (\$50 per hour for 8 hours) pp/day monthly.	\$14,400
Mid-way through year 2	Revegetation of the site with 4,830 plants (see Table 3.2) at \$2.50 per plant.	\$12,075
	Year 2 total	\$26,475
Year 3	<u>Maintenance weed control</u> based on the cost of employing a team of 3 bush regenerators at \$400 pp/day on a monthly basis.	\$14,400
Mid-way through year 2	Revegetation of the site based on a ~10% attenuation of the initial plantings (~485 plants) at \$2.50 per plant.	\$1,213
	Year 3 total	\$15,613
Year 4	<u>Maintenance weed control</u> based on the cost of employing a team of 2 bush regenerators at \$400 pp/day on a monthly basis.	\$9,600
	Year 4 total	\$9,600
Year 5	<u>Final year of maintenance weed control</u> based on the cost of employing a team of 2 bush regenerators at \$400 pp/day on a monthly basis.	\$9,600
	Year 5 total	\$9,600
Monthly	Cost of monthly reporting over the 5 year contract period. Report should consist of a one - two page report detailing the works conducting onsite (\$100 per month).	6,000
Annually	Annual report detailing all works conducted onsite, weed treatment methods, planting success and failures etc. (1,000 annually)	5,000
	Reporting costs total	\$11,000
Grand Total		\$101, 288

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4. Performance criteria and monitoring

4.1 Performance criteria

The progress and compliance with the VMP will be monitored and reviewed annually. This process will involve the bush regeneration contractor and land manager. The performance criteria listed in **Table 4.1** below are considered to be best practice and are not linked with any specific legislation. The bush regeneration contractor, in consultation with Wollongong City Council can adapt these criteria as required in response to the success of restoration works. Based on the success of the management works, further performance criteria may need to be developed for the maintenance phase.

Table 4.1. Revegetation performance monitoring criteria.

Treatment Zones	Year 1	Year 2	Year 3	Year 4	Year 5
All Zones	Commencement of all tasks outlined in the VMP or evidence of planning for their implementation.				
	A demonstrated increase in native cover and diversity and a demonstrated decrease in exotic species cover and diversity by the end of the 3 rd year.				
	A minimum of 90% survival rate of all revegetation.				
	A visible improvement of soil stability along the riparian zone.				
	A 60% reduction in exotic vine cover.	An 80-95% reduction in exotic vine cover.	Exotic vines maintained at <5% cover.	Exotic vines maintained at <5% cover.	No exotic vines >5 cm in length with low abundance and cover (<5%) throughout the site.
A 50% reduction in herbaceous weeds and exotic grass cover.	A 50-70% reduction in herbaceous weeds and exotic grass cover.	A 70-90% reduction in herbaceous weeds and exotic grass cover.	Herbaceous weeds and exotic grasses maintained at <5% cover.	Herbaceous weeds and exotic grasses maintained at <5% cover.	
A 95% reduction in woody weed cover.	Woody weeds retained at low levels (<5% cover).	Woody weeds retained at low levels (<5% cover).	Woody weeds retained at low levels (<5% cover).	No woody weeds >10 cm in height remaining, with low cover (<5%) and abundance throughout the site.	

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4.2 Monitoring reports

The bush regeneration contractor and the land manager will monitor the vegetation for changes over time. The objective of the monitoring and reporting program is to record changes to the vegetation as a result of vegetation management works. Monitoring works will require liaison with the land manager, the bush regeneration contractor and Wollongong Council.

Monthly monitoring and reporting must be documented and compiled into an annual report to determine the effectiveness of the works undertaken. Site conditions should be recorded on the work plan template at the beginning and end of on-ground works. This data should be included in the annual report. Monitoring photo points should be established at 3 permanent reference points.

An example report is detailed in **Table 4.2**, the report should include:

- Works carried out, including weed species targeted and their location
- An approximation of the time spent on each task
- Any observations, such as the occurrence of new weed species
- Rates of regeneration of native species
- A description of any problems encountered and how they were overcome
- A summary of how the site-specific objectives have been met (or not)
- Herbicide and other chemicals used, including quantity, dilution rate and other relevant information
- Weed control mechanisms used during the period
- Climatic conditions which may have influenced weed germination and growth
- Performance criteria and success; and
- If required, maps of weed distribution and density.

4.3 Bush regeneration contractors

Suitably qualified and experienced bush regeneration contractors that are members of the Australian Association of Bush Regenerators or fulfil the membership criteria must undertake all vegetation management works. In addition to this, team leaders should hold a Certificate III in Conservation & Land Management or possess equivalent field experience and certification. The contractor should carry out best practice bush regeneration techniques as described by Buchanan (2009).

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Table 4.2. Example monitoring report template.

Date			
Name of Contractor:			
Hours worked on site since last monitoring report:			
Site Condition:	Zone		
	Weed cover %		
	Seedling survival %		
	Planting numbers		
	Herbicide used (in Litres)		
	Other		
Describe relevant weed management techniques:			
Describe problems; e.g. weed invasions, damage to planted material, etc.:			
Photographic evidence:			
Planned work before next monitoring report:			

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Appendix A: Flora inventory

Family name	Scientific name	Common name	Native/Exotic
Apiaceae	<i>Centella asiatica</i>	Indian Pennywort	Native
Apocynaceae	<i>Araujia sericifera</i>	Moth Vine	Exotic
Apocynaceae	<i>Gomphocarpus fruticosus</i>	Narrow-leafed Cotton Bush	Exotic
Apocynaceae	<i>Marsdenia</i> sp.		Native
Apocynaceae	<i>Tylophora barbata</i>	Bearded Tylophora	Native
Araceae	<i>Gymnostachys anceps</i>	Settler's Twine	Native
Asparagaceae	<i>Asparagus aethiopicus</i>	Asparagus Fern	Exotic
Asparagaceae	<i>Eustrephus latifolius</i>	Wombat Berry	Native
Asteraceae	<i>Ageratina adenophora</i>	Mist Flower	Exotic
Asteraceae	<i>Cirsium vulgare</i>	Spear Thistle	Exotic
Asteraceae	<i>Conyza</i> sp.	Fleabane	Exotic
Asteraceae	<i>Delairea odorata</i>	Cape Ivy	Exotic
Asteraceae	<i>Hypochaeris radicata</i>	Catsear	Exotic
Asteraceae	<i>Senecio linearifolius</i>	Fireweed Groundsel	Native
Asteraceae	<i>Senecio madagascariensis</i>	Fireweed	Exotic
Bignoniaceae	<i>Pandorea pandorana</i>	Wonga Wonga Vine	Native
Caesalpiniaceae	<i>Senna pendula</i> var. <i>glabrata</i>	Cassia	Exotic
Cannabaceae	<i>Celtis</i> sp.		Exotic
Caryophyllaceae	<i>Cerastium glomeratum</i>	Mouse-ear Chickweed	Exotic
Caryophyllaceae	<i>Stellaria flaccida</i>	Forest Starwort	Native
Commelinaceae	<i>Commelina cyanea</i>		Native
Convolvulaceae	<i>Dichondra repens</i>	Kidney Weed	Native
Cyperaceae	<i>Carex appressa</i>	Tall Sedge	Native
Fabaceae	<i>Acacia maidenii</i>	Maiden's Wattle	Native
Fabaceae	<i>Acacia mearnsii</i>	Black Wattle	Native
Fabaceae	<i>Acacia melanoxylon</i>	Blackwood	Native
Fabaceae	<i>Glycine clandestina</i>		Native
Fabaceae	<i>Indigofera australis</i>	Australian indigo	Native
Fabaceae	<i>Trifolium repens</i>	White Clover	Exotic
Fabaceae	<i>Vicia</i> sp.	Vetch	Exotic
Geraniaceae	<i>Geranium homeanum</i>		Native
Juncaceae	<i>Juncus</i> sp.		Native
Lamiaceae	<i>Clerodendrum tomentosum</i>	Hairy Clerodendrum	Native
Liliaceae	<i>Lilium formosanum</i>	Formosa Lily	Exotic
Malvaceae	<i>Hibiscus heterophyllus</i>	Native Rosella	Native
Malvaceae	<i>Sida rhombifolia</i>	Paddy's Lucerne	Exotic
Menispermaceae	<i>Stephania japonica</i>	Snake Vine	Native
Myrtaceae	<i>Acmena smithii</i>	Lilly Pilly	Native
Myrtaceae	<i>Backhousia myrtifolia</i>	Grey Myrtle	Native
Myrtaceae	<i>Callistemon salignus</i>	Willow Bottlebrush	Native
Myrtaceae	<i>Eucalyptus quadrangulata</i>	White-topped Box	Native
Myrtaceae	<i>Eucalyptus saligna</i> x <i>botryoides</i>	Wollongong Woollybutt	Native
Myrtaceae	<i>Melaleuca styphelioides</i>	Prickly-leaved Tea Tree	Native
Myrtaceae	<i>Rhodamnia rubescens</i>	Scrub Turpentine	Native
Myrtaceae	<i>Syncarpia glomulifera</i>	Turpentine	Native

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Family name	Scientific name	Common name	Native/Exotic
Oleaceae	<i>Ligustrum lucidum</i>	Large-leaved Privet	Exotic
Oleaceae	<i>Ligustrum sinense</i>	Broad-leaf Privet	Exotic
Oleaceae	<i>Olea europaea</i> subsp. <i>cuspidata</i>	African Olive	Exotic
Oxalidaceae	<i>Oxalis perennans</i>	Haw	Native
Pittosporaceae	<i>Pittosporum multiflorum</i>	Orange Thorn	Native
Pittosporaceae	<i>Pittosporum undulatum</i>	Sweet Pittosporum	Native
Plantaginaceae	<i>Plantago lanceolata</i>	Plantain	Exotic
Plantaginaceae	<i>Veronica plebeia</i>	Trailing Speedwell	Native
Poaceae	<i>Axonopus fissifolius</i>	Narrow-leaved Carpet Grass	Exotic
Poaceae	<i>Cynodon dactylon</i>	Cooch Grass	Exotic
Poaceae	<i>Ehrharta erecta</i>	Panic Veldt Grass	Exotic
Poaceae	<i>Entolasia marginata</i>	Bordered Panic	Native
Poaceae	<i>Eragrostis tenuifolia</i>	Elastic Grass	Exotic
Poaceae	<i>Microlaena stipoides</i>	Weeping Grass	Native
Poaceae	<i>Oplismenus imbecillis</i>	Creeping Beard Grass	Native
Poaceae	<i>Paspalum dilatatum</i>	Paspalum	Exotic
Poaceae	<i>Pennisetum clandestinum</i>	Kikuyu	Exotic
Poaceae	<i>Poa labillardierei</i>	Tussock	Native
Polygonaceae	<i>Rumex</i> sp.	Dock	Exotic
Pteridaceae	<i>Adiantum formosum</i>	Common Maidenhair	Native
Pteridaceae	<i>Pellaea falcata</i>	Sickle Fern	Native
Ranunculaceae	<i>Clematis aristata</i>	Old Man's Beard	Native
Ranunculaceae	<i>Ranunculus repens</i>	Creeping Buttercup	Exotic
Rhamnaceae	<i>Alphitonia excelsa</i>	Red Ash	Native
Rosaceae	<i>Rubus parvifolius</i>	Native Raspberry	Native
Rosaceae	<i>Rubus rosifolius</i>	Rose-leaf Bramble	Native
Rutaceae	<i>Melicope micrococca</i>	Hairy-leaved Doughwood	Native
Santalaceae	<i>Exocarpos cupressiformis</i>	Cherry Ballart	Native
Solanaceae	<i>Solanum mauritianum</i>	Wild Tobacco	Exotic
Solanaceae	<i>Solanum pseudocapsicum</i>	Jerusalem Cherry	Exotic
Urticaceae	<i>Urtica incisa</i>	Stinging Nettle	Native
Verbenaceae	<i>Lantana camara</i>	Lantana	Exotic
Verbenaceae	<i>Verbena bonariensis</i>	Purpletop	Exotic
Vitaceae	<i>Cayratia clematidea</i>	Native Grape	Native

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Appendix B: Planting palette

Planting palette for the vegetation community Moist Box-Red Gum Foothills Forest, as described in the Native Vegetation of the Illawarra Escarpment and Coastal Plain (NPWS 2002).

Scientific Name	Common Name
Tree	
<i>Alphitonia excelsa</i>	Red Ash
<i>Eucalyptus quadrangulata</i>	White-topped Box
<i>Eucalyptus saligna x botryoides</i>	Wollongong Woollybutt
<i>Eucalyptus tereticornis</i>	Forest Red Gum
Small Tree	
<i>Acmena smithii</i>	Lilly Pilly
<i>Elaeodendron australe</i> var. <i>australe</i>	Red Olive Plum
<i>Melaleuca styphelioides</i>	Prickly-leaved Tea Tree
<i>Melicope micrococca</i>	Hairy-leaved Doughwood
<i>Pittosporum undulatum</i>	Native Daphne
<i>Rapanea variabilis</i>	Muttonwood
<i>Rhodamnia rubescens</i>	Scrub Turpentine
<i>Streblus brunonianus</i>	Whalebone Tree
<i>Wilkiea huegeliana</i>	Veiny Wilkiea
Shrub	
<i>Backhousia myrtifolia</i>	Grey Myrtle
<i>Clerodendrum tomentosum</i>	Hairy Clerodendrum
<i>Croton verreauxii</i>	Green Native Cascarilla
<i>Notelaea venosa</i>	Veined Mock-olive
<i>Pittosporum multiflorum</i>	Orange Thorn
<i>Pittosporum revolutum</i>	Wild Yellow Jasmine
<i>Backhousia myrtifolia</i>	Grey Myrtle
Grasses	
<i>Entolasia marginata</i>	Bordered Panic
<i>Microlaena stipoides</i> var. <i>stipoides</i>	Weeping Grass
<i>Oplismenus imbecillis</i>	Creeping Beard Grass
<i>Panicum pygmaeum</i>	Pygmy Panic
<i>Poa labillardierei</i>	Tussock
Fern	
<i>Adiantum formosum</i>	Black Stem
<i>Asplenium flabellifolium</i>	Necklace Fern
<i>Doodia aspera</i>	Prickly Rasp Fern
<i>Doodia australis</i>	Common Rasp Fern
<i>Pellaea falcata</i>	Sickle Fern

**Vegetation Management Plan
227 Cordeaux Road, Mount Kembla**

Scientific Name	Common Name
Climber	
<i>Eustrephus latifolius</i>	Wombat Berry
<i>Geitonoplesium cymosum</i>	Scrambling Lily
<i>Marsdenia rostrata</i>	Milk Vine
<i>Morinda jasminoides</i>	Sweet Morinda
<i>Pandorea pandorana</i> subsp. <i>pandorana</i>	Wonga Wonga Vine
<i>Parsonsia straminea</i>	Monkey Rope
<i>Smilax australis</i>	Lawyer Vine
Other	
<i>Dichondra repens</i>	Kidney Weed
<i>Gymnostachys anceps</i>	Settlers' Twine
<i>Nyssanthes diffusa</i>	Barbwire Weed
<i>Pseuderanthemum variable</i>	Pastel Flower

Vegetation Management Plan
227 Cordeaux Road, Mount Kembla

Appendix C: Weed treatment methods

Zone	Objective	Main Weeds	Method	Key Performance Indicators (KPI)
All	<ul style="list-style-type: none"> Control and suppress exotic grass species and herbaceous weeds. 	<ul style="list-style-type: none"> <i>Ageratina adenophora</i>, <i>Conyza</i> sp., <i>Cynodon dactylon</i>, <i>Cirsium vulgare</i>, <i>Ehrharta erecta</i>, <i>Gomphocarpus fruticosus</i> (Narrow-leaved Cotton Bush), <i>Lilium formosanum</i> (Formosa Lily), <i>Senecio madagascariensis</i>, <i>Sida rhombifolia</i> and <i>Verbena bonariensis</i>. 	<ul style="list-style-type: none"> Primary and secondary treatment of herbaceous weeds and exotic grasses will occur in the first year of the contract. This will be achieved by hand weeding, as spraying will not be possible across most of the site without resulting in off target damage to native groundcover and grass species. Established tall herbaceous weeds with a woody habit, including <i>Ageratina adenophora</i> and <i>Sida rhombifolia</i> should be cut and painted with neat Roundup Biactive®. Herbaceous weeds will be treated prior to seeding, bagged, removed from site and disposed at a licensed green waste facility. Maintenance works will consist of detailed hand weeding amongst developing patches of native groundcovers and grasses, with the aim of consolidating these patches. Areas of high resilience should initially be the focus of detailed maintenance work, followed by more degraded areas of the site. <i>Ehrharta erecta</i> occurs in relatively low abundance and should be targeted during the maintenance phase. <i>Cynodon dactylon</i> should be sprayed where off target damage to native species is unlikely (i.e. along the northern boundary of the site). 	<ul style="list-style-type: none"> A 50% reduction in cover by the end of year one. A 50-70% reduction by end of year two. A 70-90% reduction by the end of year three. <5% cover by the end of year four.
	<ul style="list-style-type: none"> Deseeding, skirting and eventual eradication of exotic vine species. 	<ul style="list-style-type: none"> <i>Araujia sericifera</i> and <i>Delairea odorata</i>. 	<ul style="list-style-type: none"> All exotic vines species should be deseeded and skirted in the first three months of the contract. Subsequent primary and secondary work will focus on the gradual eradication of exotic vines through the VMP subject site, beginning with more manageable infestations. Exotic vines should be treated using a combination of hand removal and scrape and painting with neat Roundup Biactive®. All primary and secondary exotic vine 	<ul style="list-style-type: none"> A 60% reduction in cover by the end of year one. An 80-95% reduction in cover by the

**Vegetation Management Plan
227 Cordeaux Road, Mount Kembla**

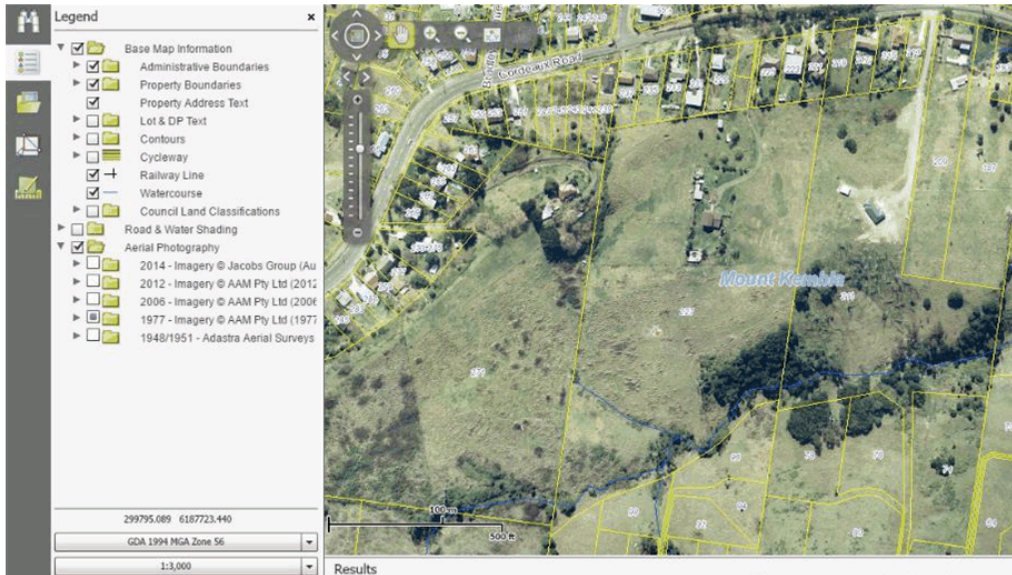
			<p>treatment will have been conducted in the first year of the contract.</p> <ul style="list-style-type: none"> Maintenance sweeps will be conducted to prevent the establishment of exotic vines species, particularly <i>Araujia sericifera</i>, which is likely to have viable seed stored in the weed seed bank. 	<p>end of year two.</p> <ul style="list-style-type: none"> Exotic vines maintained at <5% cover by the end of year 3. No vines >5cm in length and maintained at <5% cover by end of year 5.
	<ul style="list-style-type: none"> Treatment of all woody weeds. 	<ul style="list-style-type: none"> <i>Lantana camara</i>, <i>Solanum mauritianum</i>, <i>Senna pendula</i> var. <i>glabrata</i>, <i>Ligustrum lucidum</i> and <i>Ligustrum sinense</i>. 	<ul style="list-style-type: none"> Primary and secondary woody weed removal will be conducted in the first year of the contract. Scattered woody weeds with a low abundance will receive primary treatment within the first 3 months of the contract. <i>Lantana camara</i> will be targeted on a monthly basis and systematically removed from the site. Treatment methods include hand removal, or cut and painting with neat Roundup Biactive®. A majority of the woody weed piles should be removed from site and taken to a licensed green waste facility. Maintenance woody work will consist of sweeps through the VMP subject site to prevent woody weeds from becoming re-established. Maintenance work should be conducted regularly, with a focus on removing woody weeds before reaching >50 cm, or prior to seeding. 	<ul style="list-style-type: none"> A 95% reduction in woody weed cover by the end of year one. Woody weeds maintained at <5% cover by end of year 2. No individuals >10cm remaining and maintained at <5% cover by end of year five.

Appendix C – Historical aerial imagery (courtesy WCC).

1948/51

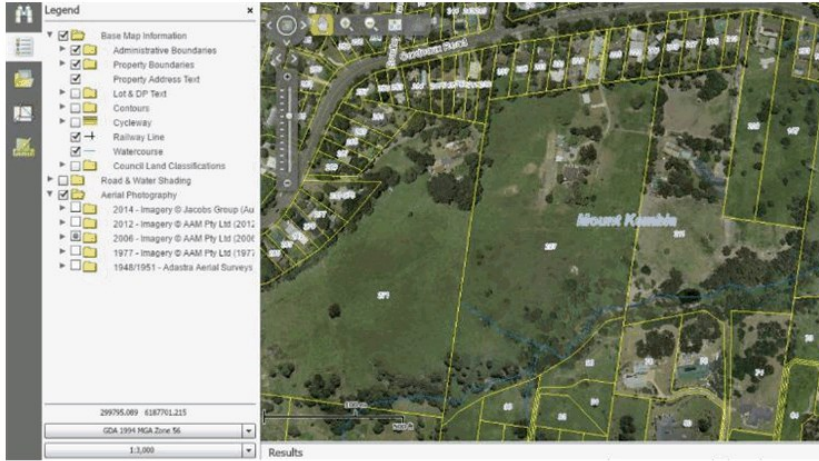


1977

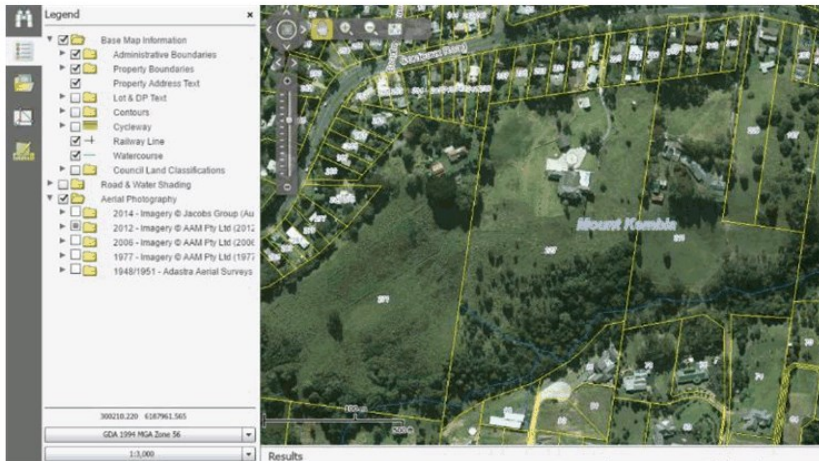


Ecological Constraints Assessment, 227 Cordeaux Road, Mount Kembla

2006



2012



2014



369 Cordeaux Road
MT KEMBLA NSW 2526

March 9, 2018

Councillor Gordon Bradbery AM, Lord Mayor
Councillor David Brown, Deputy Lord Mayor
Councillor Cath Blakey
Councillor Tania Brown
Councillor Leigh Colacino
Councillor Chris Connor
Councillor Mithra Cox
Councillor John Dorahy
Councillor Dom Figliomeni
Councillor Janice Kershaw
Councillor Vicky King
Councillor Jenelle Rimmer
Councillor Cameron Walters

Wollongong City Council
Locked Bag 8821
Wollongong DC NSW 2500

Dear Councillors

We are writing on behalf of a number of Mount Kembla residents to advise you of our serious concerns about two recent proposals to rezone lots on Cordeaux Road:

1. Lot 100 DP 1207784 Cordeaux Road, Mount Kembla
2. 227 Cordeaux Road (Lot 100 DP 1123517) Mount Kembla

Our concerns are:

1. Both these rezoning proposals relate to properties that have changed hands over the past two years. The recent purchasers of both properties would have been aware of the constraints on development of the properties they purchased. One can only assume that their motivation for purchase was the potential of subdividing their properties to make money, despite the existing planning constraints.
2. These proposals, at least to some degree, contravene the intention of the Farmborough Heights to Mt Kembla Concept Plan endorsed by Council and the State Government in 2013/14. This plan aimed to provide certainty for the community on potential development sites and established larger lot developments such as the two, and others around them, that are the subjects of these rezoning proposals.

3. If these properties are rezoned, there will be no certainty about further developments in the same area, and within a relatively short time, the unique village character of Mt Kembla will be compromised.

4. Wollongong City Council in the 1980s promoted a long term strategy to keep Mount Kembla a village. They achieved this then by working with the community in many public meetings and directly with the developer of Cordeaux Heights subdivision. One of the conditions imposed on the Cordeaux Heights developers was that a minimum five acre lot size was maintained in certain areas of the subdivision and building envelopes designed that have provided separation from Mount Kembla allowing it to retain its village atmosphere.

5. The Concept Plan also sought to ensure the conservation and management of the environmental attributes of the foothills of the Illawarra Escarpment. It recognised the contribution that appropriately scaled and located residential development could make to conserving land of high ecological value, restoring degraded lands and providing an overall community benefit in terms of creating conservation opportunities.

Our questions for Council are:

- Is the current Council still promoting its long term strategy of protecting Mt Kembla's village atmosphere and mining heritage?
- If not, can we please learn about, and have input into, any new strategy for the future of Mt Kembla and Kembla Heights?
- If this strategy is still supported by the current Council, what is the reason for Council officers recommending these rezonings?

We ask that Councillors consider carefully the implications of these rezoning proposals on the future of Mt Kembla village, and vote against them.

Attached is a list of those residents who, in the short time available, have shared the concerns that are outlined in this letter. Past experience tells us that within the village there are many others who will support our initiative in writing to Council.

Yours respectfully,

Elizabeth Roberts
Chairperson, Mt Kembla Mining Heritage Inc.

Vivien Twyford
Convener of 2017 Community Meeting

Cc: Mr David Farmer – General Manager
Mr Andrew Carfield – Director of Planning

**SUMMARY OF SUBMISSIONS – DRAFT PLANNING PROPOSAL
227 CORDEAUX ROAD, MT KEMBLA (LOT 100 DP 1123517)**

Community

Submitter	Comment
Resident Mt Kembla	<p>Objection:</p> <ul style="list-style-type: none"> • Inconsistent with the Farmborough Heights to Mt Kembla Concept Plan. • Fail to understand how any residential development on these foothills would actually conserve and manage the environmental attributes of the foothills - supporting residential development is in direct contrast. • Allowing any further residential development would destroy the only remaining distinct historical village in the Wollongong LGA – any development that does not reserve a discrete physical and visual separation between neighbourhoods will destroy the character of the village of Mt Kembla, rendering it an extension of Cordeaux Heights and Unanderra. Council will lose its last opportunity to maintain a heritage sector to preserve the site of the most significant mining disaster in Australia – Mt Kembla is a valuable and critical historical asset to Council but this has not been considered – no heritage assessment has been made. • Planning approvals have led to inadequate and disappointing results across the city – many housing developments and in particular high density housing in the city are architecturally lacking and detracting from the character of the surrounding structures and the city as a whole – I have no confidence in your ability to limit developments to remain within their boundaries nor do I have any confidence that you will ensure any construction will be consistent with environmental and heritage concerns. Ardent supporter of good planning that sustains healthy living and community engagement. • Would be keen to understand how additional development would benefit the quality of life of those of us who currently live in Mt Kembla – increased housing on the approach to the village would render our neighbourhood less attractive with reduced vegetation surrounding us, limiting the movement of many of the native animals that live and move across the two areas under consideration. • Council has spent many millions of rate payer funds to develop the “Blue Mile” but there are equally valuable community and cultural assets, such as the village of Mt Kembla, that warrant attention in order that they retain their distinct characteristics and can be enjoyed by all residents of the city, but it seems to have been completely overlooked. • The walking and cycle pathway leading into Mt Kembla is an attribute enjoyed by many residents, particularly as it leads to green open areas and to grazing cattle in the paddocks as you enter Mt Kembla. Housing on the foothills would destroy these features. • Believe Wollongong Council has a vested interest in supporting further development as the Council will always make a financial gain and it is impossible for you to be an objective arbiter of any development submission. It appears that Council will always look favourably on these types of proposals.

Submitter	Comment
Resident Mt Kembla	<p>Writing to express concern about potential developments and subdivisions:</p> <ul style="list-style-type: none"> • Community letter signed by almost 100 residents who object to the rezoning of rural land that would allow for subdivision. Mt Kembla is a valued locality by residents and visitors for its unique village and heritage atmosphere. Tourists enjoy scenic rural views on way to historic village and heritage listed sites. It is the open paddocks and remaining heritage cottages and buildings that make Mt Kembla an attractive tourist destination and home. • Council recently invested heavily in a shared pathway at the entrance to Mt Kembla that looks over these rural paddocks and is very well utilised and valued – to now add some modern housing on the slopes would destroy the character of this asset. • The letter Council sent in response to the community letter showed a lack of regard for the communities strong views opposing these developments - disappointing to read Council ignoring the longstanding agreements, consultations and plans they have engaged with our community over many years to preserve our unique character. • To suggest that this development would aid the rehabilitation of land by adding more houses, exotic trees and domestic predatory animals to the area is simply unbelievable. Wollongong is fast losing its open grassland habitat to extensive development at the foothills of the escarpment. <p>This patch of open space had been set aside as a 5 acre buffer zone around Mt Kembla that achieves the following outcomes for the community:</p> <ul style="list-style-type: none"> • Serves as a buffer to the encroaching Wollongong suburban sprawl. • Maintains the unique historic village atmosphere of Mt Kembla as a separate locality and tourist destination and gate way to the escarpment. • Maintains open grass lands essential to species biodiversity in conjunction with adjoining rainforest habitat. • Provides a wildlife corridor for wildlife to move freely from the escarpment to the foothills of Mt Kembla as they have always been able to do. • Maintains a much loved historic rural view being in the James family from pioneering days until recently. • Urge Council to see the short sightedness of this proposal and to put value on what is a unique locality and asset to the Wollongong LGA. With the loss of the only remaining pioneer home in Mt Kembla recently along with these rezoning proposal the community is reeling at the erosion of what we've held dear and fought for for decades.
Resident Mt Kembla	<ul style="list-style-type: none"> • Recently moved to Mt Kembla – purchased based on unique nature of the Mt Kembla village, semi-rural feel, heritage value of village. Felt confident Council would also value the attributes that make Mt Kembla so unique. • Deeply concerned and upset at recent events in Mt Kembla as well as the current proposals for rezoning.

Submitter	Comment
	<ul style="list-style-type: none"> • Feel it is short sighted not to preserve the grazing paddocks when entering Mt Kembla – these paddocks set whole scene for the village and set it apart from the surrounding suburbs. To replace it with houses would mean that Mt Kembla would no longer be separate and unique. • The idea that building houses would somehow help rehabilitate the land seems bizarre and contradictory. • Mt Kembla’s unique character and heritage values have great untapped tourism potential - once the village feel is lost so too will this potential. • People who purchase properties purchase with the zoning stipulated and should not expect to have their properties rezoned for profit at the expense of the community. • Urge Council to reject these proposals and preserve a unique part of Wollongong that once lost will not be able to be regained.
Resident Mt Kembla	<ul style="list-style-type: none"> • Oppose this development as it destroys the notion of a “green corridor” established in the late 1980s. • Mt Kembla retains its distinct identity because there is a visual separation between the village and suburbia – any building that is placed within this space will remove the separation – there will be visual disturbance. • Easy to see the ways that the planning rules and regulations can be manipulated by property owners – the “quasi” 3 story house/meeting hall at 223 Cordeaux Road – three single story residences are connected and climb the sloping block. A second example is the removal of a 100 year old tree because it was too close to a house thus conforming to Council’s tree removal plan – then the house is demolished days later, one hundred and twenty five years of history gone. We have been seriously let down by the Council and the State government in this example. • The property has been bought in the full knowledge of the existing planning restrictions. • The community has been consulted twice for its input regarding the development of Mt Kembla – in the 1980s and more recently. The community does not want Mt Kembla to be swallowed up by the suburban sprawl. • You asked us what we thought. We told you what we thought. Will you hear us or will you let us down again?
Resident Mt Kembla	<ul style="list-style-type: none"> • Have written to you about the proposed rezonings – the concerns I raised in that letter were supported by 91 Mt Kembla residents all of whom are worried about the suburbs encroaching on the amenity of the village of Mt Kembla. • Sad that Council officers have recommended that these proposals be approved – since 1973 have enjoyed unique community. Fear Mt Kembla will be replaced by a suburb that uses up every inch of land for new housing. We all thought that the Mt Kembla Concept Plan drawn up 20 years ago would protect the village and create a green barrier between it and Unanderra/Cordeaux Heights – it would appear that that

Submitter	Comment
	<p>is not the case. Council officers have responded to all our concerns in planning speak, negating them all.</p> <ul style="list-style-type: none"> • Ask that you consider what happens after these zonings are approved – several other land owners waiting to see the outcome of these rezoning applications so they get confirmation that if they invest in applications to rezone their land their investments are likely to be rewarded even though they knew when they bought the property that there were development constraints. • Thin edge of the sword – people need homes and Mt Kembla is a desirable residential area – however its very desirability may well be its undoing and be the reason for its transformation into just another Wollongong suburb • Ask you to think about the need for oases within the urban sprawl and the importance of not losing the few we still have.
Resident Mt Kembla	Write to express my disgust in the proposed rezoning of Mt Kembla – we have a unique heritage and it needs to be preserved and is highly cherished by residents.
Resident Mt Kembla	<ul style="list-style-type: none"> • See change as a necessary part of the evolution of a place, however change must be to address an emerging need, not just a mercenary one. Change must improve – object when the essential qualities of Mt Kembla, the very things that make people want to live here, are being lost. • Mt Kembla is a village separated from other developments by a green “buffer” at the entrance to the village and running behind the existing houses up to the fire trail – this application jeopardises that corridor. • Owner has bought the property with the full knowledge of the subdivision restrictions. If approval is given for 2 houses then it is probable that these will be further subdivided in the future. Once 2 houses are in place they could be used to support an argument that the green corridor no longer exists – it is the thin edge. • Nothing has changed since the purchase of this property that would justify this development application – no new need is being addressed. • Please do not compound the lack of commitment to the village evidenced by the recent demolition of a 125 year old house in the historical precinct. Mt Kembla’s unique industrial history necessitates a specific development strategy that allows change without sacrificing heritage and village life. The community of Mt Kembla thought this had been done (Community Consultative Committee of the 1980s and the more recent Farmborough Hts to Mt Kembla Plan).
Resident Mt Kembla	<p>Objection:</p> <ul style="list-style-type: none"> • Clear violation of previous plan put in place to protect the individual character of the village of Mt Kembla. • When William James Drive rezoning was allowed this land was to be kept as one parcel to maintain a buffer to the village – allowing this land to be subdivided is a clear violation of the trust the Mt Kembla residents

Submitter	Comment
	<p>put in Council that this would be maintained in perpetuity.</p> <ul style="list-style-type: none"> • Allowing a subdivision with lots up to 5000m² with a 30% plot ratio is outrageous – could have houses of 1500m² in size which is the size of a small factory – what is to say these lots would not be further subdivided in the future – WCC is setting a precedent. • Object that developer bought this property with the current zoning, allowing further subdivision just gives that developer a windfall profit at the expense of the community – cannot see how this could be justified.
Resident Mt Kembla	<ul style="list-style-type: none"> • Support letter of concern dated 9 March 2018. • The proposed subdivision does not highlight the two existing properties currently using the common drive which also services the property at 227 Cordeaux Road – does the width of the proposed driveway entering off Cordeaux Road to the subdivision comply with Council rules? • The amount of traffic to possibly use the proposed driveway only increases risk of any emergency which may occur. • The infrastructure is currently OK for the number of people we currently have but to start adding density to the village with the increase in traffic is not. • People who live in the village live here because that have invested their time and money to create a village atmosphere as a neighbourhood - why must it be developed to destroy what now exists. • We elect our city councillors to represent we the public interests - this development is not in the public interest.
Resident Mt Kembla	<p>As next door residents we wish to register our objection to the proposed rezoning and subdivision. Our objection is on safety grounds in regard to the existing access driveway – the increase in traffic will pose extreme safety risks to residents:</p> <ul style="list-style-type: none"> • On at least 2 occasions cars have reversed from 1/227 and 2/227 dwellings on the driveway and into our log wall – these incidents have occurred less than a metre from and above where our grandchildren frequently play in our backyard. On another occasion a truck using the existing driveway took out a pole that was holding up the carport on the 1/227 dwelling and damaged the guttering. • The edge of the driveway is between 0.5m and 0.9m from our boundary. • Our house is built 1.9m from the edge of the driveway and 1.2m below the driveway i.e. a 1.2m vertical drop just within our boundary. This places all access traffic along this driveway less than 3m from the main internal living spaces in our house. • The driveway is also a serious safety risk for residents and children of 1/227 and 2/227 accessing and playing outside their front door only 2m from the driveway. • The driveway of length 60m and width 2.8m does not allow for two vehicles to pass.

Submitter	Comment
	<ul style="list-style-type: none"> • There is no available space for a passing bay to be built along the driveway. • The proposal does not address limiting the speed of vehicles travelling in very close proximity to adjacent residences. • The proposal does not address the potential risk of vehicles driving off the eastern edge of the driveway and injuring children and residents in the backyard of house located at 225 Cordeaux Road. • The issue of safety of sight distance when exiting on to Cordeaux Road is a concern. • The issues previously raised by the NSW RFS regarding the width and length of access are still of concern for the proposed two new dwellings. <p>We believe strongly that the 2.8m wide driveway is inadequate to take the present traffic load, let alone the increased traffic for an extra two dwellings.</p>
<p>Form Letter 1: Ten Mt Kembla Resident signatures</p>	<p>As long term residents we are concerned about the proposed zoning changes to properties:</p> <ul style="list-style-type: none"> • Feel these properties have been purchased with sole intent on developing them at substantial profit. • These developments will destroy the unique character of Mount Kembla. • These developments will set a precedence for future development along the fragile escarpment area.
<p>Form Letter 2: Eight Mt Kembla Resident signatures</p>	<p>As a resident, extremely opposed to paddocks being rezoned and subdivided for following reasons:</p> <ul style="list-style-type: none"> • Reduction of green buffer around Mt Kembla erodes unique village character. Mt Kembla in one of the last distinct villages within the LGA – these subdivisions endanger it from being part of the suburban sprawl. • The green open spaces are a valued community asset. The new shared pathway into Mt Kembla takes in these historic green views, people love looking across paddocks at cows and wildlife – they do not want these views interrupted by modern housing. • Council going back on long standing promises to community to protect Mt Kembla from the suburban sprawl. • These rezonings have potential to encourage further subdivisions in Mt Kembla. • Properties were recently purchased with current zonings and restrictions in place – should not be changed for individuals seeking to profit at the expense of community concerns. • More housing on the foothills of Mt Kembla can in no way be seen as contributing to the rehabilitation of environmentally sensitive areas – absurd and contradictory. • Loss of wildlife corridors at the foothills of Mt Kembla – concerns of further strains on local wildlife with the induction of more housing, exotic plants and domestic animals.

Submitter	Comment
	<ul style="list-style-type: none"> • Loss of open grasslands impact on some animals – grasslands being reduced at an alarming rate. • Council's focus and investment on the "Blue Mile" as a tourist attraction while ignoring the green spaces and heritage tourism Mt Kembla provides is short sighted and limiting the tourism growth of the LGA. • As Council is a financial beneficiary of increased rates with these subdivisions can they be trusted to act on the behalf of the community.
<p>Form Letter 3: Four Mt Kembla Resident signatures</p>	<p>As long term residents concerned about the proposed zoning changes:</p> <ul style="list-style-type: none"> • Concerned people are buying properties at a price that reflects its "not for development zoning" and then applying to have the zoning changed to allow for development, thus making a sizable profit on their investment. Suggest these purchasers are developers, interested in profits and not concerned with maintaining Mount Kembla's unique village atmosphere. • Will set precedence for future rezoning/developments and Mount Kembla will cease to exist as a unique village with links to our mining heritage.

State Authorities

Submitter	Comment
<p>Office of Environment and Heritage (OEH)</p>	<ul style="list-style-type: none"> • This site represents a strategically important linkage opportunity and the proposed revegetation and active conservation within the riparian corridor will contribute to this if undertaken and managed appropriately. • Site inspection noted that the area contained a good diversity of native flora species with good potential for rehabilitation and recovery. • The proposed community title provisions outlined are supported for the riparian corridor and access road. Support the protection of the riparian corridor area by an in perpetuity Conservation Agreement registered on title. • The Illawarra Shoalhaven Regional Plan (ISRP 2015) identifies the property as occurring within a biodiversity corridor. The proposal is considered generally consistent with the ISRP provisions to look for opportunities to improve funding and resilience of corridors in strategic planning and proposed land uses need to maintain or enhance connectivity – minor changes to the indicative building envelopes would ensure a better conservation outcome resulting from the proposal. To minimise removal and/or ongoing modification of vegetation on site (e.g. through 10/50 Vegetation Clearing Code of Practice for NSW) it is recommended that building envelopes be set back a minimum 50 metres from the outside edge of the vegetation boundary – would allow optimal enhancement of the riparian corridor area and therefore better meet the objectives within the Concept Plan and ISRP • The Planning Proposal is considered to be generally consistent with the Concept Plan intent and provisions.

Submitter	Comment
	<ul style="list-style-type: none"> • A Vegetation Management Plan (VMP) should be prepared for the riparian corridor prior to the amending LEP being publicly exhibited. The VMP will need to demonstrate appropriate costings for works and provisions for funding ongoing management. Key considerations for management include weed control, supplementary planting, appropriate management of feral deer and monitoring of works to ensure conservation outcomes are achieved. • The proposal should include a due diligence assessment at planning proposal stage in accordance with OEH guidelines, before any ground disturbance works that may result from the proposed subdivision of this land. The due diligence process should determine whether a more detailed Aboriginal cultural heritage assessment is required.
NSW Rural Fire Service (RFS)	<ul style="list-style-type: none"> • The development of the site should be restricted to a maximum of 3 lots, which may have access by a 4m wide right of way. • Do not support the proposed 4 lots due to <i>Planning for Bushfire Protection 2006 (PBP)</i> compliancy issues regarding access: <ol style="list-style-type: none"> I. Access to the property does not comply with PBP – “access to a development comprising more than 3 dwellings have formalised access by dedication of a road and not by right of way” II. The road access would be required to be 6.5m in width as per Table 4.1 of PBP – existing access handle from Cordeaux Road is only 4.5m in width III. Dead end roads are not recommended, but if unavoidable, dead ends are not to be more that 200m in length – the length of this driveway is indicated as 230m • If the proposal for 4 dwellings is to proceed it will be necessary to acquire land outside of the lot for a 6.5m wide road or development of the site in conjunction with adjoining land(s) also nominated in the Farmborough Heights to Mt Kembla Concept Plan as potentially developable.
Sydney Water	<ul style="list-style-type: none"> • No objection. Adequate capacity in water trunk system to service the proposed development – amplifications or extensions may be required. • Limited capacity in trunk wastewater network system. Latest hydraulic model indicates there may be surcharges from the wastewater system under extreme wet weather conditions at ground levels below approximately 39 metres. A feasibility application will be required to be lodged with Sydney Water. • 227 Cordeaux Road is burdened by Easement for Water Supply 2.5 Wide and Easement for Access and Drainage purpose variable Width – this easement is not to be built over or encroached in without the consent of Sydney Water.
Roads and Maritime Services (RMS)	<ul style="list-style-type: none"> • No objection in principle as it is unlikely to have a significant impact on the state road network, noting: <ol style="list-style-type: none"> I The Planning Proposal is consistent with the endorsed Farmborough Heights to Mt Kembla Concept Plan which, in part, identifies potential for additional residential development on this site.

Submitter	Comment
	<p>II The total number of residential allotments to be created by the rezoning will be 3 (i.e. the existing dwelling and two additional lots).</p> <ul style="list-style-type: none"> • Council needs to be satisfied that: <ul style="list-style-type: none"> I Sufficient space is available for two vehicles to pass on the existing right of way and that access arrangements are suitable for the proposed intensification/additional dwellings without adversely impacting upon the local road network. II Suitable arrangements are in place for ongoing garbage pick-up noting the length of the right of way and where bins will be placed for pickup. III Sufficient sight lines are available/not restricted at the site's access point with Cordeaux Road.
Department of Primary Industries - Water	<ul style="list-style-type: none"> • No objection to the rezoning. Once rezoned appropriate protections should be included to ensure that the E2 zone is protected from future activities. It is suggested that physical structures be incorporated along the E2 zone to ensure that no hazard reduction activities to create Asset Protection Zone (APZ) encroach into the riparian corridor.

Internal Consultation

Submitter	Comment
Flooding Issues	<ul style="list-style-type: none"> • Development Engineering Section has no objection to the rezoning of this land for the purpose of subdividing from a stormwater and floodplain management perspective. • Any future development on the land will be subject to the requirements of Chapters E13 and E14 of Council's Wollongong DCP 2009, Clause 7.3 of the Wollongong LEP 2009 and the NSW Government's Floodplain Development Manual 2009. • Noted that the proposed Lot 2 may require the acquisition of an interallotment drainage easement over downslope properties to facilitate the disposal of stormwater from any development.
Access Issues	<ul style="list-style-type: none"> • The proposed access arrangement for a further four lots would not comply with Clause 3.2.2 of AS2890.1 – specifically the width of the driveway and the spacing of passing bays. A 3 metre wide driveway with appropriately spaced passing opportunities under Clause 3.2.2 can only be permitted for "domestic properties" – definition in AS2890.1 (Clause 1.3.12) is a property comprising three or less domestic units. The development needs to either revise down the number of dwellings or upgrade the access to allow passing. • Waste collection from the street would not be supported – private waste collection will need to be arranged in line with WDCP 2009.
Geotechnical Issues	<ul style="list-style-type: none"> • A high geotechnical constraint is noted in the north western corner – it is located west of the existing dwelling and remote from any of the proposed building envelopes. The building envelopes are considered feasible from a geotechnical perspective and encountered geotechnical constraints can readily be managed through routine earthworks.

Submitter	Comment
	<p>Supplementary geotechnical advice will be required to support the engineering design for the subdivision as well as for the development of the lots created by the subdivision.</p>
<p>Environment Issues</p>	<ul style="list-style-type: none"> • Vegetation community MU13 Moist Box-Red Gum Foothills mapped and confirmed. • Do not support removal/thinning of MU13 and planted native vegetation to create APZ buffers. Recommend building envelopes set back 50m from riparian corridor/E4 boundary and APZs be moved north to be within E4 zone. This will allow the retention of all moderate constraint area/MU13 and some of the native plantings/propagation area to achieve a moderate to high biodiversity outcome. • Riparian corridor requires 40m buffer to protect core riparian zone with APZ requirements to be maintained outside this area. Need to move building envelopes north. • The Ecological Constraints Assessment (2017) states the site contains no threatened species habitat or hollow bearing trees – site inspection identified several hollow bearing trees which have potential to provide habitat for a number of threatened species. No additional survey or assessment required at this stage as all areas of potential habitat are proposed to be retained within the riparian corridor area/E2 zoning. • Rezoning from E3 to E2/E4 will result in a low level conservation and improvement outcome as outlined in the IESMP 2015 and Farmborough Heights to Mt Kembla Concept Plan (2013) • The proposed E2 zoning area is too small for a BioBanking Agreement. Not recommended that E2 zone have minimum lot size of 5,000m². • The successful implementation of a Vegetation Management Plan through a Property Vegetation Plan would result in a moderate to high level Biodiversity outcome being achieved – an appropriate Conservation Agreement will need to be administered/registered, funding obtained and active management underway prior to the issuing of a subdivision DA to ensure an improved biodiversity outcome (new Biodiversity Conservation Act 2016). • To ensure high level conservation and improvement outcome, preference for area proposed for E2 zone to be dedicated to Council with VMP and funding. If the landowner does not wish to dedicate to Council, recommended all proposed E2 land to be contained within one separate lot to be owned and managed through Community Title.

ADVICE

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF HEARING	31 October 2018
PANEL MEMBERS	Sue Francis (Chair), Mark Carlon, Larissa Ozog, Bernard Hibbard (Community Representative)

MATTER

PP-2017/3 – 227 Cordeaux Road, Mount Kembla.

PROPONENT SUBMISSION2

The Panel was addressed by the proponent and experts.

PANEL CONSIDERATION AND ADVICE

The Panel considered the matters listed in the Council officer's report, and the material presented at the meeting and the matters observed at the site inspection.

The Panel agrees the site has both strategic and site specific merit and is consistent with the Farmborough Heights and Mount Kembla Concept Plan.

The Panel has noted the submissions received and considers that the proposed E2 Conservation Zone would create a reasonable and satisfactory buffer, both visual and physical, to Mount Kembla Village.

VOTING

The voting in respect of this matter was unanimous.

ITEM 5 VEGETATION VANDALISM IN THE DUNES BEHIND WOONONA BEACH

Woonona Beach has been the site of ongoing vegetation vandalism including poisoning, pruning and removal of seedlings, shrubs and trees within the dunes. The latest reported incidents occurred in July and October 2018 making 22 incidents of vegetation vandalism recorded at Woonona Beach since Council undertook dune management works in 2014. Council has previously undertaken a range of response measures to address the issue including distribution of educational flyers, installation of information and deterrence signs and meetings with the community and prominent community groups.

On 23 July 2018 Council adopted the Tree and Vegetation Vandalism Policy. Under the Policy the latest incident is considered a high impact incident. Consistent with the Policy, Council endorsement is sought to install a large tree/vegetation vandalism sign and covert surveillance cameras at the site (subject to a supportive feasibility assessment for the cameras). In addition, Council support is sought to undertake additional response measures to further obstruct views if vegetation vandalism continues at the site, being the installation of barriers such as bunting, sail or shade cloth or fence.

RECOMMENDATION

- 1 Note that the Woonona Beach dune system has been subject to a significant spate of ongoing vegetation vandalism since Council undertook dune management works in 2014.
- 2 A large tree/vegetation vandalism sign (1800 x 1200mm) be installed at the location as indicated on the map (Attachment 4) attached to this report, to inform and seek information from the community and to block the view created by this vandalism incident.
- 3 An assessment of the ability and effectiveness of installing a covert surveillance camera(s) at Woonona Beach be undertaken, in accordance with the Tree and Vegetation Vandalism Covert Surveillance Camera Procedure, with the view to installing cameras if the assessment is supportive.
- 4 Should vegetation vandalism continue to occur at Woonona Beach, Council install appropriate barriers at the site to block views in accordance with Council's Tree and Vegetation Vandalism Policy.
- 5 The barriers remain in place until such time as vandalism is determined to have ceased, plants have been allowed to establish/recover and environmental conditions have been restored to Council's satisfaction for a minimum of 12 months.

REPORT AUTHORISATIONS

Report of: David Green, Manager Environmental Strategy and Planning (Acting)
Authorised by: David Farmer, General Manager

ATTACHMENTS

- 1 Photographic timelines showing change to dune vegetation at Woonona Beach following dune management works by Council
- 2 Map of Woonona Beach in 2012 prior to dune re-profiling
- 3 Photographs of vegetation vandalism incidents at Woonona Beach since 2014 Woonona Beach
- 4 Map showing the location of vegetation management work since 2014, the incident in July 2018 and October 2018 and proposed vegetation vandalism sign

BACKGROUND

The *Wollongong Dune Management Strategy for the Patrolled Swimming Areas of 17 Beaches* (DMS) was adopted by Council in 2014. As an outcome of this Strategy Council undertook dune reprofiling work at Woonona Beach in 2014. This work included removal of vegetation from the frontal dune and

reprofiling to improve sight lines for lifeguard and lifesaver operations, beach width and beach access. This has been followed up with installation of low growing species in bare areas in the back zones of the dunes to stabilise the sand. Council's bush regeneration contractors continue to work at the site to remove weeds and ensure that the vegetation at the front of the dune does not extend forward over time in accordance with the *Woonona Beach Dune Vegetation Site Plan*. Council invested \$150,000 for the reprofiling works in 2014 and an additional \$50,000 in follow up vegetation management. Comparative photographs and aerial maps showing the differences in the dune landscape at Woonona Beach as a result of Council's efforts are provided as Attachment 1 and Attachment 2 to this report.

The photographs show that prior to 2014 the vegetation was dense and substantially comprised of species such as Coastal Wattles, trees including Banksias and Tea Trees and weeds. Council works significantly reduced the extent of the vegetation within the area to a state determined to adequately address the aims of the Dune Management Strategy. The bare areas that resulted in the back of the dunes were replanted with low growing native species. Prior to dune management works being undertaken by Council in 2014, Council officers are unaware of any vegetation vandalism at the site.

Despite Council's efforts to manage the vegetation at the site under an endorsed Dune Management Strategy, vegetation vandalism has continued to occur here since the work in 2014, targeting both established vegetation at the back of the dune and newly installed low growing grasses and shrubs over a 300 metre stretch of dunes.

Dune reshaping works occurred at Woonona Beach in mid-2014. A number of vandalism events occurred at the site between then and July 2015, including the pruning of trees and shrubs, removal of newly planted spinifex and low growing grasses. Council officers tried to resolve the vegetation vandalism occurrences at Woonona Beach through a range of responsive actions, initially focused on education and community involvement in the site. These measures included:

- Discussion at Wollongong Estuary and Coastal Zone Management Committee meetings regarding the matter and deterrence measures.
- Holding a community education meeting at Woonona Surf Life Saving Club on the importance of dune vegetation, explaining the dune reshaping project and ongoing dune management works.
- Creation of a dune care program for the City for volunteers to assist in the management of dune vegetation.
- Ongoing communication with the Woonona Surf Life Saving Club.
- Letters to residents explaining the dune vegetation works.
- Installation of signage on the types of low growing species being planted at the site.
- Site plans for works, including planting regimes, being available on Council's website.
- Replanting of vandalised plants.
- Installing two small signs at the site highlighting the occurrence of vegetation vandalism in March 2015.

These measures appear to have been effective for a period of time, with no further vegetation vandalism events occurring until late 2016.

From late 2016 to early 2017, a series of vegetation vandalism events again took place. Response measures were undertaken, including:

- Installation of a large Vegetation Vandalism sign north of the Surf Club, the sign was subsequently moved to an alternate location south of the Surf Club due to concern from adjacent residents.
- Letter box dropping of residents seeking information on the perpetrators and providing details on the plant species to be used in the forthcoming planting program in April 2018.

- Ongoing communications with Beach Care Illawarra, Woonona Surf Life Saving Club and Woonona Boardriders including meetings, site inspections and significant correspondence.

Again, the vegetation vandalism ceased for a period of time (12 months) until early 2018, where there have since been a series of vandalism events.

Current Position

On 24 July 2018 Council officers attended the site for routine operations and observed two 2m tall *Banksia integrifolia* (Coastal Banksia) trees along an access way north of the Surf Club building having been poisoned and cut and numerous other branches in the vicinity pruned. Whilst this report was under preparation on 9 October a Woonona resident reported another vegetation vandalism incident to Council, being the pruning of 10-12 branches from 1-2 *Acacia sophorae* (coastal wattle) trees located approximately 40m south of the surf club.

These latest incidents mark 22 incidents of vegetation vandalism detected at the site, since Council undertook dune management works in 2014. Council officers have sighted vandalism to 28-29 mature trees and uprooting of over 1,100 seedlings (planted by Council contractors undertaking works in accordance with plans formulated under the auspice of the DMS) since 2014. Woonona Beach is one of the most prolific sites for vegetation vandalism in the Local Government Area. Photographs of some of these incidents are provided in Attachment 3.

The true cost of these acts is difficult to calculate as it includes significant amounts of staff time in monitoring, investigation, stakeholder discussion and response, notwithstanding the environmental cost. However the impact on works undertaken by Council contractors translates to a financial loss to Council of approximately \$7,700 (including cost of labour, stakes and guards).

On 23 July 2018, Council adopted the Tree and Vegetation Vandalism Policy. In accordance with the Policy these acts have been determined to be a high impact vandalism incidents due to the repeated number of incidents at the site. As a result, the following response measures have already been undertaken:

- A letterbox drop to local residents encouraging anyone with any knowledge of the incident to report it to Council or the local police. The letter also advised that a large sign would be placed at the site of the vandalism.
- A similar letter was sent to the relevant local community groups (Beach Care Illawarra, Woonona Surf Life Saving Club and Woonona Boardriders).
- Memo to Councillors advising of the vegetation vandalism and proposed response.

In response to the letterbox drop, representatives from Beach Care Illawarra contacted Council staff and requested a meeting to discuss the issue. On Thursday 27 September Council staff met with representatives of Beach Care Illawarra, Woonona Boardriders and other local residents. They expressed concern over the use of an apparently punitive approach in accordance with the policy which would predominately punish the residents that live directly across the road, who (they state) are not responsible for the vandalism.

Further to this, the residents asserted that a large sign specifically implies that the adjacent residents are responsible for the vandalism acts. Based on previous experience, beach users have displayed negative behaviours by staring at the houses across from the sign and even making unsolicited judgemental comments to residents. All beach users are also penalised by having their views of the beach restricted.

The meeting representatives advised that they would like to work with Council to disseminate a positive message and proposed a series of actions as an alternative. Their proposal is outlined in the section below along with Council staff's proposed recommendation.

PROPOSAL

Vegetation vandalism has continued to occur at Woonona Beach regardless of Council's response to date. Council staff propose a series of actions in accordance with the Tree and Vegetation Vandalism Policy to address the issues at the site, referred to as Option 1. Alternatively, the proposal put forward by the community representatives is outlined in Option 2 for Council's consideration.

Option One

Council staff recommendation (based on the adopted policy):

- A large vegetation vandalism sign (1800 x 1200mm) be installed at the site of the July vandalism, to inform and seek information from the community and to block the view created by this vandalism incident. The site has been selected due to the history of vandalism in the immediate area and its visual impact for beach users. The location of the proposed sign and its nexus to the latest incidents and historical extent of vegetation vandalism is shown in the map which is provided as Attachment 4 to this report.
- That an assessment of the ability and effectiveness of installing a covert surveillance camera(s) at the site be conducted in accordance with the Tree and Vegetation Vandalism Covert Surveillance Camera Procedure. Should this assessment show that cameras are likely to be effective in monitoring activity in the area it is recommended that Council endorse their installation.
- That if vegetation vandalism persists at the site, further action be undertaken to obstruct views at the site, including the installation of appropriate barriers, such as bunting, sail or shade cloth or fence. Such barriers should remain in place until such time as vandalism is determined to have ceased, plants have been allowed to establish/recover and environmental conditions have been restored to Council's satisfaction for a minimum of 12 months, in accordance with the Policy.
- Council officers continue to implement the vegetation management program at Woonona Beach in accordance with the Woonona Beach Dune Vegetation Site Plan, including the planting of low growing native shrubs and grasses in bare areas of the dunes.

Option Two

The actions proposed by the community representatives in the meeting on 27 September are listed in the table below along with corresponding comments by Council staff in regards to their feasibility of implementation and/or effectiveness.

Community Representative Proposed Action	Council staff comment
Update of the site plan for the site and implementation	Woonona Beach Dune Vegetation Site Plan was prepared in 2015 and is updated annually to reflect vegetation works required. Works for 2018-19 have been delayed due to drought.

Community Representative Proposed Action	Council staff comment
Creation of a Dunecare group	Dunecare groups are initiated in response to community interest. They are trained by experienced Council staff and subsequently left to manage the dune (largely) independently with support from Council. Given the history of

	vandalism in the area Council staff are not confident that this approach can work at this location.
Community planting day with local school children	This action is supported by Council staff.
Installing a low height educational sign near the lookout (beachside across from the intersection of Kareela Road and Kurraba Road), which includes information on the species being planted and the impacts of vegetation vandalism	A low sign would not blocks views, and would not be considered as punitive. However, current educational signage has not been effective in curbing the vandalism.
Installation of a viewing platform to complement the educational signage proposed above	Further investigation will be required into the design and cost of a viewing platform.
Media and education for the community	A range of educational responses have already been undertaken as outlined in the background section of this report.

It should be noted that Council staff met with some of the same representatives at a meeting in late 2017 where they were advised that should further vandalism occur at the site a large sign would be erected directly within the vicinity of the vandalism.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2028 goal “We value and protect our Environment”. It specifically delivers on the following:

Community Strategic Plan	Delivery Program 2018-2021	Operational Plan 2018-19
Strategy	3 Year Action	Operational Plan Actions
1.1.2 Manage and effectively improve the cleanliness, health and biodiversity of creeks, lakes, waterways and oceans	1.1.2.1 Protect and conserve the health and biodiversity of our waterways and coast	Continue implementation of priority actions from the Dune Management Strategy

Ecological Sustainability

The long term protection and management of trees and vegetation on Council owned or managed land is integral to maintaining the economic, cultural, environmental and social values of the area. Trees and vegetation contribute significantly to environmental health and to human health and wellbeing. In the case of dune vegetation it has the additional benefits of dune stabilisation and coastal protection.

RISK ASSESSMENT

If Council does not respond appropriately to these ongoing incidents of vegetation vandalism there is a high risk that the dunes behind Woonona Beach will be subject to further vandalism. A reduction in vegetation in the dunes can de-stabilise the dunes and impact on coastal hazards risks.

On 23 July 2018 Council adopted the Tree and Vegetation Vandalism Policy. Consistent implementation of this Policy should be taken in regards to response and enforcement actions. Not acting in accordance with this Policy may have both financial and reputational risks.

FINANCIAL IMPLICATIONS

Council has invested significant funds in delivering actions under the Dune Management Strategy at Woonona Beach and the vegetation vandalism incidents continue to undermine the efficacy of these works and result in further spending for remediation. As outlined above, vandalism of recently planted vegetation has been conservatively estimated as a loss of approximately \$7,700 (including cost of labour, stakes and guards) however this does not account for damage to shrubs and mature trees. Other costs are difficult to calculate but include installation of signage, significant amounts of staff time in monitoring, investigation, stakeholder discussion and response, notwithstanding the environmental cost.

Implementation of Council staff's proposal will be funded using existing Natural Area Management operational budget. The installation of the vegetation vandalism sign is estimated to cost \$1,000 for materials and labour. The cost of camera installation will be assessed as part of the feasibility assessment and additional funding requested through the business proposal process if required. However, a broad estimate based on other Council actions to install a covert camera is \$8,000 - \$10,000.

Should Council determine to proceed with the proposal put forward by the community, it is projected that the cost would be approximately \$5000 (for the construction and implementation of the sign and delivery of a community planting day), this does not include the installation of a viewing platform or the creation of a dunecare group.

CONCLUSION

Woonona Beach has been subject to significant vegetation vandalism since dune reprofiling and management works were undertaken by Council in 2014 including poisoning, pruning and removal of established vegetation at the back of the dune and newly installed low growing grasses and shrubs. The vandalism at the site is considered high impact vandalism and consistent with the Tree and Vegetation Vandalism Policy an appropriate response is to install covert surveillance cameras and to take action to block views in the damaged area.

It is recommended that:

- A large sign (1800 x 1200mm) be installed at the location as indicated on the map in the Attachment 4, attached to this report, to inform and seek information from the community and to block the view created by this vandalism incident.
- Council officers undertake an assessment of the ability and effectiveness of installing a covert surveillance camera(s) at the site in accordance with the Tree and Vegetation Vandalism Covert Surveillance Camera Procedure with the view to installing cameras if the assessment is supportive.
- If vandalism persists at Woonona Beach, appropriate barriers to block views be installed and that these barriers remain on site until such time as vandalism is determined to have ceased, plants have been allowed to establish/recover and environmental conditions have been restored to Council's satisfaction for a minimum of 12 months.

Attachment 1: Photographic timeline showing change to dune vegetation at Woonona Beach following dune management works by Council

Beachfront



May 2014 - Prior to reprofiling under DMS

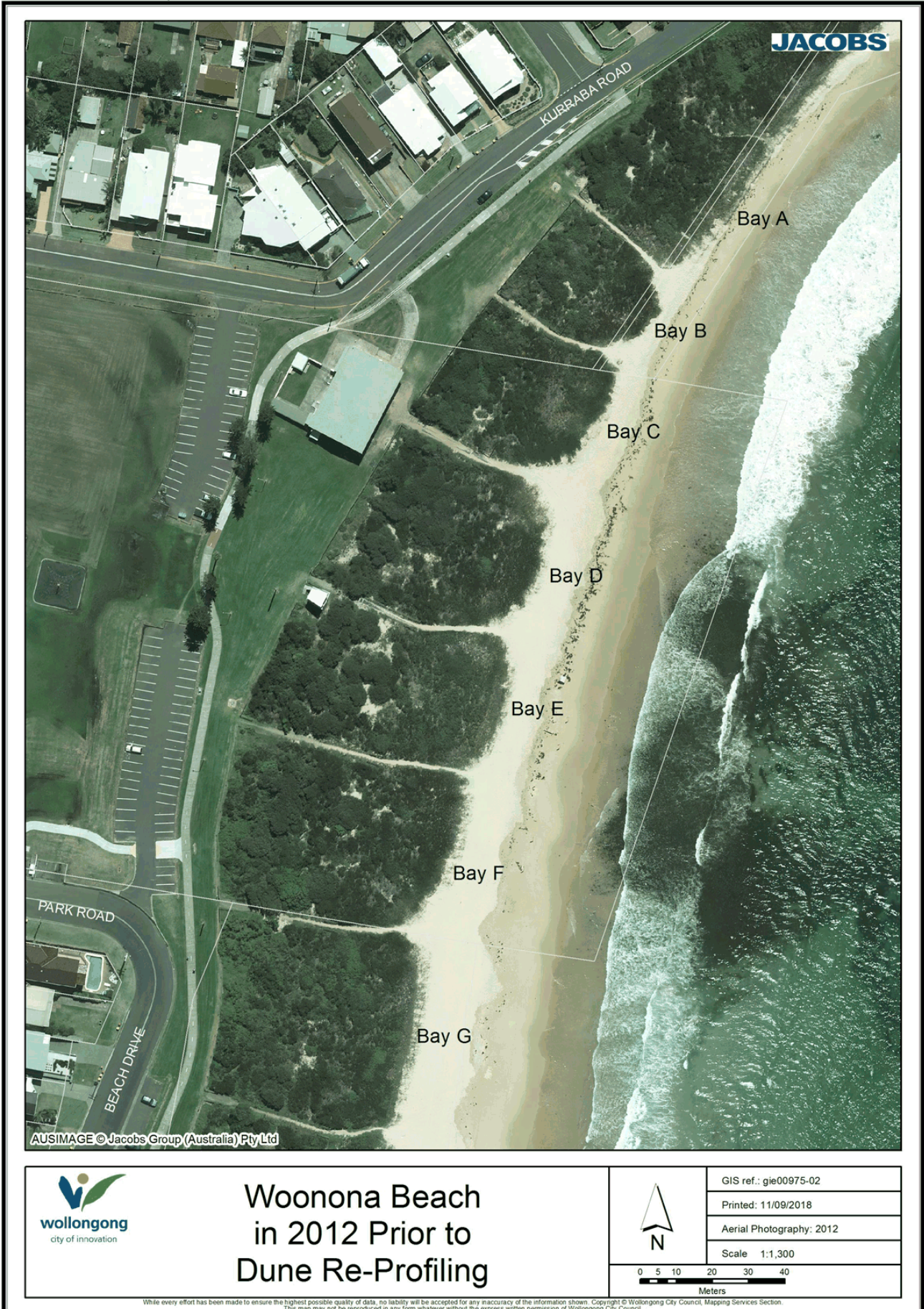


June 2014 - Following reprofiling



April 2018 - Following Council works to remove weeds and senescent Coastal Wattle and revegetated with low growing spinifex

Attachment 2 - Map of Woonona Beach in 2012



Attachment 3: Photographs of vegetation vandalism incidents at Woonona Beach since 2014

Roadside views of vegetation at Woonona Beach

May 2015 - Following reprofiling and vegetation management works



Comparison point

July 2018 - Following 21 vandalism incidents



Attachment 3: Photographs of vegetation vandalism incidents at Woonona Beach since 2014

December 2014 - Seedlings pulled out



Attachment 3: Photographs of vegetation vandalism incidents at Woonona Beach since 2014

February 2017 – 25 mature trees pruned



Attachment 3: Photographs of vegetation vandalism incidents at Woonona Beach since 2014

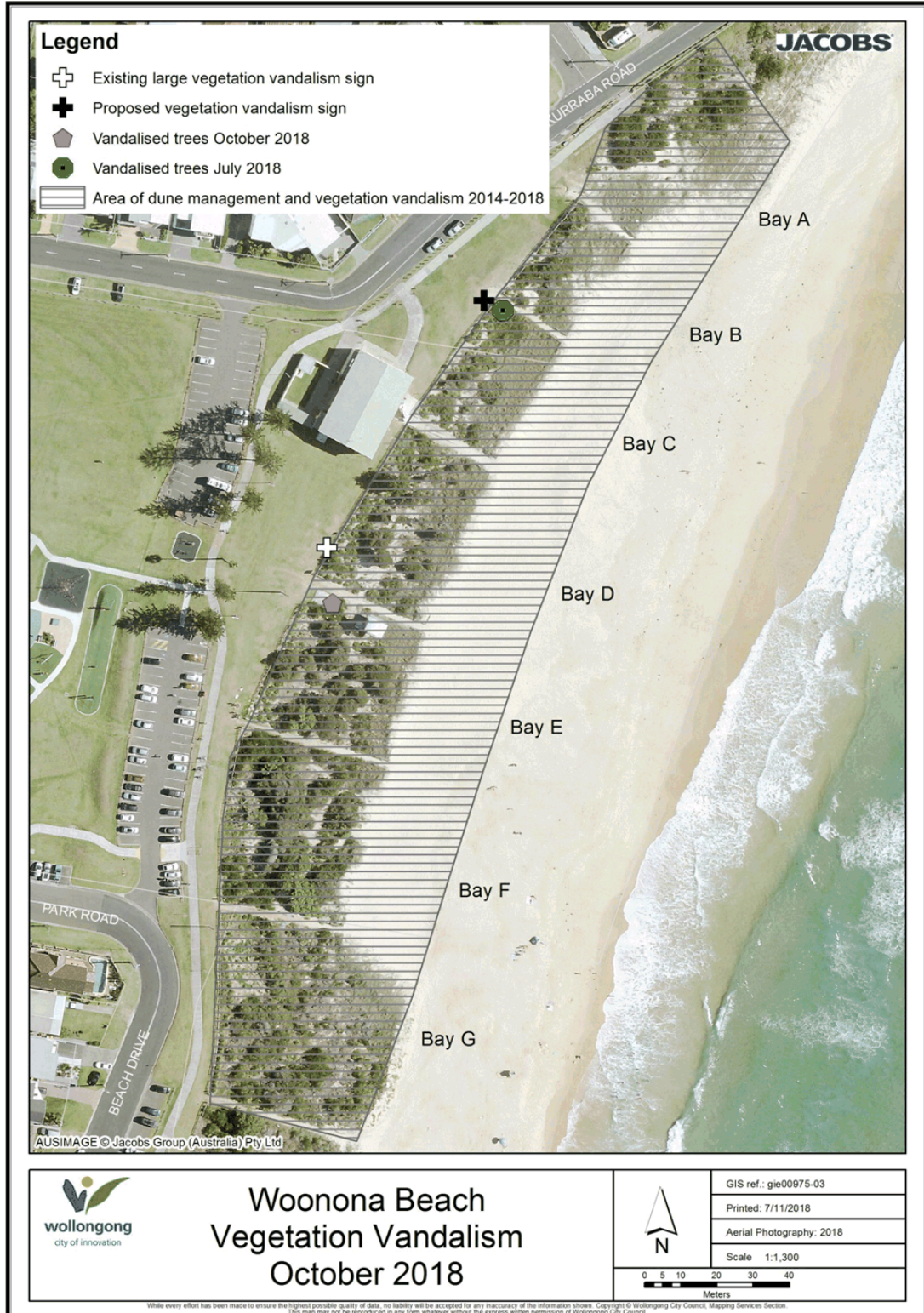
July 2018 – Poisoned and pruned Coastal Banksia



Attachment 3: Photographs of vegetation vandalism incidents at Woonona Beach since 2014
October 2018 – Pruned Coastal Banksias



Attachment 4 – Map showing the location of vegetation management work since 2014, the incident in July 2018 and October 2018 and proposed vegetation vandalism sign



ITEM 6 OSBORNE PARK ALCOHOL PROHIBITION

Council at its meeting on 3 September 2018 requested that nearby residents and occupiers of Osborne Park be contacted by mail to inform and seek their views regarding the proposal to establish the park as an Alcohol Prohibited Area. Over 600 letters were forwarded to residents/occupiers advising of the proposed alcohol prohibition with an invitation to provide feedback. Council received 38 submissions with 84% supporting the proposed Alcohol Prohibited Area.

RECOMMENDATION

Council endorse Osborne Park becoming an Alcohol Prohibited Area with signs erected to advise the public.

REPORT AUTHORISATIONS

Report of: Sofia Gibson, Manager Community Cultural and Economic Development (Acting)
Authorised by: Kerry Hunt, Director Community Services - Creative and Innovative City

ATTACHMENTS

- 1 Proposed Alcohol Prohibited Area - Osborne Park Wollongong

BACKGROUND

Alcohol Prohibited Areas (APAs) are separate to Alcohol Free Zones (AFZs). An APA resides in a park, reserve or beach, while an AFZ applies to footpaths and road reserves only. APAs do not have an expiration date and do not require a Council resolution to cancel or suspend for short periods of time. Should events occur where alcohol may be involved, eg wine tasting, an APA sign should be covered for the duration of the event and event approval protocols followed.

Council has recently undertaken its four-yearly Alcohol Free Zone review. Throughout this process there were no requests for additional AFZs or changes to existing AFZs. The only additional request received was the proposal to declare alcohol prohibition in Osborne Park.

Osborne Park is located on a main arterial road and acts as a thoroughfare between Campbell Parade and Cliff Road. The park is well maintained and frequently used by tourists and locals. Four picnic shelters are located within the park and a Council storage building in the south western corner which has large trees overshadowing (trimmed recently). This space is sometimes used as a urinal and to hide antisocial behaviour. A Sydney Water maintenance building is fenced and located in this same area.

In February this year residents adjacent to Osborne Park contacted Council regarding anti-social and threatening behaviour from groups of people drinking in the picnic shelters at the park. A request to meet with Council officers was made to look at ways to prevent and reduce these behaviours. A Community Safety Audit was undertaken on 23 March 2018 with Wollongong Police, Paul Scully MP and affected residents. It was reported that levels of anti-social behaviour in the form of public drunkenness, fights and aggressive shouting was occurring regularly in the park in the summer months. In February 2018 the behaviour escalated to one man scaling a barrier wall to enter a private property. As a result of the Community Safety Audit it was proposed that the park become alcohol prohibited with signs erected to support actions undertaken by Police to reduce public drunkenness. Some trees were trimmed near the Council building which will be reviewed again before summer.

Further information was requested following the Councillor Briefing on 6 August 2018, which informed Councillors about the Alcohol Free Zone Review, and subsequent proposal for alcohol prohibition in Osborne Park. Consideration for the possibility to declare alcohol prohibition from 'sunset to sunrise' was suggested and further information was requested relating to frequency and timing of incidents in this park.

Information was sought from Wollongong Police to clarify the intensity of the behaviour occurring in Osborne Park. While NSW Police are unable to publicly release statistics the reported incidents were reviewed over a period of two years.

Wollongong Police (in August 2018) highlighted that while there have been no incidents reported to Police since February 2018 (which is not to say they have not occurred) the prevalence occurs during the summer months. Over the summer months the Police informed the majority of incidents reported have involved anti-social behaviour, intoxication and offensive language. The majority of the incidents are occurring from 11am to 5.30pm with a few in the evening between 7pm – 11pm. Police informed they 'strongly oppose' alcohol prohibition from sunset to sunrise as the majority of offences are occurring during the day or early afternoon.

Council on 3 September 2018 requested that residents and occupiers nearby Osborne Park be contacted by mail to inform and seek their views regarding the proposed alcohol prohibition. Over 600 letters were forwarded to residents/occupiers nearby Osborne Park inviting comments to be received within 28 days. Council received 38 submissions with 84% (32) representing support for alcohol prohibition, 11% (four) objecting to the proposal, and 5% (two) suggesting a night time prohibition only (see Figure 1).

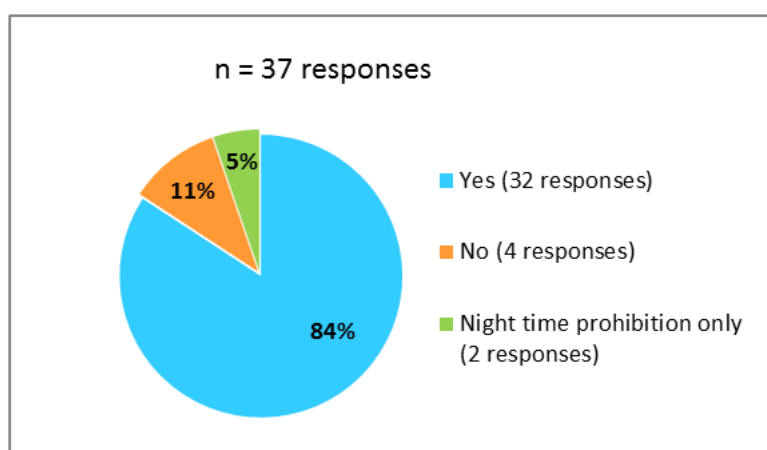


Figure 1 – Response by residents/occupiers to Osborne park alcohol prohibition proposal.

Anecdotally, on 28 August 2018 the Illawarra Mercury published an article 'Council reveals plan to ban booze in Wollongong park' with an accompanying poll 'Should alcohol be banned from Osborne Park?' Of the 238 votes received from its poll 64 % (152) agreed with the alcohol ban and 36% (86) disagreed with the alcohol ban.

PROPOSAL

Council has two options –

- Option 1 Council endorse Osborne Park becoming an Alcohol Prohibited Area with signs erected to advise the public.
- Option 2 Council endorse Osborne Park becoming an Alcohol Prohibited Area with signs erected to advise the public with a revision date of two years for Osborne Park APA.

CONSULTATION AND COMMUNICATION

Earlier this year, in accordance with provisions of the NSW *Local Government Act* and Ministerial Guidelines on Alcohol Free Zones 2009, Council undertook an engagement strategy to inform the community and invite public comment on the proposal to re-establish all seven AFZs as well as the proposal to establish Osborne Park as a new APA.

The community was notified of the draft proposals via Council’s pages in the Wollongong Advertiser on 2 May 2018 and 23 May 2018. The exhibition went live on Council’s Have Your Say page on 2 May 2018, along with maps detailing each of the proposed zones. The online engagement page also included an online version of the Feedback Form.

Wollongong Police District strongly supports the establishment of Osborne Park as an APA following on from the recommendations in the May 2018 Community Safety Audit. Its advice for 24 hour alcohol prohibition reflects the peak incident times occurring in the park.

Further consultation occurred in September 2018 with over 600 letters forwarded to residents and occupiers surrounding Osborne Park. Following from this correspondence Council received 38 submissions with 84% in support of alcohol prohibition.

Comments received in the submission process are outlined as follows -

Supportive comments

‘We are writing to you to provide our full support for the proposed Alcohol Prohibited Area for Osborne Park, Wollongong.....Unfortunately, over the Summer season, day and night, this anti-social behaviour was occurring too frequently. Wollongong Police have been very supportive and responsive to resident concerns about groups collecting, the excessive drinking & abusive behaviour and language.’

‘Sadly we agree with the proposal because of the regular terrible behaviour of some groups as highlighted by your note especially during summer. Alcohol prohibition is the ONLY answer.’

‘As we reside next to the Park, we strongly AGREE/SUPPORT this proposal. The noise, music, yelling and fighting from partie’s [sic] spill over into streets and local residences constantly, and increases in the summer months’.

Objections

‘We are against a blanket alcohol ban for Osborne Park. This park is frequently used by responsible citizens celebrating birthdays, holidays etc. or just enjoying the location and shelters. The enjoyment of a well-behaved majority should not be compromised by the misbehaviour of some undesirables who can be moved on by police if the need arises.’

‘On occasions we have been aware of some shouting coming from the park both in the daytime and at night. However, these disturbances are not much to put up with and are usually short lived. I suspect that alcohol is not always the cause of loud shouting. So long as the consumption of alcohol by individuals in Osborne Park is small, we are not in favour of prohibiting its use there. If behaviour in the park becomes unruly, for any reason, the police should be asked to control it. It would be a shame if law abiding citizens are prohibited from consuming a drink of alcohol in the park when enjoying a picnic or a meeting.’

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2028 Community Strategic Plan Goal 5 ‘We are a healthy community in a liveable city’ and the Delivery Program and Operational Plan 2018-2019, Objective 5.4 Community safety and community perception of safety is improved. It specifically delivers on the following:

Community Strategic Plan	Delivery Program 2018-2021	Operational Plan 2018-2019
Strategy	3 Year Action	Operational Plan Actions
5.4.2 Local crime continues to be prevented and levels of crime reduced	5.4.2.1 Deliver projects and programs to reduce crime in the Wollongong Local Government Area	Monitor and maintain Alcohol Free Zones including new assessments as required

The Wollongong Community Safety Plan 2016-2020 identifies Action Item 3.2 Alcohol Free Zones and Alcohol Prohibited Places are reviewed every four years.

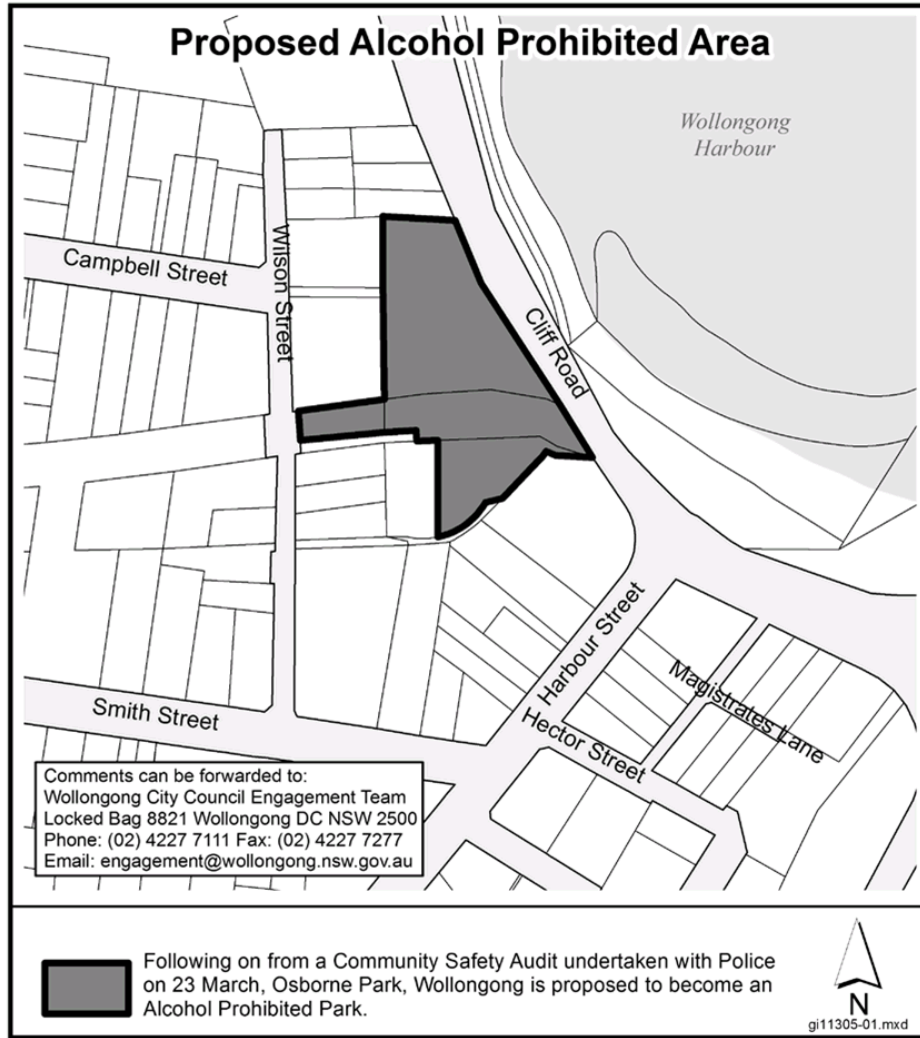
FINANCIAL IMPLICATIONS

The establishment of Osborne Park becoming an APA will include new signs and installation costs which are included in current operational expenditure for the financial year 2018-2019.

CONCLUSION

The recommendation is to establish a new 24 hour APA in Osborne Park. This is with consideration to the data and opinion provided by Wollongong Police District around the timeframe of incidents occurring in Osborne Park, along with supporting submissions received from local residents and occupiers.

ATTACHMENT 1: PROPOSED ALCOHOL PROHIBITED PARK - OSBORNE PARK, WOLLONGONG



ITEM 7 DRAFT AMENDED ROAD NAMING POLICY

The Road Naming Policy provides guidelines for the naming of public roads in accordance with the requirements of the Geographic Names Board of New South Wales. The proposed changes ensure the policy aligns with the latest legislative changes.

The amended policy also seeks to encourage the use of relevant local, cultural, historic or natural themes, in road naming, and to ensure gender equity.

RECOMMENDATION

The revised Road Naming Policy be adopted.

REPORT AUTHORISATIONS

Report of: Mark Riordan, Manager Development Assessment and Certification

Authorised by: Andrew Carfield, Director Planning and Environment - Future City and Neighbourhoods

ATTACHMENTS

- 1 Draft Road Naming Policy

BACKGROUND

Council's Road Naming Policy (Policy) was initially adopted in 2002, and reviewed in 2007 and 2015. The Policy provides guidelines for the naming of public roads in accordance with the Roads (General) Regulations 2008, and the Geographical Names Board of South Wales Road Naming Policy 2013.

PROPOSAL

The policy has been reviewed and amended to align with current legislation.

The Road Regulation 2008 was recently updated to the Road Regulation 2018. The main changes in the 2018 Regulation relate to notification of various state agencies.

The previous guidelines from the Geographical Names Board have also now been replaced by the New South Wales Online Road Naming System. This system automates the assessment and notification of proposed road names with various state agencies and with the Geographical Names Board.

In addition to complying with the guidelines, it is proposed to encourage the use of road names which identify with local cultural, historic, or natural influences. Also, where names of people are proposed, gender equity is a relevant consideration.

CONSULTATION AND COMMUNICATION

Community Services – Property and Recreation.

Infrastructure and Works - Infrastructure Strategy and Planning.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 under the Community Goal 1 "We value and protect our environment."

It supports achievement of Objective 1.4: "Community awareness and appreciation of heritage is increased"

FINANCIAL IMPLICATIONS

Nil

CONCLUSION

The proposed amendments to the Road Naming Policy ensure the current Policy is updated to reflect the latest changes by the Geographic Names board of New South Wales and Road Regulation 2018. The policy also now encourages road naming to include relevant local, cultural, historical and natural influences. Gender equity must also be considered when names of people are proposed.

This Attachment was updated for consideration in conjunction with Draft Road Naming Policy report after the initial release of the Business Paper



ADOPTED BY COUNCIL: [TO BE COMPLETED BY CORP SUPPORT]

BACKGROUND

Council, under the *Roads Act 1993*, is the roads authority for all public roads within its area, other than any freeway or Crown road or any public road for which another public authority is declared by the regulation to be the road authority. As such, Council may name or rename all public roads for which it is the roads authority, subject to the Geographical Names Board being given at least one month's notice of the proposed name.

In exercising its power to name roads, Council is also required to follow procedures set out in the *Roads (General) Regulations 2008*.

OBJECTIVE

The main objectives of this policy are to –

- 1 Provide guidelines and procedures for the naming and renaming of roads.
- 2 Ensure that the proposed road names and road suffixes are appropriate.
- 3 Ensure that the origin of the road names be recorded.

POLICY STATEMENT

This policy formalises Council's requirements with regards to the procedures to be undertaken and the guidelines to be used when existing public roads for which Council is the roads authority are proposed to be renamed or proposed roads to be dedicated to Council are named.

Legislation and guidelines used to determine this policy are as follows:

- *Roads Act 1993*
- The Roads (General) Regulations 2018
- NSW Online Road Naming System
- ~~New South Wales Road Naming Policy – Geographical Names Board of New South Wales, 24 October 2013~~
- ~~New South Wales Road Naming Procedure and Process – Geographical Names Board of New South Wales, 24 October 2013~~
- Australian Standards AS1742.5-1997 and AS4590-2006
- New South Wales Address Policy (~~October 2014~~)
- New South Wales Addressing User Manual (~~October 2014~~)

As part of the procedure, once a road has been formally named, it will be entered into Council's Land Information System database to provide a permanent record of the background/origin for the reasons for naming that road.

POLICY REVIEW AND VARIATION

This Policy forms part of Council's three-year rolling review of policies schedule and will be reviewed within three years from the date of each adoption of the policy, or more frequently as required.

- 1 Council is to have opportunity to review and adopt, at least once during its Term, each Council policy.
- 2 A resolution of Council is required to adopt any variations to this policy, with the exception of minor administrative changes, such as updates to legislative references, which may be endorsed by the Executive Management Committee (EMC). Endorsement of administrative changes made to this policy by EMC does not alter the requirement for it to be reviewed and adopted by each Term of Council.

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ROAD NAMING

COUNCIL POLICY

STATEMENT OF PROCEDURES

When Council is in receipt of a request to name a proposed road or rename an existing road the following procedure must be followed:

- i The proposed name shall be considered having regard to the Road Naming Guidelines as contained in the next section of this Policy.
- ii A written application must be submitted to Council that clearly sets out the reasons, origin and history of the proposed road name and must include a plan or map clearly showing the extent of the proposal. The proposed name must include an appropriate road suffix.
- iii Council Officers will check that the proposed road name is suitable and complies with this Policy. If the proposed name does not comply with this policy the written application will be rejected.
- iv In the event of rejection the applicant will be notified and provided with reasons for the rejection. In the event of support, action will proceed to step (v).
- v Council will arrange exhibition of the proposal. Exhibition will involve the notification of the proposal, which will include:
 - Publishing a notice in a Local Newspaper
 - Serving notice on:
 - The Lord Mayor and Wollongong City Councillors
 - Australia Post
 - The Registrar-General
 - The Surveyor-General
 - The Chief Executive of the Ambulance Service of NSW
 - New South Wales Fire Brigades
 - The NSW Rural Fire Service
 - The NSW Police Force
 - The State Emergency Service
 - The New South Wales Volunteer Rescue Association Incorporated
 - In the case of a classified road – the RMS

~~The notification will invite written submissions to be made to Council and must specify the address to which, and the closing date by which, any submission shall be made. The notification period must be at least one month.~~

~~It will be deemed that Council has advised the Registrar General and the Surveyor General if written notification of the proposal be received by the Manager Cadastral Data Information Sourcing of Land and Property Information.~~

[Notification of the authorities prescribed under the Road Regulations 2008 will be via the NSW Online Road Naming system.](#)

- vi Council may not proceed with a proposal to name or rename a road against an objection made by Australia Post, the Registrar-General, the Surveyor-General or the RMS (in the case of a classified road), except with the approval of the Minister.
- vii If Council is unable to comply with step (i) and step (v), the statutory notification shall be given to the Geographical Names Board.

The Geographical Names Board will also act if it receives submissions or complaints from any source on particular road naming proposals.
- viii At the close of the exhibition period:
 - Any objections will be reported to Council. The naming proposal will then be determined upon resolution by Council to either proceed with the name proposal in accordance with step (ix) or reject the proposal and notify the proponent in accordance with step (iv).

ROAD NAMING

COUNCIL POLICY

- If Council does not receive any objections, then the road naming proposal is deemed to be an acceptable road name to adopt under this policy in accordance with step (ix).
- ix Should Council decide to proceed with the proposed road name then upon resolution to adopt the name, Council must:
- Publish notice of the new name in:
 - The Government Gazette
 - A Local Newspaper – giving (in the case of a road that is being named for the first time) a brief description of the location of the road.
 - Inform:
 - Australia Post
 - The Register-General
 - The Surveyor-General
 - The Chief Executive of the Ambulance Service of NSW
 - New South Wales Fire Brigades
 - The NSW Rural Fire Service
 - The NSW Police Force
 - The State Emergency Service
 - The New South Wales Volunteer Rescue Association Incorporated
 - In the case of a classified road – the RMS
- x All appropriate details supporting the reasons for naming of that road will be compiled by the Council division responsible, and entered into Council's Information Management System. Once a road has been formally named, it will be entered into Council's Land Information System database, and linked with the information supporting adoption of road name.

ROAD NAMING GUIDELINES

In the naming and re-naming of roads the provisions of the ~~New South Wales Road Naming Policy – Geographical Names Board of New South Wales, (24 October 2013)~~ and the ~~New South Wales Address Policy (October 2014)~~ must be observed. In addition road names are encouraged to include relevant local, cultural, historical and natural influences in the region. When proposing the names of people, gender equity is a relevant consideration.

ROAD NAMING

COUNCIL POLICY

SUMMARY SHEET

Responsible Division	Development Assessment and Certification
Date adopted by Council	[To be inserted by Corporate Governance]
Date of previous adoptions	19 October 2015, 16 October 2007, 25 November 2002
Date of next review	[List date - Not more than 4 years from adoption]
Legislative or other requirement for review DELETE THIS WHOLE ROW IF NOT APPLICABLE	[List review timeframe and Act, policy or review requirement]
Responsible Manager	Development Engineering Manager
Authorised by	Manager Development Assessment and Certification

DRAFT

ITEM 8 POLICY REVIEW - COMMUNITY AND SPORTING GROUP RENTALS COUNCIL POLICY

Council’s policy for the management of Community and Sporting Groups Rentals has been reviewed in line with Council’s four year rolling review process. The policy in its current form is still fit for purpose and only requires the inclusion of the word ‘independent’ which relates to Licensed Valuer in the Statement of Procedures [2].

RECOMMENDATION

- 1 Council adopt the Community and Sporting Group Rentals Council Policy.
- 2 The policy review date be updated to 30 October 2022.

REPORT AUTHORISATIONS

Report of: Peter Coyte, Manager Property and Recreation
 Authorised by: Kerry Hunt, Director Community Services - Creative and Innovative City

ATTACHMENTS

- 1 Community and Sporting Group Rentals Council Policy

BACKGROUND

The purpose of this policy is to provide Council with a framework under which it can charge rentals to community and sporting groups occupying land and assets owned or controlled by Council. As a general rule, community and sporting groups will pay a rental fee as outlined in Council’s Fees and Charges. However, where it is determined that due to commercial operations being undertaken, the lessee has the capacity, a commercial market fee will be applied by way of a market valuation. The policy enables Council to assess the financial capacity of the occupying groups to determine their capacity to pay a rental above the minimum charge contained with Council’s Fees and Charges.

The Executive Management Committee on 7 August 2018 endorsed that the revised policy be referred to Council for adoption in its current form as it delivers the required outcomes.

PROPOSAL

It is proposed that Council adopt the retention of the policy in its current form with the inclusion of the word ‘independent’ which relates to Licensed Valuer in the Statement of Procedures [2].

CONSULTATION AND COMMUNICATION

- Executive Management Committee; and
- Community and Library Services.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2028 goal “Our Council is accountable, financially sustainable and has the trust of the community”. It specifically delivers on the following:

Community Strategic Plan	Delivery Program 2018-2021	Operational Plan 2018-19
Strategy	3 Year Action	Operational Plan Actions
4.3.1 Positive leadership and governance, values and culture are built upon	4.3.1.1 Ensure appropriate strategies and systems are in place that support good corporate governance	Conduct rolling review of Council’s policy register.

CONCLUSION

The Community Group and Sporting Groups Council Policy be adopted in its current form with the inclusion of the word 'independent' which relates to Licensed Valuer in the Statement of Procedures [2].



ADOPTED BY COUNCIL: [TO BE COMPLETED BY CORP SUPPORT]

BACKGROUND

This policy has been developed in order to ensure responsible occupation of premises which are under the control of Council by charging appropriate fees for such occupation.

Council recognises that some occupants do not have the ability to pay market-level fees for occupation of its premises and in such circumstances it is inappropriate to require a market-level fee to be charged to some worthy occupants.

OBJECTIVE

The main objectives of this policy are to formally adopt fees and charges to be paid by community and sporting organisations for occupation of premises under the control of Council.

POLICY STATEMENT

Council will charge community and sporting organisations a minimum annual rental/fee under lease/licence agreements granted to the organisations for the use of Council-controlled premises and sporting facilities.

POLICY REVIEW AND VARIATION

- 1 Council is to have opportunity to review and adopt, at least once during its Term, each Council policy.
- 2 A resolution of Council is required to adopt any variations to this policy, with the exception of minor administrative changes, such as updates to legislative references, which may be endorsed by the Executive Management Committee (EMC). Endorsement of administrative changes made to this policy by EMC does not alter the requirement for it to be reviewed and adopted by each Term of Council.

COMMUNITY AND SPORTING GROUP RENTALS

COUNCIL POLICY

STATEMENT OF PROCEDURES

- 1 The minimum rental/fee will be determined by Council on an annual basis and included in Council's fees and charges.
- 2 In order to establish the eligibility of an organisation to pay the minimum fee, each organisation shall be requested to submit its annual report and financial statement.

Where it is clear an organisation has an ability to pay a market rental or fee, the rental/fee payable shall be the market rate as determined by an independent Licensed Valuer.
- 3 Where it has been requested or is intended that rental/fees to be paid by an organisation are to be different from (in excess of or less than) the fees/rentals as outlined in the preceding paragraphs, such matter to be the subject of a report to Council for determination.
- 4 This policy is not to be applied in respect of licences for community halls granted under the provisions of Council's Halls Strategy, nor in respect of management agreements for child care centres managed on behalf of Council by community committees. In these cases a rental of \$1.00 is to be charged by Council.

COMMUNITY AND SPORTING GROUP RENTALS

COUNCIL POLICY

SUMMARY SHEET	
Responsible Division	Property and Recreation
Date adopted by Council	[To be inserted by Corporate Governance]
Date of previous adoptions	Adopted at EMC 26 May 2015 with administrative changes only; 23 May 1994
Date of next review	May-2021
Responsible Manager	Property Services Manager
Authorised by	Manager Property and Recreation

ITEM 9 COUNCILLOR EXPENSES AND FACILITIES POLICY - POST-EXHIBITION

This report presents the draft *Councillor Expenses and Facilities* Policy for formal adoption by Council in accordance with Council’s Resolution of 3 September 2018.

RECOMMENDATION

Council adopt the Councillor Expenses and Facilities policy, as exhibited.

REPORT AUTHORISATIONS

Report of: Clare Phelan, Manager Governance and Information (Acting)
 Authorised by: Renee Campbell, Director Corporate Services - Connected and Engaged City

ATTACHMENTS

- 1 Draft - Councillors Expenses and Facilities policy

BACKGROUND

Following a review by staff of the *Payment of Expense and Provision of Facilities to the Lord Mayor and Councillors* Policy, Council at its meeting on 3 September 2018 resolved to:

- 1 *Endorse the renaming of the “Payment of Expenses and Provision of Facilities to the Lord Mayor and Councillors” Policy to “Councillor Expenses and Facilities” Policy;*
- 2 *Adopt in principle the draft Councillor Expenses and Facilities Policy subject to it being placed on public exhibition for a period of not less than 28 days, inviting submissions from the public;*
- 3 *Receive a further report on the Councillor Expenses and Facilities Policy, including a summary of any submissions received prior to formal adoption of the Policy.*

The draft *Councillor Expenses and Facilities* Policy was assessed against the Office of Local Government’s *Councillor Expenses and Facilities Policy Better Practice Template*, prior to its report to Council in September 2018 and is considered to be consistent with the intent of the Better Practice Template.

PROPOSAL

It is proposed that the draft *Councillor Expenses and Facilities* policy, incorporating the changes presented to Council at its meeting on 3 September 2018 and as exhibited, be adopted.

The changes included in the draft policy that was placed on exhibition are included again below for the benefit of the Council:

Draft Policy Proposal	Current Policy Provision	Act, Regulations, Guidelines or better practice template	Comments
9.3. Council will provide Councillors with a Smart Phone for official use on request, with an appropriate data plan.	A Smart Phone with a minimum of 1000Mb data allowance will be available to Councillors for official use on request.		Data allowance reference not required as this is an area which is constantly changing with advances in technologies.

Draft Policy Proposal	Current Policy Provision	Act, Regulations, Guidelines or better practice template	Comments
<p>9.4. Council will meet the cost of calls up to a maximum of \$1,200 (excluding GST) per year with any additional costs being borne by the individual Councillor and will be deducted from their next monthly Councillor fee payment.</p>	<p>Council will meet the cost of calls up to a maximum of \$300 (Excluding GST) per quarter with any additional costs being borne by the individual Councillor and will be deducted from their next monthly Councillor fee payment.</p>	<p>Better Practice Template calls for appropriate limit to be set.</p>	<p>Setting an annual limit for BYOD devices equal to the annual amount set for Council-provided devices maintains consistency. The proposed amendment represents no change to the annual limit.</p>
<p>9.8. Council will provide Councillors with a Council specified standard Tablet/PC package, printing facility and internet access with an appropriate data plan</p>	<p>Council will provide Councillors with a Council specified standard Tablet PC package, printing facility and internet access. A minimum of 3000Mb data allowance is included.</p>	<p>Better Practice Template provision to provide councillors with appropriate ICT devices and services, or reimburse for BYOD (see section following on proposed new policy inclusions).</p>	<p>Data allowance reference not required as this is an area which is constantly changing with advances in technologies.</p>
<p>11.7 Councillors must provide claims for reimbursement within three months of an expense being incurred.</p>	<p>Unless otherwise stated in this Policy, a claim for reimbursement of expenses and accounting for any payment in advance must be substantiated and lodged within 30 days of the costs being incurred</p>	<p>There is no timeframe outlined in the s23A Guidelines. The Better Practice Template recommends 3 months.</p>	<p>Agreed that 3 months is a reasonable timeframe for submitting claims for reimbursement of expenses. This change was considered prior to the release of the Better Practice template</p>
<p>16.1. The operation of this policy, including claims made under the policy, will be included in Council's audit program and an audit undertaken at least every two years.</p>	<p>An audit of Lord Mayor and Councillor expenses will be included in the Internal Audit Plan and undertaken every three years.</p>	<p>Better Practice Template and best practice is for an audit to be conducted every two years.</p>	<p>Agreed, and consistent with current plans which include an internal audit every two years.</p>

New inclusions in policy

Proposed Inclusion	Comment
<p><i>Principles</i> Council commits to the following principles:</p> <ul style="list-style-type: none"> • Proper conduct: Councillors and staff acting lawfully and honestly, exercising care and diligence in carrying out their functions 	<p>Contained within Better Practice Template Consistent with Council's principles, values and objectives of the policy.</p>

Proposed Inclusion	Comment
<ul style="list-style-type: none"> • Reasonable expenses: providing for Councillors to be reimbursed for expenses reasonably incurred as part of their role as Councillor • Participation and access: enabling people from diverse backgrounds, underrepresented groups, those in carer roles and those with special needs to serve as a Councillor • Equity: there must be equitable access to expenses and facilities for all Councillors • Appropriate use of resources: providing clear direction on the appropriate use of council resources in accordance with legal requirements and community expectations • Accountability and transparency: clearly stating and reporting on the expenses and facilities provided to Councillors. 	
<p>4.5 <i>Campaigns for re-election are considered to be a political benefit. The following are examples of what is considered to be a political interest during a re-election campaign:</i></p> <ul style="list-style-type: none"> • production of election material • use of council resources and equipment for campaigning • use of official council letterhead, publications, websites or services for political benefit • fundraising activities of political parties or individuals, including political fundraising events. 	<p>Contained within Better Practice Template</p> <p>OLG Guidelines state – 10.16 The interests of a councillor in their re-election is considered to be a personal interest and as such the reimbursement of travel expenses incurred on election matters is not appropriate. Council letterhead, council crests and other information that could give the impression it is official council material must not be used for these purposes.</p>
<p><u>General travel arrangements and expenses</u></p> <p>6.3 Each Councillor may be reimbursed for reasonable travel expenses incurred while undertaking official business or professional development or attending approved conferences and seminars within NSW ... This includes reimbursement for:</p> <ul style="list-style-type: none"> • documented ride-share programs, such as Uber, where tax invoices can be issued. 	<p>Addition only of wording “documented ride-share programs, such as Uber, where tax invoices can be issued “.</p> <p>Contained within Better Practice Template. The inclusion of reimbursement for documented ride-share programs is appropriate.</p>
<p>6.6 Councillors seeking to be reimbursed for use of a private vehicle must include the date, distance, starting location and destination, and purpose of travel being claimed, along with any other information relevant with the claim such as engine size where applicable.</p>	<p>Consistent with current practice. Council has an e-form that requires the listed information be entered into claims.</p> <p>The Better Practice Template calls for a log book to be kept. This is seen as a duplication and an unnecessary step, as the information is entered into the claim form and maintained as a Council record.</p>
<p>6.7 In accordance with Section 4, Council will scrutinise the value and need for Councillors to undertake overseas travel. Councils should avoid interstate and overseas trips unless direct and tangible benefits can be established for the Council and the local community. This includes travel to sister and friendship cities.</p>	<p>WCC policy requires overseas travel to be approved by an open meeting of Council.</p> <p>This is an inclusion in the Better Practice Template and is seen as consistent with Council’s practices and policy.</p>
<p>6.17 In circumstances where it would introduce undue risk for a Councillor to travel to or from official business in the late evening or early morning, reimbursement of costs for accommodation and meals on the night before or after the</p>	<p>Better Practice Template inclusion</p> <p>In practice, WCC councillors already have access to this provision.</p>

Proposed Inclusion	Comment
<p>meeting may be approved by the Lord Mayor. This includes where a meeting finishes later than 9.00pm or starts earlier than 7.00am and the Councillor lives more than 50 kilometres from the meeting location.</p>	
<p>6.18 Council will reimburse reasonable costs for accommodation and meals while Councillors are undertaking prior approved travel or professional development outside the Illawarra.</p>	<p>Better Practice Template inclusion. Consistent with current practice and policy.</p>
<p>6.28 Annual membership of professional bodies will only be covered where the membership is relevant to the exercise of the Councillor's civic duties, the Councillor actively participates in the body and the cost of membership is likely to be fully offset by savings from attending events as a member.</p>	<p>Better Practice Template inclusion, which is supported. Professional bodies may include Australian Local Government Women's Association or the Australian Institute of Company Directors.</p>
<p>6.39 Council will meet: Limited expenses associated with the attendance of the Councillor's spouse, partner or accompanying person at the Local Government NSW Annual Conference and the Australian Local Government Association's National General Assembly of Local Government.</p>	<p>Addition of the annual National General Assembly, which is generally held in Canberra during June of each year, and which like the LG NSW Annual Conference has a partners' programme. While not specifically referenced in the OLG Guidelines, its inclusion is consistent with the principles applied by the OLG to attendance at the LG NSW Annual Conference. These include that expenses should be limited to the cost of registration and official conference dinners. Travel expenses, any additional accommodation expenses, and the cost of partner/accompanying person tours etc would be the personal responsibility of individual councillors.</p>
<p><u>Recognition of service</u> 6.54 In recognition of long service as Councillor and/or Lord Mayor, Councillors are eligible to receive particular Local Government NSW awards if their service meets certain criteria. In these cases, Council will meet the cost of the Local Government NSW Service Award or Certificate applied for.</p>	<p>Reflects the current practice of Council. Costs are minimal.</p>
<p><u>Bring your own device – mobile phone and data allowance plans</u> 6.57 A Councillor may wish to use their private mobile phone and data access plan in lieu of a Council provided smart phone and number (as outlined in clause 9.3 of this Policy). 6.58 In such circumstances, Council will reimburse up to a maximum of 50% for the cost of a mobile phone access plan, including data. Where unlimited calls are not included with the access plan, Council will reimburse in full any Council business related call costs. Reimbursements for combined plan and call costs are limited to a maximum of \$1,200 per Councillor, per year. 6.59. Reimbursements are subject to the submission of a monthly telephone account, in the Councillor's name, showing plan cost and highlighting any individual call costs incurred, if applicable.</p>	<p>Brings the policy into line with current technology and practice. Proposed limit per annum consistent with limits applied to councillors using Council provided devices.</p>

Proposed Inclusion	Comment
<p><u>Councillor welfare - access to Employee Assistance Program</u></p> <p>9.22. Council extends access to its Employee Assistance Program (EAP) to Councillors and their immediate family members (ie. spouse; partner; or dependent child living under the same roof as the Councillor who is under the age of 18). It provides an effective program which enables the maintenance of Councillors' and their families' health and wellbeing.</p> <p>9.23. Councillors encountering difficulties with the role or personal difficulties that may impact on their role as a Councillor are able to seek counselling, on a confidential basis, directly through the EAP. The EAP provider will assess and determine the number of sessions provided based on the nature of the support offered.</p>	<p>Councillors currently have access to the EAP with no additional costs to Council. Inclusion of this provision within the policy better reflects existing arrangements.</p>
<p><u>Reimbursement to Council</u></p> <p>11.16 If Council has incurred an expense on behalf of a Councillor that exceeds a maximum limit, exceeds reasonable incidental private use or is not provided for in this policy, the Councillor will reimburse Council for that expense by way of a deduction from the Councillor's next allowance.</p>	<p>Consistent with current practice.</p>

CONSULTATION AND COMMUNICATION

The draft *Councillor Expenses and Facilities* Policy was publicly exhibited for a period of five weeks, between 12 September and 19 October 2018.

Notices appeared in the following editions of the Wollongong Advertiser:

- 12 September 2018; and
- 10 October 2018

The draft Policy was further promoted on Council's Community Engagement website.

No submissions were received on the draft Councillor Expenses and Facilities policy.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2028 goal "We are a connected and engaged community".

It specifically delivers on core business activities as detailed in the Governance and Administration Service Plan 2018-19.

FINANCIAL IMPLICATIONS

The proposed policy inclusions and changes will not require any additional funding, with expenses requiring approval within adopted budgets.

CONCLUSION

The current policy provisions are consistent with the *Local Government Act 1993*, *Local Government (General) Regulation 2005*, and the Office of Local Government *Guidelines for the payment of expenses and provision of facilities to mayors and councillors in NSW*. The Policy may be further enhanced by the proposed changes and additional inclusions.



ADOPTED BY COUNCIL:

BACKGROUND

The *Local Government Act 1993* requires Council to adopt a policy that allows for Councillors to receive adequate and reasonable expenses and facilities to enable them to carry out their civic duties as elected representatives of their local communities.

OBJECTIVE

The objectives of this policy are to:

- enable the reasonable and appropriate reimbursement of expenses incurred by Councillors while undertaking their civic duties
- enable facilities of a reasonable and appropriate standard to be provided to Councillors to support them in undertaking their civic duties
- ensure accountability and transparency in reimbursement of expenses and provision of facilities to Councillors
- ensure facilities and expenses provided to Councillors meet community expectations
- support a diversity of representation
- fulfil the council's statutory responsibilities.

POLICY STATEMENT

This policy enables the reasonable and appropriate reimbursement of expenses and provision of facilities to Councillors to help them undertake their civic duties.

It ensures accountability and transparency, and seeks to align Councillor expenses and facilities with community expectations. Councillors must not obtain private or political benefit from any expense or facility provided under this policy.

The policy has been prepared in accordance with the *Local Government Act 1993* (the Act) and *Local Government (General) Regulation 2005* (the Regulation), and complies with the Office of Local Government's s23A Guidelines for the payment of expenses and provision of facilities to Mayors and Councillors in NSW. Further, in the development of this policy, the Better Practice template issued by the Office of Local Government for policies concerning expenses and facilities for councillors was considered.

POLICY REVIEW AND VARIATION

- 1 Council is to have opportunity to review and adopt, at least once during its Term, each Council policy.
- 2 A resolution of Council is required to adopt any variations to this policy, with the exception of minor administrative changes, such as updates to legislative references, which may be endorsed by the Executive Management Committee (EMC). Endorsement of administrative changes made to this policy by EMC does not alter the requirement for it to be reviewed and adopted by each Term of Council.

COUNCILLORS' EXPENSES AND FACILITIES

COUNCIL POLICY

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COUNCILLORS' EXPENSES AND FACILITIES

COUNCIL POLICY

PART A – INTRODUCTION

1. Introduction

- 1.1. The provision of expenses and facilities enables Councillors to fulfil their civic duties as the elected representatives of Wollongong City Council.
- 1.2. The community is entitled to know the extent of expenses paid to Councillors, as well as the facilities provided.
- 1.3. The purpose of this policy is to clearly state the facilities and support that are available to Councillors to assist them in fulfilling their civic duties.
- 1.4. Council staff are empowered to question or refuse a request for payment from a Councillor when it does not accord with this policy.
- 1.5. Expenses and facilities provided by this policy are in addition to fees paid to Councillors. The minimum and maximum fees a council may pay each Councillor are set by the Local Government Remuneration Tribunal as per Section 241 of the Act and reviewed annually. Council must adopt its annual fees within this set range.
- 1.6. The policy sets out the maximum amounts Council will pay for specific expenses and facilities. Expenses not explicitly addressed in this policy will not be paid or reimbursed.
- 1.7. Additional costs incurred by a Councillor in excess of these limits are considered a personal expense that is the responsibility of the Councillor.
- 1.8. Councillors must provide claims for reimbursement within three months of an expense being incurred. Claims made after this time cannot be approved.
- 1.9. A report on Lord Mayor, Councillor and General Manager expenses will be submitted to the Audit, Risk and Improvement Committee on a quarterly basis.
- 1.10. These reports will include expenditure summarised by individual Councillor and as a total for all Councillors.

2. Definitions

the Act	Local Government Act 1993
the Regulation	Local Government (General) Regulation 2005
OLG	Office of Local Government
Conference	Generally more than one day in duration
Seminar	Generally only one day in duration
Year	A financial year
Accompanying person	A person who has a close personal relationship with the Councillor and/or provides carer support for the Councillor.
For the purposes of this policy, the following definitions apply to travel -	
Local travel	Travel within the Illawarra, or a neighbouring local government area
Intrastate	Travel within New South Wales and the Australian Capital Territory.

3. Principles

- 3.1. Council commits to the following principles:
 - **Proper conduct:** Councillors and staff acting lawfully and honestly, exercising care and diligence in carrying out their functions
 - **Reasonable expenses:** providing for Councillors to be reimbursed for expenses reasonably incurred as part of their role as Councillor

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- **Participation and access:** enabling people from diverse backgrounds, underrepresented groups, those in carer roles and those with special needs to serve as a Councillor
- **Equity:** there must be equitable access to expenses and facilities for all Councillors
- **Appropriate use of resources:** providing clear direction on the appropriate use of council resources in accordance with legal requirements and community expectations
- **Accountability and transparency:** clearly stating and reporting on the expenses and facilities provided to Councillors.

4. Private or political benefit

- 4.1. Councillors must not obtain private or political benefit from any expense or facility provided under this policy.
- 4.2. Private use of Council equipment and facilities by Councillors may occur from time to time. For example, telephoning home to advise that a Council meeting will run later than expected.
- 4.3. Such incidental private use does not require a compensatory payment back to Council.
- 4.4. Councillors should avoid obtaining any greater private benefit from Council than an incidental benefit. Where there are unavoidable circumstances and more substantial private use of Council facilities does occur, Councillors must reimburse the Council.
- 4.5. Campaigns for re-election are considered to be a political benefit. The following are examples of what is considered to be a political interest during a re-election campaign:
 - production of election material
 - use of council resources and equipment for campaigning
 - use of official council letterhead, publications, websites or services for political benefit
 - fundraising activities of political parties or individuals, including political fundraising events.

PART B – EXPENSES

5. General expenses

- 5.1. All expenses provided under this policy will be for a purpose specific to the functions of holding civic office. Allowances for general expenses are not permitted under this policy.

Examples of General expenses

- Council will reimburse reasonable incidental personal out-of-pocket expenses incurred by Councillors in attending Civic Functions, meetings relating to official Council business, seminars, conferences and training sessions.
Incidental expenses include telephone or facsimile calls, laundry and dry cleaning (associated with approved overnight travel), taxi fares, parking station fees and cost of meals not included in registration fees, but excludes tips.
- 5.2. Other incidental expenses such as refreshments and parking meter fees, may be incurred and reimbursed without substantiation up to a value equivalent to current Australian Taxation Office Taxation Determination on the reasonable travel and overtime meal allowance expense amounts for the current income year.

6. Specific expenses

General travel arrangements and expenses

- 6.1. All travel by Councillors should be undertaken using the most direct route and the most practicable and economical mode of transport.
- 6.2. Councillors may request the use of a Council vehicle for official business use. A minimum of 48 hours' notice is required for access to a vehicle for overnight use and 7 days' notice for longer periods.

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- 6.3. Each Councillor may be reimbursed for reasonable travel expenses incurred while undertaking official business or professional development or attending approved conferences and seminars within NSW or the ACT, with the total of each claim not exceeding the cost of economy return air travel and reasonable Sydney airport transfer costs, where applicable. This includes reimbursement for:
- the use of a private vehicle
 - public transport fares
 - tolls
 - documented ride-share programs, such as Uber, where tax invoices can be issued.
- 6.4. Official Council Business includes, but is not limited to, attendance at the following:
- all Council and Committee meetings including Council reference groups and Councillor briefing forums;
 - civic receptions;
 - meetings and inspections;
 - authorised conferences, seminars and training;
 - Wollongong Local Planning Panel (WLPP) and/or formal facilitation sessions;
 - official meetings of external organisations where the Councillor is an elected Council delegate or alternate delegate; and
 - where Councillor attendance is required at official Council events as indicated by –
 - receipt of an invitation from Council officers,
 - receipt of a meeting request where attendance is identified as required,
 and does not include event notifications sent for information purposes.
 - Councillors are to take the most direct route when travelling on official Council business.
- 6.5. Allowances for the use of a private vehicle will be reimbursed by kilometre at the rate contained in the *Local Government (State) Award*.
- 6.6. Councillors seeking to be reimbursed for use of a private vehicle must include the date, distance, starting location and destination, and purpose of travel being claimed, along with any other information relevant with the claim such as engine size where applicable.

Interstate and overseas travel expenses

- 6.7. In accordance with Section 4, Council will scrutinise the value and need for Councillors to undertake overseas travel. Councils should avoid interstate and overseas trips unless direct and tangible benefits can be established for the Council and the local community. This includes travel to sister and friendship cities.
- 6.8. Councillors seeking approval for any interstate and long distance intrastate travel must submit a case to, and obtain the approval of, the Lord Mayor or Council, depending on anticipated costs, prior to travel.
- 6.9. Councillors seeking approval for any overseas travel must submit a case to, and obtain the approval of, a full Council meeting prior to travel.
- 6.10. The case should include:
- objectives to be achieved in travel, including an explanation of how the travel aligns with current council priorities and business, the community benefits which will accrue as a result, and its relevance to the exercise of the Councillor's civic duties;
 - who is to take part in the travel;
 - duration and itinerary of travel;

COUNCILLORS' EXPENSES AND FACILITIES

COUNCIL POLICY

- a detailed budget including costs for transport, accommodation and other out-of-pocket travelling expenses.
- 6.11. For interstate journeys by air of less than four hours, the class of air travel is to be economy class.
- 6.12. For interstate journeys by air of more than four hours, the class of air travel may be premium economy.
- 6.13. For international travel, the class of air travel is to be premium economy if available. Otherwise, the class of travel is to be economy.
- 6.14. All Councillor travel arrangements will be centrally coordinated and booked by a Council officer.
- 6.15. For air travel that is reimbursed as Council business, Councillors will not accrue points from the airline's frequent flyer program. This is considered a private benefit.

Travel expenses not paid by Council

- 6.16. Council will not pay any traffic or parking fines or administrative charges for road toll accounts.

Accommodation and meals

- 6.17. In circumstances where it would introduce undue risk for a Councillor to travel to or from official business in the late evening or early morning, reimbursement of costs for accommodation and meals on the night before or after the meeting may be approved by the Lord Mayor. This includes where a meeting finishes later than 9.00pm or starts earlier than 7.00am and the Councillor lives more than 50 kilometres from the meeting location.
- 6.18. Council will reimburse reasonable costs for accommodation and meals while Councillors are undertaking prior approved travel or professional development outside the Illawarra.
- 6.19. Council will reimburse reasonable incidental personal out-of-pocket expenses incurred by Councillors in attending Civic Functions, meetings relating to official Council business, seminars, conferences and professional development sessions.
- 6.20. Incidental expenses include reasonable laundry expenses associated with overnight travel, taxi fares, parking station fees and cost of meals not included in registration fees, but excludes tips, and such expenses shall not exceed:
- \$150 per day on meals and refreshments; and
 - \$100 per day on other incidental expenses.
- 6.21. Other incidental expenses such as refreshments and parking meter fees, may be incurred and reimbursed without substantiation up to a value equivalent to the current Australian Taxation Office Taxation Determination on the reasonable travel and overtime meal allowance expense amounts for the current income year.
- 6.22. Where possible, accommodation is to be booked at the conference venue unless the General Manager determines otherwise.
- 6.23. In all other cases Council will ensure that reasonable and appropriate accommodation is provided to Councillors and in this regard a standard equivalent to 4 Star, where available, is considered appropriate.
- 6.24. Preference will be given to accommodation venues providing Government Rates.

Refreshments for Council related meetings

- 6.25. Appropriate refreshments will be available for Council meetings, Council Committee meetings, Councillor briefings and workshops, approved meetings and engagements, and official Council functions as approved by the General Manager.

Professional development

- 6.26. Council will set aside an amount per annually in its budget to facilitate professional development of Councillors through programs, training, education courses and membership of professional bodies.

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This does not include induction expenses incurred at the commencement of each term of a new Council.

- 6.27. In the first year of a new Council term, Council will provide a comprehensive induction program for all Councillors which considers any guidelines issued by the Office of Local Government (OLG). The cost of the induction program will be in addition to the ongoing professional development funding.
- 6.28. Annual membership of professional bodies will only be covered where the membership is relevant to the exercise of the Councillor's civic duties, the Councillor actively participates in the body and the cost of membership is likely to be fully offset by savings from attending events as a member.
- 6.29. Approval for professional development activities is subject to a prior written request to the Lord Mayor outlining the:
- details of the proposed professional development
 - relevance to Council priorities and business
 - relevance to the exercise of the Councillor's civic duties.
- 6.30. In assessing a Councillor request for a professional development activity, the Lord Mayor must consider the factors set out in Clause 6.26, as well as the cost of the professional development in relation to the Councillor's remaining budget.

Conferences and seminars

- 6.31. Council is committed to ensuring its Councillors are up to date with contemporary issues facing Council and the community, and local government in NSW or the ACT.
- 6.32. Council will set aside an amount annually in its budget to facilitate Councillor attendance at conferences and seminars. This allocation is for all Councillors. The Lord Mayor will ensure that access to expenses relating to conferences and seminars is distributed equitably.
- 6.33. Approval to attend a conference or seminar is subject to a written request to the Lord Mayor. In assessing a Councillor request, the Lord Mayor must consider factors including the:
- relevance of the topics and presenters to current Council priorities and business and the exercise of the Councillor's civic duties
 - cost of the conference or seminar in relation to the total remaining budget.
- 6.34. Council will meet the reasonable cost of registration fees, transportation and accommodation associated with attendance at conferences approved by the General Manager. Council will also meet the reasonable cost of meals when they are not included in the conference fees. Reimbursement for accommodation and meals not included in the conference fees will be subject to Clauses 6.17-6.20.

Community and charitable functions, dinners and other non-Council functions

- 6.35. Council will provide a budget allocation in the annual budget for Councillor attendance at local community and charitable functions.
- 6.36. Where a Councillor accepts an invitation to attend a local community or charitable function in the role of a Councillor, Council shall meet to cost of the entry fee, but excluding travel costs.
- 6.37. Council will meet the entry fee associated with the attendance of a Councillor at a dinner or other non-Council function which provides briefings to Councillors from key members of the community, politicians and business, but excluding travel costs.
- 6.38. Council will not contribute to, or reimburse to a Councillor, any costs associated with attendance at any political fundraising event, any donation to a political party or candidate's electoral fund or for some other private benefit.

Accompanying person expenses

Definition – Accompanying person means a spouse, partner or de facto or other person who has a close personal relationship with or provides carer support to a councillor.

COUNCILLORS' EXPENSES AND FACILITIES

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6.39. Council will meet:

- Reasonable costs of spouses, partners or an accompanying person in attending official Council functions that are of a formal or ceremonial nature where the Councillor's spouse, partner or accompanying person would reasonably be expected to attend. Examples include, but are not limited to Australia Day Award Ceremonies, Citizenship Ceremonies, Civic Receptions and charitable functions at the request of the Lord Mayor.
- Limited expenses associated with the attendance of the Councillor's spouse, partner or accompanying person at the Local Government NSW Annual Conference and the Australian Local Government Association's National General Assembly of Local Government.
- These expenses are limited to the cost of the spouse, partner or accompanying person's registration (including the official conference dinner and welcome reception) and official functions hosted by Wollongong City Council at the conference.
- Travel expenses, any additional accommodation expenses and the cost of the spouse, partner or accompanying person's tours, etc will be the responsibility of individual Councillors.
- Reasonable costs of the spouse, partner or accompanying person of the Lord Mayor (or a Councillor representing the Lord Mayor) where the spouse, partner or accompanying person would reasonably be expected to attend an official function of Council or accompany the Lord Mayor (or a Councillor representing the Lord Mayor) to carry out an official ceremonial duty within NSW or the ACT.

6.40. Such functions include charitable functions to which the Lord Mayor has been invited and award ceremonies and other functions to which the Lord Mayor is invited to represent the Council.

6.41. The payment of expenses as detailed above is limited to the cost of the ticket, meal and/or the direct cost of attending the function.

6.42. Where not provided above, all expenses incurred in relation to the attendance of a spouse, partner or accompanying person at any event, function, seminar, conference, business trip and the like, must be met by the Councillor or the spouse, partner or accompanying person.

6.43. Peripheral expenses incurred by a spouse, partner or accompanying person such as grooming, special clothing and transport are not reimbursable expenses.

Special requirement and carer expenses

6.44. Council encourages wide participation and interest in civic office. It will seek to ensure Council premises and associated facilities are accessible, including provision for sight or hearing impaired Councillors and those with other disabilities.

6.45. Transportation provisions outlined in this policy will also assist Councillors who may be unable to drive a vehicle.

6.46. In addition to the provisions above, the General Manager may authorise the provision of reasonable additional facilities and expenses in order to allow a Councillor with a disability to perform their civic duties.

6.47. Councillors who are the principal carer of a child or other elderly, disabled and/or sick immediate family member will be entitled to reimbursement of carer's expenses up to a maximum of \$2,000 per annum, for attendance at official business, plus reasonable travel from the principal place of residence.

6.48. Child care expenses may be claimed for children up to and including the age of 16 years where the carer is not a relative.

6.49. In the event of caring for an adult person, Councillors will need to provide suitable evidence to the General Manager that reimbursement is applicable. This may take the form of advice from a medical practitioner.

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Protection expenses and obligations

- 6.50. Council may assist in providing protection to Councillors from any adverse security breaches to their person or property. Approval of the General Manager must be sought and gained prior to any expenses being incurred by Councillors.
- 6.51. The General Manager will determine requests after consultation with the NSW Police as to the risk and history of the matter. These protection measures may take the form of a security assessment, installation of a security system and/or physical monitoring.
- 6.52. Council will, subject to substantiation, reimburse Councillors for expenses that they may incur up to a limit of \$2,000 per year.
- 6.53. Should an amount above the \$2,000 per year limit be required by any Councillor, the matter will be referred to Council for determination after taking advice from the General Manager, Independent Chair of the Corporate Governance Committee and/or the Professional Conduct Coordinator.

Recognition of service

- 6.54. In recognition of long service as Councillor and/or Lord Mayor, Councillors are eligible to receive particular Local Government NSW awards if their service meets certain criteria. In these cases, Council will meet the cost of the Local Government NSW Service Award or Certificate applied for.

Home office expenses

- 6.55. Each Councillor may be reimbursed up to \$250 per year for costs associated with the maintenance of a home office, such as minor items of consumable stationery and printer ink cartridges.

Newspaper

- 6.56. One Illawarra Mercury newspaper home delivered Monday to Saturday, and/or subscription to the digital edition of the Illawarra Mercury.

Bring your own device – mobile phone and data allowance plans

- 6.57. A Councillor may wish to use their private mobile phone and data access plan in lieu of a Council provided smart phone and number (as outlined in clause 9.3 of this Policy).
- 6.58. In such circumstances, Council will reimburse up to a maximum of 50% for the cost of a mobile phone access plan, including data. Where unlimited calls are not included with the access plan, Council will reimburse in full any Council business related call costs. Reimbursements for combined plan and call costs are limited to a maximum of \$1,200 per Councillor, per year.
- 6.59. Reimbursements are subject to the submission of a monthly telephone account, in the Councillor's name, showing plan cost and highlighting any individual call costs incurred, if applicable.

7. Insurances

- 7.1. Councillors are to receive the benefit of the following insurance coverage effected by Council subject to any terms, conditions, exclusions and limitations of the policy of insurance effected by Council, for matters arising out of Councillors' performance of their civic duties and/or exercise of their Civic Functions:
 - a Public Liability and Professional Indemnity insurance;
 - b Councillors and Officers insurance;
 - c Corporate Travel insurance;
 - d Personal Accident insurance.

8. Legal assistance

- 8.1. Councillors are to receive the benefit of relevant insurance coverage that may be effected by Council for Legal Services in the event of:
 - a An enquiry, investigation or hearing by an appropriate investigative or review body including:

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- Council's Conduct Review Committee/Reviewer;
- Independent Commission Against Corruption;
- Office of the NSW Ombudsman;
- Office of Local Government;
- NSW Police Force;
- Director of Public Prosecutions or
- NSW Civil and Administrative Tribunal;

into the conduct of a Councillor; or

- b Legal proceedings being taken against a Councillor, arising out of or in connection with the Councillor's exercise in good faith of their functions as a Councillor, provided the circumstances of the matter are reported to Council's relevant insurance provider who in turn consents to the legal services and costs prior to the costs being incurred.

Council shall subject to the terms and condition of the insurance coverage reimburse such Councillor, after the conclusion of the enquiry, investigation, hearing or proceeding, for expenses properly and reasonably incurred, given the nature of the enquiry, investigation, hearing or proceeding, on a Solicitor/client basis, provided that:

- i approval of the General Manager and insurance provider for the nominated solicitor and their hourly rates is both sought and gained in writing prior to legal expenses being incurred;
- ii approval of the General Manager and insurance provider for any additional legal expenses is both sought and gained in writing prior to those expenses being incurred;
- iii the outcome of the legal proceedings is favourable to the Councillor or where an investigator or review body makes a finding that is not substantially unfavourable to the Councillor;
- iv the amount of such reimbursement shall be reduced by the amount of any monies that may be or are recouped by the Councillor on any basis; and
- v the Councillor's exercise of their function was, in the opinion of Council, bona fide and proper and as a Councillor.

8.2. Notwithstanding any other provisions of this Policy the following costs cannot be the subject of reimbursement:

- a the costs of any action in defamation taken by a Councillor as plaintiff in any circumstances;
- b the costs of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation;
- c legal costs for legal proceedings that do not involve a Councillor performing their role as a Councillor;
- d legal costs of legal proceedings initiated by a Councillor under any circumstances; or
- e the costs of defending any matter relating to the eligibility of a Councillor to stand for election.

PART C – FACILITIES

9. General facilities for all Councillors

Facilities

9.1. Council will provide the following facilities to Councillors to assist them to effectively discharge their civic duties:

- A Councillor common room appropriately furnished to include telephone, photocopier, printer, desks, computer terminals, lockers and appropriate refreshments (excluding alcohol) on level 10 of Council's Administration Building
- Access to free car parking in the Administration Building and Stewart Street East car parks while attending Council offices on official business. Vehicle stickers will be supplied for this purpose

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- Access to personal protective equipment for use during site visits
- A name badge which may be worn at official functions, indicating that the wearer holds the office of a Councillor and/or Lord Mayor or Deputy Lord Mayor
- Provision of a jacket to be worn at Council meetings and civic functions, indicating that the wearer holds the office of Deputy Lord Mayor and/or Councillor.

9.2. The provision of facilities will be of a standard deemed by the General Manager as appropriate for the purpose.

Council provided mobile phone and data allowance plans

- 9.3. Council will provide Councillors with a Smart Phone for official use on request, with an appropriate data plan.
- 9.4. Council will meet the cost of calls up to a maximum of \$1,200 (excluding GST) per year with any additional costs being borne by the individual Councillor and will be deducted from their next monthly Councillor fee payment.
- 9.5. International roaming and message bank roaming will be activated when requested by a Councillor proposing overseas travel for Council related purposes. However, where the travel is for vacation or personal business purposes all outgoing call costs incurred are to be reimbursed to Council by way of a deduction from the next Councillor monthly fee payment.
- 9.6. Each month Councillors will receive a copy of their monthly smart phone account and be required to complete an online mobile phone usage declaration, highlighting any personal calls charges to be reimbursed to Council by way of deduction from their next monthly Councillor fee payment. The declaration is to be completed each month.
- 9.7. A Councillor may wish to use their private mobile phone in lieu of a Council provided smart phone. Refer to clause 6.57-6.59 of this Policy.

Information and communications technology (ICT) provisions

- 9.8. Council will provide Councillors with a Council specified standard Tablet/PC package, printing facility and internet access with an appropriate data plan
- 9.9. Any excess data allowance charges will be reimbursed to Council by way of deduction from the Councillor's next monthly Councillor fee payment.
- 9.10. Council will provide Councillors with appropriate induction in the use of the provided equipment.
- 9.11. Internet access will be filtered by Council.
- 9.12. Usage of all Council provided technology requires compliance with Council's *Technology Acceptable Use* policy.
- 9.13. Council will provide support services for Council provided services and applications during business hours, being 8.30 am to 5.30 pm, to assist Councillors in resolving operational issues.
- 9.14. Access to a Council supplied email address and Councillor Portal will be provided on the Tablet/PC and the computers in the Councillors Room on the tenth floor of the Administrative Centre.
- 9.15. Servicing and repairs to all Council provided equipment will be coordinated through Council's IT Help Desk facility during business hours, being 8.30 am to 5.30 pm, on the basis of a back-to-base service.
- 9.16. All servicing and repairs to any privately owned equipment will be the responsibility of the individual Councillor irrespective of whether it is used for Council related business.

Home office provisions (excluding ICT)

- 9.17. Council will provide the following stationery and home office provisions to Councillors on request:
- Compendium, at the commencement of each term of civic office

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- Shredder, medium duty
- A4 printer paper, as required
- Printer cartridges for any Council-provided printing device, as required
- business cards, as required
- Diary, each calendar year

9.18. Council stationery is not to be converted or modified in any way and may only be used for carrying out the functions of civic office.

Postage

9.19. All outgoing mail is to be included as part of Council's daily mail collection by Australia Post and as such needs to be delivered to Council's Administration Centre. Mail is not permitted to be delivered directly to an individual Post Office.

Administrative support

9.20. Council will provide administrative support to Councillors to assist them with their civic duties only. Administrative support may be provided by a member of Council's administrative staff as arranged by the General Manager or their delegate.

9.21. As per Section 4, Council staff are expected to assist Councillors with civic duties only, and not assist with matters of personal or political interest, including campaigning.

Councillor welfare - access to Employee Assistance Program

9.22. Council extends access to its Employee Assistance Program (EAP) to Councillors and their immediate family members (ie. spouse; partner; or dependent child living under the same roof as the Councillor who is under the age of 18). It provides an effective program which enables the maintenance of Councillors' and their families' health and wellbeing.

9.23. Councillors encountering difficulties with the role or personal difficulties that may impact on their role as a Councillor are able to seek counselling, on a confidential basis, directly through the EAP. The EAP provider will assess and determine the number of sessions provided based on the nature of the support offered.

10. Additional facilities for the Lord Mayor

10.1. A fully serviced and maintained vehicle with a value (inclusive of GST) below the Luxury Car Tax (LCT) threshold for official civic duties and incidental use or a credit through a Novated Lease to a similar value.

10.2. Full private use is available in accordance with the private use provisions contained within Council's Vehicle Management Policy.

10.3. Servicing ensures that the vehicle is serviced, cleaned and fuelled ready for daily use.

10.4. The Lord Mayor is personally liable for all fines resulting from breaches of traffic laws and regulations and parking offences incurred whilst driving this vehicle.

10.5. A parking space at Council's offices will be reserved for the Lord Mayor.

10.6. Council will provide the Lord Mayor with a furnished office incorporating a computer configured to Council's standard operating environment, telephone and meeting space.

10.7. A Purchase Card will be provided to meet hospitality, reasonable incidental and other expenses incurred by the Lord Mayor in discharging his or her functions on behalf of Council. Use of the Purchase Card is to be in accordance with Council's Purchase Card Policy.

10.8. In performing his or her civic duties, the Lord Mayor will be assisted by a small number of staff providing administrative and secretarial support, as determined by the General Manager.

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Insignia of Office

- 10.9. Provision of a jacket, badge and name plates to be worn at civic functions indicating that the wearer holds the offices of Lord Mayor and Councillor.
- 10.10. Provision of a Lord Mayoral Robe and Chain to be worn at civic receptions, citizenship ceremonies and other appropriate functions.

Maintenance and servicing of equipment

- 10.11. Servicing and repairs to all Council provided equipment will be coordinated through Council's IT Help Desk facility during business hours, being 8.30 am to 5.30 pm, on the basis of a back-to-base service.
- 10.12. All servicing and repairs to any privately owned equipment will be the responsibility of the individual Councillor irrespective of whether it is used for Council related business.

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COUNCILLORS' EXPENSES AND FACILITIES

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PART D – PROCESSES

11. Approval, payment and reimbursement arrangements

NOTE: All expense limits quoted within this Policy are exclusive of GST unless otherwise stated.

	Lord Mayor Approval Only*	Report to Open Meeting of Council	Lord Mayor Approval and Noted by GM
A Costs not exceeding \$2,000 (ex GST) per Councillor, up to a maximum of \$4,000 per event in accordance with the following criteria:			
i Applications for attendance at any event, including those requiring overnight accommodation and/or air travel within the ACT or New South Wales, including but not limited to:	✓		
• Conferences/seminars;			
• Board meetings, meetings with government ministers or external organisations where the Councillor is Council's appointed representative;			
• Community functions, annual awards, dinners and other non-Council Functions;			
• Events where the Councillor has been invited to speak on behalf of Council.			
ii Professional Development requests.	✓		
B Use of private vehicle for (non-local) official Council business	✓		
C Applications for attendance at any event or professional development where individual Councillor attendance costs exceed \$2,000 or \$4,000 per event.		✓	
D Applications requiring interstate travel.		✓	
E Applications requiring overseas travel.		✓	
F All other Applications and where approval at a meeting of Council is not possible or appropriate.			✓

* Where the Lord Mayor is the applicant, approval may be granted by the Deputy Lord Mayor and be noted by the General Manager or granted by the General Manager and be noted by the Deputy Lord Mayor.

- 11.1. Expenses should only be incurred by Councillors in accordance with the provisions of this policy.
- 11.2. A *Councillor Request to Attend External Event* application is to be submitted to the Lord Mayor in the first instance for Councillor attendance at any Conference, seminar, meeting with external parties on official Council business, professional development or training and skills development session, community function, dinner and other non-Council event or function the Councillor wishes to attend in their civic capacity. All requests for approvals under this Policy are to be made in writing. Verbal requests will not be considered.
- 11.3. Application forms are to be submitted prior to attendance at the event and/or any expenses being incurred and must detail the purpose of the trip, expected benefits, duration, itinerary and approximate costs (where known).
- 11.4. The Lord Mayor will consider whether they are authorised to approve the application form or whether it is appropriate to refer the application form for report to an open meeting of Council.
- 11.5. Where a report to Council is required, reports must detail the purpose of the trip, expected benefits, duration, itinerary, approximate costs and nomination/number of Councillors undertaking the trip.

COUNCILLORS' EXPENSES AND FACILITIES

COUNCIL POLICY

- 11.6. Overseas travel must be approved prior to the Councillor/s undertaking the trip.
- 11.7. Retrospective reimbursement of overseas travel expenses is not allowed unless prior authorisation of the travel has been obtained.
- 11.8. The use of a Lord Mayoral Minute to obtain Council approval for travel is not appropriate as it is not consistent with the principles of openness and transparency.

Reimbursement

- 11.9. All claims for reimbursement of expenses incurred are to be made on the prescribed form, supported by appropriate receipts and/or tax invoices and be submitted via the Councillors' Portal.

Advance payment

- 11.10. Council may pay a cash advance for Councillors attending approved conferences, seminars or professional development.
- 11.11. The maximum value of a cash advance is \$250 per day of the conference, seminar or professional development.
- 11.12. Requests for advance payment must be submitted to the General Manager for assessment against this policy using the prescribed form with sufficient information and time to allow for the claim to be assessed and processed.
- 11.13. Councillors must fully reconcile all expenses against the cost of the advance within 30 days of incurring the cost and/or returning home. This includes providing to Council:
 - a full reconciliation of all expenses including appropriate receipts and/or tax invoices
 - reimbursement of any amount of the advance payment not spent in attending to official business or professional development.

Notification

- 11.14. If a claim is approved, Council will make payment directly or reimburse the Councillor through accounts payable.
- 11.15. If a claim is refused, Council will inform the Councillor in writing that the claim has been refused and the reason for the refusal.

Reimbursement to Council

- 11.16. If Council has incurred an expense on behalf of a Councillor that exceeds a maximum limit, exceeds reasonable incidental private use or is not provided for in this policy, the Councillor will reimburse Council for that expense by way of a deduction from the Councillor's next allowance.

Timeframe for reimbursement

- 11.17. Unless otherwise specified in this policy, Councillors must provide all claims for reimbursement within three months of an expense being incurred. Claims made after this time cannot be approved.

12. Disputes

- 12.1. If a Councillor disputes a determination under this policy, the Councillor should discuss the matter with the General Manager.
- 12.2. If the Councillor and the General Manager cannot resolve the dispute, the Councillor may submit a notice of motion to a Council meeting seeking to have the dispute resolved.
- 12.3. Council's decision will be final and no further appeal will be permitted.

13. Return or retention of facilities

- 13.1. All unexpended facilities or equipment supplied under this policy are to be relinquished immediately upon a Councillor or Lord Mayor ceasing to hold office or at the cessation of their civic duties.

COUNCILLORS' EXPENSES AND FACILITIES

COUNCIL POLICY

- 13.2. Should a Councillor desire to keep any equipment allocated by Council, then this policy enables the Councillor to make application to the General Manager to purchase any such equipment. The General Manager will determine an agreed fair market price or written down value for the item of equipment.
- 13.3. The prices for all equipment purchased by Councillors under Clause 13.2 will be recorded in Council's annual report.

14. Publication

- 14.1. This policy will be published on Council's website.

15. Reporting

- 15.1. Council will report on the provision of expenses and facilities to Councillors as required in the Act and Regulations.
- 15.2. A copy of this policy will be included in Council's annual report.
- 15.3. A report on Lord Mayor, Councillor and General Manager expenses will be submitted to the Audit, Risk and Improvement Committee on a quarterly basis.
- 15.4. These reports will include expenditure summarised by individual Councillor and as a total for all Councillors.

16. Auditing

- 16.1. The operation of this policy, including claims made under the policy, will be included in Council's internal audit program and an audit undertaken at least every two years.

17. Breaches

- 17.1. Suspected breaches of this policy are to be reported to the General Manager.
- 17.2. Alleged breaches of this policy will be dealt with by following the processes outlined for breaches of the Code of Conduct, as detailed in the Code and in the Procedures for the Administration of the Code.

COUNCILLORS' EXPENSES AND FACILITIES

COUNCIL POLICY

SUMMARY SHEET			
Responsible Division	Governance and Customer Service		
Date adopted by Council			
Date of previous adoptions	09/11/2015 13/10/2014 11/11/2013	08/04/2013 12/11/2012 28/11/2011	26/07/2011 19/11/2007 17/10/1994
Date of next review	June 2021		
Legislative or other requirements for review	<p><i>Local Government Act 1993 - sect 252</i> (1) Within the first 12 months of each term of a council, the council must adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the mayor, the deputy mayor (if there is one) and the other councillors in relation to discharging the functions of civic office.</p> <p>(5) A policy under this section must comply with the provisions of this Act, the regulations and any relevant guidelines issued under section 23A.</p> <p><i>Local Government Act 1993 – sect 253</i> (1) A council must give public notice of its intention to adopt or amend a policy for the payment of expenses or provision of facilities allowing at least 28 days for the making of public submissions.</p> <p>(2) Before adopting or amending the policy, the council must consider any submissions made within the time allowed for submissions and make any appropriate changes to the draft policy or amendment.</p> <p>(3) Despite subsections (1) and (2), a council need not give public notice of a proposed amendment to its policy for the payment of expenses or provision of facilities if the council is of the opinion that the proposed amendment is not substantial.</p> <p>(5) A council must comply with this section when proposing to adopt a policy in accordance with section 252 (1) even if the council proposes to adopt a policy that is the same as its existing policy.</p>		
Responsible Manager	Manager Governance and Customer Service		
Authorised by	Director Corporate Services		

ITEM 10

NOTICE TO MINISTER FOR LANDS AND FORESTRY OF COUNCIL'S NATIVE TITLE MANAGER

The *Crown Land Management Act 2016* (CLM Act) came into effect on 1 July 2018. To comply with the requirements of the CLM Act, Council has appointed a Native Title Manager. Council must notify the Minister for Lands and Forestry of the details of its Native Title Manager each year. Section 377(1)(s) of the *Local Government Act 1993* (NSW) (LG Act) states that the making of an application, or the giving of a notice, to the Governor or Minister is a non-delegable function meaning a resolution of Council is required for such purposes.

RECOMMENDATION

Council –

- 1 Note the resolution of the Executive Management Committee on 7 August 2018 to appoint Ms K Ponne, Legal Counsel, as Council's Native Title Manager.
- 2 Authorise the General Manager to finalise and give written notice to the Minister for Lands and Forestry of the name and contact details of Council's Native Title Manager.

REPORT AUTHORISATIONS

Report of: Clare Phelan, Manager Governance and Information (Acting)

Authorised by: Renee Campbell, Director Corporate Services - Connected and Engaged City

ATTACHMENTS

- 1 Council Crown Land Management Newsletter - 26 October 2018

BACKGROUND

The practice of managing Crown Land has recently changed as a result of CLM Act which came into force on 1 July 2018. To comply with the requirements of the CLM Act, Council is required to engage or employ at least one qualified Native Title Manager (section 8.6). Pursuant to section 8.7 of the CLM Act, written advice from a Native Title Manager must be obtained for any dealing by Council on Crown Land to ensure those dealings can be validated under Native Title legislation (namely, the *Native Title Act 1993* (Cth) and the *Native Title (New South Wales) Act 1994* (NSW)).

A Native Title Manager is a person who has undertaken the approved training facilitated jointly by the Crown Solicitors Office and the Department of Industry - Lands and Water and holds the necessary qualification issued by Department of Industry - Lands and Water. A number of Council Officers have attended the relevant training and attained the Native Title Manager qualification for the purposes of the CLM Act.

PROPOSAL

On 7 August 2018, the Executive Management Committee resolved to appoint Ms K Ponne, Legal Counsel, as Council's Native Title Manager.

Section 8.8(2) of the CLM Act requires Council to give written notice to the Minister by 31 October each year about:

- (i) whether any person is engaged or employed as a native title manager; and
- (ii) the name and contact details of that person.

On 15 October 2018, written notice of the appointment was provided to the Minister (by letter to the NSW Department of Industry). However, section 377(1)(s) of the *Local Government Act 1993* (NSW) (LG Act) states that the making of an application, or the giving of a notice, to the Governor or Minister is a non-delegable function meaning a resolution of Council is required for such purposes.

The Office of Local Government has advised that if councils miss the 31 October 2018 deadline they should provide notification to the Department of Industry as soon as possible.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2028 goal “We are a connected and engaged community”.

It specifically delivers on core business activities as detailed in the Governance and Administration Service Plan 2018-19.

CONCLUSION

Council is required to notify the Minister for Lands and Forestry of the details of its Native Title Manager each year.



Council Crown Land Management Newsletter

26 October 2018

Important information about Native title manager notice to Minister for Lands and Forestry

Section 8.8 of the Crown Land Management (CLM) Act 2016 requires each council to give notice to the Minister Lands and Forestry of the name and contact details of any person the council has engaged or employed as a native title manager. The notice must be given as soon as practicable after 30 June (but not later than 31 October) of each year.

Such notices should be straightforward, addressing only the items required under the legislation (ie: the name and contact details of any person the council has engaged or employed as a native title manager). If no native title manager has been engaged by the council, the notification should indicate this.

Councils are reminded that section 377(1)(s) of the Local Government Act 1993 states that the making of an application, or the giving of a notice, to the Governor or Minister is a non-delegable function meaning a resolution of council is required for such purposes.

It is expected that some councils may miss the 31 October deadline. If your council finds itself in this position, please provide the notification to DOI as soon as possible.

Notices should be sent to council.clm@crowland.nsw.gov.au.

Plan of management training webcast now live

A condensed webcast version of the face to face training sessions for council staff delivered by OLG and Department of Industry – Land and Water in August and September 2018 is now available to download from the [OLG Crown Land Resources webpage](#).

The purpose of the training is to inform council staff of the requirements for developing compliant Plans of Management for Crown Reserves. However, the training also emphasises the importance of preparing for the POM process as early as possible, especially by ensuring that councils understand how the initial categorisation process acts as a critical gateway step to developing a POM.

This webcast provides an opportunity for those who missed the face to face sessions to understand the key information provided, but also allows staff who did attend the sessions to revisit the information.

The webcast is divided into two parts which can be viewed or downloaded separately:

1. Recap of transition arrangements (including the classification and initial categorisation process).
2. The PoM development and adoption process.

Where to go for further information

For further information about the impending legislation, including the abovementioned support materials and details of upcoming training and events visit the OLG Crown Land webpage www.olg.nsw.gov.au/crownland.

General enquiries about OLG's Crown Land support project should be directed to 1300 117 784 or by email to councilcrownland@olg.nsw.gov.au.

Further information on the CLM Act generally, including Native title issues and the Land Negotiation Program can be found on the Department of Industry – Lands & Water [website](#).

ITEM 11

PROPOSED ACQUISITION OF PROPOSED LOT 70 DP 241188, BEING PART LOT 1 DP 36010, PRINCES HIGHWAY, DAPTO FOR ROAD WIDENING PURPOSES

Council at its meeting on 23 July 2018, resolved to award the tender for the construction of Stage 2 and 3 the Fowlers Road to Fairwater Drive extension project. As part of this project, a number of property acquisitions along the Princes Highway in Dapto are required. The acquisitions will allow for the widening of the Princes Highway at the new intersection of Fowlers Road and the Princes Highway.

This report seeks Council approval to acquire proposed Lot 70 DP 241188, being Part Lot 1 DP 36010 for road widening purposes.

RECOMMENDATION

- 1 Council acquires proposed Lot 70 DP 241188, being part Lot 1 DP 36010 for the purpose of road widening on the following conditions:
 - a Compensation by paid in the amount of \$103,000 (excluding GST);
 - b Council be responsible for all costs including valuation, transfer, legal, replacement or relocation of fencing, letterbox and water meter, if required.
- 2 Council (or its nominated contractor) complete the works associated with the replacement or relocation of the boundary fencing, landscaping, letterbox and water meter on a like for like basis;
- 3 Upon acquisition being finalised, the land be dedicated as public road pursuant to Section 10 of the Roads Act 1993;
- 4 The Lord Mayor and General Manager be granted authority to affix the Common Seal of Council to the transfer documents and any other documentation required to give effect to this resolution.

REPORT AUTHORISATIONS

Report of: Peter Coyte, Manager Property and Recreation

Authorised by: Kerry Hunt, Director Community Services - Creative and Innovative City

ATTACHMENTS

- 1 Acquisition Area - Proposed Lot 70 DP 241188, Part Lot 1 DP 36010

BACKGROUND

Council has been heavily involved in the design and construction of the Fowlers Road to Fairwater Drive extension project for many years. In 2014 Council was successful in receiving grant funding of \$22.5M from the Re-Start NSW Illawarra Infrastructure Fund to assist in the delivery of the project. As part of this major project, a number of property acquisitions are required to allow for the ideal intersection design at the point where the extended road will intersect with the Princes Highway in Dapto. The areas to be acquired have been delineated by a road widening plan registered in 1977 which defined numerous properties along the Princes Highway to be acquired for road widening. Council has recently resolved to acquire proposed Lots 69, and 67 for the same project. This report relates to proposed Lot 70 DP 241188, being part Lot 1 in DP36010.

The acquisition is pursuant to the requirements within the Land Acquisition (Just Terms) Compensation Act 1991. Accordingly, a valuation from local valuation firm, Walsh & Monaghan Valuers was obtained for the purpose of commencing negotiations with the affected landowner. Walsh & Monaghan assessed the compensation pursuant to the principles outlined within S. 55 of the Land Acquisition (Just Terms) *Compensation Act 1991*.

The landowner has obtained an independent valuation, also for negotiation purposes. An in-principle agreement for compensation has been reached with the landowner, based on the assessments in the amount of \$103,000. In addition to the monetary compensation, Council will be responsible for all works associated with the relocation of the boundary fence, landscaping and water meter as part of the negotiations. Any items to be replaced will be replaced on a like for like basis.

Council, as the acquiring authority, is also responsible for all reasonable costs incurred by the landowner as a result of the acquisition, pursuant to the Land Acquisition (Just Terms) Compensation Act 1991. This includes legal, valuation, survey, plan lodgement and any other reasonable costs incurred.

PROPOSAL

Council acquire for road widening proposed Lot 70 DP 241188, being Part Lot 1 DP 36010, as shown in the attachment to this report.

CONSULTATION AND COMMUNICATION

Extensive community consultation has taken place in conjunction with the major project of which this acquisition forms part.

The owner of the subject property is agreeable to the offer made within the in-principle negotiations and wishes to proceed.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2028 goal “We have affordable and accessible transport”.

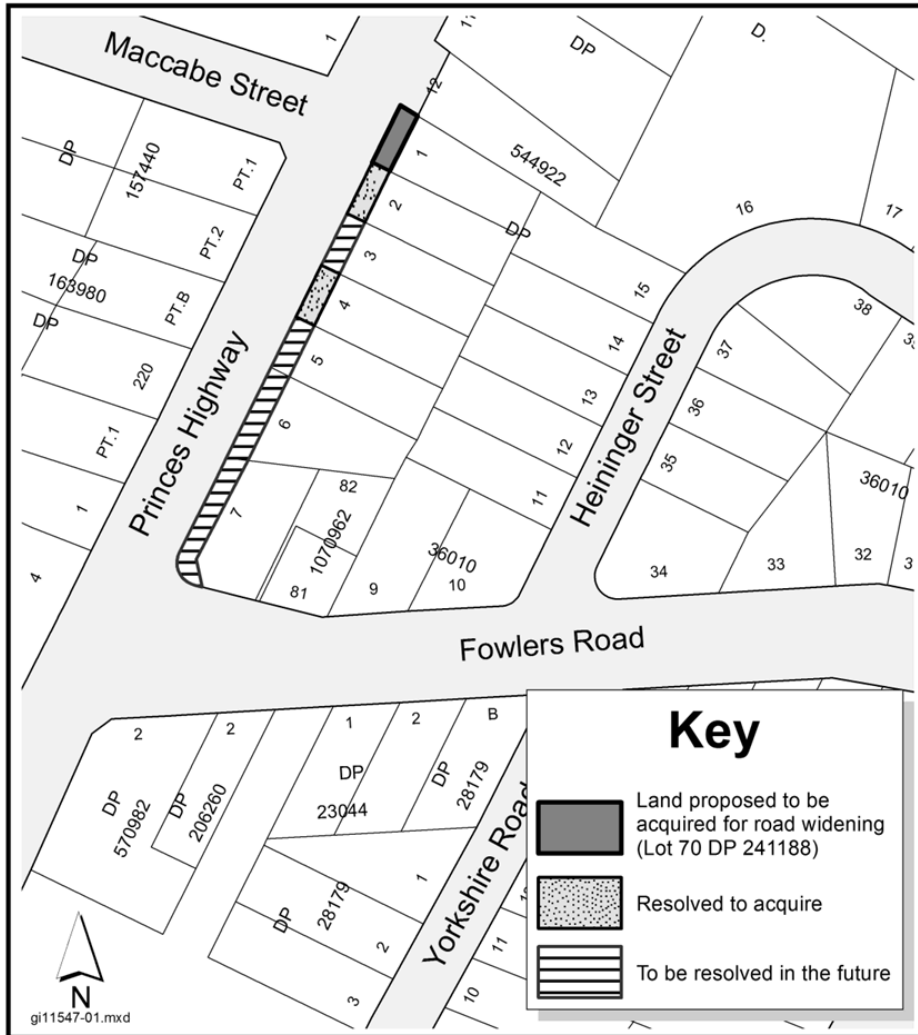
It specifically delivers on core business activities as detailed in the 6.1.4 Integrated communities close to public transport and local services and facilities. Focused around existing train stations, and town and village centres are planned for and encouraged; and 6.1.4.1 Facilitate the integration of public amenities and transport with local communities as outlined within the Service Plan 2018-2019.

FINANCIAL IMPLICATIONS

The funding for all costs associated with the acquisition will be via the 2018-2019 Capital Budget (B281319).

CONCLUSION

As the acquisition of the subject land forms an integral part of the Fowlers Road to Fairwater Drive project, it is recommended Council adopts the recommendation.



ITEM 12

PROPOSED GRANT OF EASEMENT TO DRAIN WATER OVER LOT 55 DP 25035
TIMBERI PARK, DAPTO

As a condition of consent of DA-2017/1303 at Nos 19-23 Avondale Road, Dapto for Residential – Demolition of Existing Structures and Construction of Multi-Dwelling Housing, the applicant is required to obtain an easement to drain stormwater through the adjoining Council owned Community land known as Lot 55 DP 25035 Timberi Park, Dapto.

This report seeks approval to the grant of the easement.

RECOMMENDATION

- 1 Council approve the grant of an Easement to Drain Water 1.5m Wide over Lot 55 DP 25035 Timberi Park, Dapto in favour of Lot 57 DP 25035 Nos 19-23 Avondale Road, Dapto, as shown by black dashed lines on the attachment to this report.
- 2 Council accept payment in the amount of \$1,500 (GST free) from the owner of Lot 57 DP 25035 Nos 19-23 Avondale Road, Dapto as compensation for the grant of the easement.
- 3 The applicant be responsible for all costs associated with this matter.
- 4 Approval be granted to the General Manager and Lord Mayor to affix the Common Seal of Council to the survey plan, administration sheet and Section 88B Instrument and the General Manager be delegated authority to execute any other documentation required to give effect to this resolution.

REPORT AUTHORISATIONS

Report of: Peter Coyte, Manager Property and Recreation
Authorised by: Kerry Hunt, Director Community Services - Creative and Innovative City

ATTACHMENTS

- 1 Map of proposed Easement to Drain Water 1.5m Wide over Lot 55 DP 25035 Timberi Park, Dapto in favour of Lot 57 DP 25035 Nos 19-23 Avondale Road, Dapto

BACKGROUND

Consent Condition No 13 of DA-2017/1303 at Nos 19-23 Avondale Road, Dapto for Residential – Demolition of Existing Structures and Construction of Multi-Dwelling Housing requires the applicant to obtain an easement to drain water through the adjoining Council owned Community land known as Lot 55 DP 25035 Timberi Park, Dapto, as shown by black dashed lines on the attachment to this report.

Timberi Park is classified as Community land under the *Local Government Act 1993*. Under Section 46(1)(a1) of the Act, Council has the ability to grant an easement “ ... for the purpose of providing pipes, conduits or other connections under the surface of the ground for the connection of premises adjoining the Community land to a facility of the Council or other public utility provider”.

A valuation report was sought from Walsh and Monaghan Valuers for the amount of compensation that would be payable by the applicant to Council for the grant of the easement. The amount of compensation was assessed at \$1,500 (GST free) which has been agreed to by the applicant.

PROPOSAL

It is proposed that Council approve the grant of an Easement to Drain Water 1.5m wide over the drainage pipe to be installed from Lot 57 DP 25035 Nos 19-23 Avondale Road, Dapto through Council's land known as Lot 55 DP 25035 Timberi Park, Dapto.

CONSULTATION AND COMMUNICATION

City Planning in relation to the condition in DA-2017/1303

The owner of Lot 57 DP 25035 Nos 19-23 Avondale Road, Dapto

Walsh and Monaghan Valuers

As the Council land is classified as Community land, public consultation on the proposal is required under the *Local Government Act 1993*. 117 letters were sent to landowners in the vicinity of the proposal and no submissions were received.

A notice was also placed on the land and a notice was published in the Wollongong Advertiser on 19 September 2018.

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 Our Wollongong 2028 goal "We have a healthy community in a liveable city".

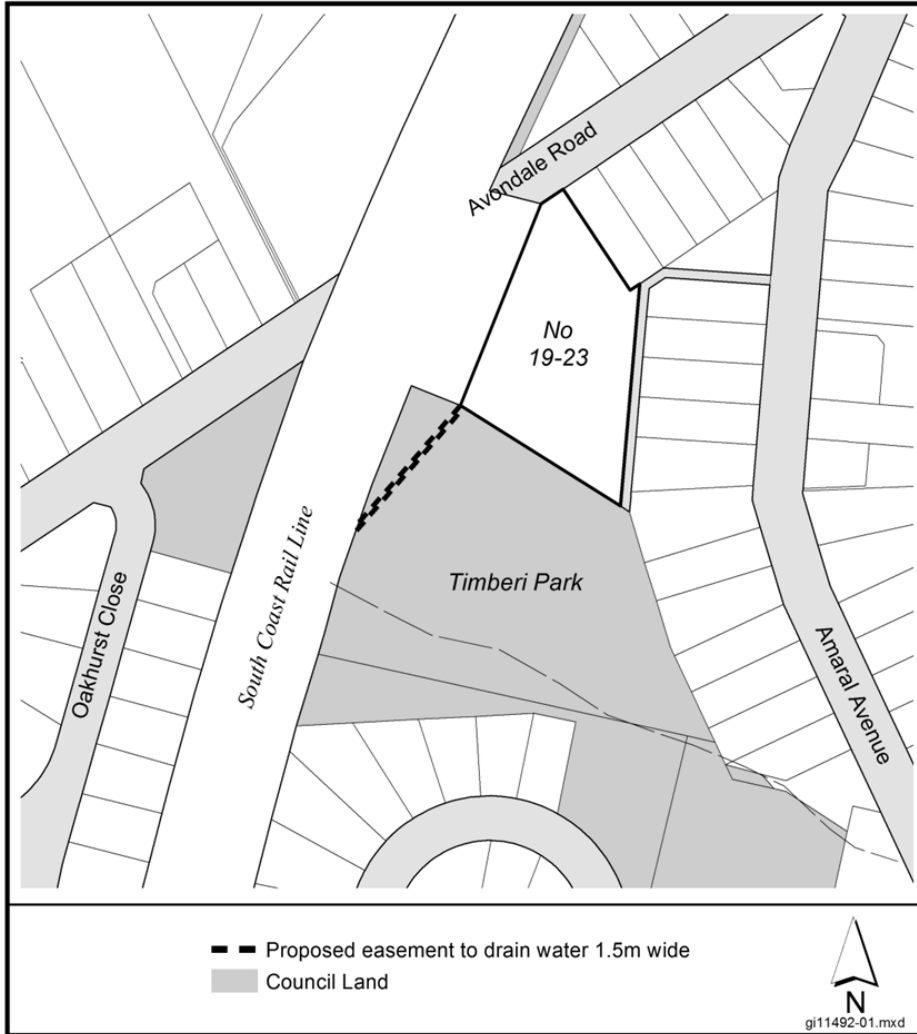
It specifically delivers on core business activities as detailed in the Property Services Service Plan 2018-19.

FINANCIAL IMPLICATIONS

Council will receive \$1,500 (GST free) as compensation for the grant of the easement being the amount of compensation noted on the valuation report prepared on behalf of Council. This amount is considered to be fair and reasonable. In addition to the compensation payable, the applicant will be responsible for all costs associated with the creation of the easement.

CONCLUSION

In order to allow the condition in DA-2017/1303 to be finalised and the stormwater pipe installed and formalised within Council's land, it is recommended that Council approves granting of the easement.



While every effort has been made to ensure the highest possible quality of data, no liability will be accepted for any inaccuracy of the information shown.
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ITEM 13

COMMUNITY TRANSPORT - PROCUREMENT EXEMPTION - LEDALE PTY LTD
(TRADING AS CANTY'S BUS RENTALS)

This report seeks Council approval for exemption from the Procurement Procedures Management Policy in relation to contracting Ledale Pty Ltd (trading as Canty's Bus Rentals) to deliver bus hire services for Council's Community Transport Program. The request for exemption affords compliance with Section 55(3)(i) of the *Local Government Act 1993*.

RECOMMENDATION

Council, under Section 55(3)(i) of the *Local Government Act 1993*, enter into an agreement with Ledale Pty Ltd (trading as Canty's Bus Rentals) without inviting tenders due to extenuating circumstances, unavailability of competitive and reliable tenderers and otherwise, for the reasons set out in this report.

REPORT AUTHORISATIONS

Report of: Jenny Thompson, Manager Library and Community Services
Authorised by: Kerry Hunt, Director Community Services - Creative and Innovative City

ATTACHMENTS

- 1 Detailed Information on Mini-Bus Hire Companies in Wollongong

BACKGROUND

Wollongong City Council delivers community transport services across the Wollongong and Shellharbour local government areas under a funding program administered by Transport for NSW. On 17 May 2018 Council accepted a new funding contract for the delivery of these services until 30 June 2020.

This report seeks approval for a procurement exemption as per Section 55(3)(i) of the *Local Government Act 1993*. This Section of the Act refers to extenuating circumstances under which a council is not required to tender for services because a satisfactory result will not be achieved by the tender process. Details of these specific circumstances are outlined below.

The request for exemption to deviate from Council's Procurement Procedures Management Policy is based on the following criteria:

- Ledale Pty Ltd (trading as Canty's Bus Rentals) is the sole provider that has a fleet of suitable buses available to hire in the Wollongong and Shellharbour local government areas.
- Ledale Pty Ltd (trading as Canty's Bus Rentals) is a local firm that is able to undertake the service to Council's standards and in accordance with service specifications.
- Ledale Pty Ltd (trading as Canty's Bus Rentals) can supply 10-13 buses per day to meet service demand. No other local supplier can provide more than 5 buses per day.
- Other bus hire companies do not offer a vehicle customised for disabled access.
- Short term contract restricts the option for other bus hire companies to scale up their fleet to meet Council needs, given Council's Community Transport contract ends in June 2020.
- A contract with one supplier delivers better value than multiple suppliers in terms of efficiencies of scale.
- Ledale Pty Ltd (trading as Canty's Bus Rentals) makes buses available for volunteer pick up at the Shell Garage, adjacent to Wollongong City Council Administration Building.

Refer attachment for detailed information on mini-bus hire companies in Wollongong.

Approval for a procurement exemption is required in order for the service to continue its operations.

PROPOSAL

Council endorse an exemption to deviate from the Procurement Procedures Management Policy for contracting of Ledale Pty Ltd (trading as Canty’s Bus Rentals), based on the fact that there are no other suitable providers in the local government area. This will enable Council’s community transport service to continue to utilise the services of Ledale Pty Ltd (trading as Canty’s Bus Rentals).

CONSULTATION AND COMMUNICATION

Finance Division – Supply Chain and Logistics

Corporate Support Services – Governance and Information

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2028 goals –

Goal 5 – We have a healthy community in a liveable city and

Goal 6 - We have affordable and accessible transport.

It specifically delivers on the following:

Community Strategic Plan	Delivery Program 2018-2021	Operational Plan 2018-19
Strategy	3 Year Action	Operational Plan Actions
5.2.2 Healthy, active ageing programs are promoted in partnership with government agencies and community organisations.	5.2.2.1 Deliver a range of programs and recreational pursuits for older people.	Support the provision of Community Transport services across Wollongong and Shellharbour Local Government Areas.
6.3.5 Community Transport options for frail older people, people with disabilities and the transport disadvantaged are actively promoted and available.	6.3.5.1 Develop an alternative service delivery, governance model and auspice for Community Transport in response to the Federal Government’s Aged Care reform legislation.	Promote access to Community Transport

FINANCIAL IMPLICATIONS

The value of the contract with Canty’s Bus Rentals is to the value of up to \$160,000.

The endorsement of an exemption from tender for the provision of bus hire services has no financial implications for Council.

Community transport services are fully funded by federal and state government. The provision of a Bus Hire Service is a component of Council’s Service Agreement with Transport for NSW and has been provided for within the current and forward budget until 30 June 2020 when the current contract expires.

CONCLUSION

This report seeks an exemption from Council’s Procurement Policy to enable the continued brokerage of Ledale Pty Ltd (trading as Canty’s Bus Rentals) to deliver Community Transport Bus Hire Services, in compliance with Section 55(3)(i) of the *Local Government Act 1993*.

MINI BUS HIRE COMPANIES IN WOLLONGONG

NAME	LOCATION	FLEET OPTIONS	AVAILABILITY	COMMENTS
GoGo Charter	Sydney based Company 8015 5279	On the website they advertise minibus hire 11,18,25 seats Unknown if modified for disabled access		Unable to verify information.
Bus Hire Wollongong's best value bus hire	Wollongong based company	12 and 25 seater buses Unknown if modified for disabled access	1 to 3 buses per day	They may be able to organise a vehicle and respond to booking pending the availability of the buses. Unable to respond to additional/ casual bookings on the day
Inspire Transport Bus Hire Wollongong	Sydney based company. Head office in Marrickville servicing Wollongong area	12 & 25 seats bus as part of the fleet. Booking must include bus and driver	Automated system. On line booking only. No information re size of fleet	Unable to verify information.
Thrifty Wollongong	Wollongong branch – multi-national firm	Website indicates only one 25 seater bus available in Wollongong Not modified for disabled access	Unable to advise re the number of buses in the fleet	Fleet distributed across 23 locations. Buses can be made available from other areas by prior booking if needed. Unable to respond to casual/ on the day booking
Warrigal Charters	Wollongong based	4 to 5 mini buses in the fleet Size: 12, 21 & 24 seats Not modified for disabled access	Depending on the availability on the day. 1 or 2 buses can be made available with prior booking	Manager called back to confirm availability and willingness to assist where possible
Budget Bus & Track rental	Wollongong branch – multi-national firm	Only 12 seater buses available – not large enough for all groups Not modified		Recommended Cantys as the only bus company with a large enough fleet to meet our needs
Bus Charter	Sydney based can serve Wollongong	12, 21, 24 seats Not modified	Depending on availability on the day	Cannot guarantee availability of buses on a regular basis
Canty's Bus Hire	Wollongong based company	12, 20 and 25 seater buses Modified to enable disabled access	Currently supply between 10-13 buses daily	Bring buses to Shell garage adjacent to WCC, to facilitate volunteer pick up and drop off. Able to provide additional buses if required on the day

ITEM 14 TENDER T18/37 MULLET CREEK FLOODPLAIN RISK MANAGEMENT STUDY AND PLAN

This report recommends acceptance of a tender for the Mullet Creek Floodplain Risk Management Study and Plan in accordance with the requirements of the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*.

Four tenders were received and this report recommends that Council accept the tender submitted by Rhelm.

RECOMMENDATION

- 1 In accordance with the *Local Government (General) Regulation 2005*, Clause 178 (1) (a), Council accept the tender of Rhelm for the Mullet Creek Floodplain Risk Management Study and Plan in the sum of \$149,960 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.

REPORT AUTHORISATIONS

Report of: David Green, Manager Environmental Strategy and Planning (Acting)
Authorised by: Andrew Carfield, Director Planning and Environment - Future City and Neighbourhoods

ATTACHMENTS

- 1 Mullet Creek Catchment Map

BACKGROUND

The Mullet Creek catchment drains an area of approximately 75 km² through the suburbs of Dapto, Horsley, Wongawilli, Dombarton, Huntley, Cleveland, Kembla Grange, Avondale, Brownsville and Kanahooka, to Lake Illawarra.

In April 2018, the Mullet Creek Flood Study was completed to take account of catchment changes which have occurred since the completion of the Mullet and Brooks Creek Flood Study (2010), in accordance with the NSW Floodplain Development Manual. The next step is to review the current Mullet and Brooks Creeks Floodplain Risk Management Study and Plan (2010). This review will be undertaken by the recommended Tenderer and will take into account the updated Australian Rainfall and Runoff guidelines.

Tenders for the Mullet Creek Floodplain Risk Management Study and Plan were invited by the open tender method, with a close of tenders being 10.00 am on 25 September 2018.

Four tenders were received by the close of tenders and all tenders have been scrutinised and assessed by a Tender Assessment Panel comprising representatives of the following Divisions and NSW Government:

- Infrastructure Strategy and Planning;
- Governance Information (Corporate Governance);
- Finance (Procurement Section);
- Environmental Strategy and Planning;
- NSW Office of Environment and Heritage (financial and technical partner for this project).

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

Table 1 – Assessment Criteria

No	Criteria	Weighting %
1	Cost to Council	30
2	Proposed methodology and demonstrated understanding of scope of works	20
3	Demonstrated experience and satisfactory performance in undertaking similar or related projects, including flood studies, floodplain risk management studies and plans, hydrologic and hydraulic modelling, floodplain risk management and land-use planning within the scheduled timeframe	15
4	Staff qualifications and experience	15
5	A project schedule showing the timing, duration and completion dates for each of the project tasks identified in the cost schedule including meetings and hold points	10
6	Demonstrated WH&S policies and procedures	5
7	Demonstrated strengthening of Local Economy Capacity	5
8	References	Mandatory

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 2 below summarises the results of the tender assessment and the ranking of tenders.

Table 2 – Summary of Tender Assessment

Tenderer	Ranking
Rhelm	1
Cardno (NSW/ACT)	2
Engeny Water Management	3
BMT Eastern Australia	4

PROPOSAL

Council authorise the engagement of Rhelm to carry out the Mullet Creek Floodplain Risk Management Study and Plan 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

- 1 Members of the Tender Assessment Panel consisting of representatives from the following Divisions and NSW State Government:
 - Infrastructure (Strategy and Planning);
 - Governance Information (Corporate Governance);
 - Finance (Procurement Section);
 - Environmental Strategy and Planning;
 - NSW Office of Environment and Heritage.
- 2 Nominated Referees

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2028 Goal 1: “We Value and Protect Our Environment”. It specifically delivers on the following:

Community Strategic Plan	Delivery Program 2018-2021	Annual Plan 2018-19
Strategy	3 Year Action	Annual Deliverables
1.1.3 The potential impacts of natural disasters, such as those related to bushfires, flood and landslips are managed and risks reduced to protect life, property and the environment.	1.1.3.2 Establish effective urban stormwater and floodplain management programs.	Develop and implement the Floodplain Risk Management Plans.

RISK ASSESSMENT

The risk in accepting the recommendation of this report is considered low based on the following –

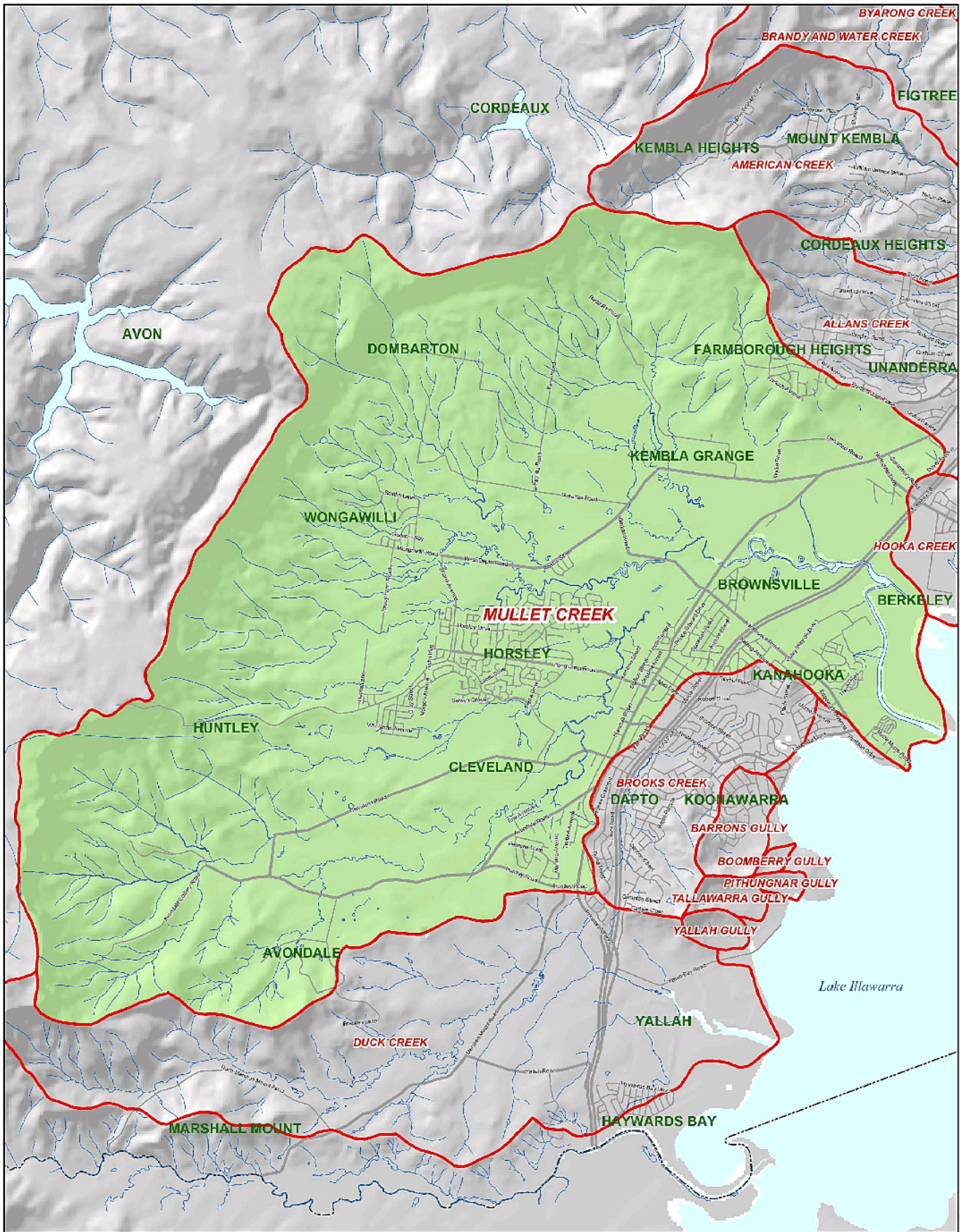
- This tender process has fully complied with Council’s tendering procedures and the *Local Government Act 1993*.
- The recommended tenderer, Rhelm has the necessary experience and capability to undertake the project. The company has successfully completed a number of projects of similar type for a variety of clients.

FINANCIAL IMPLICATIONS

Sufficient budget has been allocated in the West Dapto Review Project to fund this project and Council has secured State Government assistance to fund two-thirds of this study.

CONCLUSION

Rhelm has submitted an acceptable tender to carry out the Mullet Creek Floodplain Risk Management Study and Plan. Council should endorse the recommendations of this report.



Mullet Creek Catchment		GIS ref.: gi11079_01	
Printed: 9/10/2017			
Scale 1:65,000			
740 0 740 1,480 2,220 2,960			
Metres			

Mullet Creek Catchment

Other Catchment

Catchment Boundary

Watercourse

N

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ITEM 15

TENDER T18/39 WALKER STREET HELENSBURGH - CULVERT CONSTRUCTION AND WATER MAIN WORKS

This report recommends acceptance of a tender for Walker Street, Helensburgh – Water Main Protection, Water Main Relocation and Culvert Construction in accordance with the requirements of the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*.

Wollongong City Council proposes to replace an existing culvert on Walker Street, south of Helensburgh, which is in poor condition. The culvert is located on an unnamed small tributary that runs in an easterly direction toward the coast. It is approximately 600 metres north of the intersection with Lawrence Hargrave Drive.

Walker Street serves as a thoroughfare from Helensburgh to Lawrence Hargrave Drive, a key local transport route. Alternative access to Lawrence Hargrave Drive is available via Otford Road, however, this involves greater travel time.

RECOMMENDATION

- 1 In accordance with clause 178(1)(a) of the *Local Government (General) Regulation 2005*, Council accept the tender of Cadifern Pty Ltd for Walker Street, Helensburgh – Water Main Protection, Water Main Relocation and Culvert Construction, in the sum of \$277,958, 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.

REPORT AUTHORISATIONS

Report of: Mark Roebuck, Manager City Works and Services

Authorised by: Greg Doyle, Director Infrastructure and Works - Connectivity Assets and Liveable City

ATTACHMENTS

- 1 Location plan

BACKGROUND

A culvert on Walker Street, Helensburgh, located approximately 600 metres north of the intersection with Lawrence Hargrave Drive, is in poor condition and requires replacement. The culvert is located on an unnamed small tributary that runs in an easterly direction toward the coast.

There are two water mains in the vicinity which need to be relocated and a third which needs to be located and protected from potential damage.

Tenders were invited for this project by the open tender method with a close of tenders of 10.00am on 9 October 2018.

Five 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 City Works, Finance, Governance + Information, and Infrastructure Strategy + Planning 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:

Mandatory Criteria

- 1 Satisfactory references from referees for previous projects of similar size and scope;
- 2 Financial assessment acceptable to Council which demonstrates the tenderer's financial capacity to undertake the works;
- 3 Approved Sydney Water plumber as a subcontractor.

Assessable Criteria

- 1 Cost to Council - 35 %;
- 2 Appreciation of scope of works and construction methodology - 10 %;
- 3 Experience and satisfactory performance in undertaking projects of similar size, scope and risk profile- 10 %
- 4 Staff qualifications and experience - 5 %;
- 5 Proposed sub-contractors - 5 %;
- 6 Project Schedule - 15 %;
- 7 Demonstrated strengthening of local economic capacity - 5 %;
- 8 Workplace health and safety management system - 5 %;
- 9 Environmental management policies and procedures - 10 %.

The mandatory assessment criteria have been met by the recommended tenderer. One of the five submissions neglected to nominate its Sydney Water accredited plumber; this was one of the mandatory criteria, which it did not comply with.

The Tender Assessment Panel utilised a weighted scoring method for the assessment of tenders which allocates a numerical score out of five 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

Name of Tenderer	Ranking
Cadifern Pty Ltd	1
Stefanutti Construction Pty Ltd	2
GC Civil Contracting Pty Ltd	3
Starcon Group Pty Ltd	4
GT Civil Pty Ltd	NON CONFORMING

PROPOSAL

Council should authorise the engagement of Cadifern Pty Ltd to carry out the Walker Street, Helensburgh – Water Main Protection, Water Main Relocation and Culvert Construction 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

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

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2028 goal. It specifically delivers on the following:

Community Strategic Plan	Delivery Program 2018-2021	Operational Plan 2018-19
Strategy	3 Year Action	Operational Plan Actions
6.3.2. Maintain the service levels of our roads, footpaths and cycle ways to an acceptable standard.	6.3.2.1 Deliver sustainable transport asset renewal programs and projects	Deliver the road resurfacing and reconstruction 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 1*

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.

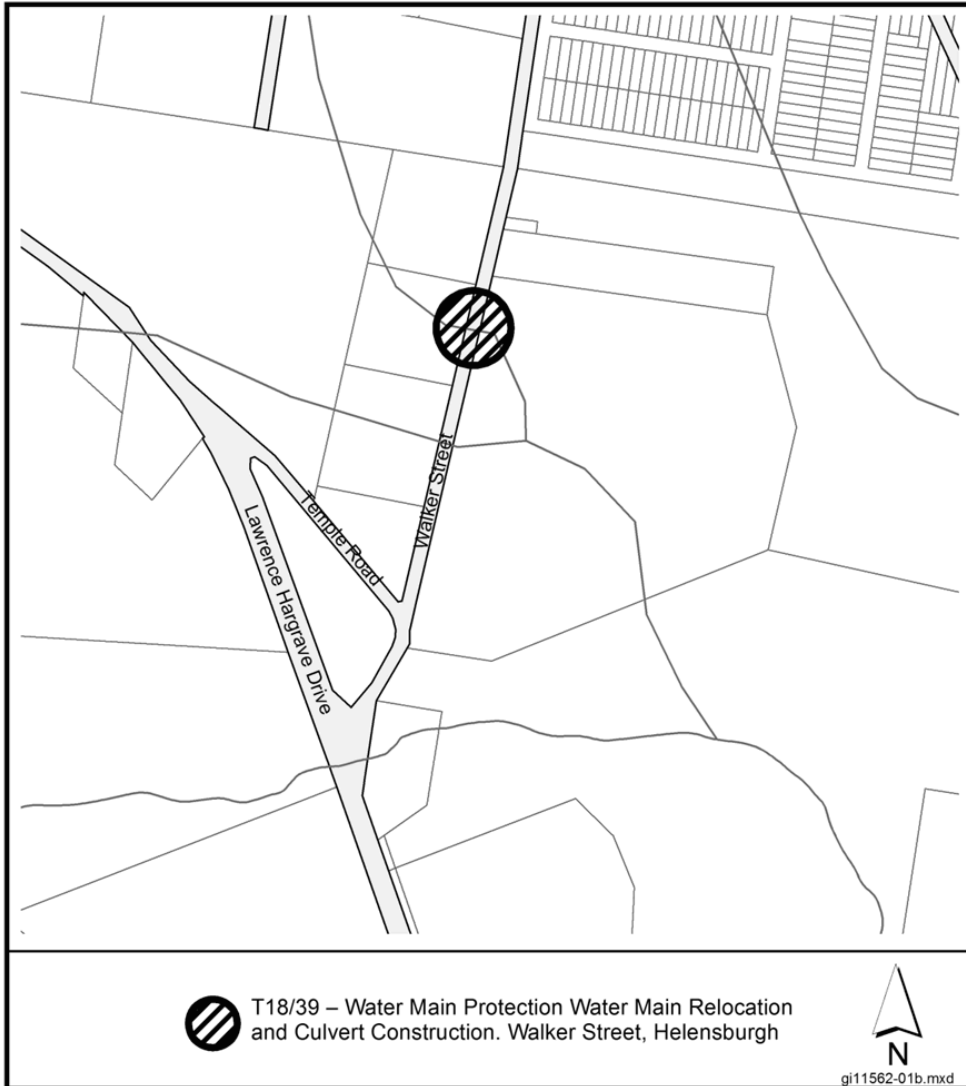
FINANCIAL IMPLICATIONS

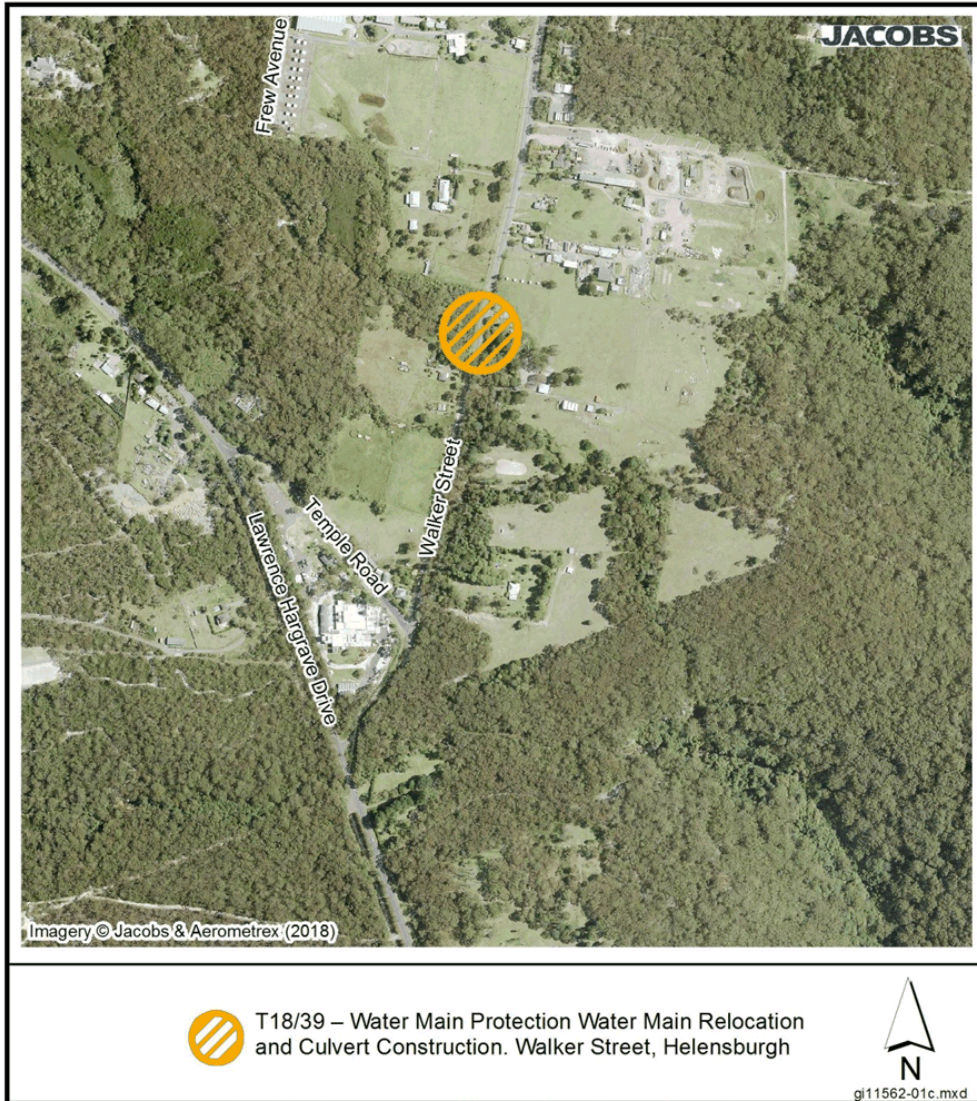
It is proposed that the total project be funded from the following source/s as identified in the Annual Plan –

Operational Plan 2018-19

CONCLUSION

The recommended tenderer has submitted an acceptable tender for this project and Council should endorse the recommendations of this report.





While every effort has been made to ensure the highest possible quality of data, no liability will be accepted for any inaccuracy of the information shown.
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ITEM 16 DRAFT QUARTERLY REVIEW STATEMENT SEPTEMBER 2018

The draft Quarterly Review outlines the progress made to achieve Council's Our Wollongong 2028 strategic management plans, in particular the Delivery Program 2018-21 and Operational Plan 2018-19. It addresses the financial and operational performance of Council for the first quarter of 2018-19. The draft Quarterly Review Statement also includes the September 2018 Budget Review Statement.

RECOMMENDATION

- 1 The draft Quarterly Review Statement September 2018 be adopted.
- 2 The Budget Review Statement as at September 2018 be adopted and revised totals of income and expenditure be approved and voted.

REPORT AUTHORISATIONS

Report of: Fiona Rudd, Executive Strategy Manager (Acting)
Authorised by: David Farmer, General Manager

ATTACHMENTS

- 1 Draft Quarterly Review Statement September 2018

BACKGROUND

Council's draft Quarterly Review Statement September 2018 outlines the operational and financial performance of Council's Our Wollongong 2028 Strategic Management Plans, in particular the Delivery Program 2018-21 and Operational Plan 2018-19.

This report also provides an overview of achievements against priority areas and demonstrates organisational performance through the inclusion of performance indicators.

In addition, the draft Quarterly Review Statement September 2018 details how Council is tracking against its budgets with a concise visual summary of Council's financial position for the quarter.

Significant highlights during the quarter include:

- NAIDOC Week celebrations and activities taking place across the Wollongong Local Government Area.
- Council hosting a Civic Reception to welcome His Excellency General the Honourable Sir Peter Cosgrove AK, MC – Governor General of the Commonwealth of Australia and Her Excellency Lady Cosgrove.
- The Botanic Gardens Conservation International [BGCI] awarded Wollongong Botanic Garden recognition with '*Conservation Practitioner*' status – the first such garden awarded in Australia.
- Commencement of piling and excavation of floodways for Bridge 2 on the Fowlers Road to Fairwater Drive project.
- The delivery of two highly successful inclusive events that reflect our diverse community.

CONSULTATION AND COMMUNICATION

Consultation took place with Council's Executive Management Committee and Senior Management Group.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2028 Goal 4 - *We are a connected and engaged community.*

It specifically delivers on core business activities as detailed in the Corporate Strategy Service Plan 2018-19

FINANCIAL IMPLICATIONS

The review of financial estimates at September proposes a range of adjustments that have impacted the forecast Operating Result [pre capital] but do not greatly impact the Funds Result. Proposed adjustments include the reintroduction of operational projects that were in progress at 30 June 2018, introduction of new funded projects, the impact of the Enterprise Agreement finalisation and a notional positive budget adjustment for anticipated improvements. The proposed variations generate a deterioration in the Operating Result [pre capital] of \$3.2M, and a relatively minor deterioration in both the Funds Available from Operations and Funds Result of \$0.2M.

Full financial performance details and implications on Council's financial position are contained within the attached Quarterly Review Statement.

Supporting Documents – Planning Studies & Investigations

Changes during this quarter have included the reintroduction of projects that were in progress but not completed at 30 June 2018, a review of individual projects costs and timing of delivery. Further details of these are provided in the schedules contained in the attached Quarterly Review Statement.

CONCLUSION

This draft Quarterly Review Statement September 2018 has been prepared following input and assistance from all divisions. It is submitted for consideration by Council.



OUR WOLLONGONG 2028

QUARTERLY REVIEW STATEMENT

From the mountains to the sea



WOLLONGONG 2021
Draft Quarterly
Review Statement
September 2018

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This draft Quarterly Review Statement (July – September 2018) reports on progress towards achieving the five Councillor Strategic Priorities from the Delivery Program 2018-21 and Annual Deliverables from the Operational Plan 2018 -19.

Highlights and significant progress with key projects from the Operational Plan 2018 - 19 are reported by the six Community Goals from the Our Wollongong 2028 Community Strategic Plan.

Highlights from this quarter include:

1. NAIDOC Week celebrated, with celebrations and activities taking place across the Wollongong City Council Local Government Area
2. Council hosted a civic reception for the Governor General of Australia, Sir Peter Cosgrove *AK MC (Retd)* and Her Excellency Lady Cosgrove, following a tour of the Blue Mile Tramway
3. The Botanic Garden Conservation International awarded Wollongong Botanic Garden recognition with 'Conservation Practitioner' status, the first such garden in Australia. The Botanic Garden Masterplan was also put on public exhibition
4. Delivery of two highly successful events that demonstrated Wollongong City Libraries' commitment to diversity and inclusion.

Organisational performance is also reported by the inclusion of the performance indicators which monitor the status and progress our Council programs, activities, projects, finances, people and processes.

This report also includes an overview of how Council is tracking against its budgets and expenditure. It is a concise visual summary of Council's financial situation for the quarter including budget, capital budget and expenditure. The Budget Review Statement is also included in this report.

I would like to thank all staff and the community for their contributions to the achievements identified in this draft Quarterly Review and Budget Review Statement. This review will inform the Annual Report due in November 2019.

David Farmer
General Manager

Strategic Priorities

PROGRESS REPORT

Our Councillors have made a commitment to support our organisation and the community in making Wollongong a better place to live, work, visit and play. To focus Council's attention to achieve this, Councillors have agreed to five Strategic Priorities. These are outlined in the Delivery Program 2018 - 2021. Progress made in the September 2018 quarter is outlined below:

Activating Our Suburbs

We are committed to enhancing and activating spaces and places across our local government area through sound planning and focused programs.

Our Delivery Program includes an ambitious plan of action to establish our city, towns and villages to be connected and liveable spaces offering a variety of attractions and opportunities for people to work, live, play, learn, visit and invest. Our program supports a variety of infrastructure spending to enhance recreation, sporting and cultural opportunities.

Project Sponsor: Director Community Services
Project Manager: Manager Community Cultural and Economic Development

Strategic Priority Progress



On Track

Program Achievements

Council has delivered a range of activation activities in our suburbs over the quarter in partnership with our community. Dapto Square saw the arrival of the Creative Container and the completion of the Dapto Square activation project. These initiatives, including art murals by young people, a play space for young children and tables, seats and shade for everyone, have created a place for the Dapto community to meet and participate in projects delivered by both the community and Council. One such program delivered in the space was yarn bombing, which is a tree decoration place making project. A wide range of community members have participated in this project thus far including the local Aboriginal and Torres Strait Islander community, local schools and the general public.

The Connecting Neighbours grants program has enabled Council to support projects that are being delivered by community members in their local suburb. Underway or delivered in this period are projects in Tarrawanna, Cringila, Coniston, Bellambi, Warrawong and Wollongong.

Council has also engaged young people in Wollongong, Bellambi, Corrimal, Cringila, Bundaleer Estate, Warrawong, Koonawarra and Kanahooka areas. Through the Neighbourhood Youth Work Program, services were also delivered to young people in Helensburgh, Port Kembla, Berkeley and Dapto.

In addition, Council's \$400m four-year Infrastructure Delivery Program includes a suite of programs and projects that directly respond to activating and enhancing our community centres, public domain and open spaces. Further to the many footpaths, cycle ways and open space upgrades, these initiatives include streetscape and public domain improvements in Warrawong, the Wollongong CBD, Corrimal, Dapto, Thirroul and Helensburgh town centres.

Progress has also been made on the City Centre planning and urban design review with exhibition of the draft Urban Design Framework anticipated during the March 2019 quarter.

Strategic Priorities PROGRESS REPORT

Urban Greening

Urban Greening forms a significant focus during this Council term. Our program includes the implementation of key priorities within Council's Urban Greening Strategy, in conjunction with projects and services that impact sustainability and the quality of our environment.

Project Sponsor: Director Infrastructure + Works
Project Manager: Parks and Open Spaces Manager

Strategic Priority Progress

✓ On Track

Program Achievements

Delivery of the Urban Greening Strategy is occurring in accordance with the Urban Greening Strategy Implementation Plan and under the guidance of the Urban Greening Strategy Planning and Implementation Group.

Key deliverables achieved during the quarter include 300 advanced tree installations in high priority locations and tree asset data inventory collections completed in Wollongong CBD, Dapto, Corrimal and Port Kembla town precincts. Work is also underway to develop a communications strategy to engage stakeholders on the benefits of urban greening, and continuation of tree planting in high priority urban sites, with Corrimal and Dapto being key focus areas.

Existing programs focused on bush restoration continue to deliver positive outcomes in natural areas. A public tree management policy and tree and vegetation vandalism and response policy has also been adopted to provide protection and guidance on trees in public spaces.

Strategic Priorities PROGRESS REPORT

West Dapto

We will continue to work in collaboration with key agencies to provide the infrastructure needed to support growth and employment lands within the West Dapto Urban Release Area. This will include coordinated planning for access improvements including new roads and bridges which are needed to support the additional 17,000 future housing lots and 8,500 jobs required over the next 30 years.

Project Sponsor: Director Planning + Environment
Project Manager: Manager Urban Release Manager

Strategic Priority Progress

✓ On Track

Program Achievements

Council exhibited the draft West Dapto Vision document during the quarter. Staff will finalise the Vision document for Council adoption once all submissions are considered. The Vision will guide future planning decisions for the release area.

Works have commenced on Stage 2 of the Fowlers to Fairwater Drive link road which provides the main bridge and connecting embankments over the South Coast Rail Line and Mullet Creek Floodplain. These early works include piling for the bridgeworks, excavation of the flood ways and formation of the road embankments.

The pace of land development within West Dapto continues to be strong and Council continues to assess and determine draft planning proposal requests, neighbourhood plans and development applications that facilitate urban development. To date, neighbourhood plans have been adopted within stages 1 and 2 for over 3,350 lots. Neighbourhood plans to support a further 3,643 lots are currently being assessed. Of these, Council has approved development applications to create 1,781 new lots.

Program Risks

Council staff progressed the biennial review of the West Dapto Section 94 Plan during the quarter to ensure the contributions plan continues to reflect local infrastructure requirements with an aim to further reduce the financial risk to Council in the funding of essential local infrastructure. The biennial review will be completed by June 2019. The Department of Planning and Environment (DPE) issued Council a draft funding agreement for Local Infrastructure Growth Scheme (LIGS) funding during the quarter. Council has executed the funding agreement.

The 1st payment of LIGS is expected from DPE during the next quarter. Council continues to make representations to the state requesting progress on an Illawarra / Shoalhaven Special Infrastructure Contribution determination to support Council's ongoing commitment to infrastructure funding at West Dapto.

Strategic Priorities PROGRESS REPORT

Active Transport and Connectivity

We are planning for and progressively working towards an integrated and active transport network with improved connectivity across the local government area. A series of actions will be undertaken across this term of Council to facilitate the upgrade of our public transport and bicycle networks and pedestrian access. This renewed focus is complemented by a significant investment into our footpaths and cycle ways.

Project Sponsor: Director Infrastructure + Works
Project Manager: Manager Infrastructure Strategy and Planning

Strategic Priority Progress



On Track

Program Achievements

Actions identified within the Wollongong Bike Plan and Wollongong Pedestrian Plan are incorporated into the Infrastructure Delivery Program and operational programs for progressive implementation. Of note is the significant budget increase for the 2018/19 financial year for new footpaths and to implement actions in the pedestrian plan. Recruitment is almost complete for new senior traffic engineers to support planning and community engagement on prioritising footpath and connectivity projects around schools, as well as planning for the next stages of the Grand Pacific Walk.

The concept design of the Smith and Kembla Street on road cycle way, which will provide dedicated access for cyclists into the city centre, is nearing completion. Discussions are underway with Roads and Maritime Services and Transport for NSW to discuss funding priorities for these projects and other active transport programs.

Council continues to seek grant funding through a range of state and Commonwealth initiatives to support active transport and connectivity improvements including streetscape upgrades in commercial centres such as Warrawong, Corrimal and Helensburgh.

Council has also received funding to undertake an initial feasibility assessment to use the Otford Railway Tunnel as a shared pathway or rail trail.

Strategic Priorities PROGRESS REPORT

Business and Investment

We will continue to grow the Wollongong economy through attracting business, investment, major events and tourism to the region. We will continue to promote our local advantages, including our proximity to Sydney, supportive business environment, innovative ecosystem, vibrant CBD and superb liveability to attract businesses and encourage local jobs growth. We will work with key stakeholders, including state and federal governments to further promote our city and attract greater investment in infrastructure and other key assets.

Project Sponsor: Director Community Services

Project Manager: Manager Community Cultural and Economic Development

Strategic Priority Progress



On Track

Program Achievements

Advantage Wollongong continues to promote Wollongong as a place to invest and do business to grow the Wollongong economy.

During the quarter Advantage Wollongong continued its multiplatform social media presence on LinkedIn, Facebook and a new Twitter account. The September edition of the Advantage Wollongong e-newsletter was also released. Advantage Wollongong has also commenced a brand audit project, which is expected to be launched as part of the Advantage Wollongong 10th Anniversary celebrations in the first half of 2019.

Advantage Wollongong continued to promote positive news stories about Wollongong to a national audience, including:

- Forge Magazine: 'A city transformed: Wollongong positions itself for a digital revolution' outlining the regions recently endorsed Smart Region Strategy and work of the SMART Infrastructure Facility.
- Domain will run a series of stories/ advertisements about Wollongong throughout October 2018. These stories, on Wollongong's transformation and its growing knowledge services sector feature local success stories and case studies.

Advantage Wollongong has commissioned a research company to undertake a study into the competitiveness of Wollongong's shared services sector, compared to Sydney and other metro locations. This work will further quantify the benefits of doing business in the shared services sector throughout Wollongong, including intangible benefits such as staff retention, work/life balance and lower training/recruitment costs due to our high staff retention rates.

Advantage Wollongong exhibited at Land Forces 2018 at the Adelaide Convention Centre in South Australia with the Parliamentary Secretary for the Illawarra and South Coast, Gareth Ward MP. This was an opportunity to showcase the regions defence capabilities and facilitate introductions for Wollongong companies with major primes. The Wollongong Defence Industry Directory has also been updated, which outlines the capabilities of local defence companies.

Operational Plan

2018/19 PROGRESS

The following section provides an overview of Council's progress with delivering Our Wollongong 2028. It provides a summary of progress for 2018 - 2019 annual deliverables [Council's programs, projects and activities] and highlights significant progress with annual projects as outlined in the Our Wollongong 2028 community goals. This exception based reporting provides an overview of achievements for the September 2018 quarter. The organisations performance is also reported by the key performance indicators, budget summary information and Budget Review Statement.

The Operational Plan 2018 - 2019 contains 346 annual deliverables across the six community goals. Table 1 below outlines how Council is tracking in the September quarter to achieve the annual deliverables for each community goal.

1: Annual Deliverable Progress by Community Goal

Goal	On track	Not Scheduled to Commence	Delayed	Deferred	Ongoing / Complete
1. We value and protect our environment	79.17%	15.28%	4.17%	1.39%	0%
2. We have an innovative and sustainable economy	98.04%	1.96%	0%	0%	0%
3. Wollongong is a creative, vibrant city	97.22%	0%	0%	0%	2.78%
4. We are a connected and engaged community	96.49%	0%	1.75%	1.75%	0%
5. We have a healthy community in a liveable city	92.73%	2.73%	1.82%	0%	2.73%
6. We have affordable and accessible transport	92.31%	3.85%	3.85%	0%	0%
Total Annual Deliverable Progress	91.76%	4.55%	1.99%	0.57%	1.14%

*Note: Each goal does not have an equal number of annual deliverables; therefore, the annual deliverable progress totals do not necessarily add up to 100%.

Operational Plan PROGRESS SUMMARY

Overall 1.99% of annual deliverables were reported to be delayed, while 0.57% were deferred. Table 2 below outlines all annual deliverables that were reported as delayed or deferred at the end of September 2018.

Table 2

<i>Community Goal</i>	<i>Annual Deliverable</i>	<i>Delayed</i>	<i>Deferred</i>	<i>Comment</i>
1. We value and protect our environment	Continue to pursue biodiversity certification of the West Dapto Urban Release Area including offsetting provisions	Y		Council has been seeking the Biocertification of the West Dapto Release Area since 2014. The project has been delayed, as it requires a funding commitment from the state G government through a Special Infrastructure Contribution Plan or alternate funding mechanism. There has been no recent progress on the proposed Biocertification levy, with progress contingent on further advice from NSW Department of Planning and Environment.
	Review and update the Illawarra Biodiversity Strategy 2011-2015		Y	Project scheduled to commence early 2019.
	Prepare and implement priority actions of the Coastal Management Plan for Lake Illawarra	Y		Changes to the NSW government framework for preparation of Coastal Management plans, and delays in finalising all relevant guidance have resulted in delays for the project.
	Complete Helensburgh Town Centre Study	Y		The finalisation of planning for the future site of the community centre and library is a key input for this project. Delivery is programmed for June 2019.

Operational Plan PROGRESS SUMMARY

<i>Community Goal</i>	<i>Annual Deliverable</i>	<i>Delayed</i>	<i>Deferred</i>	<i>Comment</i>
4. We are a connected and engaged community	Implement a new Human Capital Management System		Y	This project will be reviewed following adoption of the OneCouncil solution enterprise resource planning (ERP) platform.
	Investigate options to increase the environmental sustainability of charitable waste disposal practices	Y		Audits have been completed on site of charity vehicles and their waste profiles. Results have been interesting and informative. A new consultant is currently being procured to enable completion of the project as per the corresponding project plan and works are expected to be completed in the coming few months.
5. We have a healthy community in a liveable city	Reinstate Waterfall (Garrawarra) Cemetery	Y		Pending resolution of issue of legal access to property and Aboriginal Land Claim.
	Implement Landscape Masterplan recommendations for Hill 60 Reserve at Port Kembla	Y		Council officers have continued to complete key projects where Office of Environment and Heritage approvals have been obtained. These include the perusal of interpretative artwork on MM Beach on Gloucester Boulevard. Council officers have pursued tenders for a new Conservation Management Plan for Hill 60 with a new consultancy to be engaged by Council in November.
6. We have affordable and accessible transport	Investigate opportunities to install bike carriers on buses	Y		Council staff will be contacting bus operators and the Department of Transport prior to the end of the calendar year to seek their views and ideas on the feasibility of installing bike carriers/racks onto their buses.

GOAL 1: WE VALUE AND PROTECT OUR ENVIRONMENT

Investigate opportunities and make application for grant funding for floodplain and stormwater management

A grant application to the SMART Cities and Suburb programs was lodged in July 2018. It included the development of a pilot flash flood warning system, culvert blockage monitoring, lake entrance opening support systems and stormwater quality monitoring. It is expected that the outcome of the grant application will be known during the second quarter.

Funding applications for the purchase of two properties under the Voluntary Purchase scheme have been lodged and it is expected that the outcome of these applications will be known during the second quarter.

Deliver waste minimisation programs in accordance with the Waste Strategy

During the quarter 479 adults and 213 children across the local government area participated in waste reduction workshops such as worm farming, composting, alternatives to single use plastics and cloth nappies. There was a record number of participants to worm and compost workshops. The Spring into Corrimal car boot sale had 1,098 buyers and the Green team stall in the mall talking about single use plastics engaged 54 people. The school competition on single use plastic had eight schools enter with 126 entries received in total.



Sophie [11 months] and Michelle Kirchmajer have been using cloth nappies since Sophie's birth.

GOAL 1: WE VALUE AND PROTECT OUR NATURAL ENVIRONMENT

Coordinate community environmental programs, including Rise and Shine Program, Clean Up Australia Day, World Environment Day, National Recycling Week, International Composting Week and other waste education activities

This quarter saw the launch of Rise and Shine at the "Enviro 18" event which hosted over 800 School children from years five and six participating in a variety of hands-on environmental workshops. International Compost Week was celebrated with five workshops and 163 adult participants.

Develop a project and work with partners to further explore the United Nations Sustainable Development Goals and how they align to the community's goals with funding to be considered through the business proposal process

The United Nations Sustainable Development Goals (SDGs) were included as a key focus in the Our Wollongong 2028 Community Strategic Plan. An action in the Operational Plan 2018/19 commits Council to explore the United Nations Sustainable Development Goals and how they align to the community's goals.

An internal project and gap analysis looking at localised issues has commenced and Council is working with the Office of Environment and Heritage as they prepare Guidelines for Councils in the implementation of the SDGs.

Collaborative efforts with the UOW, Healthy Cities Illawarra and Shellharbour City Council are underway, and a more regional approach is being considered. Council will attend and form part of a panel in November at a workshop run by Healthy Cities, and work with other Council's and like-minded organisations to help achieve a sustainable future.

Deliver priority actions from the Urban Greening Strategy Implementation Plan 2017- 21

Staff from across technical, operational, strategic and procedural areas of Council collaborate to deliver priority actions. These include collection of a public tree inventory, preparation of pre-grow contracts with tree suppliers, and implementation of maintenance and planning actions following the adoption of the Public Tree Management Policy. Identification of priority areas for new planting continues, where shade and amenity is most required. Work is underway to develop a communications strategy to engage stakeholders on the benefits of urban greening, and existing programs focused on bush restoration continue to deliver positive outcomes in natural areas.

GOAL 1: WE VALUE AND PROTECT OUR NATURAL ENVIRONMENT

Performance Measures

- Number of volunteers worked at Bushcare and FIREady sites | 461 (Q1 2017-18 - 486)
- Tonnes of Rubbish collected from clean up activities | 8 (Q1 2017-18 - 12)
- Number of volunteers for Environmental Programs - Greenhouse Park | 21 (Q1 2017-18 - 45)
- Participation rate in environmental programs | 9,360 (Q1 2017-18 - 9,085)
- Plants Propogated | 21,490 (Q1 2017-18 -10,852)
- Plants Distributed | 15,345 (Q1 2017-18 - 11,477)

GOAL 2: WE HAVE AN INNOVATIVE AND SUSTAINABLE ECONOMY

Implement a range of pilot projects and activation strategies across the city centre precincts

In response to the City for People (Public Spaces, Public Life) brief, Council are trialling three pilot projects in areas that promote visual connectivity, vibrancy and street comfort in and between key city centre sites. Three very diverse projects have been installed in high profile city locations, including: Globe Lane (architectural seating, synthetic turf designed by Taylor Brammer Urban Designers); Western Crown Street (four vibrant wayfinding sculptures, including seating options created by artist, David Cianci); and Lower Crown Street (series of large trees illuminated by colourful projected spotlights). This project has been designed specifically to meet key objectives at each site. Evaluation of these pilots is in progress. Once finalised, evaluation results will inform Council's broader Creative Wayfinding project.

Renew Wollongong has commenced in the City Centre aiming to provide business creatives with the opportunity to grow their skills and develop projects that will help activate some of the currently underutilised spaces in Crown Street Mall. The Renew Wollongong Team in partnership with Council staff will continue to build relationships with property owners, leasing agents and businesses to identify vacant space in the Crown Street Mall precinct and launch an 'Expression of Interest' campaign.



Wollongong City Lord Mayor Cr Gordon Bradbery AM with Angela Simons, Manager Renew Australia, and Alice Henchion, from Renew Wollongong

GOAL 2: WE HAVE AN INNOVATIVE AND SUSTAINABLE ECONOMY

Continue to support and promote the iAccelerate program

Council is embracing being a 'City of Innovation' through its ongoing marketing work as part of Advantage Wollongong and changing perceptions of Wollongong. Council continues to support and promote iAccelerate through promotional and marketing initiatives, including social media. Council also features iAccelerate companies as case studies in a range of marketing and promotional collateral.

Council is incubating two key projects at iAccelerate to undertake and work on innovative ideas which will deliver better outcomes for the region. The inclusion of these projects into the iAccelerate program demonstrates Council's commitment to deliver innovative solutions, and promote and support productive connections between iAccelerate residents and our broader community.



iAccelerate at the University of Wollongong's Innovation Campus

Research and assess the applicability of emerging technologies for library service provision

New scanning technology has been installed in the Family History room at Central Library that enables customers to scan from microfilm or microfiche records to USBs or to send images to the Library's printers. New customer RFID self-checkout units have been installed across all libraries during June 2018 after staff and customers trialled two models that were chosen from an open invitation to three suppliers in Australia. Customers and staff provided valuable feedback to assist in the decision-making process.

A 'self-scan' after hours returns chute was installed at Wollongong Central Library to enable customers' returned items to be 'checked in' automatically as they travel through the chute and into the Library.

GOAL 2: WE HAVE AN INNOVATIVE AND SUSTAINABLE ECONOMY

Performance Measures

- Occupancy rates of paid on street parking | 75 % (Q1 2017-18 - 73%)
- Tourist parks occupancy rate of unpowered sites | 37 % (Q1 2017-18 - 24%)
- Tourist parks occupancy rate of powered sites | 33 % (Q1 2017-18 - 34%)
- Tourist Park occupancy rate of cabins | 49 % (Q1 2017-18 - 52%)
- Number of visitations to the tourism information centres | 12,562 (Q1 2017-18 - 10,605)

GOAL 3: WOLLONGONG IS A CREATIVE, VIBRANT CITY

Deliver key funded strategies from the Cultural Plan including community cultural development projects

Council moved the Creative Container to Dapto Square at the end of June 2018. After consultation with the community, a Yarn Tree Decoration Community Cultural Development Project was developed. This has consisted of weekly creative textile workshops with the Dapto community held inside the Creative Container. There have been six workshops and over 60 participants to date.

Step Up Creative Dance Project offered two rounds of five dance choreography and performance workshops to participants living in aged care facilities. 84 participants over the age of 80 took part in these workshops. Council partnered with Marco Polo Aged Care Services and the Australian Health Professionals physiotherapy team to develop and deliver this program. The physiotherapists involved in the program remarked positively on the ability of dance that has enabled some participants to increase their range of movements.

The following activities were part of the Creative Dialogues Program:

- A live conversation with local established creatives and culture change-makers at The Little Prince on 10 July with 70 people attending.
- Content Creators on 1 August. This is a regular networking of film makers and there were two guest speakers and 25 people in attendance.

Host six major events reflecting priority sectors and contribute to the acquisition of signature events in the city

Destination Wollongong sponsored five major events across a range of our priority sectors during the September quarter, providing an estimated \$9.1 million injection into the local economy. These included the Australian Inflatable Rescue Boat Championships, Splendour in the Grass sideshows, the Antique Motorcycle Club of America Motorcycle Weekend, the Australia Police Rugby Union Championships and the sell-out Yours and Owls Festival at Stuart Park.

GOAL 3: WOLLONGONG IS A CREATIVE, VIBRANT CITY

Support newly arrived and refugee communities through the delivery of the Illawarra Refugee Challenge with community partners

The 2018 Refugee Challenge was delivered during the quarter. In July, a session was conducted where six young people of refugee background from Keira High came to Dapto High to share their story with Year 11 students who were training as peer facilitators for the Challenge.

Two facilitator training sessions were held with 19 Year 11 students to equip them for running the Illawarra Refugee Challenge. Two guest speakers from refugee background also spoke to 150 Dapto High Year 10 students in class groups, which helped prepare students to attend the Challenge tours. 210 students came to the Illawarra Refugee Challenge tour, including Year 10 students from Dapto High, as well as a Year 11 Legal Studies class and student leaders from Year 8, Figtree High Year 10 students and students from Mt Brown Public School. 18 Year 11 students from Dapto High School facilitated sessions for their peers to a high standard, teaching people about refugee issues and journeys. Six community members from refugee background participated in the Challenge tours, helping facilitators to present information and share their personal experiences. An evaluation and celebration was held with 18 peer facilitators and included the presentation of certificates.



Students participating in the Refugee Challenge

GOAL 3: WOLLONGONG IS A CREATIVE, VIBRANT CITY

Performance Measures

- Library programs: number of participants | 18,551 (Q1 2017-18 - 15,075)
- Library programs: number of programs | 648 (Q1 2017-18 - 562)
- Library – total number of loans | 325,119 (Q1 2017-18 - 377,872)
- Library visitations | 259,566 (Q1 2017-18 - 272,239)

GOAL 4: WE ARE A CONNECTED AND ENGAGED COMMUNITY

Identify additional opportunities for working in partnership with the local Aboriginal community

Council officers have undertaken the following during the quarter:

- Attended three Wollongong Northern District Aboriginal Community (WNDAC) Network general meetings. A focus of the meetings has been discussions in relation to the development of an Aboriginal two day a week early learning program in the Bellambi Area.
- Participated in the organising committee for the Barnardos Greene Street Warrawong NAIDOC family fun day event held on 10 July 2018. Approximately 600 - 800 people were in attendance with a large representation of families with young children. Over 15 Community Services and Organisations were represented on the day with information stalls and activities.
- Participated in the organising committee for the Wollongong Northern District Aboriginal Community (WNDAC) NAIDOC family fun day event on 18 July at Bellambi. Approximately 500-600 people attended the day and it was the first NAIDOC event which WNDAC had organised and proved to be very successful. Over 23 Community Services and Organisations were represented on the day with stalls, cultural events and activities including a smoking ceremony, live music, a Koori cook off, and art and craft activities.



Council staff participate in the Koori-cook off as part of the NAIDOC family fun day event at Bellambi

GOAL 4: WE ARE A CONNECTED AND ENGAGED COMMUNITY

Work with Friends of Wollongong City Libraries to improve resources within libraries that are generated with funding from fundraising activities

The Friends of Wollongong Library funded two major programs this year: Comic Gong 2018 with \$3,000 and the Local History Prize with \$5,000. The Friends also funded a large collection of Lego for Central and Dapto libraries' children's programming. The Friends continue to raise funds for the Libraries through regular author talks and book sales.

Deliver civic activities which recognise and celebrate the city's people

Council hosted a reception for the Governor General of Australia with representatives from a range of community groups and organisations. Council also provided NAIDOC Week grants to assist community groups to provide a range of NAIDOC Week celebrations/activities across the Wollongong City Council Local Government Area.



Lord Mayor Cr Gordon Bradbery AM, His Excellency General the Honourable Sir Peter Cosgrove AK MC (Retd) and Her Excellency Lady Cosgrove enjoying a walk along the Tramway.

GOAL 4: WE ARE A CONNECTED AND ENGAGED COMMUNITY

Performance Measures

- Telephone calls are answered within 30 seconds | 84 % (Q1 2017-18 - 75%)
- Enquiries made in person are welcomed and attended to within 5 minutes | 94 % (Q1 2017-18 - 92%)
- Number of Twitter followers for Council | 5,585 (Q1 2017-18 -5,127)
- Number of Council Facebook page 'likes' | 24,381 (Q1 2017-18 - 21,645)
- Carers Leave | 0.62 Days (Q1 2017-18 - 0.59)
- Sick Leave | 7.50 Days (Q1 2017-18 - 7.25)
- Lost Time Injury Frequency Rate | 13.43 (Q1 2017-18 -15.81)
- Number of media releases issued | 45 (Q1 2017-18 - 47)

GOAL 5: WE HAVE A HEALTHY COMMUNITY IN A LIVEABLE CITY

Offer a program of activities in libraries to celebrate and engage with our diverse community

Wollongong City Council delivered a range of inclusive events that reflects our diverse community. Highlights during the quarter included the delivery of tactile story time for children on the autism spectrum, two events aimed at engaging with our LGBTIQ community and catering to members of the deaf community in the delivery of some adult events.

Council has developed tactile story time programs for children on the spectrum. This has included utilising a successful Clubs NSW grant to purchase tactile toys to assist in the delivery of these programs. Council has also engaged Auslan interpreters for some adult events.

Engaging with our LGBTIQ families and their supporters, an all ages story-time event was held with storyteller 'Miss Roxee'. This event celebrated the diversity of our community and saw between 300-400 people attend on the day, enjoying an amazing morning of stories, song and connection. Council also hosted a panel discussion with two of the '78'ers, marking 40 years of the Gay and Lesbian Mardi Gras, which our panellists were instrumental in founding. This event attracted approximately 50 participants.



Story-teller Miss Roxee reads to over 300 people during Storytime at Wollongong Central Library.

GOAL 5: WE ARE A HEALTHY COMMUNITY IN A LIVEABLE CITY

Construct synthetic football pitch at Ian McLennan Park, Kembla Grange

Construction work has commenced on the first synthetic turf field for football at the Ian McLennan Park Sports Field, Kembla Grange. The project is expected to cost \$2.753 million and includes a financial contribution from the State Government and Football South Coast. The project is expected to be complete by February 2019, weather permitting.

The project will include:

- Synthetic turf field to main field to comply with all FIFA and Football NSW requirements;
- LED lighting to synthetic turf-field, the natural turf field, and the junior natural turf field;
- Sportsfield fencing around the synthetic fields;
- Installation of player dugouts for the synthetic turf field;
- Installation of fencing.



Anne-Marie Balliana and Eddy De Gabriele from Football South Coast, join with Gareth Ward, Member for Kiama, and Wollongong City Lord Mayor Cr Gordon Bradbery AM as works begin on Ian McLennan Park, the first synthetic pitch in the Wollongong LGA.

GOAL 5: WE ARE A HEALTHY COMMUNITY IN A LIVEABLE CITY

Enhance Botanic Garden visitor experience via programs, interpretation, education and events

During the quarter 118 educational workshops were held at the Discovery Centre involving 3,979 participants. A delegation from Sister City Kawasaki visited the Botanic Garden and viewed the Kawasaki Bridge and Japanese garden through middle creek.

Enviro 18 was held to commemorate the start of Spring and launch the Rise and Shine campaign with over 800 school children participating.

The Botanic Gardens Conservation International awarded Wollongong Botanic Garden recognition with "Conservation Practitioner" status, the first such garden in Australia. The Botanic Garden Masterplan was also placed on public exhibition during the quarter.



Wollongong Botanic Garden has become the first Australian Botanic Garden to receive Conservation Practitioner Accreditation from Botanic Gardens Conservation International (BCGI).

Performance Measures

- ❑ Total Visits commercial heated pools: Corrimal | 11,160 (Q1 2017-18 - 14,333)
- ❑ Total Visits commercial heated pools: Dapto | 14,256 (Q1 2017-18 - 14,049)
- ❑ Utilisation/visitation at pools | 48,397 (Q1 2017-18 - 75,875)
- ❑ Utilisation/visitation at beaches | 22,010 (Q1 2017-18 - 89,646)
- ❑ Social Support hours of service | 10,634 Hours (Q1 2017-18 - 9,123)
- ❑ Utilisation of Direct-Run District Level Community Facilities | 8,834 Hours (Q1 2017-18 - 11,292)
- ❑ Direct-Run District Level Community Facilities visitation | 56,405 (Q1 2017-18 - 88,692)
- ❑ Community Transport trips | 35,585 (Q1 2017-18 - 32,520)

GOAL 6: WE HAVE AFFORDABLE AND ACCESSIBLE TRANSPORT

Review and update the Wollongong Bike Plan

Scoping for the review of the Bike Plan has commenced, along with advertising for community members for the Walking Cycling and Mobility Reference Group which will help oversee the plan review.

Incorporate 'Park n Ride' feasibility study findings into City Centre Access and Movement Strategy

The "Park and Ride" initiative is identified in the adopted Wollongong City Centre Access and Movement Strategy. The feasibility assessment of a southern city centre shuttle bus route and service to support park and ride has been completed and will be incorporated into revised planning and actions as part of the review of the Inner City Parking Strategy and the City Centre Access & Movement Strategy.

Council to work with key agencies and partners to progress the provision of an effective and integrated regional transport network

Council continues to liaise with key State Government Agencies on an ongoing basis in relation to significant transport projects. These include City Centre projects; Albion Park Rail Bypass; the upgrade of the Mount Ousley Road/Old Mount Ousley Road intersection; Thirroul to Unanderra Network Strategy and the Keiraville / Gwynneville Access and Movement Strategy. Council is reviewing the West Dapto Structure Plan and liaising with NSW Government Agencies to resolve access issues.

Council is also scoping prioritisation of actions for bus stops / bus zones to ensure compliance with the Disability Discrimination Act requirements. Liaison with State Government Agencies including Transport for NSW has commenced in order to progress key infrastructure strategies within Metro Wollongong. A working group has been formed to specifically progress the major review of the Wollongong City Centre Access and Movement Strategy. This strategy will re-examine the function of transport interchange within the Wollongong Station Precinct.

GOAL 6: WE HAVE AFFORDABLE AND ACCESSIBLE TRANSPORT

Complete the construction of the Fowlers Road extension to Fairwater Drive

The contract for the Stage 2 works of the project has been awarded. Works have commenced and are now in progress. These works currently include piling and excavation of the floodways. Material is also being prepared on site for use in the construction of the embankments.



Piling for Bridge 2 work has commenced on the Fowlers Road to Fairwater Drive project.

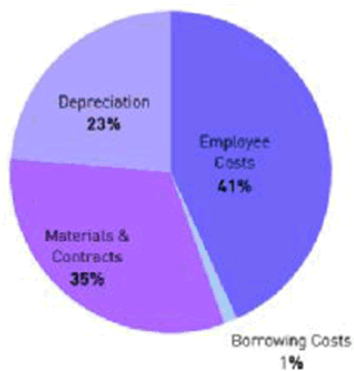
Performance Measures

- Delivery of Council's Capital Program | 22 % (Q1 2017-18 - 21%)

How we performed against our budgets

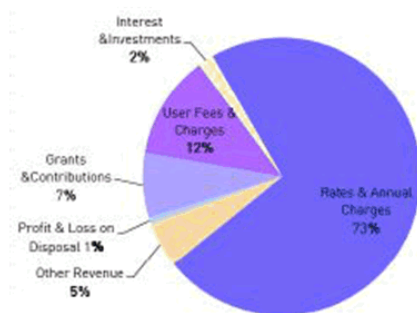
Budget 2018-19

The graph below shows Council's expenses from ordinary activities by expense type for the year:



Expense Type (\$'M)	YTD Actual	Proposed budget
Employee Costs less Internal Charges	28.0	114.9
Borrowing Costs	0.8	3.3
Materials & Contracts	20.6	96.7
Depreciation	15.3	64.5
Loss on Disposal of Assets	0.0	0.0
Total	64.6	279.4

The graph below shows Council's revenue from ordinary activities by:



Income Type (\$'M)	YTD Actual	Proposed budget
Rates & Annual Charges	48.6	197.0
Other Revenue	3.6	11.2
Profit on disposal of Assets	0.5	0.0
Grants & Contributions	5.0	21.1
User Fees & Charges	8.1	35.1
Interest & Investments	1.2	4.8
Total	67.0	269.3

Budget Review Statement: Report of the Chief Financial Officer

The review of financial estimates at September proposes a range of adjustments that have impacted the forecast Operating Result [pre capital] but do not greatly impact the Funds Result. Proposed adjustments include the reintroduction of operational projects that were in progress at 30 June 2018, introduction of new funded projects, the impact of the Enterprise Agreement finalisation and a notional positive budget adjustment for anticipated improvements. It is typically too early at the September Review to formally recognise improvements in the budget and conversely easier to predict deterioration in specific items. It is for this reason that a notional estimate for improvement has been included and will be monitored closely over the coming periods.

The proposed variations generate a deterioration in the Operating Result [pre capital] of \$3.2 million and a relatively minor deterioration in both the Funds Available from Operations and Funds Result of \$0.2 million.

The following table and comments provide a summary view of the organisation's revised forecast and proposed variations for the 2018-19 financial year based on year to date performance and anticipated results to June 2019.

Table 1

FORECAST POSITION	Original Budget	Proposed Budget	YTD Actual	Proposed Variation
	\$M	\$M	\$M	\$M
KEY MOVEMENTS	1-Jul	28-Sep	28-Sep	Proposed Variation
Operating Revenue	267.1	269.3	67.0	2.1
Operating Costs	(274.0)	(279.4)	(64.6)	(5.4)
Operating Result [Pre Capital]	(6.9)	(10.1)	2.4	(3.2)
Capital Grants & Contributions	53.8	39.4	5.0	(14.4)
Operating Result	46.9	29.3	7.4	(17.6)
Funds Available from Operations	56.2	55.9	15.7	(0.2)
Capital Works	98.0	100.8	22.4	(2.8)
Contributed Assets	10.2	10.2	-	-
Transfer to Restricted Cash	1.5	1.5	0.4	-
Borrowings Repaid	7.7	7.7	1.0	(0.0)
Funded from:				
- Operational Funds	56.2	55.9	14.7	(0.2)
- Other Funding	53.4	56.3	10.0	2.8
Total Funds Surplus/(Deficit)	(7.7)	(8.0)	1.9	(0.2)

OPERATING RESULT [pre capital]

The major variations are summarised broadly below with further details provided through this report. Favourable variations are identified as (F) and Unfavourable (U):

The proposed Operating Deficit [pre capital] of \$10.1 million (which is inclusive of the \$9.3M shortfall in the Financial Assistance Grant that was received in advance last year) represents deterioration against budget of \$3.3 million that is made up of both funded and cash variations.

Funded Variations (no Fund impact)

These are variations where the unfavourable adjustments are funded from restricted cash and the favourable are transferred to Restricted Assets, therefore not impacting the Funds Result. These variations include:

- Introduction of One Council implementation costs \$2.5M (U)
- Projects funded from restricted cash in progress at end of year reintroduced \$1.3M (U)
- Additional funded projects introduced during first quarter \$1.5M (U)
- Reclassification of road materials as operational \$0.3M (U)
- Provision for projects in progress at 30 June 2019 \$1.6M (F)
- Proceeds from land sale \$0.9(F)

Other Variations

Other variations are cash type changes that impact both favourably and negatively on this year's Operating and Funds results

- Election costs \$0.3M (U)
- Lower Financial Assistance Grant \$0.2M (U)
- Lake Illawarra works brought forward from 2019-20 \$0.3M (U)
- Refund of rates based on objection and change of valuations \$0.3M (U)
- Finalisation of Enterprise Agreement \$0.6M (U)
- General revenue projects reintroduced from last year's budget \$0.4M (U)
- Reclassification of general revenue funded road materials as operational \$0.3M (U)
- Settlement of prior year workers' compensation claim \$0.3M (F)
- Various more minor improvements \$0.4M (F)
- Internal savings target \$1.5M (F)

The revised estimates include two proposed changes that offset the negative impact of the reintroduction of projects from the previous year and the unplanned increase in operational costs. There is a proposed provisional estimate of \$1.6 million for projects anticipated to be in progress at the end of the current financial year to better reflect actual performance from prior years. It is also proposed that an internal "savings target" of \$1.5 million be established that is expected to be achieved through the normal level of operational savings over the remainder of the year. Although this approach includes some budget risk, there is a reasonable level of confidence that improvements against budget will be achieved in line with performance in prior years.

OPERATING RESULT

The proposed Operating Result of \$29.3 million represents a deterioration of \$14.4 million compared to budget that includes the above variations as well as a lower level of developer contributions mainly from the West Dapto release area.

CAPITAL PROGRAM

During this Quarter, the capital budget expenditure projections have been increased by \$2.8 million that is fully offset by funding from restricted cash. Capital program changes have been reported and approved by Council through the monthly reporting process.

FUNDS RESULT

The Funds Result indicates a deterioration of \$0.2 million which is largely due to Lake Illawarra expenditure budget being brought forward from 2019-20 to accelerate a study of water flow in the lake due to erosion. The Funds Result is not impacted by variations in funded projects or the sale of property where proceeds are proposed to be transferred to Strategic Projects internally restricted asset, consistent with established practise.

Further details of variations are discussed through this report with favourable changes identified as (F) and Unfavourable (U) with a more comprehensive list is provided in Table 7.

Income & Expense

- Rates \$0.7M (U). The unfavourable variance is due to industrial property valuations objections of \$0.3 million and the correction of a budget classification that is offset by a reduction in Materials & Contracts budget of \$0.4 million. The impact of objection is not recurrent as this is recoverable within the overall rating base in future years.
- User Charges & Fees \$0.2M (F). The favourable variance is due to a number of relatively minor increases in income expectations across a range of areas.
- Interest and Investment Income \$0.2M (F). Proposed variance is due to increased interest associated with higher cash holdings.
- Other Revenue \$1.2M (F). This increase in income is mainly due to the receipt of workers' compensation insurance claims (\$0.3 million) relating to the prior financial year and proceeds on sale of a property (\$0.9 million) that was not included in the original budget. Consistent with established practise, the revised projections propose that these be transferred to the internal restriction for Strategic Projects.
- Grants and Contributions – Operating \$1.3M (F). This variation is largely due to a continuation of funding for the Social Support Programs that is offset by an associated increase in expenditure budget under Employee Costs and Materials & Contracts. As part of the Federal Government reform of Aged and Disability Services it was expected that Council would not be involved in the delivery of these services beyond 30 June 2018. The program has now been extended until June 2020.
- Grants and Contributions – Capital \$14.4M (U). This variation includes a decrease in expected Section 94 Developer Contributions for West Dapto of \$14.4 million that is partially offset by increased contributions for Citywide and City Centre of \$1.3 million. This forecast has also been impacted by the timing of grant funding for a number of capital projects.
- Employee Costs \$2.2M (U). Employee cost projections have increased as a result of the continuation of the Social Support Service funded programs (\$0.5 million), finalisation of the Enterprise Agreement negotiations in July (\$0.6 million), introduction of funded projects that are to be delivered with additional resources (\$0.2 million) and delivery of projects previously budgeted under Material & Contracts (\$0.7 million).
- Materials, Contracts and Other Expenses \$3.3M (U). Proposed increase in budget includes the introduction of the One Council solution implementation (\$2.5 million) that is proposed to be funded from Strategic Projects internal restriction, continuation of the Social Support Service program (\$0.8 million), election costs (\$0.3 million), introduction of new projects (\$1.3 million), reclassification of road materials as operational (\$0.6 million) and acceleration of Lake Illawarra water flow studies (\$0.3 million). These increases have been partially offset by reclassification of expenditure to Employee Costs (\$0.7 million) and correction of a budget classification to rates (\$0.4 million) and the introduction of a savings target of \$1.5 million.
- Internal Charges \$0.2M (F). The favourable variance is largely due to allocation of resourcing to capital projects.

Reintroduction of Projects in Progress

There were a range of operational projects that were in progress at 30 June 2018 that have been reintroduced into 2018-19 financial forecasts to allow completion of these. In some cases, these projects are supported by funding from restricted cash, the additional operational expenditure reintroduced of \$1.7 million was offset by \$1.3 million of funding from restricted cash.

While the progress of individual projects is assessed at each quarter and adjustments made to reflect the most recent expected completion period and cost, there will always be a degree of variation due to external factors that may impact on the ability to fully complete all these projects. To recognise this potential timing issue, this review includes a notional adjustment that negates the impact of the reintroduced projects.

Cash & Investments

Projected cash and investments holdings at September indicate a decrease of \$12.1 million mainly due to the lower level of Developer Contributions for West Dapto of \$14.4 million that is partially offset by an increase in City Wide and City Centre Developer Contributions, grant income, proceeds from a land sale and other more minor variations.

The Available Funds forecasts shown below excludes movement in externally and internally restricted cash such as timing of special purpose grants and progress of funded projects and is largely unchanged.

Table 2

CASH, INVESTMENTS & AVAILABLE FUNDS				
	Actual 2017/18	Original Budget 2018/19	September QR 2018/19	Actual Ytd September 2018
	\$M	\$M	\$M	\$M
Total Cash and Investments	157.8	148.5	136.4	169.8
Attributed to:				
External Restrictions				
Developer Contributions	19.0	43.1	26.3	21.4
Specific Purpose Unexpended Grants	2.7	3.6	2.3	3.1
Special Rates Lew City Centre	0.1	0.1	0.1	0.2
Unexpended Loans	21.7	11.3	13.2	17.0
Domestic Waste Management	12.8	12.9	13.4	13.0
Private Subsidies	5.0	4.5	5.5	6.5
West Dapto Home Assistance	10.5	10.8	10.8	10.6
Stormwater Management Charge	1.3	1.5	0.9	1.4
Carbon Pricing	-	-	-	-
Total External Restrictions	73.1	87.7	72.6	73.2
Internal Restrictions				
Property Investment Fund	8.3	8.2	8.2	8.2
Strategic Projects	53.3	42.5	42.1	48.3
Sports Priority program	0.4	0.7	0.6	0.7
Car Parking strategy	1.1	1.0	1.2	1.2
MacCabe Park Development	1.1	1.3	1.3	1.2
Darcy Wentworth Park	0.2	0.2	0.2	0.2
Garbage Disposal Facility	2.2	(1.7)	(1.1)	0.6
Telecommunications Revenue	0.2			0.0
West Dapto additional rates	0.8	4.6	4.6	5.1
Natural Areas	0.3	0.2	0.2	0.2
Lake Illawarra Management Fund	0.2	0.2	0.2	0.4
Total Internal Restrictions	68.1	57.3	57.6	66.2
Available Cash	16.5	3.5	6.3	30.4
Net Payable & Receivables	7.0	11.6	9.2	(5.0)
Payables	(30.8)	(24.7)	(25.9)	(35.0)
Receivables	27.2	25.0	24.1	17.6
Other	10.6	11.3	11.1	12.4
Available Funds	23.5	15.1	15.5	25.4

Long Term Financial Projections

The revised long term projections are continually reviewed through the annual planning process in line with the Financial Strategy targets to reflect current information from both external sources and internal analysis as it comes to hand. Council has a continuous budget process that revises the long term forecasts in line with quarterly changes and resets assumptions and indices annually or where new information leads to an immediate requirement to change the indices. As part of the commencement of the 2019-20 annual planning process, the indices that supported the long term forecasts contained in the Adopted Operational Plan and Delivery Program 2018-28 have been revised to include new Enterprise Agreement for 2018-21 and update of other indices based on current economic data from a number of forecasting sources. Generally, this has resulted in an improvement over the life of the Long Term Financial Projections. It should be noted that there are a number of potential impacts that have not yet been included in these projections that will be further developed during the planning phase of next year's Annual Plan.

The first of these is the potential impact of energy pricing. Council currently has contracts for the supply of electricity both for internal consumption and street lighting that in the main will end on 30 December 2018. These have provided Council with very favourable pricing and reversion to current market pricing will potentially increase this cost significantly. No change has been made at this stage as Council is currently working with Local Government Procurement on price negotiations and investigating mitigation strategies in particular for street lighting.

The second area is the revision of the impact of the West Dapto release area. The September Quarterly Review proposes a reduction of \$14.4 million in developer contributions for 2018-19. Longer term projections are currently being reviewed along with assessment of the impact of industrial land contribution discount, contributed assets, voluntary planning agreements and potential grant funding. These will impact on future cash flow projections and may require consideration of alternative funding sources in the next 2-5 years.

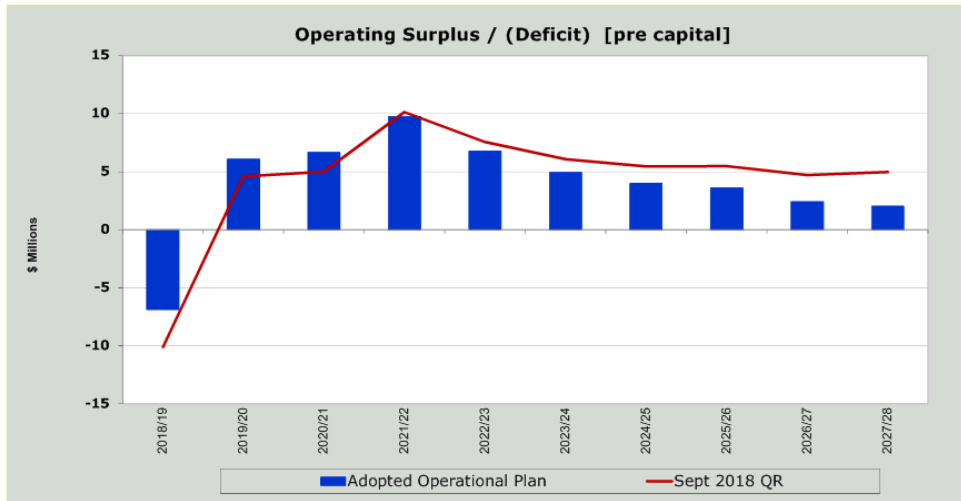
Long Term Financial Projections will be updated as more definitive information becomes available on these issues and any other significant changes.

Long Term Operating Surplus/(Deficit) [pre capital]

The Operating Result [pre capital] provides an indication of the long term viability of Council. In broad terms, a deficit from operations indicates that Council is not earning sufficient revenue to fund its ongoing operations (services) and continue to renew existing assets over the long term.

The 2018-19 revised result is impacted by the introduction of new and continuing projects where grant funding was received in prior periods and projects funded from internally restricted assets. The deterioration in the first three years is impacted by the introduction of the implementation costs for One Council solution. As discussed above, potential impacts of any changes in assumptions for energy pricing and West Dapto release area have not been factored in as yet. These projections are based on current decisions and assumptions and are subject to review through the 2019-20 planning process.

Table 3

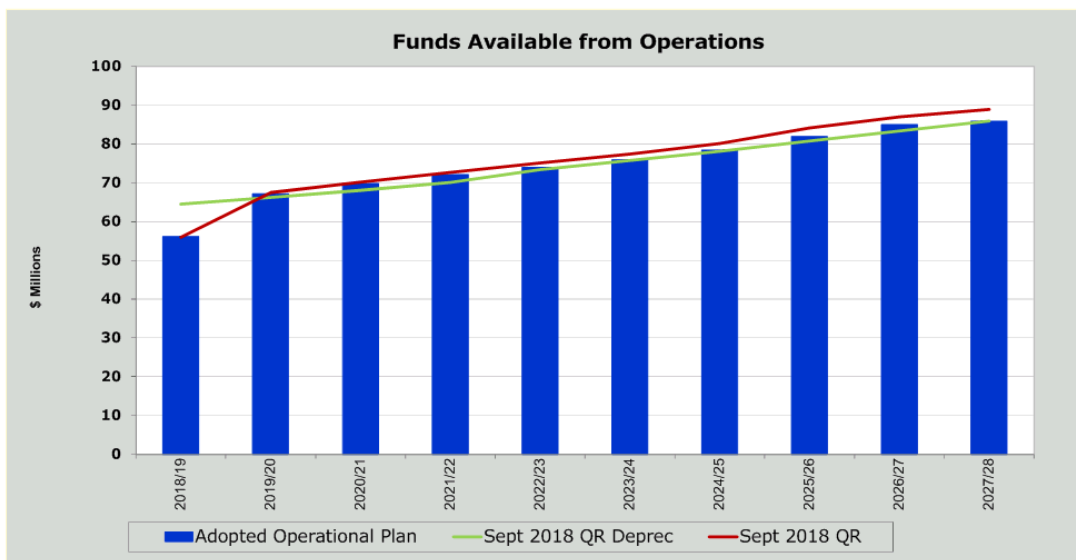


Funds Available from Operations

The matching of Funds Available from Operations with Council’s asset renewal target (currently depreciation over the long term) is a primary target of Council to provide for effective renewal of assets and growth in assets.

The following graph shows the forecast depreciation expenses compared to Funds Available from Operations. This indicator demonstrates the capacity to generate sufficient funds from operations to meet that level of asset renewal requirement. The graph currently shows Council slightly exceeding its target of providing Funds from Operations equal to depreciation. Funding requirements and depreciation estimates will be further reviewed as part of the annual planning process in the coming months.

Table 4



Available Funds

Available Funds are the uncommitted funds of an organisation that assist in meeting the short term cash requirements, provide contingency for unexpected costs or loss of revenue and provide flexibility to take advantage of opportunities that may arise from time to time. Council’s Financial Strategy has

a target to achieve and maintain an Available Funds position between 3.5% and 5.5% of operational revenue [pre capital].

The Available Funds remain largely at the upper level of Council's Financial Strategy target of 3.5% to 5.5% of operational revenue [pre capital]. Based on the September 2018 Quarterly Review the target range for Available Funds is between \$9.4 million and \$12.7 million (lower range) and between \$14.8 million and \$19.9 million (upper range) over the life of the Long Term Financial Plan.

Table 5

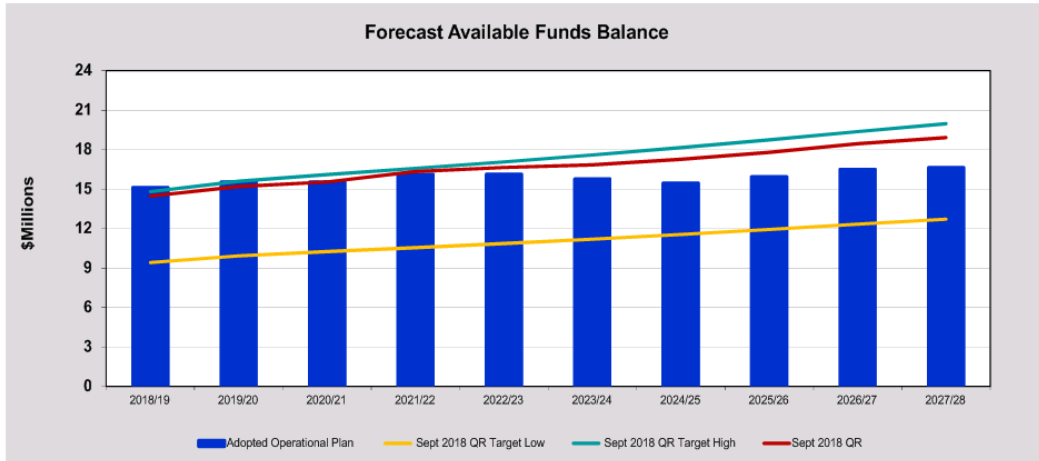


Table 6

WOLLONGONG CITY COUNCIL

September 2018 Quarterly Review

	Original Budget \$'000	YTD Actual YTD \$'000	Proposed Variation \$'000	Proposed Budget \$'000
Income Statement				
Income From Continuing Operations				
Revenue:				
Rates and Annual Charges	197,686	48,622	(697)	196,989
User Charges and Fees	34,967	8,141	164	35,130
Interest and Investment Revenues	4,572	1,202	217	4,790
Other Revenues	10,062	3,592	1,176	11,238
Grants & Contributions provided for Operating Purposes	19,837	5,002	1,276	21,113
Grants & Contributions provided for Capital Purposes	53,752	4,978	(14,364)	39,387
Profit/Loss on Disposal of Assets	0	478	0	0
Total Income from Continuing Operations	320,876	72,015	(12,229)	308,647
Expenses From Continuing Operations				
Employee Costs	129,419	31,396	2,234	131,653
Borrowing Costs	3,310	841	0	3,310
Materials, Contracts & Other Expenses	94,996	21,100	3,278	98,274
Depreciation, Amortisation + Impairment	64,508	15,278	(0)	64,508
Internal Charges (labour)	(16,581)	(3,442)	(205)	(16,786)
Internal Charges (not labour)	(1,653)	(528)	50	(1,603)
Total Expenses From Continuing Operations	273,999	64,645	5,357	279,357
Operating Results From Continuing Operations	46,877	7,370	(17,586)	29,291
Net Operating Result for the Year	46,877	7,370	(17,586)	29,291
Net Operating Result for the Year before Grants & Contributions provided for Capital Purposes	(6,875)	2,392	(3,222)	(10,097)
NET SURPLUS (DEFICIT) [Pre capital] %	(2.1%)	3.3%	26.3%	(3.3%)

Funding Statement

Net Operating Result for the Year	46,877	7,370	(17,586)	29,291
Add back :				
- Non-cash Operating Transactions	82,076	19,052	298	82,374
- Restricted cash used for operations	13,030	3,603	5,462	18,491
- Income transferred to Restricted Cash	(72,658)	(10,836)	11,856	(60,802)
- Payment of Accrued Leave Entitlements	(13,146)	(3,448)	(272)	(13,418)
- Payment of Carbon Contributions	0	0	0	0
Funds Available from Operations	56,178	15,740	(242)	55,935
Advances (made by) / repaid to Council	0	0	0	0
Borrowings repaid	(7,692)	(1,019)	0	(7,692)
Operational Funds Available for Capital Budget	48,486	14,721	(242)	48,244
CAPITAL BUDGET				
Assets Acquired	(97,962)	(22,435)	(2,833)	(100,795)
Contributed Assets	(10,169)	0	0	(10,169)
Transfers to Restricted Cash	(1,497)	(374)	0	(1,497)
Funded From :-				
- Operational Funds	48,486	14,721	(242)	48,244
- Sale of Assets	1,795	557	0	1,795
- Internally Restricted Cash	11,310	2,819	122	11,432
- Borrowings	0	0	0	0
- Capital Grants	12,210	1,078	728	12,938
- Developer Contributions (Section 94)	8,195	121	1,050	9,245
- Other Externally Restricted Cash	9,230	4,960	550	9,780
- Other Capital Contributions	10,689	491	383	11,072
TOTAL FUNDS SURPLUS / (DEFICIT)	(7,713)	1,938	(242)	(7,955)

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Table 7

MAJOR VARIATIONS PROPOSED \$'000s	Offsetting Items for Fund			Net by type
		Surplus	Deficit	
REVENUES FROM ORDINARY ACTIVITIES				
Rates & Annual Charges				
Industrial Rates Objections			(332)	
Correction of budget classification	(396)			
Domestic Waste - Additional Services	31			(697)
User Charges & Fees				
Tourist Parks		66		
Development Assessment		45		
Other	5	48		164
Interest and Investment Income				
Outstanding Rates interest charges			(83)	
Increased investment income partially offset by transfer to reserve	103	197		217
Other Revenue				
Workers Comp Insurance Claims relating prior year		292		
Non Domestic Recycling		47		
Land sale	860			
Other			(23)	1,176
EXPENSES FROM ORDINARY ACTIVITIES				
Employee Costs				
Finalisation of Enterprise Agreement				
Training additional budget allocation			(500)	
Impact of EA% increase			(114)	
Budget reclassified from Materials & Contracts				
West Dapto Review	(351)			
Legal Expenses	(116)			
Public Art Program	(87)			
Economic Development Placeholder	(63)			
City Centre Activation	(61)			
Lake Illawarra Estuary Management Fund	(57)			
Adjustment of funded projects				
Social Support	(490)			
Other Community Services	(102)			
Regional Illegal Dumping Program	(81)			
Illegal Dumping Enforcement	(51)			
Human Resources staffing	(75)			
Other	(50)		(36)	(2,234)

Table 7 continued

MAJOR VARIATIONS PROPOSED \$'000s	Offsetting Items for Fund			Net by type
		Surplus	Deficit	
Materials, Contracts & Other Expenses				
Funded Projects				
One Council Implementation	(2,480)			
Social Support Project continuation	(803)			
Stormwater Levy Funded Projects	(863)	33		
Community Transport	(273)			
Fowlers Rd Material Classification	(276)		(276)	
Puckeys Estate Biobank	(86)			
Telecommunication Reserve Funded Works	(53)			
Other	10			
Projects in progress re-introduced from 2017/18	(1,227)		(434)	
Budget reclassified to Employee Costs				
West Dapto Review	351			
Legal Expenses	116			
Public Art Program	87			
Economic Development Placeholder	63			
City Centre Activation	61			
Lake Illawarra Estuary Management Fund	57			
Elections			(312)	
Lake Illawarra Works brought forward			(250)	
Fire Service Contributions		85		
Town Centre Planning projects postponed		60		
Correction of budget classification of rates	396			
Notional adjustment for projects expected to be in progress 2018-19	1,227			
Savings target introduced to offset deterioration		1,576		
Various other adjustments	104		(171)	(3,278)
Internal Charges				
City Works Labour Recovery		235		
Other			(80)	155

MAJOR VARIATIONS PROPOSED \$'000s	Offsetting Items for Fund		Net by type
	Surplus	Deficit	
Grants & contribution - Operating			
Additional grants advised transferred to reserve			
Community and Cultural Grants Social Support	1,188		
Social Support Contributions	148		
Rural Fire Service		(61)	
Financial Assistance Grant		(153)	
Other	153		1,276
Operating Variation [pre capital]	(3,081)	2,684	(2,825)
Capital Grants & Contributions			
Developer Contributions			
West Dapto	(14,445)		
City Wide & City Centre	1,280		
Grants & Contributions			
Restart Illawarra Renewals - timing	(3,197)		
National Stronger Regions (W Dapto)	732		
Mt Keira HV Power Supply	771		
Ian McLennan Synthetic Track	565		
Other		(70)	(14,364)
Operating Variation [post capital]	(17,375)	2,684	(2,895)
FUNDING STATEMENT			
Non Cash Items			
Leave Liability	298		298
Payment of Leave Entitlements	(272)		(272)
Restricted Cash Used for Operations			
Projects in progress re-introduced from 2017/18	1,058		
Internally funded project adjustments			
One Council implementation	2,480		
Telecommunication Reserve Funded Works	53		
Externally funded project adjustments			
Social Support Continuation	1,336		
Stormwater Levy Funded Projects	863		
Projects unfinished Re-introduced from 2017/18	169		
Fowlers Rd Material Classification	276		
Community Transport	292		
Puckeys Estate Biobank	86		
Regional Illegal Dumping	81		
Illegal Dumping Enforcement	51		
Other	(50)	(6)	
Notional adjustment for projects expected to be in progress 2018-19	(1,227)		5,462
Income Transferred to Restricted Cash			
Developer Contributions	13,165		
Grants & contributions - capital	1,124		
Grants & contributions - operational	(1,246)		
Land sale	(860)		
Interest applicable to restricted assets	(103)		
Social Support Contributions	(148)		
Domestic Waste	(31)		
City Centre Rates Prior Years		(86)	
Other	(20)	61	11,856
OPERATIONAL FUNDS AVAILABLE FOR CAPITAL	-	2,745	(2,987)
CAPITAL BUDGET			
Increase in capital program	(2,833)		
Increase in associated funding	2,833		
TOTAL FUNDS SURPLUS/(DEFICIT)	-	2,745	(2,987)

CAPITAL PROJECT REPORT as at the period ended September 2018

ASSET CLASS PROGRAMME	\$'000		\$'000		YTD EXPENDITURE	\$'000	
	CURRENT BUDGET		WORKING BUDGET			VARIATION	
	EXPENDITURE	OTHER FUNDING	EXPENDITURE	OTHER FUNDING		EXPENDITURE	OTHER FUNDING
Roads And Related Assets							
Traffic Facilities	1,922	(1,548)	3,287	(2,248)	429	1,365	(700)
Public Transport Facilities	520	(190)	420	(190)	38	(100)	(0)
Roadworks	15,920	(2,130)	15,896	(2,506)	3,654	(24)	(376)
Bridges, Boardwalks and Jetties	1,015	0	1,069	(54)	299	54	(54)
TOTAL Roads And Related Assets	19,377	(3,868)	20,673	(4,999)	4,420	1,296	(1,131)
West Dapto							
West Dapto Infrastructure Expansion	17,250	(17,250)	18,430	(18,430)	5,146	1,180	(1,180)
TOTAL West Dapto	17,250	(17,250)	18,430	(18,430)	5,146	1,180	(1,180)
Footpaths And Cycleways							
Footpaths	6,492	(2,100)	6,992	(2,060)	1,048	500	40
Cycle/Shared Paths	1,625	(450)	2,729	(490)	1,174	1,104	(40)
Commercial Centre Upgrades - Footpaths and Cyclew	3,400	(30)	3,900	(30)	2,034	500	(0)
TOTAL Footpaths And Cycleways	11,517	(2,580)	13,621	(2,580)	4,256	2,104	0
Carparks							
Carpark Construction/Formalising	620	(400)	770	(350)	71	150	50
Carpark Reconstruction or Upgrading	1,750	0	1,550	0	914	(200)	0
TOTAL Carparks	2,370	(400)	2,320	(350)	985	(50)	50
Stormwater And Floodplain Management							
Floodplain Management	2,240	0	2,466	(226)	261	226	(226)
Stormwater Management	4,043	(1,278)	4,029	(1,264)	467	(14)	14
Stormwater Treatment Devices	835	(160)	835	(160)	39	(0)	0
TOTAL Stormwater And Floodplain M	7,118	(1,438)	7,330	(1,650)	768	212	(212)
Buildings							
Cultural Centres (IPAC, Gallery, Townhall)	1,783	0	1,382	0	(10)	(400)	0
Administration Buildings	943	(40)	943	(40)	49	0	0
Community Buildings	8,129	(547)	7,979	(547)	2,330	(150)	0
Public Facilities (Shelters, Toilets etc.)	690	0	770	0	18	80	0
Carbon Abatement	0	0	0	0	(38)	0	0
TOTAL Buildings	11,545	(587)	11,075	(587)	2,348	(470)	0
Commercial Operations							
Tourist Park - Upgrades and Renewal	1,100	0	1,100	0	45	0	0
Crematorium/Cemetery - Upgrades and Renewal	410	0	410	0	61	0	0
Leisure Centres & RVGC	100	0	100	0	11	0	0
TOTAL Commercial Operations	1,610	0	1,610	0	117	0	0
Parks Gardens And Sportfields							
Play Facilities	920	0	920	0	64	(0)	0
Recreation Facilities	949	0	961	(67)	54	12	(67)
Sporting Facilities	3,993	(3,278)	4,209	(3,494)	511	217	(217)
TOTAL Parks Gardens And Sportfielc	5,862	(3,278)	6,090	(3,581)	629	229	(304)
Beaches And Pools							
Beach Facilities	450	0	495	0	33	45	0
Rock/Tidal Pools	1,224	0	1,474	0	644	250	0
Treated Water Pools	757	0	506	0	33	(250)	0
TOTAL Beaches And Pools	2,431	0	2,476	0	710	45	0

CAPITAL PROJECT REPORT as at the period ended September 2018

ASSET CLASS PROGRAMME	\$'000		\$'000		YTD EXPENDITURE	\$'000	
	CURRENT BUDGET		WORKING BUDGET			VARIATION	
	EXPENDITURE	OTHER FUNDING	EXPENDITURE	OTHER FUNDING		EXPENDITURE	OTHER FUNDING
Natural Areas							
Natural Area Management and Rehabilitation	125	0	125	0	4	(0)	0
TOTAL Natural Areas	125	0	125	0	4	(0)	0
Waste Facilities							
Whytes Gully New Cells	4,490	(4,490)	4,547	(4,547)	2,265	57	(57)
Whytes Gully Renewal Works	560	(560)	560	(560)	2	(0)	(0)
Helenburgh Rehabilitation	1,200	(1,200)	1,200	(1,200)	27	(0)	0
TOTAL Waste Facilities	6,250	(6,250)	6,307	(6,307)	2,294	57	(57)
Fleet							
Motor Vehicles	1,700	(1,108)	1,700	(1,108)	0	(0)	(0)
TOTAL Fleet	1,700	(1,108)	1,700	(1,108)	0	(0)	(0)
Plant And Equipment							
Portable Equipment (Mowers etc.)	250	(38)	100	(38)	16	(150)	0
Mobile Plant (trucks, backhoes etc.)	3,400	(650)	3,850	(650)	62	450	0
Fixed Equipment	300	0	0	0	0	(300)	0
TOTAL Plant And Equipment	3,950	(688)	3,950	(688)	77	0	0
Information Technology							
Information Technology	781	0	781	0	38	(0)	0
TOTAL Information Technology	781	0	781	0	38	(0)	0
Library Books							
Library Books	1,191	0	1,191	0	468	(0)	0
TOTAL Library Books	1,191	0	1,191	0	468	(0)	0
Public Art							
Public Art Works	0	0	0	0	0	0	0
Art Gallery Acquisitions	100	0	100	0	58	(0)	0
TOTAL Public Art	100	0	100	0	58	(0)	0
Emergency Services							
Emergency Services Plant and Equipment	1,200	(771)	1,200	(771)	43	0	0
TOTAL Emergency Services	1,200	(771)	1,200	(771)	43	0	0
Land Acquisitions							
Land Acquisitions	100	0	200	0	64	100	0
TOTAL Land Acquisitions	100	0	200	0	64	100	0
Non-Project Allocations							
Capital Project Contingency	3,466	0	1,597	0	0	(1,869)	0
Capital Project Plan	20	0	20	0	10	(0)	0
TOTAL Non-Project Allocations	3,486	0	1,617	0	10	(1,869)	0
Loans							
West Depto Loan	0	(2,900)	0	(2,900)	0	0	0
LIRS Loan	0	(2,143)	0	(2,143)	0	0	0
TOTAL Loans	0	(5,043)	0	(5,043)	0	0	0
GRAND TOTAL	97,962	(43,260)	100,795	(46,093)	22,435	2,833	(2,833)

Supporting Documents - Planning Studies & Investigations

Service & Project	Original Budget 2018/19 \$000's	Proposed Budget 2018/19 \$000's	Variance \$000's	Original Budget 2019/20 \$000's	Proposed Budget 2019/20 \$000's	Variance \$000's
Aquatic Services	0	41	41	0	0	0
West Dapto Aquatic Facility Investigations	0	13	13	0	0	0
Corrimal Pool Masterplan	0	28	28	0	0	0
Botanic Garden and Annexes	0	41	41	0	0	0
Botanic Garden Masterplan/Asset Mgmt. Plan	0	1	1	0	0	0
Mt Keira Summit Park	0	40	40	0	0	0
Gleniffer Brae Conservation Mgmt. Plan Review	0	0	0	0	0	0
Community Facilities	0	43	43	0	0	0
Integrated Facilities Planning	0	9	9	0	0	0
Facilities Planning Development	0	34	34	0	0	0
Community Programs	82	63	(19)	0	0	0
Dapto Pilot Project	82	63	(19)	0	0	0
Public Toilet Strategy	0	0	0	0	0	0
Dapto Town Centre Planning Study	0	0	0	0	0	0
Cultural Services	0	6	6	0	0	0
Cultural Tourism Strategy	0	6	6	0	0	0
Stormwater Services	982	1,141	159	350	350	(0)
Floodplain Management Studies	175	135	(40)	350	200	(150)
Brooks Creek Flood Study/Floodplain Risk Mgmt.	15	15	0	0	0	0
Review of Towradgi Creek FRMS	80	100	20	0	75	75
Review of Hewitts Creek FRMS	95	105	10	0	75	75
Lower Gurungaty Causeway Detailed Design + REF	0	21	21	0	0	0
JJ Kelly Park Land Form Modification	50	60	10	0	0	0
Review of Flood Studies & Floodplain Risk Mgmt Plans	99	187	88	0	0	(0)
Minnegang Creek Flood Study	20	0	(20)	0	0	0
Duck Creek Flood Study	65	75	10	0	0	0
Review of Collins Creek Flood Study	46	56	10	0	0	0
Review of Allans Creek Flood Study	70	85	15	0	0	0
Review of Wollongong City Flood Study	17	42	25	0	0	0
Review of Fairy Cabbage Tree Creek Flood Study	120	120	0	0	0	0
Kully Bay Flood Study	60	65	5	0	0	0
Minnegang Creek Flood Study Review	70	75	5	0	0	0
Economic Development	50	50	0	0	0	0
Mountain Bike Strategy	0	0	0	0	0	0
Review Economic Development Strategy	50	50	0	0	0	0
Environmental Services	0	13	13	0	0	0
Biocertification for West Dapto	0	13	13	0	0	0
Governance and Administration	918	918	(0)	7	7	0
West Dapto Review	918	358	(560)	7	7	0
West Dapto Review Demographic and Economic Planning	0	140	140	0	0	0
West Dapto Review Flood Consultant	0	150	150	0	0	0
West Dapto Review Structure Plan	0	50	50	0	0	0
West Dapto Review WaterCycle Masterplan	0	75	75	0	0	0
West Dapto Review Specialist Consultants	0	100	100	0	0	0
West Dapto Review Advisor	0	45	45	0	0	0

Supporting Documents - Planning Studies & Investigations

Service & Project	Original Budget 2018/19	Proposed Budget 2018/19	Variance	Original Budget 2019/20	Proposed Budget 2019/20	Variance
Leisure Services	100	100	0	0	0	0
Beaton Park Precinct Masterplan	100	100	0	0	0	0
Beaton Park Plan for Management	0	0	0	0	0	0
Land Use Planning	450	452	2	245	305	60
Berkeley Commercial Centre Study	30	10	(20)	0	0	0
Housing Study	0	40	40	0	0	0
Port Kembla 2505 Study	0	62	62	0	0	0
Tourism Accommodation Review Planning Controls	25	25	0	25	25	0
Industrial Land Planning Controls Review	30	60	30	0	0	0
Heritage Asset Management Strategy	25	45	20	0	0	0
Windang Town Centre Planning Study	90	10	(80)	0	0	0
Mt Kembla Village Centre Planning Study	0	0	0	30	30	0
Woonona Village Planning Study	0	0	0	30	30	0
Helensburgh Town Centre Planning Study	60	10	(50)	0	30	30
Fairy Meadow Town Centre Planning Study	0	0	0	60	60	0
Bulli Town Centre Planning Study	90	10	(80)	0	30	30
City Centre Planning Review	100	180	80	100	100	0
Property Services	20	64	44	0	0	0
Bulli Showground Masterplan	0	44	44	0	0	0
Foreshore Parking Strategy	20	20	0	0	0	0
Parks and Sportsfields	298	220	(78)	50	200	150
Cringila Hills Site Assessment	150	72	(78)	0	150	150
Hill 60 CMP and Aboriginal HIL	98	98	0	50	50	0
Blue Mile Masterplan - update	50	50	0	0	0	0
Transport Services	416	559	143	322	322	0
Corrimal Traffic Study and Access Movement	0	27	27	0	0	0
Accessible Car Parking and Bus Stops audit	125	150	25	0	0	0
Access and Movement Strategy Review	176	176	0	0	0	0
City Centre Parking Surveys - EMS Report	0	0	0	67	67	0
Foreshore Parking Strategy	20	61	41	0	0	0
Integrated Transport Strategy	0	0	0	50	50	0
City Centre Parking Strategy	0	0	0	40	40	0
Bellambi Foreshore Precinct Plan	50	50	0	150	150	0
Social Infrastructure Supporting Document	30	30	0	0	0	0
Wollongong LGA Feasibility Studies	15	15	0	15	15	0
Real Time Parking Information Signage	0	50	50	0	0	0
TOTAL EXPENDITURE BUDGET	3,315	3,710	395	974	1,185	210

Notes

1. Expenditure shown above is for full project cost. A number of projects are supported from external grant funds and internal restrictions.
2. The revised expenditure includes projects that were reintroduced from 2017-18 and an overall reassessment of individual project costs expected delivery.

WOLLONGONG CITY COUNCIL		
	Actual 2018/19 \$'000	Actual 2017/18 \$'000
Balance Sheet		
Current Assets		
Cash Assets	40,283	26,491
Investment Securities	101,430	109,162
Receivables	17,648	27,037
Inventories	347	306
Other	12,412	10,666
Assets classified as held for sale	0	0
Total Current Assets	172,120	173,662
Non-Current Assets		
Non Current Cash Assets	28,115	22,115
Non-Current Receivables	0	0
Non-Current Inventories	5,835	5,835
Property, Plant and Equipment	2,364,160	2,356,306
Investment Properties	4,780	4,780
Westpool Equity Contribution	2,637	2,637
Intangible Assets	329	388
Total Non-Current Assets	2,405,856	2,392,061
TOTAL ASSETS	2,577,976	2,565,723
Current Liabilities		
Current Payables	34,347	30,010
Current Provisions payable < 12 months	12,911	12,667
Current Provisions payable > 12 months	37,710	37,710
Current Interest Bearing Liabilities	7,716	7,716
Total Current Liabilities	92,684	88,103
Non-Current Liabilities		
Non Current Payables	700	700
Non Current Interest Bearing Liabilities	24,118	25,039
Non Current Provisions	45,029	44,567
Total Non-Current Liabilities	69,847	70,306
TOTAL LIABILITIES	162,532	158,409
NET ASSETS	2,415,445	2,407,314
Equity		
Accumulated Surplus	1,309,947	1,300,716
Asset Revaluation Reserve	966,085	965,325
Restricted Assets	139,413	141,274
TOTAL EQUITY	2,415,445	2,407,314

WOLLONGONG CITY COUNCIL CASH FLOW STATEMENT as at 28 September 2018			WOLLONGONG CITY COUNCIL CASH FLOW STATEMENT as at 28 September 2018		
	YTD Actual 2018/19 \$ '000	Actual 2017/18 \$ '000		YTD Actual 2018/19 \$ '000	Actual 2017/18 \$ '000
CASH FLOWS FROM OPERATING ACTIVITIES			Total Cash & Cash Equivalents and Investments - year to date		
<i>Receipts:</i>					
Rates & Annual Charges	55,227	193,451			
User Charges & Fees	16,580	35,362			
Interest & Interest Received	1,461	5,426			
Grants & Contributions	14,203	50,700			
Other	3,625	23,789			
<i>Payments:</i>					
Employee Benefits & On-costs	(31,213)	(107,925)			
Materials & Contracts	(11,561)	(65,774)			
Borrowing Costs	(281)	(1,263)			
Other	(9,557)	(53,565)			
Net Cash provided (or used in) Operating Activities	38,484	80,201			
CASH FLOWS FROM INVESTING ACTIVITIES			External Restrictions		
<i>Receipts:</i>					
Sale of Infrastructure, Property, Plant & Equipment	557	10,923			
Deferred Debtors Receipts	-	-			
<i>Payments:</i>					
Purchase of Investments	-	-			
Purchase of Investment Property	-	-			
Purchase of Infrastructure, Property, Plant & Equipment	(25,963)	(93,550)			
Purchase of Interests in Joint Ventures & Associates	1	-			
Net Cash provided (or used in) Investing Activities	(25,406)	(82,627)			
CASH FLOWS FROM FINANCING ACTIVITIES			Internal Restrictions		
<i>Receipts:</i>					
Proceeds from Borrowings & Advances	-	-			
<i>Payments:</i>					
Repayment of Borrowings & Advances	(1,019)	(7,513)			
Repayment of Finance Lease Liabilities	-	-			
Net Cash Flow provided (used in) Financing Activities	(1,019)	(7,513)			
Net Increase/(Decrease) in Cash & Cash Equivalents	12,059	2,957			
plus: Cash & Cash Equivalents and Investments - beginning of year	157,768	154,811			
Cash & Cash Equivalents and Investments - year to date	169,827	157,768			
			Developer Contributions		
			21,437		
			18,961		
			266		
			29		
			3,836		
			2,715		
			340		
			164		
			(104)		
			(42)		
			10,724		
			14,721		
			6,315		
			7,019		
			12,996		
			12,813		
			5,410		
			5,014		
			10,468		
			10,398		
			1,401		
			1,265		
			85		
			85		
			-		
			-		
			73,174		
			73,142		
			8,241		
			8,276		
			48,324		
			49,404		
			712		
			642		
			1,226		
			1,061		
			1,178		
			1,140		
			171		
			171		
			646		
			2,165		
			5,105		
			4,759		
			240		
			266		
			395		
			245		
			66,238		
			68,129		

The Quarterly Budget Review Statement (QBRS) requirements issued by the Office of Local Government in December 2010 require Council to provide additional information that is included in the following schedules and this report should be read in conjunction with these.

The QBRS guidelines require councils to provide a listing of contracts that have been entered into during the Quarter that have yet to be fully performed. Details of contracts, other than contractors that are on a council's preferred supplier list, that have a value equivalent of 1% of estimated income from continuing operations or \$50 thousand, whichever is the lesser, are required to be provided.



Contract Listing					
Budget Review for Quarter ended September 2018					
Contractor	Contract Detail & Purpose	Contract Value \$000's	Commencement Date	Duration of Contract	Budgeted Y/N
Wilsons Consulting Group	Workplace Health and Safety (WHS) Behaviour Program	1,080	4/07/2018	2018/21	Y
UNSW Sydney: Water Research Laboratory	Lake Illawarra Entrance Channel Management	543	1/07/2018	2018/19	Y
Transelect	Mt Keira Power Supply Project	1,094	31/08/2018	2018/19	Y
Stabilised Pavements of Australia Pty Ltd	Henrietta Street Towradgi stabilisation as per design	94	5/09/2018	2018/19	Y
Squiz Australia Pty Ltd	Web Customer Experience Platform	493	1/08/2018	2018/23	Y
SMEC Australia Pty Ltd	Peer Review and Construction Support Services for the Helensburgh Landfill Rehabilitation Project	435	20/08/2018	2018/20	Y
Project Coordination Pty Ltd	Wombarra Pre School Refurbishment and Retaining Wall	967	7/07/2018	2018/19	Y
Dynamic Civil Pty Ltd	Henning Lane Embankment Stabilisation	444	3/09/2018	2018/19	Y
Cardno (NSW/ACT) Pty	Bellambi Gully Scheme - Concept Design	86	9/07/2018	2018/20	Y
Advanced Catering Systems Holdings Pty Limited	Lease for the Operation of Corimal Beach Tourist Park Kiosk/Cafe	220	1/11/2018	2018/24	Y
Accurate Asphalt & Road Repairs Pty Ltd	Meadow Street Tarrawanna stabilisation as per design	101	16/08/2018	2018/19	Y
Accurate Asphalt & Road Repairs Pty Ltd	London Street Berkeley stabilisation as per design	71	7/09/2018	2018/19	Y
Accurate Asphalt & Road Repairs Pty Ltd	Brompton Road Bellambi stabilisation as per design	89	17/08/2018	2018/19	Y
Accurate Asphalt & Road Repairs Pty Ltd	Buena Vista Avenue Lake Heights stabilisation as per design	117	5/09/2018	2018/19	Y
Abergeldie Contractors Pty Ltd	Fowlers Road to Fainwater Drive - Stage 2 and 3 - Construction of bridge, road and intersection works including service relocation	39,908	26/07/2018	2018/20	Y
@Leisure Planners Pty Ltd	Bull Showground Needs Assessment	59	5/07/2018	2018/19	Y

The QBRs guidelines also require councils to identify the amount expended on consultancies and legal fees for the financial year. Consultants are defined as a person or organisation that is engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision making by management. Generally, it is the advisory nature of the work that differentiates a consultant from other contractors.

Consultancy and Legal Expenses		
Budget Review for Quarter ended September 2018		
Expense	Expenditure YTD \$000's	Budgeted (Y/N)
Consultancies	457	YES
Legal Fees	148	YES

STATEMENT OF RESPONSIBLE ACCOUNTING OFFICER

All investments held at 30 September 2018 were invested in accordance with Council's Investment Policy.

Bank reconciliations have been completed as at 30 September 2018.

Year to date cash and investments are reconciled with funds invested and cash at bank.

BUDGET REVIEW STATEMENT - REVISION TO FULL YEAR ESTIMATES

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulation 2005.

It is my opinion that the financial statements and schedules contained within the Quarterly Review Statement for Wollongong City Council for the quarter ended 30 September 2018 indicate that Council's projected financial position at 30 June 2019 will be satisfactory having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

The overall year to date position is within expectations of the adopted budget across the broad range of indicators and on a budget outcome basis is acceptable.

BRIAN JENKINS
RESPONSIBLE ACCOUNTING OFFICER

<i>3 Year Action</i>	<i>On track</i>	<i>Not Scheduled to Commence</i>	<i>Delayed</i>	<i>Deferred</i>	<i>Ongoing / Complete</i>
1.1.1.1 Implement programs and events which facilitate community participation to improve natural areas	100%	0%	0%	0%	0%
1.1.1.2 Projects and programs that achieve enhancement of the natural environment and escarpment are developed and implemented	75%	0%	13%	13%	0%
1.1.2.2 Protect and conserve the health and biodiversity of our waterways and coast	80%	0%	20%	0%	0%
1.1.2.2 The impacts of the increasing number of visitors to the coast and Lake Illawarra is managed effectively	100%	0%	0%	0%	0%
1.1.3.1 Manage vegetation to reduce bushfire risk in Asset Protection Zones on natural areas under Council care and control	100%	0%	0%	0%	0%
1.1.3.2 Establish effective urban stormwater and floodplain management programs	100%	0%	0%	0%	0%
1.2.1.1 Develop and implement a range of programs that encourage community participation in reducing Wollongong's ecological footprint	71%	29%	0%	0%	0%
1.2.1.2 Promote and enforce compliance with litter reduction	100%	0%	0%	0%	0%
1.2.1.3 Methods to reduce emissions are investigated and utilised	100%	0%	0%	0%	0%

<i>3 Year Action</i>	<i>On track</i>	<i>Not Scheduled to Commence</i>	<i>Delayed</i>	<i>Deferred</i>	<i>Ongoing / Complete</i>
1.2.2.1 Our community is proactively engaged in a range of initiatives that improve the sustainability of our environments	100%	0%	0%	0%	0%
1.3.1.1 Impacts from development on the environment are assessed, monitored and mitigated	100%	0%	0%	0%	0%
1.3.1.2 Develop planning controls and Town Centre and Neighbourhood Plans with regard to the economic, social and environmental impacts	30%	60%	10%	0%	0%
1.3.2.1 Carry out best practise assessment for urban development proposals and applications	100%	0%	0%	0%	0%
1.3.2.2 Mitigate the impact of development on the natural environment and visual amenity of our open spaces and urban areas	50%	50%	0%	0%	0%
1.4.1.1 Work in partnership with others to promote a diverse range of heritage education and promotion programs	100%	0%	0%	0%	0%
1.4.2.1 Work with the local Aboriginal community in the management of Indigenous heritage	100%	0%	0%	0%	0%
1.5.1.1 Set an emissions reduction target and carry out actions to reduce greenhouse gas emissions through the Global Covenant of Mayors	33%	67%	0%	0%	0%

<i>3 Year Action</i>	<i>On track</i>	<i>Not Scheduled to Commence</i>	<i>Delayed</i>	<i>Deferred</i>	<i>Ongoing / Complete</i>
2.1.1.1 Build on partnerships which enable the retention of local talent	100%	0%	0%	0%	0%
2.1.2.1 Ensure that Wollongong is attractive for business expansion, establishment and relocation.	100%	0%	0%	0%	0%
2.1.2.2 Progress implementation of the City for People and its accompanying Implementation Plan	100%	0%	0%	0%	0%
2.1.3.1 Support regional activities and partnerships that promote business investment and jobs growth	100%	0%	0%	0%	0%
2.1.4.1 Develop and maintain partnerships with the business sector to fund and contribute to a broader range of community projects and activities	100%	0%	0%	0%	0%
2.1.5.1 In collaboration with key agencies, facilitate the West Dapto Taskforce to deliver the first stages of the West Dapto Urban Release Area	100%	0%	0%	0%	0%
2.2.1.1 The development of renewable energy products and services is supported	100%	0%	0%	0%	0%
2.2.1.2 Partnership opportunities in research and development are expanded	100%	0%	0%	0%	0%
2.2.2.1 In conjunction with partner organisations support the development of innovative industries	100%	0%	0%	0%	0%
2.2.3.1 Undertake major refurbishment works in the city centre	100%	0%	0%	0%	0%

<i>3 Year Action</i>	<i>On track</i>	<i>Not Scheduled to Commence</i>	<i>Delayed</i>	<i>Deferred</i>	<i>Ongoing / Complete</i>
2.3.1.1 Pursue initiatives that promote the region as a place to holiday to domestic and international markets	83%	17%	0%	0%	0%
2.3.1.2 Support projects that investigate opportunities for the provision of tourism infrastructure	100%	0%	0%	0%	0%
2.3.2.1 Market and promote events in the city centre	100%	0%	0%	0%	0%
2.3.2.2 Provide a diverse range of activities in the city centre that target and engage a broad community	100%	0%	0%	0%	0%
2.3.2.3 Improve policies and systems to support the revitalisation of the city centre	100%	0%	0%	0%	0%
2.3.3.1 Continue to grow Wollongong's attractiveness to attract signature events and festivals	100%	0%	0%	0%	0%
2.4.1.1 Ensure Wollongong is attractive to research and development companies and organisations	100%	0%	0%	0%	0%
2.4.1.2 Implement a range of programs that incorporate learning and development	100%	0%	0%	0%	0%
2.4.2.1 Implement programs to ensure Wollongong becomes a Smart City	100%	0%	0%	0%	0%

<i>3 Year Action</i>	<i>On track</i>	<i>Not Scheduled to Commence</i>	<i>Delayed</i>	<i>Deferred</i>	<i>Ongoing / Complete</i>
3.1.1.1 Promote Made in Wollongong to become a well-known brand	100%	0%	0%	0%	0%
3.1.1.2 The visibility of our cultural diversity is increased	100%	0%	0%	0%	0%
3.1.1.3 Encourage the integration of urban design and public art	75%	0%	0%	0%	25%
3.1.1.4 Deliver sustainable and successful events and festivals through Council investment and delivery of the Events Strategy	100%	0%	0%	0%	0%
3.1.1.5 Encourage Sports Associations to conduct regional, state and national events in the city	100%	0%	0%	0%	0%
3.1.2.1 Provide opportunities for local artists and performers to exhibit, promote and perform at Council venues and events	100%	0%	0%	0%	0%
3.2.1.1 Provide support to existing and emerging artists and performers	100%	0%	0%	0%	0%
3.2.1.2 Seek funding for the promotion of heritage sites, museums and galleries to the community and visitors	100%	0%	0%	0%	0%
3.2.2.1 Coordinate an integrated approach to infrastructure improvement and service delivery in the Arts Precinct	100%	0%	0%	0%	0%
3.2.3.1 Support the coordination of an externally funded calendar of activities delivered across the City	100%	0%	0%	0%	0%



<i>3 Year Action</i>	<i>On track</i>	<i>Not Scheduled to Commence</i>	<i>Delayed</i>	<i>Deferred</i>	<i>Ongoing / Complete</i>
3.3.1.1 Deliver a program of activities in local communities	100%	0%	0%	0%	0%
3.3.2.1 Deliver and support a range of projects and programs which build harmony, understanding and cultural awareness	100%	0%	0%	0%	0%

<i>3 Year Action</i>	<i>On track</i>	<i>Not Scheduled to Commence</i>	<i>Delayed</i>	<i>Deferred</i>	<i>Ongoing / Complete</i>
4.1.1.1 Ensure an effective community engagement framework that connects the community to Council decision making	100%	0%	0%	0%	0%
4.1.1.2 Improve community understanding and awareness of Council decisions	100%	0%	0%	0%	0%
4.1.2.1 Ensure the NBN is rolled out across the Wollongong LGA	100%	0%	0%	0%	0%
4.1.3.1 Council continue to partner with our local Aboriginal community	100%	0%	0%	0%	0%
4.2.1.1 Increase opportunities for the community to connect with volunteering organisations	100%	0%	0%	0%	0%
4.2.1.2 Support community participation in community activities	100%	0%	0%	0%	0%
4.2.1.3 Build the capability of community based organisations in managing, developing and sustaining their volunteers	100%	0%	0%	0%	0%
4.2.2.1 Continue to participate and contribute to an integrated community service network	100%	0%	0%	0%	0%
4.2.3.1 Support a range of projects and programs in the city	100%	0%	0%	0%	0%
4.3.1.1 Ensure appropriate strategies and systems are in place that support good corporate governance	100%	0%	0%	0%	0%



4.3.1.2 Build a workplace culture that is safe, engaged, responsive and professional	89%	0%	0%	11%	0%
4.3.2.1 Effective and transparent financial management systems are in place	100%	0%	0%	0%	0%

<i>3 Year Action</i>	<i>On track</i>	<i>Not Scheduled to Commence</i>	<i>Delayed</i>	<i>Deferred</i>	<i>Ongoing / Complete</i>
5.1.1.1 Partner with community based organisations in the provision of services	100%	0%	0%	0%	0%
5.1.1.2 Continue to undertake social, land use and environmental planning activities that assists in service planning	100%	0%	0%	0%	0%
5.1.2.1 Partner with agencies and health authorities to support improvements to the region's medical services	100%	0%	0%	0%	0%
5.1.3.1 Deliver a diverse suite of projects to the community that foster and enhance community strengths and participation	100%	0%	0%	0%	0%
5.1.3.2 Carry out commercial business management of Council's operational lands	75%	0%	25%	0%	0%
5.1.4.1 Provide an appropriate and sustainable range of quality passive and active open spaces and facilities	73%	0%	0%	0%	27%
5.1.4.2 Review planning controls for priority locations	100%	0%	0%	0%	0%
5.1.4.3 Policies and plans are developed, reviewed and implemented to encourage physical activity	100%	0%	0%	0%	0%
5.1.4.4 Develop and implement public health, amenity and safety regulatory programs and reviews that assist in improving compliance with legislative requirements	67%	33%	0%	0%	0%
5.1.5.1 Increase opportunities to enhance library multimedia and online services	100%	0%	0%	0%	0%

<i>3 Year Action</i>	<i>On track</i>	<i>Not Scheduled to Commence</i>	<i>Delayed</i>	<i>Deferred</i>	<i>Ongoing / Complete</i>
5.1.5.2 Renew community facilities and consider rationalisation, replacement or refurbishment to achieve facilities that are strategically located, good quality and meet identified community need	100%	0%	0%	0%	0%
5.1.6.1 Facilitate a range of programs and activities which improve food security and support local food systems	100%	0%	0%	0%	0%
5.2.1.1 Investigate provision of Leisure Services in the greater Dapto area, taking into account expansion of West Dapto, and determine Council's role in the market	100%	0%	0%	0%	0%
5.2.1.2 Investigate the future provision of Aquatic Services across the local government area and implement improvements	100%	0%	0%	0%	0%
5.2.1.3 Use data to assess the current community infrastructure available, community demand and develop a strategic framework and policies to either rationalise, enhance or expand to meet community needs	78%	11%	11%	0%	0%
5.2.1.4 Develop a Regional Botanic Garden of Excellence	100%	0%	0%	0%	0%
5.2.1.5 Provide statutory services to appropriately manage and maintain our public spaces	100%	0%	0%	0%	0%
5.2.1.6 Implement Council's Planning, People, Places Strategy	100%	0%	0%	0%	0%
5.2.2.1 Deliver a range of programs and recreational pursuits for older people	100%	0%	0%	0%	0%

<i>3 Year Action</i>	<i>On track</i>	<i>Not Scheduled to Commence</i>	<i>Delayed</i>	<i>Deferred</i>	<i>Ongoing / Complete</i>
5.3.1.1 Prepare a Housing Study and Strategy incorporating Affordable Housing Issues	100%	0%	0%	0%	0%
5.3.2.1 In partnership with relevant agencies and networks lobby and advocate for improved service levels and quality enhanced access to services	100%	0%	0%	0%	0%
5.4.1.1 Provide lifeguarding services at beaches (in partnership with Surf Life Saving Illawarra) and Council pools	100%	0%	0%	0%	0%
5.4.1.2 Facilitate a range of partnerships and networks to develop community safety initiatives	100%	0%	0%	0%	0%
5.4.2.1 Delivery projects and programs to reduce crime in the Wollongong Local Government Area	100%	0%	0%	0%	0%
5.5.1.1 Well maintained assets are provided that meet the needs of the current and future communities	89%	11%	0%	0%	0%
5.5.1.2 Manage and maintain community infrastructure portfolio with a focus on asset renewal	100%	0%	0%	0%	0%
5.5.1.3 Coordinate an access improvement program through pre-planning and renewal activities	100%	0%	0%	0%	0%

<i>3 Year Action</i>	<i>On track</i>	<i>Not Scheduled to Commence</i>	<i>Delayed</i>	<i>Deferred</i>	<i>Ongoing / Complete</i>
6.1.1.1 Support the delivery of the Gong Shuttle Bus as an affordable transport option	100%	0%	0%	0%	0%
6.1.2.1 Implement a variety of projects and programs to encourage sustainable transport throughout the LGA	83%	0%	17%	0%	0%
6.1.3.1 Plan and implement an integrated and sustainable transport network	100%	0%	0%	0%	0%
6.1.4.1 Facilitate the integration of public amenities and transport with local communities	100%	0%	0%	0%	0%
6.2.1.1 Work with partners to reduce travel time between Sydney and Western Sydney with Wollongong	100%	0%	0%	0%	0%
6.3.1.1 Plan and implement projects to improve connectivity	100%	0%	0%	0%	0%
6.3.2.1 Deliver sustainable transport asset renewal programs and projects	100%	0%	0%	0%	0%
6.3.3.1 Investigate the option for disruptive transport technologies and the impact on the future transport network	0%	100%	0%	0%	0%
6.3.4.1 Work with key agencies and partners to continue and improve late night transport options	100%	0%	0%	0%	0%



<i>3 Year Action</i>	<i>On track</i>	<i>Not Scheduled to Commence</i>	<i>Delayed</i>	<i>Deferred</i>	<i>Ongoing / Complete</i>
6.3.5.1 Develop an alternative service delivery, governance model and auspice for Community Transport in response to the Federal Government's Aged Care reform legislation	100%	0%	0%	0%	0%
<i>Total Annual Deliverable Progress</i>	<i>92%</i>	<i>5%</i>	<i>2%</i>	<i>1%</i>	<i>1%</i>

ITEM 17

CITY OF WOLLONGONG TRAFFIC COMMITTEE - MINUTES OF MEETING HELD ON 10 OCTOBER 2018 AND ELECTRONIC MEETINGS ON 2 AND 7 NOVEMBER 2018

The City of Wollongong Traffic Committee meeting was held on 10 October 2018 and subsequent electronic meetings were held on 2 and 7 November 2018. Items 1 and 4-8 are to be adopted by Council through delegated authority. Items 2-3 and 9-12 must be determined by Council and is recommended to Council for approval for temporary Regulation of Traffic on public roads for works or events by independent parties.

RECOMMENDATION

In accordance with the powers delegated to Council, the Minutes and recommendations of the City of Wollongong Traffic Committee held on 10 October 2018 and the electronic meetings were held on 2 and 7 November 2018 in relation to Regulation of Traffic be adopted.

REPORT AUTHORISATIONS

Report of: Mike Dowd, Manager Infrastructure Strategy + Planning
Authorised by: Glenn Whittaker, Manager Project Delivery

ATTACHMENTS

- 1 Standard Conditions For Road Closures
- 2 Standard Conditions for Road Closures for Street Parties
- 3 Freedom of Entry Commemorative Event
- 4 Bellambi Lane Bellambi Closure of Rail Level Crossing

BACKGROUND

1 BULLI - WARD 1 (ITEM 2 OF THE TRAFFIC COMMITTEE MINUTES)

Gwyther Avenue – Street Party

Background:

The residents of No 20 to 30 Gwyther Avenue have signed an application for a temporary road closure on 24th of December 2018 between 3.30pm to 11.00pm for a Christmas Street Party.

Gwyther Avenue is to be closed between No. 20 to 30 and it is anticipated that there will be minimal effect on traffic flow. Upon request Council will normally supply the required barriers and signs and for that reason a formal Traffic Management Plan is not required from the applicant.

Consultation:

Consultation with the immediate community has been carried out prior to the application being lodged.

PROPOSAL SUPPORTED UNANIMOUSLY

The road closure proposed for Gwyther Avenue on 24th of December 2018 between 3.30pm to 11.00pm be approved subject to Council's Standard Conditions for street parties (Attachment 2), and the placement of a motor vehicle at each of the closure points

2 WEST WOLLONGONG- WARD 2 (ITEM 3 OF THE TRAFFIC COMMITTEE MINUTES)

Lexburn Avenue – Street Party

Background:

The residents of Lexburn Avenue have signed an application for a temporary road closure on 15th of December 2018 between 5.00pm to 11.30pm for a Christmas Street Party.

Lexburn Avenue is to be closed between Yellagong Street and Euroka Street and it is anticipated there will be minimal effect on traffic flow.

Upon request Council will normally supply the required barriers and signs and for that reason a formal Traffic Management Plan is not required from the applicant.

Consultation:

Consultation with the immediate community has been carried out prior to the application being lodged.

PROPOSAL SUPPORTED UNANIMOUSLY

The road closure proposed for Lexburn Avenue on 15th December 2018 between 5.00pm to 11.30pm be approved subject to Council's Standard Conditions for street parties (Attachment 2), and the placement of a motor vehicle at each of the closure points.

3 WOLLONGONG- WARD 2 (ITEM 9 OF THE TRAFFIC COMMITTEE MINUTES)

Church and Burelli Streets – Freedom of Entry of Commemorative Event

Background:

The Freedom of Entry event is being held as a commemorative conclusion to the Centenary of Anzac. Freedom of Entry was given to the 4th/3rd Battalion, Royal New South Wales Regiment and they will be exercising their right to march through the streets of Wollongong on this day, Saturday 17 November 2018.

The event will commence in MacCabe Park, where the Battalion will form up at around 1pm, inspected by both the Governor of NSW and his wife, Mrs Linda Hurley and the Lord Mayor. There will be program of short speeches, laying of wreaths and then the Battalion will leave MacCabe Park around 1.30 – 1.45pm heading north on Church Street, crossing Burelli Street, turning left into Globe Lane and then turning right in the Mall.

At the main stage, the Superintendent of Police will ask the parade to HALT. At this point the Battalion will read out their rights to march through the streets of Wollongong, Police will let them proceed, it will be eyes left around Wesley Church to the Governor and the Lord Mayor, they will finish at the end of the Mall at approximately 2.30pm.

Consultation:

The bus representatives were satisfied with the preliminary plan. Any further comments will be discussed at a subsequent meeting with Police, Council and others involved in the march.

PROPOSAL SUPPORTED UNANIMOUSLY

The Freedom of Entry Commemorative Event will be held on Saturday 17th November 2018 from approximately 1pm to 2.30pm. This will require the closure of –

- Church Street between George Street and Globe Lane;
- Burelli Street from Keira Street to Church Street;
- Globe Lane; and
- Crown Street Mall between Keira Street and Kembla Street.

Standard Conditions for Road Closures (Attachment 1) and Attached Plan TCP No: T2305-2099 to be approved. (Attachment 3).

ELECTRONIC MEETING 2 NOVEMBER 2018

REGULATION OF TRAFFIC

4 EAST CORRIMAL - WARD 1 (ITEM 10 OF THE TRAFFIC COMMITTEE MINUTES)

Station Street East Corrimal – Street Party on 1 December 2018

Background

Subsequent to the meeting on 10 October 2018 a new street party application has been considered by members of the Traffic Committee, via an electronic meeting on 2 November 2018. Residents of Station Street in Corrimal have requested a road closure of Station Street East Corrimal between Duff Parade and Pioneer Road in order to hold an annual street party.

Invitations have been distributed and organisers have received no objections. There is broad support to proceed. This is the 6th year for this street party and previous events have been very successful.

Street Station Street East Corrimal

Date Saturday 1st of December 2018

Time 6PM till 10:30 PM

It is intended to set up some tables and chairs on the roadway of Station Street, and provide assistance should there be a need for any vehicle to enter or leave the closed section of this Street.

Consultation

Consultation with the immediate community has been carried out prior to the application being lodged.

PROPOSAL SUPPORTED UNANIMOUSLY

The proposed road closure be approved subject to Council's Standard Conditions for Street Parties (Attachment 2), and the placement of a motor vehicle at each of the closure points.

5 KEIRAVILLE – WARD 2 (ITEM 11 OF THE TRAFFIC COMMITTEE MINUTES)

Shoobert Crescent, Keiraville – Street Party on Sunday 9th December 2018

Background

Subsequent to the meeting on 10 October 2018 a new street party application has been considered by members of the Traffic Committee, via an electronic meeting on 2 November 2018. Residents of Shoobert Crescent Keiraville have requested a road closure of a short section of Shoobert Crescent between Murphys and Harkness Avenue in order to hold an annual street party.

Invitations have been distributed and organisers have received signatures from the property owners affected by the closure, in support of the proposal. This street party have been held for a number of years and previous events have been very successful.

Street Shoobert Crescent Keiraville

Date Sunday 9th of December 2018

Time:

6.30 PM till 8.30 PM

It is intended to provide assistance should there be a need for any vehicle to enter or leave the closed section of this Street.

Consultation

Consultation with the immediate community has been carried out prior to the application being lodged.

PROPOSAL SUPPORTED UNANIMOUSLY

The proposed road closure be approved subject to Council's Standard Conditions for Street Parties (Attachment 2), and the placement of a motor vehicle at each of the closure points.

ELECTRONIC MEETING 7 NOVEMBER 2018

REGULATION OF TRAFFIC

6 BELLAMBI – WARD 1 (ITEM 12 OF THE TRAFFIC COMMITTEE MINUTES)

Bellambi Lane Bellambi – Closure of the Level Crossing

Background

Subsequent to the meeting of 10 October 2018 a road closure application has been considered by the Committee via an electronic meeting on the 7th November 2018. Sydney Train through a major contractor has applied for approval to close the Bellambi Lane level crossing from 2 am on Saturday 8 December 2018 to 2 am on Monday 10 December 2018 to take advantage of a South Coast Line rail closure schedule for that weekend.

The diversions are via Memorial Drive, Rothery Street and Pioneer Road Bellambi, and alternatively via Railway Parade and Park Road Woonona. There are no bus routes affected over the weekend. The submitted plans include a number of VMS boards placed to advise the travelling public of the work before the event and for the diversions in place during the weekend.

PROPOSAL SUPPORTED UNANIMOUSLY

The proposed closure of Bellambi Lane at the rail level crossing be approved subject to the submitted Traffic Management Plans (Attachment 3) and Council's Standard Conditions for Road Closures (Attachment 1).

PLANNING AND POLICY IMPACT

The report contributes to the delivery of Our Wollongong 2028 goal - *We have affordable and accessible transport.*

It specifically delivers on core business activities as detailed in the Draft Service Plan 2018-19.

Attachment 1 – Standard Conditions for Road Closure

Standard Conditions for Road Closures

For Special Events and Work Related activities Within Council Road Reserves.

Following approval by Wollongong City Council, road closures are subject to the additional Council conditions:

1. **The Applicant must complete the Council form** 'Application to Open and Occupy or Underbore a Roadway or Footpath' (Refer to Checklist below – relates to Section 138 of the Roads Act.)
2. **NSW Police Approval:** The Applicant must obtain written approval from NSW Police, where required under the Roads Act.
3. **If the Road Closure is within 100m of any traffic control signals or on a 'State Classified Road'** the Applicant must obtain a Road Occupancy Licence (ROL) from NSW Roads & Maritime Services (RMS).
4. **The Applicant must advise all affected residents and business owners** within the closure area of the date/s and times for the closure, at least 7 days prior to the intended date of works.
5. **The Applicant must advise Emergency Services:** Ambulance, Fire Brigade and Police, Taxi and Bus Companies of the closure dates and times in writing, 7 days prior to the intended date of works. The Applicant must endeavour to minimise the impact on bus services during the closure.
6. **Traffic Management Plan:** The closure must be set up in accordance with the approved **Traffic Management Plan (TMP)** prepared by an appropriately qualified traffic controller; a copy of whose qualifications must be included with the submitted TMP.
7. **Traffic Management Plan Setup:** The Traffic Management Plan must be set up by appropriately qualified traffic control persons or the NSW Police.
8. **Access to properties affected by the road closure must be maintained where possible.** Where direct access cannot be achieved, an alternative arrangement must be agreed to by both the applicant and the affected person/s.
9. **Public Notice Advertisement:** The Applicant must advertise the road closure in the Public Notices section of the local paper, detailing closure date/s and times at least 7 days prior to the closure.
10. **Public Liability Policy:** The Applicant must provide Council with a copy of their current insurance policy to a value of no less than \$20 million dollars to cover Wollongong City Council from any claims arising from the closure.

Checklist:

- Completed Council Form:**
'Application to Open and Occupy or Underbore a Roadway or Footpath'.

Required information as shown below MUST be attached:

- A copy of the letter from the Traffic Committee authorising the closure
- The Traffic Management Plan (TMP)
- The Road Occupancy Licence (ROL) *if required*
- Written approval from NSW Police
- Public Liability Insurance

Applications may be lodged in the Customer Service Centre located on the Ground Floor of Council's Administration Building, 41 Burelli Street Wollongong between 8.30am and 5pm Monday to Friday.

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Attachment 2 – Standard Conditions for Street Parties

STANDARD CONDITIONS FOR ROAD CLOSURES FOR STREET PARTIES

- 1 Each road affected by the closure approval shall be restored to full and uninterrupted traffic flow prior to the end of the closure.
- 2 The road shall be cleared sufficiently to allow an emergency vehicle access to a property within the closure area. For this reason, no barbeques, heavy tables or other heavy equipment is to be set up on the road pavement.
- 3 You are required to advertise the road closure in the local newspaper
 E.g. Temporary Road Closure – Larkins Lane, Yallah
 Date: 18 December 2015
 Time: 2 pm – 7 pm
 Event: Street Party
- 4 Council will notify emergency services and the Police Service.
- 5 NSW Police Service directions are to be strictly adhered to.
- 6 Council will endeavour to make available to you the following equipment for the closure

Regular Street Equipment Requirements	Cul - De - Sac Street Equipment Requirements
6 Barrier legs	3 Barrier legs
12 Road Barriers	6 Road Barriers
2 Road Closed Signs	1 Road Closed Signs
4 Flashing Lights	2 Flashing Lights

It should be noted that Council does not supply 9 volt batteries for flashing lights, however batteries can be made available for approximately \$3.40 each.

The flashing lights must be fixed to the barriers and operating prior to sunset.

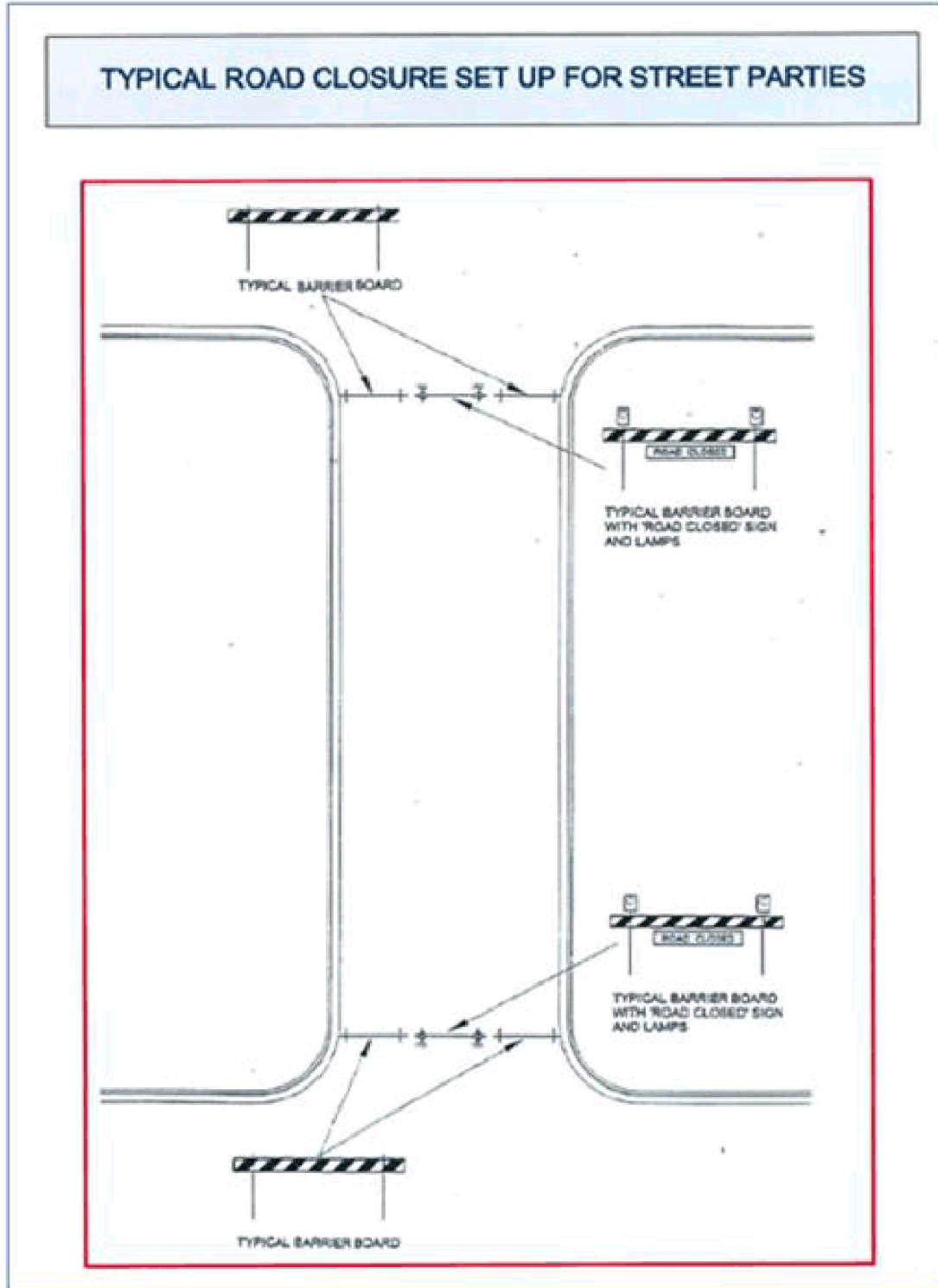
It is your responsibility to collect this equipment from Council’s Works Depot Store, Montague Street, North Wollongong, prior to 2.00 pm on the last working day prior to your proposed road closure, and return same on the next working day following the closure. Please ensure you sign a receipt when collecting and returning this equipment.

Equipment, which is returned damaged beyond use or not returned at all, will be replaced at your cost.

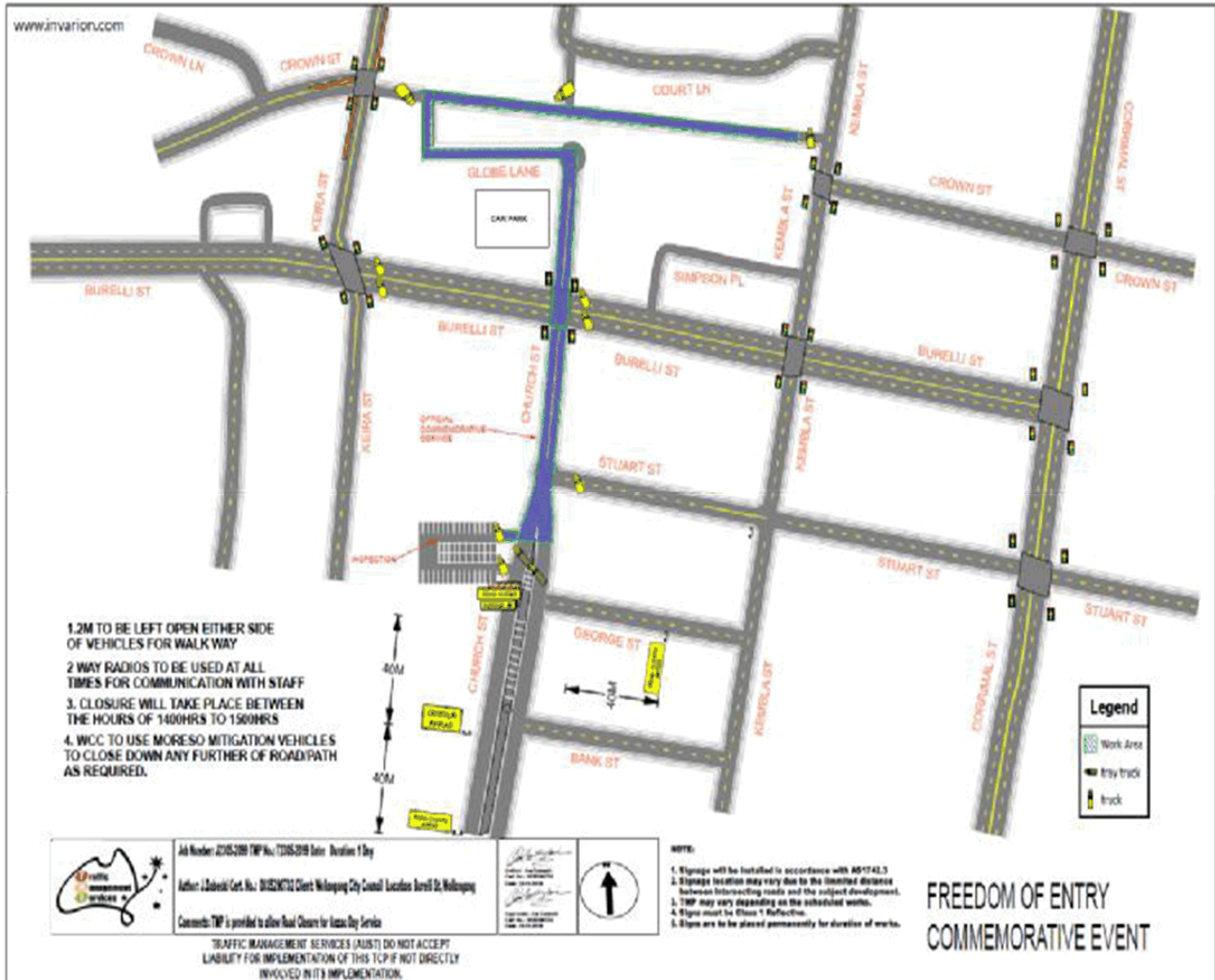
A sufficient number of people (at least 2), together with a vehicle suitable for the purpose of transporting the relevant equipment, are to be provided by the organisers for the loading and unloading of this equipment at the Depot.

- 7 You are requested to email Council’s Events and Functions Coordinator events@wollongong.nsw.gov.au **two weeks prior to pick-up** to ensure availability of the equipment.
- 8 If Council’s Store does not have sufficient equipment to lend, you are to obtain equipment from another source (e.g. hire firm), at your expense.

Attachment 2 – Standard Conditions for Street Parties



Attachment 3 - Freedom of Entry Commemorative Event



Attachment 3 – Bellambi Road, Bellambi Closure of the Level Crossing



Attachment 3 – Bellambi Road, Bellambi Closure of the Level Crossing

