

BUSINESS PAPER

ORDINARY MEETING OF COUNCIL

To be held at 6.00 pm on

Monday 13 March 2017

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

Order of Business

- 1 Acknowledgement of Traditional Owners
- Civic Prayer
- 3 Apologies
- 4 Disclosures of Pecuniary Interest
- 5 Petitions and Presentations
- 6 Confirmation of Minutes Ordinary Meeting of Council 20/02/2017
- 7 Public Access Forum
- 8 Call of the Agenda
- 9 Lord Mayoral Minute
- 10 Urgent Items
- 11 Item Laid on Table 20/2/2017
- 12 Agenda Items

Members

Lord Mayor -

Councillor Gordon Bradbery OAM (Chair)

Deputy Lord Mayor -

Councillor John Dorahy

Councillor Michelle Blicavs

Councillor David Brown

Councillor Leigh Colacino

Councillor Chris Connor Councillor Bede Crasnich

Councillor Vicki Curran

Councillor Janice Kershaw

Councillor Ann Martin

Councillor Jill Merrin

Councillor Greg Petty

Councillor George Takacs

QUORUM - 7 MEMBERS TO BE PRESENT

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MINUTES

ORDINARY MEETING OF COUNCIL

at 6.00 pm

Monday 20 February 2017

Present

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

In Attendance

General Manager – D Farmer, Director Corporate and Community Services – Creative, Engaged and Innovative City (Acting) – K Hunt, Director Infrastructure and Works – Connectivity, Assets and Liveable City (Acting) – G Doyle, Director Planning and Environment – Future, City and Neighbourhoods – A Carfield, Manager Governance and Information – K Cowgill, Manager Finance – B Jenkins, Manager Environmental Strategy and Planning – R Campbell, Manager Project Delivery – G Whittaker, Manager City Works and Services – M Roebuck, Manager Infrastructure Strategy and Planning – M Dowd and Manager Community Cultural and Economic Development (Acting) – S Savage

Apologies

Min No.



COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor Blicavs seconded Councillor Crasnich that the apology tendered on behalf of Councillors Dorahy, Merrin and Petty be accepted.

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DISCLOSURE OF INTERESTS

Councillor Martin declared a non-pecuniary, non-significant conflict of interest in Item 1 which relates to a Planning Proposal for Heritage Listing, and Item 2 which relates to a Planning Proposal, insofar as she works for the Department of Planning and Environment. However, Councillor Martin advised that she does not deal with matters relating to Wollongong City Council.

Councillor Curran declared a significant, possibly pecuniary, conflict of interest in Item 3 as she and her partner currently reside in Corrimal Street and are in the process of purchasing property in the area. Councillor Curran advised that she would depart the Chamber during debate and voting on this matter.

CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 30 JANUARY 2017

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Kershaw that the Minutes of the Ordinary Meeting of Council held on Monday, 30 January 2017 (a copy having been circulated to Councillors) be taken as read and confirmed.

CALL OF THE AGENDA

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Blicavs that the staff recommendations for Items 1, 2, 4, 6, 7, and 9 to 11 inclusive, be adopted as a block.

ITEM 1 - PLANNING PROPOSAL - HERITAGE LISTING OF ST JOSEPH'S CATHOLIC CONVENT AND CHURCH 48-50 PARK ROAD BULLI - POST EXHIBITION

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 16).

COUNCIL'S RESOLUTION -

- 1 The draft Planning Proposal for St Joseph's Catholic Convent and Church at 48-50 Park Road, Bulli be progressed by:
 - a finalising the Planning Proposal that seeks to include the church and convent in Schedule 5 Heritage Items and the Heritage Map of Wollongong Local Environmental Plan 2009;
 - b the final Planning Proposal being referred to the NSW Department of Planning and Environment for the making of arrangements for drafting to give effect to the final proposal; and
 - c noting that the General Manager will thereafter proceed to exercise his delegation issued by the NSW Department of Planning and Environment under Section 59 in relation to the final proposal.
- 2 The organisations that made submissions be informed of Council's decision.

ITEM 2 - PLANNING PROPOSAL - BOUNDARY ADJUSTMENT 65 BUTTENSHAW DRIVE AUSTINMER - POST EXHIBITION

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 16).

COUNCIL'S RESOLUTION – The draft Planning Proposal for 65 Buttenshaw Drive, Austinmer (Lot 31 DP 270554) be progressed by:

- Finalising the Planning Proposal that seeks to amend the Land Zoning Map by rezoning a portion of the site from E3 Environmental Management to E4 Environment Living, with a Floor Space Ratio of 0.3:1 and a minimum lot size of 999m², and by reducing the minimum lot size for the remainder of the site to 2,999m²:
- 2 The final Planning Proposal being referred to the NSW Department of Planning and Environment for the making of arrangements for drafting to give effect to the final proposal; and
- 3 Noting that the General Manager will thereafter proceed to exercise his delegation issued by the NSW Department of Planning and Environment under Section 59 in relation to the final proposal.

DEPARTURE OF COUNCILLOR

Due to a prior disclosure of interest, Councillor Curran departed the Chamber and was not present during debate and voting on Item 3.

ITEM 3 - FREE WIFI IN THE CITY CENTRE

- 17 COUNCIL'S RESOLUTION RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Crasnich that -
 - 1 Council endorse Option 1 for the City Centre free WiFi service area which maintains the existing service area, plus Corrimal Street between Market and Burelli Streets and Keira Street between Smith and Crown Streets.
 - 2 Council continue with the current service delivery model with added WiFi positioning technology.
 - 3 A business proposal be prepared for the one off upfront cost of \$24,000 and the additional \$14,800 per annum to undertake the implementation of Option 1 for consideration in the 2017-18 Annual Planning process.

ITEM 4 - TENDER T16/42 REVIEW OF HEWITTS CREEK FLOODPLAIN RISK MANAGEMENT STUDY AND PLAN

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 16).

COUNCIL'S RESOLUTION -

- 1 In accordance with the Local Government (General) Regulation 2005, Clause 178 (1) (a), Council accept the tender of WMAwater for the Review of the Hewitts Creek Floodplain Risk Management Study and Plan, in the sum of \$139,830, 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 5 - TENDER T15/20 - DEBRIS CONTROL STRUCTURE AND BASIN IMPROVEMENTS FOR FOOTHILLS ROAD, MT OUSLEY

A PROCEDURAL MOTION was MOVED by Councillor Takacs seconded Councillor Crasnich that this Item lay on the table. The PROCEDURAL MOTION on being PUT to the VOTE was CARRIED.

Note: Councillor Takacs requested that Councillors be briefed on the Priority List for Debris Control Structures throughout the City.

ITEM 6 - TENDER T16/43 - DAPTO SENIOR CITIZENS CENTRE HEININGER HALL KITCHEN REPLACEMENT

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 16).

COUNCIL'S RESOLUTION -

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of KLH Constructions for the construction to upgrade and refurbish Heininger Hall Kitchen, in the sum of \$137,550.00, 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 7 - TENDER T16/39 - REVIEW OF TOWRADGI CREEK FLOODPLAIN RISK MANAGEMENT STUDY AND PLAN

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 16).

COUNCIL'S RESOLUTION -

- 1 In accordance with the Local Government (General) Regulation 2005, Clause 178 (1) (a), Council accept the tender of WMAwater for the Review of Towradgi Creek Floodplain Risk Management Study and Plan in the sum of \$139,830, 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.

DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 8, Councillor Curran departed and returned to the meeting, the time being from 6.11 pm to 6.12 pm.

ITEM 8 - DRAFT QUARTERLY REVIEW STATEMENT DECEMBER 2016

A PROCEDURAL MOTION was MOVED by Councillor Crasnich seconded Councillor Martin that an additional three minutes be granted to Councillor Connor to address the meeting in relation to Item 8.

- 18 COUNCIL'S RESOLUTION RESOLVED UNANIMOUSLY on the motion of Councillor Connor seconded Councillor Blicavs that -
 - 1 The draft Quarterly Review Statement December 2016 be adopted.
 - 2 The Budget Review Statement as at December 2016 be adopted and revised totals of income and expenditure be approved and voted.

ITEM 9 - WRITE OFF BAD DEBTS - SUNDRY DEBTORS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 16).

COUNCIL'S RESOLUTION – Council agree to write off the outstanding debt of the eight accounts listed against the provision for doubtful debts.

ITEM 10 - EXERCISE OF DELEGATIONS - DETERMINATION OF TENDERS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 16).

COUNCIL'S RESOLUTION – Council note the report on the Exercise of Delegations for Determination of Tenders between 13 December 2016 and 29 January 2017.

ITEM 11 - CITY OF WOLLONGONG TRAFFIC COMMITTEE - MINUTES OF MEETING HELD 18 JANUARY 2017

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 16).

COUNCIL'S RESOLUTION – In accordance with the powers delegated to Council, the Minutes and recommendations of the City of Wollongong Traffic Committee Meeting held on 18 January 2017 in relation of the Regulation of Traffic be adopted.

THE MEETING CONCLUDED AT 6.23 PM

Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on 13 March 2017.

Chairperson	



File: FI-230.01.202 Doc: IC17/102

ITEM A

ITEM LAID ON TABLE - COUNCIL MEETING 20 FEBRUARY 2017 - TENDER T15/20 - DEBRIS CONTROL STRUCTURE AND BASIN IMPROVEMENTS FOR FOOTHILLS ROAD, MT OUSLEY

Council on 20 February 2017 laid this Item on the table.

This report recommends acceptance of a tender for Debris Control Structure and Basin Improvements for the detention basin located off Foothills Road, Mt Ousley in accordance with the requirements of the Local Government Act 1993 and the Local Government (General) Regulation 2005.

The proposed works include the installation of debris control structures, an access road, low flow drainage channel and bulk earthworks for improving the capacity and quality of stormwater discharged from the detention basin.

RECOMMENDATION

- In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Donnelley Civil Pty Ltd for Debris Control Structure and Basin Improvements for Foothills Road, Mt Ousley, in the sum of \$841,890.14, 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: Glenn Whittaker, Manager Project Delivery

Authorised by: Greg Doyle, Director Infrastructure and Works - Connectivity Assets and Liveable City

(Acting)

ATTACHMENTS

Location Plan

BACKGROUND

Tenders were required to be invited for improvement works to an existing stormwater detention basin located on Foothills Road, Mt Ousley. Sediments have deposited in the detention basin floor over time and informal drainage paths have formed within the base of the detention basin draining to the outlet to the east. Deposition of sediments has resulted in a decreased stormwater storage capacity and increased risk of sediments entering the downstream watercourse. The proposed works include removal and disposal off-site of deposited sediments, formalisation of a low flow drainage channel, installation of debris control structures to improve stormwater quality and access track construction for maintenance purposes.

Tenders were invited by the open tender method with a close of tenders of 10.00 am on 20 December 2016.

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 Project Delivery, Governance and Information, Supply Chain and Logistics, Infrastructure Strategy and Planning and Human Resources Divisions. Council also received an additional tender from Affective Services Pty Ltd after the close of tenders; however, the tender panel confirmed this as a late submission with no further assessment or clarification occurring as a result.



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

- 1 Cost to Council 40%
- 2 Appreciation of scope of works and construction methodology 20%
- 3 Demonstrated experience and satisfactory performance in undertaking projects of similar size, scope and risk profile 15%
- 4 Demonstrated experience of nominated key personnel and sub-contractors 5%
- 5 Demonstrated strengthening of local economic capacity 5%
- 6 Project Schedule 5%
- 7 Demonstrated WH&S management system 5%
- 8 Environmental management policies and procedures 5%

The mandatory assessment criteria have been met by the recommended tenderer.

The Tender Assessment Panel utilised a weighted scoring method for the assessment of tenders which allocates a numerical score out of 5 in relation to the level of compliance offered by the tenders to each of the assessment criteria as specified in the tender documentation. The method then takes into account pre-determined weightings for each of the assessment criteria which provides for a total score out of 5 to be calculated for each tender. The tender with the highest total score is considered to be the tender that best meets the requirements of the tender documentation in providing best value to Council. Table 1 below summarises the results of the tender assessment and the ranking of tenders.

TABLE 1 - SUMMARY OF TENDER ASSESSMENT

Name of Tenderer	Ranking
Donnelley Civil Pty Ltd	1
Cadifern Civil Pty Ltd	2
GC Civil Group Co Pty Ltd	3
Shore Contracting Pty Itd	4
Dynamic Civil Pty Ltd	5

PROPOSAL

Council should authorise the engagement of Donnelley Civil Pty Ltd to carry out the Debris Control Structure and Basin Improvements for Foothills Road, Mt Ousley 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.

A financial capability assessment has been received and appropriate arrangements have been agreed between Council and Donnelley Civil Pty Ltd.

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



Ordinary Meeting of Council

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 goal "We are a healthy community in a liveable city". It specifically delivers on the following:

Community Strategic Plan		Delivery Program 2012-2017	Annual Plan 2016-17	
Strategy		5 Year Action	Annual Deliverables	
5.3.3	Well maintained assets that meet the needs of current and future communities are provided	5.3.3.1 Manage and maintain community infrastructure portfolio with a focus on asset renewal	Deliver 85% of Council's capital investment into our asset renewal program	

RISK ASSESSMENT

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

The risk of the project works or services is considered medium 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 -

2016/17 Capital Budget

CONCLUSION

The recommended tenderer has submitted an acceptable tender for this project and Council should endorse the recommendations of this report.





T15/20 - Debris Control Structure and Basin Improvements. Foothills Road, Mt Ousley



White every effort has been made to ensure the highest possible quality of data, no liquidity will be accepted for any inaccuracy of the information shown.

Clayinght D Walkingtong City Counce. Mapping Services Section 1 This map may not be reproduced in any form whatever without the engrass written permission of Walkingtong City Counce.



File: PP-2015/4 Doc: IC16/100444

ITEM 1

DRAFT PLANNING PROPOSAL LOT 101 825576 FARMBOROUGH ROAD, FARMBOROUGH HEIGHTS

On 27 June 2016 Council resolved to prepare a draft Planning Proposal for Lot 101 DP 825516 Farmborough Road, Farmborough Heights, which seeks to facilitate the subdivision of the land into approximately 30 large residential lots, together with the dedication of land with funding to Council to re-vegetate and protect in perpetuity the riparian corridor in the north-west of the site and other features of environmental significance 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 August and 27 September 2016.

The purpose of this report is to provide feedback on the public exhibition and to finalise the Planning Proposal. It is recommended that the draft Planning Proposal be progressed to finalisation.

RECOMMENDATION

- 1 The draft Planning Proposal for Lot 101 DP 825516 Farmborough Road, Farmborough Heights be progressed by
 - a Finalising the Planning Proposal that seeks to amend:
 - the Land Zoning Map by rezoning 5.3 hectares of the site from RU2 Rural Landscape to E4 Environmental Living with a Minimum Lot Size of 2,000m² and Floor Space Ratio of 0.3:1:
 - ii rezoning 5.4 hectares from RU2 Rural Landscape to E4 Environmental Living with a Minimum Lot Size of 5,000m² and Floor Space Ratio of 0.3:1;
 - iii rezoning the remainder of the site, including the northern riparian corridor (7.8 hectares), from RU2 Rural Landscape to E2 Environmental Conservation with a Minimum Lot Size of 39.99ha; and
 - iv updating the Natural Resource Sensitivity Biodiversity Map.
 - b The Planning Proposal also be finalised to rezone Lot 1 DP 720058 and Lot 1 DP 821495 (the paper road) located to the north of Lot 101 DP 825516 from RU2 Rural Landscape to E3 Environmental Management, consistent with the adjoining Lot 106 DP 825517.
 - The final Planning Proposal being referred to the NSW Department of Planning and Environment for the making of arrangements for drafting to give effect to the final proposal; and
 - d 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.
- 2 Council support the proposed dedication (with funding) of the area proposed to be rezoned E2 Environmental Conservation (7.8 hectares) to re-vegetate and protect in perpetuity the identified environmental values of the site.
- 3 The legal agreement for the transfer of E2 zoned land with funding to Council be finalised prior to development consent for subdivision.
- 4 During the next review of DCP Chapter B2 Residential Subdivision, additional clauses be added that encourage subdivision layouts to minimise isolated areas of ecological significance through the prioritisation of local and regional biodiversity corridors. Where connectivity cannot be maintained or improved, consideration be given to creating ecological stepping stones for isolated areas.



REPORT AUTHORISATIONS

Report of: Renee Campbell, Manager Environmental Strategy and Planning

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

ATTACHMENTS

- 1 Site Locality Map and Current Zoning
- 2 Constraints Maps
- 3 Indicative Subdivision Plan
- 4 Vegetation Management Plan
- 5 Proposed Zoning, Minimum Lot Size, Floor Space Ratio and Natural Resource Sensitivity Biodiversity Maps
- 6 Summary of Submissions
- 7 Isolated Environmental Lots

BACKGROUND

Location

In September 2015 a Planning Proposal request was submitted by Plannex Environmental Planning on behalf of the landowner for Lot 101 DP 825516 Farmborough Road, Farmborough Heights which seeks to facilitate the subdivision of the land into approximately 30 large residential lots, together with the dedication of land with funding to Council to re-vegetate and protect in perpetuity the riparian corridor in the north-west of the site and other features of environmental significance on site. The site comprises 18.5 hectares and is currently zoned RU2 Rural Landscape. It is bounded by land zoned R2 Low Density Residential in the east, E3 Environmental Management in the north, and RU2 Rural Landscape in the south and west (Attachment 1).

Farmborough Heights to Mt Kembla Concept Plan

This site was considered in the Farmborough Heights to Mt Kembla Concept Plan that was endorsed by Council (9 December 2013) and the NSW Department of Planning (20 March 2014). The Concept Plan provides a strategic framework to guide future development potential for this area in the context of active conservation. The key objectives of the Concept Plan were to provide certainty for the community by identifying land suitable for conservation and potential development within the study area. Additionally, the Concept Plan provides the opportunity to implement a number of mechanisms that will conserve and manage the environmental attributes of the foothills of the Illawarra Escarpment.

The focus of the development of the Concept Plan has been the long term management of the Illawarra Escarpment and 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. 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 endorsed 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 Management Plan and Review Strategy 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 Concept Plan is also consistent with the objectives and targets of regional strategies including the Illawarra Biodiversity Strategy (2011) and the (then) Illawarra Regional Strategy 2006-31 (2007), with a focus on priority vegetation and important habitat corridors.

In developing the Concept Plan it was necessary for the consultant (GHD) to provide a high level estimate of potential dwellings as input into traffic and utilities modelling to assess the likely impact that



potential development might have on existing infrastructure and amenity. These estimates were used to develop a Concept Plan, with the GHD report clearly stating that these estimates did not constitute a guarantee of the estimated development potential nor a detailed subdivision plan. Additionally, it was acknowledged in the report to Council (13 December 2013) that the Strategic Planning Study conducted to inform the development of the Concept Plan included a number of high level investigations, and hence identified that more detailed site specific studies may produce some variations to the findings and associated recommendations contained in the Concept Plan. It was recommended that as new information and/or studies are completed in the future there may be the opportunity to revisit the Concept Plan recommendations, should amendments be justified. The role of the Concept Plan is to guide development in the area with individual Planning Proposals invited for specific land holdings, and updated and more detailed studies encouraged in this regard.

The endorsed Concept Plan identified potential to rezone this site at Farmborough Road Farmborough Heights 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 (roughly half the area to have a minimum lot size of 5,000m² and half a minimum lot size of 2,000m²), which would enable approximately 25 lots/dwellings. An E2 Environmental Conservation zoning was recommended for the riparian corridor in the north-west of the site (containing approximately

6.2 hectares of Moist Box Red Gum Foothills Forest) and the south east corner (in recognition of stands of Illawarra Lowlands Grassy Woodland endangered ecological community – approximately 1.5 hectares). (Attachment 2). The Concept Plan identified the opportunity for the long term management, protection and enhancement of the riparian corridor in order to re-establish an east west biodiversity corridor.

Draft Planning Proposal request /development proposal

The development strategy 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 north-west of the site and other areas identified as containing environmental values (see Attachment 2 – Constraints Map).

The submitted draft Planning Proposal request is seeking a rezoning to the recommended E4 Environmental Living and E2 Environmental Conservation zoning. Consistent with the Concept Plan, a minimum lot size of 2,000m² is proposed adjacent existing residential development and 5,000m² lots are proposed for land in the west of the site, to provide a gradation of lot sizes toward the escarpment and to reflect potential geotechnical and bushfire constraints. The submitted draft Planning Proposal request would result in approximately 30 residential lots (21 at 2,000m² and 9 at 5,000m²) depending on further investigations and finalisation of a subdivision plan at the development application phase, and the conservation of 7.8 hectares of the site as four public reserve lots with funding provided (Attachment 3). Dedication of the E2 zoned parcels to Council and the timing of funding will be subject to further negotiations between Council and the land owner, and conditioned through the development application process.

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. The OEH supports public ownership with allocated funding as the preferred mechanism for the long term protection of conservation values, as this would secure the ongoing vegetation and habitat management and funding in perpetuity. A Vegetation Management Plan (February 2016) details the management and restoration efforts for the areas designated as conservation zones, with the intention of dedicating these areas (with funding) to Council for on-going management (Attachment 4). The VMP identifies an amount of \$370,000 to provide in perpetuity funding for on ground works (i.e. lump sum sitting in an interest bearing account).

On 27 June 2016, Council considered a report on the draft Planning Proposal request and resolved:



- A draft Planning Proposal be submitted to the NSW Department of Planning and Environment for Lot 101 DP 825516 Farmborough Road, Farmborough Heights, seeking a Gateway determination to:
 - a rezone 5.3 hectares of the site from RU2 Rural Landscape to E4 Environmental Living with a Minimum Lot Size of 2,000m² and Floor Space Ratio of 0.3:1;
 - b rezone 5.4 hectares of the site from RU2 Rural Landscape to E4 Environmental Living zoning with a Minimum Lot Size of 5,000m² and Floor Space Ratio of 0.3:1;
 - c rezone the remainder of the site, including the northern riparian corridor (7.8 hectares) from RU2 Rural Landscape to E2 Environmental Conservation with a Minimum Lot Size of 39.99ha; and
 - d update the Natural Resource Sensitivity–Biodiversity Maps (Attachment 5).
- 2 The draft Planning Proposal also rezone Lot 1 DP 720058 and Lot 1 DP 821495 (the paper road) located to the north of Lot 101 DP 825516 from RU2 Rural Landscape to E3 Environmental Management, consistent with the adjoining Lot 106 DP 825517.
- 3. Council support the proposed dedication (with funding) of the area proposed to be rezoned E2 Environmental Conservation (7.8 hectares) to re-vegetate and protect in perpetuity the identified environmental values of the site.
- 4 Following the Gateway determination, the draft Planning Proposal be exhibited for 28 days.
- 5 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 report be prepared which explores possible planning policies that reduce the creation of isolated lots of environmentally significant land separated from larger areas of similar land.

A favourable Gateway determination was subsequently received on 11 July 2016 and the draft Planning Proposal was exhibited between 29 August and 27 September 2016.

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 dedication of the remainder of the land to Council with funding to re-vegetate and protect in perpetuity the identified environmental values of the site, including rehabilitation of an important east-west corridor. This is in line 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:

- 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.

A site specific restoration strategy will be developed by Council's natural resources staff to provide guidance on a range of standard and other management actions to improve biodiversity values on site. Councils' natural resources staff have conducted a number of site visits to confirm the vegetation communities and provide feedback on an appropriate plan for on-going conservation management. Standard management actions will include:



- weed control of noxious and environmental 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;
- implementation of fire management regime that is designed to provide improved ecological function;
- sediment and erosion controls;
- · vertebrate pest management; and
- maintenance of natural flow regimes in the riparian zone.

Depending on the site conditions, further assessment may identify additional management actions to those highlighted above to contribute to the improvement of biodiversity values. In addition to regeneration works, the natural resources staff also envisage the construction of defined walking tracks, to limit damage to bushland once the community begin using the reserves for bushwalking.

CONSULTATION AND COMMUNICATION

The draft Planning Proposal was exhibited between 29 August and 27 September 2016 following the Gateway determination. The Gateway determination required that the following public authorities be consulted:

- NSW Rural Fire Service
- NSW Office of Environment and Heritage
- Environment Protection Authority

The public exhibition was advertised through Council's website and in the Illawarra Mercury and Advertiser 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, Neighbourhood Forum 5 and the Farmborough Heights Action Group were notified of the public exhibition by mail. The exhibition was included as an agenda item at the 24 February 2016 and 21 September 2016 meetings of the Escarpment Planning Reference Group (EPRG).

As a result of the public exhibition the website page received 210 views. A total of 26 submissions were received (through preliminary notification and public exhibition), as follows:

- Office of Environment and Heritage (OEH)
- NSW Rural Fire Service (RFS)
- Roads and Maritime Services (RMS)
- Sydney Water
- Environment Protection Authority (EPA)
- Jemena
- Community (20)

A summary of submissions is contained in Attachment 6. The key issues raised in submissions are discussed below.

Ecological value

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. The OEH support public ownership with allocated funding as the preferred mechanism for the long term protection of conservation values. The Department of Primary Industries – Water also support public ownership of riparian corridors to ensure appropriate long term management of the function and health of these areas.

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 recognises the potential for net conservation gains at this site as a result of the exhibited Planning Proposal.

Servicing

The Roads and Maritime Services (RMS) and Sydney Water raised no objections to the Planning Proposal. Sydney Water did note that preliminary investigation indicates that the existing water supply system can only service development up to a ground level of 144m AHD, and recommend the final subdivision road and lot configuration ensure that water service connections are not above this level. The Sydney Water submission advised that the proponent can lodge a feasibility application to obtain further advice to assist in planning the subdivision layout, and to ascertain the wastewater catchment boundaries.

As a result of the exhibition, twenty (20) submissions were received from the community. A key concern expressed in the community submissions centred on the pressure additional development would place on local infrastructure (particularly roads). Some 15 submissions sought a solution to existing problems along Farmborough Road before more development applications are approved. The narrowness of Farmborough Road and Panorama Drive was raised, with cars reportedly parking illegally on particularly narrow stretches identified as a key safety concern in the area. The Concept Plan identified sufficient capacity within the existing road network to accommodate the estimated traffic generation from the proposed development. Further traffic input will be sought at the development application phase.

Consistency with concept plan

Concern was also raised in relation to the indicative subdivision plan depicting 30 lots, in contrast to the estimation of 25 lots provided in the Concept Plan (14 submissions). In developing the Concept Plan it was necessary for the consultant (GHD) to provide a high level estimate of potential dwellings as input into traffic and utilities modelling to assess the likely impact that potential development might have on existing infrastructure and amenity. These estimates were used to develop a Concept Plan, with the GHD report clearly stating that these estimates did not constitute a guarantee of the estimated development potential nor a detailed subdivision plan. The subdivision plan provided as part of the Planning Proposal request is indicative only, based on high level investigations. Further investigations and consultation with relevant public authorities will be required at the development application phase, which will then inform the finalisation of a subdivision plan.

Whytes Gully Waste and Resource Centre

The proximity of the proposed development to Whytes Gully Waste and Resource Centre was raised as a concern in 14 submissions, in the context of odour complaints emanating from Whytes Gully and surrounding waste processing facilities. Submissions made reference to "EPA Environmental Guideline: Solid Waste Landfill, Second Edition, 2016", requesting Council introduce an exclusion zone of 1000 metres for residential development.

The Farmborough Heights to Mt Kembla Concept Plan acknowledged the location of the Whytes Gully Waste and Resource Centre on the south west boundary of the Study Area, and the EIS Guidelines for



Landfilling (1996) recommendation that a distance of 250 metres should be observed between a residential zone and any proposed landfill. The Concept Plan acknowledged potential for impact on properties in close proximity to the site, and recommended that properties within 250 metres of Whytes Gully not be eligible for any further development for the next ten years, to be reviewed depending on operations at Whytes Gully.

New guidelines were introduced in 2016 by NSW EPA for solid waste landfills to provide guidance for the environmental management of landfills in NSW by specifying a series of 'Minimum Standards'. They involve a mix of design and construction techniques, effective site operations, monitoring and reporting protocols, and post-closure management. The NSW Environment Protection Authority (EPA) will use these guidelines to assess applications for new or varied landfill licences under the Protection of the Environment Operations Act 1997 and to assess issues that arise during the operational and postclosure periods of landfills. The EPA clearly state that these guidelines do not contain express buffer distances or locational requirements, however do identify a number of recognised environmentally sensitive and inappropriate areas for landfilling, including (but not limited to) sites within 250 metres of an area of significant environmental or conservation value, residential zone or dwelling, school or hospital (referred to as "sensitive uses"). The guidelines state that, where practicable, buffers of at least 1000 metres should be provided to residential zones, schools and hospitals to protect the amenity of these land uses from odour, noise and other impacts in the case of large putrescible waste landfills (more than 50,000 tonnes of putrescible waste per year). Observance of such a buffer would be more likely to be achieved in the case of new operations being considered – in the case of Whytes Gully such a buffer is clearly not practicable, with approximately 400 existing properties in Farmborough Heights located within 1,000 metres of Whytes Gully.

The Whytes Gully Centre has operated at this site for 16 years, demonstrating compliance with the Environment Protection Licence (5862) issued by the EPA under the *Protection of the Environment Operations Act 1997*. All landfills must meet the requirements of the Act and the regulations made under that Act. The landfill occupier must not pollute waters in breach of section 120, cause air pollution in breach of sections 124, 125 or 126, or emit offensive odour in breach of section 129 of the Act. The Whytes Gully facility is in relatively close proximity to residential development, and Council does receive complaints about odour from the facility. Council has instigated specific odour mitigation and management strategies to address these issues.

The EPA was consulted as part of the exhibition and confirmed the Whytes Gully facility is regulated under an Environment Protection Licence (EPL 5862) and has been working with the Council to deliver substantial improvements in relation to odour control. The EPA submission also stated that the Facility existed before the publication of the new Guideline and therefore the 1000 metre buffer zone for large landfills mentioned within the publication is not achievable in this instance. The EPA submission acknowledged that, while a variety of measures have been implemented as part of the EPA licence to improve odour control, adverse odour impacts are unlikely to be completely avoided and there has been a history of community complaints in the vicinity of the Facility. Consideration could be given to a notation being placed on 149 certificates for properties within 1000m of the Whytes Gully industrial area, should Council consider this necessary.

Proposed Public Reserves

Some 13 submissions expressed concern that the four areas identified for public reserves and conservation were fragmented and suggested that an improved environmental outcome may be possible by linking these four areas, to provide a continuous corridor for wildlife and vegetation. The suggestion was also made that an easement buffer on the eastern boundary in the vicinity of the eastern gas pipeline may create the opportunity for walking tracks linking the conservation areas and usable spaces for the wider community to enjoy. It was requested that the final subdivision plan provide for adequate access opportunities to the proposed conservation areas. These comments relate to the Council resolution that possible planning policies should be explored to reduce the creation of isolated lots of environmentally significant land separated from larger areas of similar land (Attachment 7).

It should be noted that a series of non-connected habitat parcels as depicted in the draft Planning Proposal can result in a stepping stone corridor effect which is widely recognised as assisting to reduce



the effects of fragmentation, as animals use these areas to find shelter, food or to rest. Advice from the Environment team confirms that a combination of riparian revegetation efforts in the large area in the north-west, and a series of stepping stone patches of habitat, will enhance the wildlife corridor on site and provide functional connectivity, contributing to animals moving more freely to find food, shelter and opportunities to breed. Street tree planting as part of any future subdivision design will also enhance the stepping stone effect. Further consultation will occur with the proponent in this regard in the finalisation of the subdivision design, noting the desire of the wider community for the creation of usable spaces to appreciate and gain access to the areas being set aside for conservation.

Attachment 7 provides a report which explores existing planning policies and strategies that reduce the creation of isolated lots of environmentally significant land. The report identifies the existing policies and strategies available to Council to enhance environmental outcomes from urban development which prioritise the importance of biodiversity corridors as well as less connected habitat parcels which create a stepping stone effect. In addition to existing policies and strategies, it is proposed that clauses be added to the DCP to achieve this intent during the next review of Chapter B2 Residential Subdivision.

Concern was expressed in 6 submissions that the amount of money to be set aside for establishing and maintaining the public reserve areas will not be sufficient with assurance sought that a legally binding arrangement be in place for the proposed dedication before approval is given to rezone. A Vegetation Management Plan (VMP) was prepared (February 2016) which included calculations of indicative costings for the proposed dedication of vegetation areas using the BioBanking standard management actions and a modified version of the OEH BioBanking Trust Fund Deposit spreadsheet methodology, applying the in perpetuity funding model (as advised by OEH). An amount of \$370,000 has been identified to provide in perpetuity funding for the on ground works (i.e. a lump sum sitting in an interest bearing account). This report is seeking a Council resolution that the legal agreement for the transfer of E2 zoned land with funding to Council be finalised prior to development consent for subdivision.

Stormwater and Flooding

Concern about flooding, drainage and stormwater was raised in 7 submissions, with accounts of an already overloaded drainage system. Submissions were seeking assurance that the developer would be responsible for upgrading the system and ensuring any runoff created is retained on site. The internal Council referral recommended that approval of the proposed layout and potential building envelopes be deferred until the DA stage when sufficient information will be requested to address any flooding and stormwater constraints in line with Council's polices. The proponent would be responsible for an upgrade of the pavement and stormwater within Farmborough Road adjacent the site.

Bushfire Management

The NSW Rural Fire Service (RFS) raised no objection to the Planning Proposal, subject to any future subdivision layout achieving a realistic building footprint and associated APZ wholly within each individual lot, and observance of sections 4.1.3 (1) Public Access and 4.1.3 (2) Property Access in *Planning for Bush Fire Protection 2006* in the design of future roads and access handles for battle-axe blocks.

Bushfire management was raised as a concern in 6 submissions, with the suggestion made to link the development to Panorama Drive as an alternative escape route. The RFS will be further consulted at the development application phase to ensure compliance with "Planning for Bush Fire Protection 2006", safety of access/egress in the event of a fire and that any future subdivision layout can achieve a realistic building footprint and associated APZ wholly within each individual lot. The potential for an alternative access through Panorama Drive will be subject to further investigation.

Visual Impact

A visual impact assessment was requested in 8 submissions, with the need for an additional study addressing European heritage raised in 6 submissions. In developing the Concept Plan a Visual Impact and Landscape Character Assessment was undertaken to investigate landscape sensitivity and capacity to accommodate change. This assessment identified areas with potential to be developed, sites that are marginal and would be subject to significant visual assessment controls, and those sites that cannot be developed. The majority of this site (with the exception of the stand of EEC in the south east) was



identified with potential to be developed in this regard, noting that the Wollongong Development Control Plan 2009 requires the submission of a visual impact assessment report. It is recommended that the potential visual impact of a subdivision on the upper ridges should be carefully considered at the development application stage through a visual impact analysis with respect to the principles and strategies outlined in the IESMP, given the heritage significance of the Illawarra Escarpment and the cultural significance of Mt Kembla. Due to the site context, further Aboriginal and European heritage investigation may be required to inform the subdivision development application.

Eastern Gas Pipeline

Five submissions raised concern about the proximity of the proposed development to the Eastern Gas Pipeline, with an E2 zoned buffer suggested to avoid potential accidents by private land owners. Australian Standard AS 2885 requires a risk review of the pipeline operation in the event of the land around a pipeline being rezoned resulting in a change in land use and change in risk exposure to the pipeline. Jemena has indicated they will undertake a review of the proposed development in accordance with requirements of AS 2885 and that these findings shall be included in any subsequent development application to ensure that the Pipeline risks are appropriately considered and managed in the planning and design of the development and subdivision. Jemena will work with the developer to ensure that a Pipeline Safety Management Study is included as part of the submission of any development application, with appropriate buffers and building envelopes ascertained.

Graduation of Lot Size towards Illawarra Escarpment

Support for the proposal focused on the opportunity to purchase larger blocks and an appropriate scale of proposed development in relation to the surroundings. The potential for environmental preservation of part of the site and to create enhanced public access to the escarpment for recreational activities was also raised as a positive outcome of the Planning Proposal. The possibility of creating walking tracks, linking to the Mt Kembla ring track was raised in this context.

Other Issues

The table below summarises other issues raised during the public exhibition.

Submission		Comment
Concern about clearing of vegetation for siting of houses/roads and the 10/50 ruling in bushfire zones.	2 community submissions	E2 zoning and dedication to Council would avoid any unintended impacts from the 10/50 Code, as the Code cannot be applied on Council land without landowner's consent.
Object to loss of beauty of the escarpment	2 community submissions	Noted
Concern that wildlife will be killed by domestic cats/dogs or forced to move further up the escarpment.	1 community submission	Noted
Concern that our existing services will be impacted by development – breakages in existing line/decrease in water quality or pressure	1 community submission	Noted – to be assessed further at DA stage.
Concern that the Proposal will not deliver the necessary environmental outcomes under Community Title subdivision.	1 community submission	In response to OEH feedback it was agreed that the proposed E2 lands be dedicated to Council with funding as the most appropriate mechanism to ensure in perpetuity conservation
Concept Plan suggests zoning some land identified as Managed Open Space RE1 for public recreation – object to inclusion of additional E4 lands in the north which	2 community submissions	Areas identified in the Concept Plan for potential RE1 zoning were areas without ecological constraints but considered potentially subject to bushfire constraints,



Submission		Comment
Concept Plan shows as constrained by bushfire, significant vegetation, riparian corridors and unstable land.		and hence would function as APZs. Updated ecological assessment confirmed part of the site in the north was not constrained by significant vegetation (and therefore bushfire hence removing the need for an APZ buffer. Updated geotechnical studies also confirmed potential for development. These areas were subsequently mapped "potential developable area", with a minimum lot size of 5,000m² - suitable building envelopes to be identified at the DA stage when further studies will be required.
Request covenant specifying rural type fencing	1 community submission	Noted – WDCP 2009 fencing controls are designed to allow for (among other constructions) resident privacy.
		Fences in bush fire prone areas are to be metal or masonry construction.
No compelling case made to show that the proposed rezoning will contribute to protect the escarpment or benefit the community.	4 community submissions	The indicative subdivision plan is consistent with the recommendations of the Concept Plan. The focus on the development of the Concept Plan is the long term management of the Illawarra Escarpment and 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. The OEH has recognised the potential for net conservation gains at this site as a result of the exhibited Planning Proposal.
Concern about appropriate access to the site and safe intersection sight distances.	2 community submissions	Safe access and egress will be addressed when finalising a subdivision plan at the development application phase.
Geotechnically constrained areas	2 community submissions	The geotechnical report submitted is considered sufficient to demonstrate that the rezoning is feasible form a geotechnical perspective. Further geotechnical advice will be required to support the engineering designs for any subdivision which follows a successful rezoning
Seeking reassurance that the water board road won't become an access road for the subdivision	1 community submission	Noted – not shown on indicative subdivision plan.
Concern about acoustic impacts of the Maldon Dombarton Rail Line	1 community submission	Chapter B1 of Wollongong Development Control Plan 2009 "Residential Development" considers controls for residential development near rail corridors at the development application phase.
Planning proposal does not include supporting documentation from relevant servicing authorities in relation to water, sewer, electricity and gas supply. Need	1 community submission	Input from relevant authorities sought during preliminary notification, and included in report to Council. Authorities notified of public exhibition for additional feedback.



Submission		Comment
for buffer for power easement		Potential easements will be taken into consideration in the finalisation of the subdivision plan.
Object to inclusion of paper road in Planning Proposal – seek to retain current RU2 zone to protect rights with respect to long term use of the land	Land owner	Noted – the Planning Proposal would result in an isolated 10 metre wide paper road zoned RU2 – it is recommended that the paper road be rezoned to E3 to be consistent with the adjoining Lot 106 DP 825517.
Support proposal – property values will increase, good opportunity to purchase larger blocks, not overdevelopment	1 community submission	Noted
Support enhanced public access to escarpment for recreational activities – suggest public trails linking public land to local streets and Mt Kembla Ring Track.	1 community submission	Noted

PLANNING AND POLICY IMPACT

This report 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". It specifically delivers on the following:

Community Strategic Plan		Delivery Program 2012-2017	Annual Plan 2016-17	
	Strategy	5 Year Action	Annual Deliverables	
1.6.1	Our urban environment minimizes 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.	

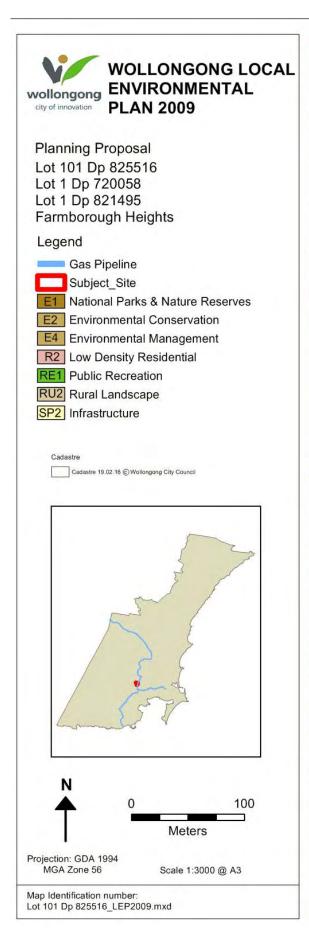
The Farmborough Heights to Mt Kembla Strategic Planning Study and resultant Concept Plan were developed in the context of relevant legislation such as the Environmental Planning and Assessment Act 1979, the Threatened Species Conservation Act 1995, the Environment Protection and Biodiversity Conservation Act 1999, and the Noxious Weeds Act 1993. Importantly the Strategic Planning Study builds on existing Council policy and studies adopted by Council to guide development in the vicinity of the escarpment, to reflect constraints of the land and community sentiment, by providing updated information. These include the Illawarra Escarpment Strategic Management Plan (2015), Illawarra Escarpment Land Use Review Strategy (2007), Wollongong DCP 2009 and the Illawarra Biodiversity Strategy (2012). The Planning Proposal is consistent with the objectives and goals of the Illawarra Shoalhaven Regional Plan (2015).

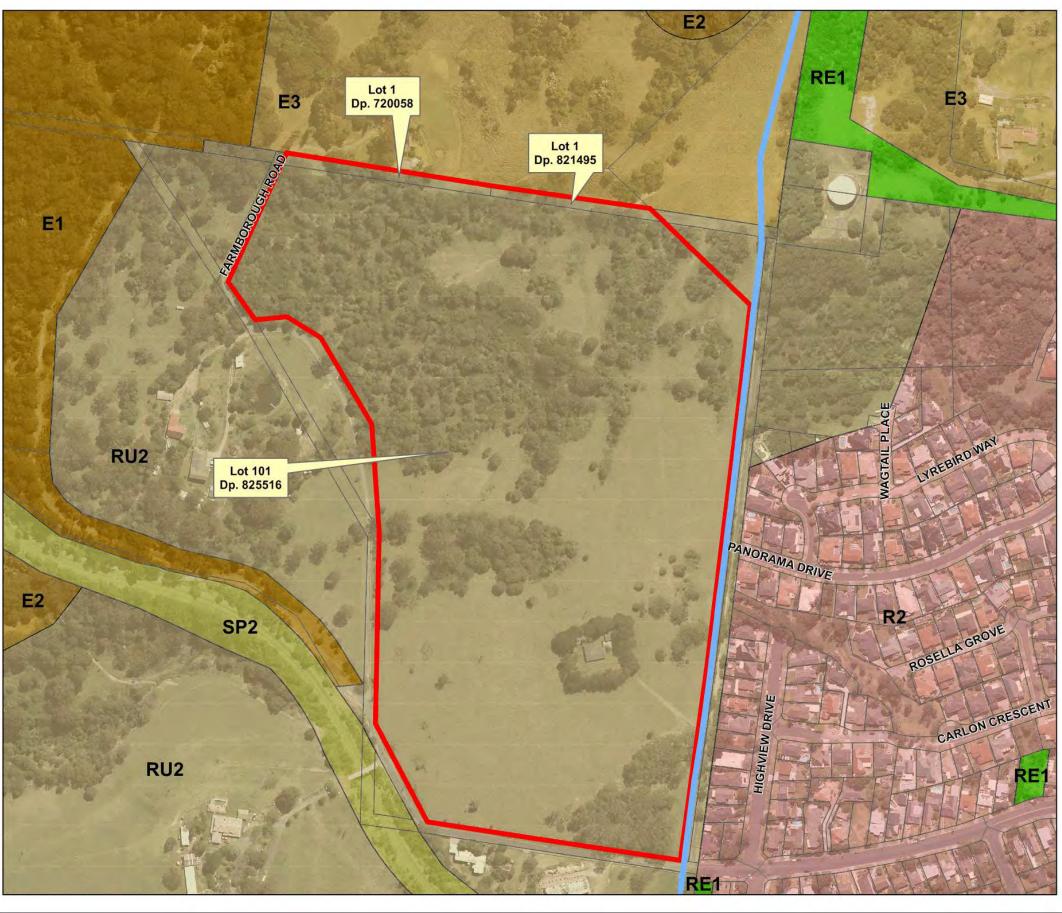
CONCLUSION

The dedication to Council with funding of ecologically constrained land in association with large lot residential development will provide a suitable development outcome for this site whilst significantly enhancing the biodiversity values of an important riparian and habitat corridor in the north west and protecting the stands of EEC in the south east of the site. The Office of Environment and Heritage has acknowledged the potential for net conservation gains at this site and supports Council ownership via dedication with funding to ensure the long term conservation and protection of the biodiversity values on the site. It is recommended that Council resolve to finalise the Planning Proposal.

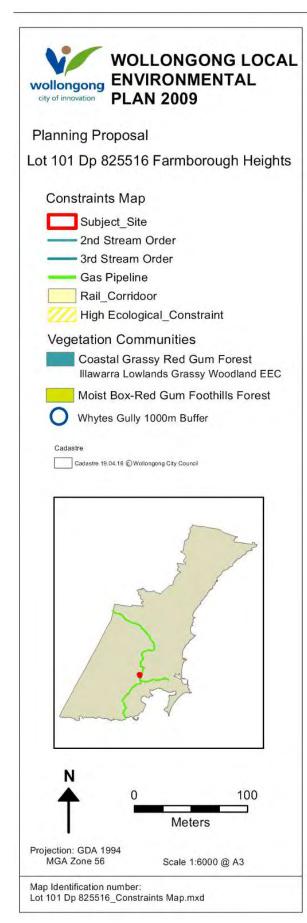
Item 1 - Attachment 1 - Site Locality Map and Current Zoning

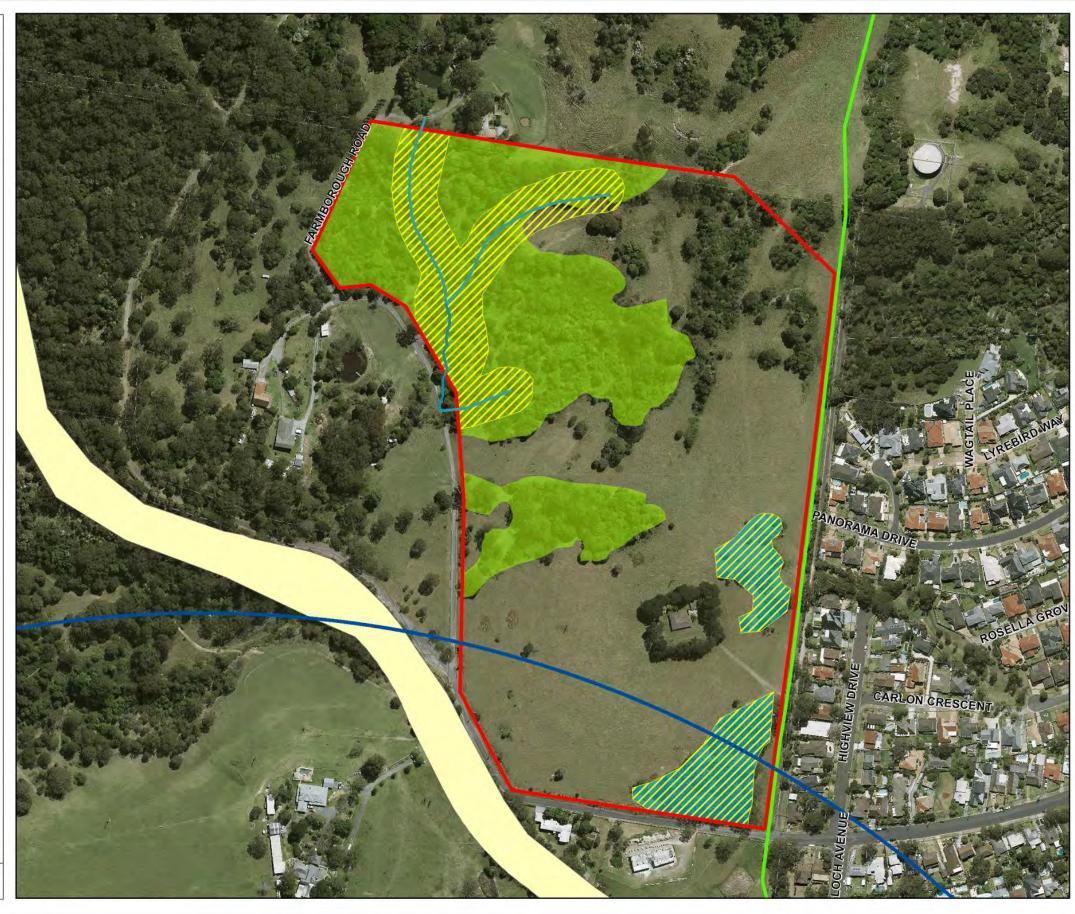
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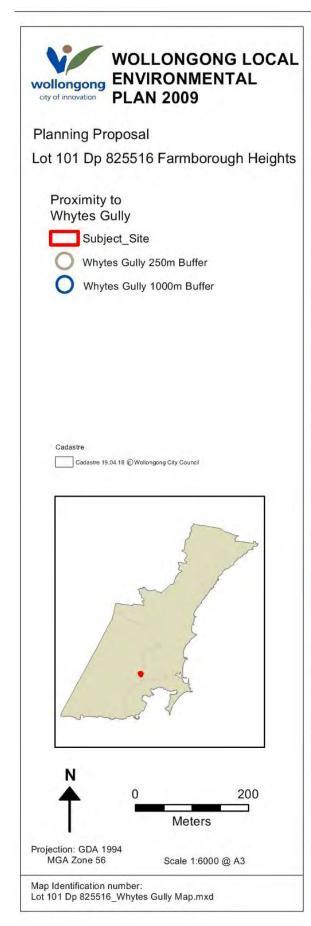


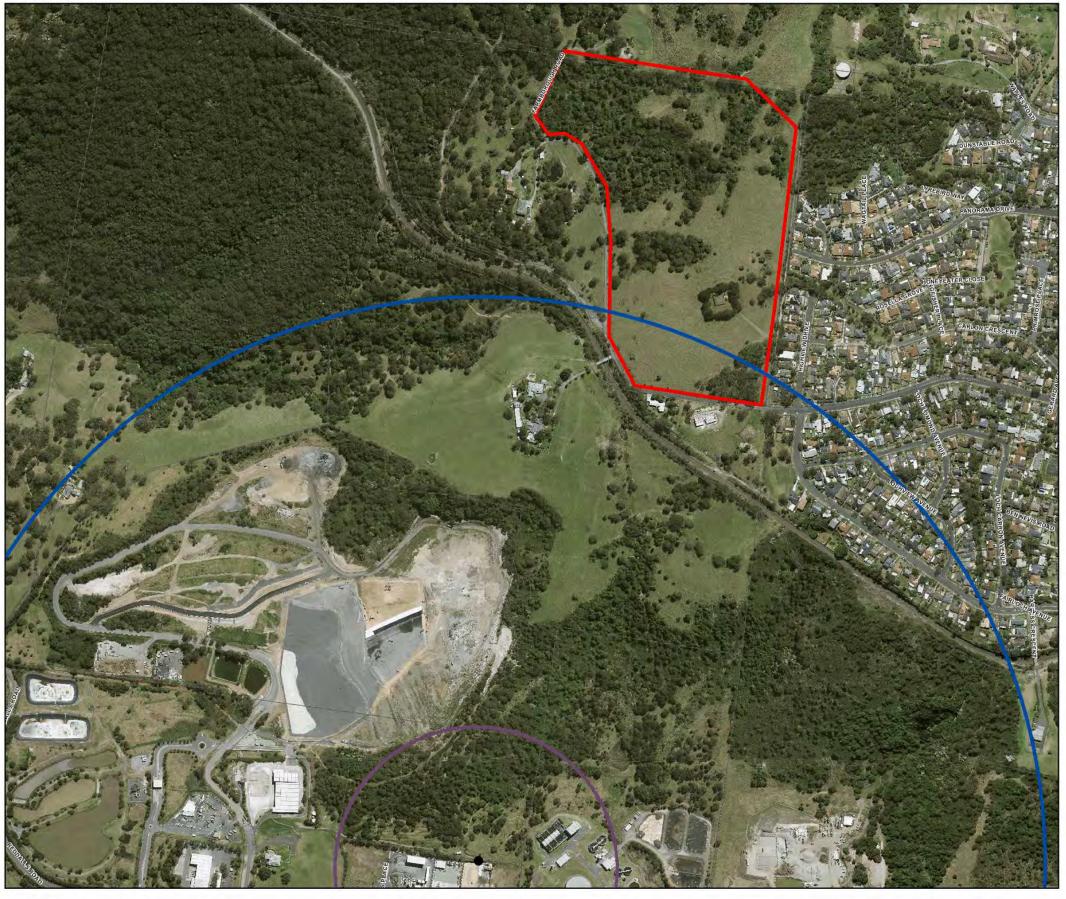
Item 1 - Attachment 2 - Constraints Maps



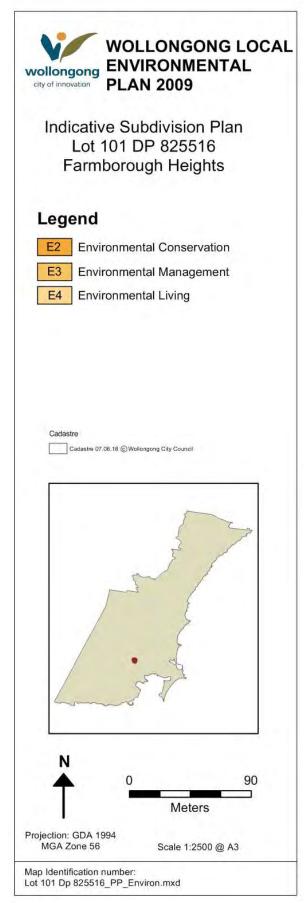


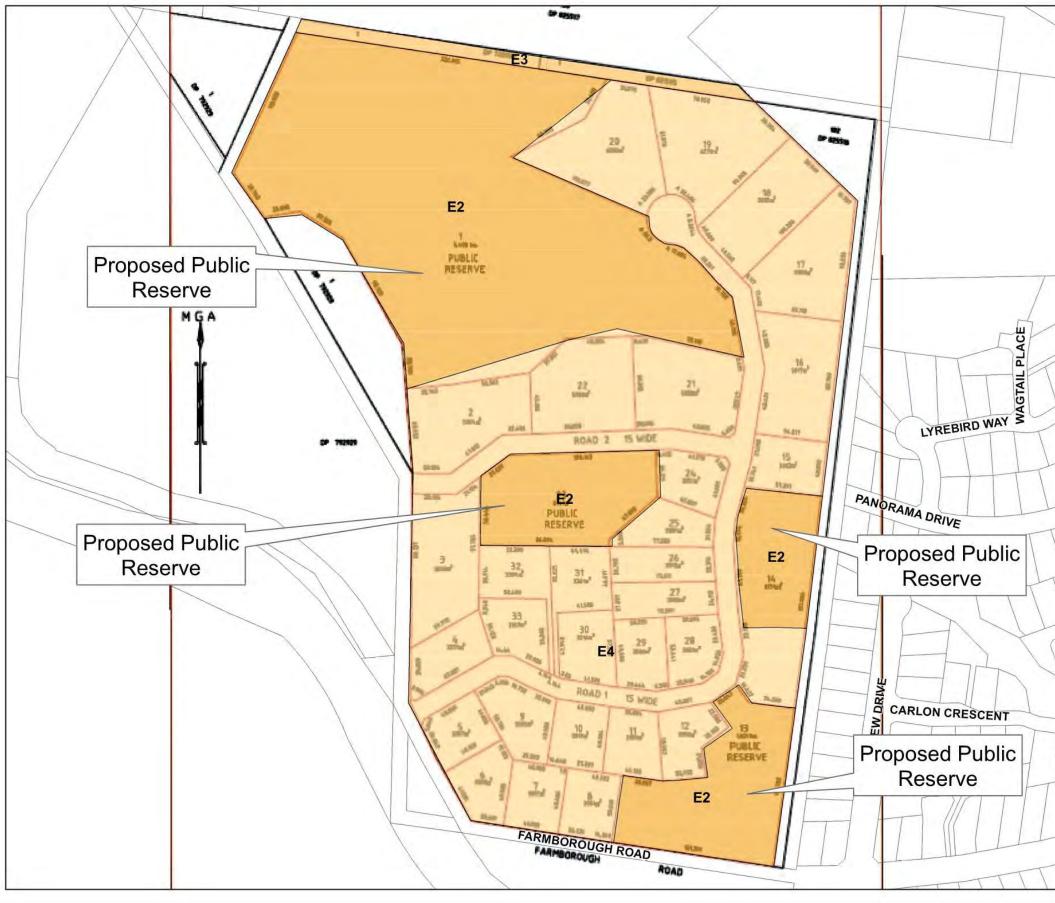






Item 1 - Attachment 3 - Indicative Subdivision Plan









Vegetation Management Plan

Item 1 - Attachment 4 - Vegetation Management Plan





Lot 101 // DP825516

Farmborough Road, Farmborough Heights, NSW

Proposed Lots 1 and 23, within a residential subdivision

Prepared for: Plannex, on behalf of Ali Yagmur

26 February 2016



Vegetation Management Plan Farmborough Road, Farmborough Heights

PROJECT NUMBER	2015-032			
PROJECT NAME	Vegetation Management Plan			
PROJECT ADDRESS	Lot 101 // DP 825516; Farmborough Road, Farmborough Heights			
PREPARED FOR	Plannex, on behalf of Ali Yagmur			
AUTHOR/S	Eilysh Thompson, Gary Leonard and Lucas McKinnon			
REVIEW	Lucas McKinnon			
VERSION	Version	Draft/Final	Date to client	
	1.0	Draft	21 February 2016	
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Vegetation Management Plan Farmborough Road, Farmborough Heights

Glossary and abbreviations

ABBR./TERM	DESCRIPTION
*	Denotes exotic species
DA	Development Application
DBH	Diameter at breast height
DCP	Development Control Plan
EP&A Act	NSW Environmental Planning and Assessment Act 1979
LEP	Local Environment Plan
LGA	Local Government Area
masl	Metres above sea level
Mm/cm/m/km	Millimetres/centimetres/metres/kilometres
TEC	Threatened ecological community, listed as vulnerable, endangered or critically endangered under either the TSC and/or EPBC Acts
TPZ	Tree Protection Zone
TSC Act	NSW Threatened Species Conservation Act 1995
VMP	Vegetation Management Plan



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Vegetation Management Plan Farmborough Road, Farmborough Heights

1. Introduction

1.1 Description of project and purpose of Vegetation Management Plan

This Vegetation Management Plan (VMP) has been prepared to accompany a Planning Proposal and Development Application (DA) for the proposed residential subdivision of Lot 101 // DP 825516, Farmborough Road, Farmborough Heights, NSW (**Figure 1.1**). This report provides management and restoration methods for the areas designated as conservation zones (proposed Lots 1 and 23), which will be dedicated and managed by Wollongong City Council (WCC). Performance criteria and monitoring indicators to assess vegetation management success are provided

This report provides approximate management costings using a modified version of the OEH Biobanking Trust Fund Deposit spreadsheet, which has removed the 'Recurring Costs' element (i.e. costs associated with Biobanking site, e.g. Annual reporting, 5 yearly review of Management Actions Template). This approach was undertaken following consultation with WCC (Brett Morrisey and Kathy Adams) and OEH (Jedda Lemmon and Daniel Robson), during a post-lodgement meeting for the Planning Proposal and subdivision DA.

1.2 Site description

1.2.1 Subject site and study area

The **study area** is defined as the whole of the proposed residential sub-division. The **subject site** includes two vegetation conservation zones, one comprising the vegetation in Lot 23 and the other in Lot 1. These vegetation conservation zones are the areas of the site that will be the subject of treatment in this VMP, and for the purposes of this report will cover the area to be reserved and managed for conservation within the proposed residential sub-division.

The study area is located approximately 9.3 kilometres (km) to the south-west of Wollongong CBD, and 1.7 kilometres (km) south-west of Unanderra Railway Station, in the Wollongong Local Government Area (LGA) (**Figure 1.2**).

A large proportion of the area proposed for subdivision development consists of grassland of both exotic and native species. These paddocks appear to be occasionally grazed with both cow, horse and deer scats found on site. The areas directly east and south of the subject site are rural residential with the area further upslope of the study area consisting of large swathes of intact Moist Coastal White Box Forest (MU9) (see NPWS 2003). There is one dwelling present within the study area, surrounded by a number of exotic trees including *Pinus radiata** (Radiata Pine) and *Cupressus sempervirens** (Mediterranean Cypress).

Several riparian corridors extend across the study area. The upper tributaries of Dapto Creek traverse the North Western parts of the study area and the headwaters of Gibsons Creek traverse the north-eastern extremities of the study area.

Regional vegetation mapping undertaken by NPWS (2003), has mapped three main vegetation types within the site. There are two patches of Coastal Grassy Red Gum Forest (MU23) mapped



Vegetation Management Plan Farmborough Road, Farmborough Heights

in the south eastern portion of the subject site, with one other patch to the west. The vegetation patches further upslope in the western portion of the subject site have been classified as Acacia Scrub (MU56a). The remaining patches of vegetation toward the northern end of the subject site have been classified as Weeds and Exotics (MU56c). Field validation of this mapping associated with this study and an Ecological Constraints Assessment (Ecoplanning 2015) confirmed the occurrence of MU23, but a number of native species were recorded within the MU56 patches, including mature trees which form components of Moist Box-Red Gum Foothills Forest (MU 13) (Figure 1.3).

The topography of Lots 1 and 23 are gently to gradually inclined. The aspect of Lot 1 is westerly and the aspect of Lot 23 is westerly to south-westerly. Creeklines flow downslope through both Lots to a private access road, adjacent to the western boundary of the study area. Both creeklines enter culverts, to flow beneath this access road.

Regional-scale soil mapping of Soil Landscape Groups by Hazelton and Tille (1990) indicates the occurrence of soils derived from the Gwynneville Residual Group. Soils of the Gwynneville Group are derived from the Illawarra Coal Measures, and consist of "...resistant interbedded quartz-lithic sandstone, grey siltstone and claystone, carbonaceous claystone, clay and laminate..." (Hazelton and Tille 1990)



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Figure 1.1: Study Area, including Lots 1 and 23 (the subject site).



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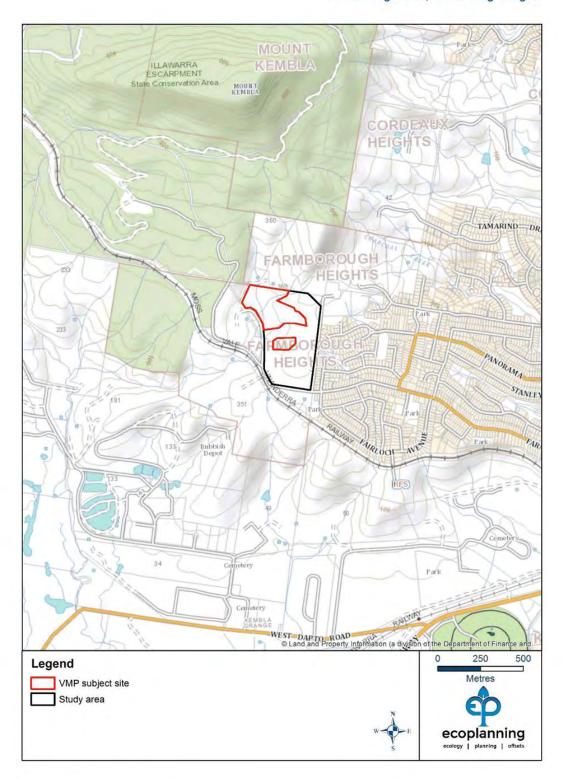


Figure 1.2: Regional context.



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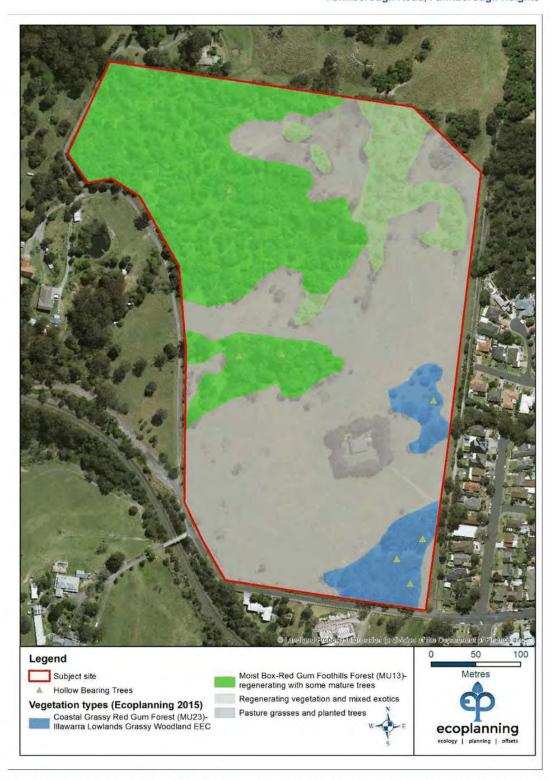


Figure 1.3: Vegetation in the study area following field validation of NPWS (2003) regional vegetation mapping.



Site assessment

2.1 Methods

Flora surveys of the study area have been undertaken over a number of survey events to document native, exotic and introduced flora and fauna species. The initial survey of the study site was conducted by Lucas McKinnon (Principle Ecologist) and Gary Leonard (Arborist and Senior Botanist), 11 June 2015. During this survey all vegetation patches were assessed, to determine their location and extent, and to confirm their structure and floristics. Further searches were conducted to investigate the occurrence of threatened flora and fauna habitat on site and to confirm the approximate alignment of waterways.

A second survey that focused on the subject site was undertaken by Gary Leonard and Eilysh Thompson (Ecologist), 13 January 2016. This survey of the subject site focussed on identifying specific management issues, including levels of weed infestation, potential revegetation areas, proposed water infrastructure locations and specific trees designated for retention/removal.

Exotic species are identified as weeds within the subject site where they are:

- Weeds listed as noxious under the NSW Noxious Weeds Act 1993
- Weeds of National Significance (WoNS) (<u>www.wons.org.au</u>)
- Environmental weeds
- Not indigenous to the Wollongong LGA

Environmental weeds are those weeds not listed as either noxious or WoNS that also pose a serious threat to the environment. Non-indigenous species are those Australian native species that do not occur naturally in the Wollongong LGA, and are identified following the Flora of NSW (Harden 1993-2002) and updates provided in the PlantNET (RBGDT 2015).

2.1.1 Survey limitations

The flora survey aimed to record as many species on the subject site as possible. However, it is acknowledged that a greater number of species are likely to be detected if carried out over various seasons. Therefore, the species list collected is unlikely to be a complete inventory of species within the subject site. Nevertheless, the techniques used in this investigation are adequate to gather the data necessary to validate the plant communities and their condition onsite and to detect the occurrence of any threatened flora with the potential to occur in the available habitat.



2.2 Results

2.2.1 Plant communities

Mapping of vegetation by NPWS (2003), was found to be consistent with the results of previous flora surveys, although it is apparent that existing vegetation edges have increased, mainly as a result of self-recruitment of native species, especially *Maclura cochinchinensis* (Cockspur Thorn), *Rubus rosifolius* (Native Raspberry) and *Acacia melanoxylon* (Blackwood), as well as weed species, particularly *Lantana camara** (Lantana).

The two patches of vegetation in the south-eastern portion of the study area were confirmed to be Coastal Grassy Red Gum Forest (MU23), a component of the Illawarra Lowlands Grassy Woodland EEC. Although BES (2008) recorded one medium hollow in the corner patch, three medium hollows in two trees were recorded during the survey's (**Figure 2.1**). The understorey and midstorey of the EEC patches identified on site are degraded, most likely as a result of grazing and slashing. The canopy species representative of Coastal Grassy Red Gum Forest present within the subject site include, *Eucalyptus tereticornis* (Forest Red Gum) and *E. eugenioides* (Thin-leaved Stringybark). The occurrence of this patch is of interest because it probably occurs near the altitudinal limit for this vegetation type.

Patches of vegetation further north, especially to west (and including Lot 23) include floristic and structural features which are more consistent with the vegetation type described by NPWS (2003) as Moist Box-Red Gum Foothills Forest (MU13) (Figure 2.1). It is likely that this vegetation, in association with Lowland Dry Subtropical Rainforest (MU4) (NPWS 2002) along the creeklines, would have formed the original, pre-European vegetation cover over the higher parts of the subject site. The main canopy components of Moist Box-Red Gum Foothills Forest present at the subject site include, *E. tereticornis* and *E. quadrangulata* (Coastal Grey Box). The other species characteristic of this community, occurring within the vegetation patch included Syzygium (syn. *Acmena*) *smithii* (Lilly Pilly), *Pittosporum undulatum* (Brush Daphne) and *Streblus brunonianus* (Whalebone Tree). The main species characteristic of Lowland Dry Subtropical Rainforest present at the subject site included, *E. tereticornis*, *A. maidenii* (Maiden's Wattle), *Clerodendrum tomentosum* (Hairy Clerodendrum), *Callistemon salignus* (Willow Bottlebrush), *P. multiflorum* (Orange Thorn) and *Alectryon subcinereus* (native Quince).

The vegetation patches to the north-west (including Lot 1) appear to be an artefact of more recent regrowth, in comparison with the western patch, as there are (proportionately) less mature and over-mature Eucalypts and greater representation of weedy shrubs. BES (2008) has recorded one medium hollow in the western patch and two medium hollows in the north-western patch **Figure 2.1**.

The remaining vegetation on site consists of regenerating vegetation and mixed exotics and pasture grasses *Pennisetum clandestinum** (Kikuyu Grass), *Microlaena stipoides* subsp. *stipoides* (Weeping Grass)) and planted trees including *P. radiata**, *C. sempervirens** and *E. cinerea* (Argyll Apple). The areas of each vegetation type on site are provided in **Table 2.1**.





Figure 2.1: Validated vegetation mapping and condition class.



Table 2.1: Area of each vegetation type on subject site.

Vegetation type	Area of study area (ha)	% of study area (%)	Area Lot 1	Area Lot 23
Coastal Grassy Red Gum Forest (MU23)- Illawarra lowlands grassy woodland (EEC)	1.2	6.3	0	0
Moist Box-Red Gum Foothills Forest (MU13)- regenerating vegetation with some mature trees	6.2	33.5	4.9	0.6
Regenerating vegetation and mixed exotics	1.4	7.4	0.2	0
Pasture grasses and planted trees	9.8	52.9	0.5	0.2
Total	18.5*	100%	5.6	0.8

^{*} Note: rounding errors apply



Figure 2.2: Coastal Grassy Red Gum Woodland patch, located within proposed Lot 12.





Figure 2.3: Northern edge of Moist Box – Red Gum Forest vegetation patch in Lot 23.



Figure 2.4: Southern edge of Moist Box – Red Gum Forest vegetation patch in Lot 1.





Figure 2.5: Pine trees encircling the existing dwelling on Lot 27.



Figure 2.6: Hollow bearing tree. This specimen is located within proposed Lot 13.



2.2.2 Flora species

A total of 181 flora species were identified within the subject site during field investigations, of which 50 are exotic species (**Appendix A**). Three (3) noxious weeds listed under the NSW *Noxious Weeds Act 1993* are known within the study area (**Table 2.2**), these being *R. fruticosus** spp. agg. (Blackberry), *L. camara** (Lantana) and *Senecio madagascariensis** (Fireweed) and were recorded in the subject site.

Table 2.2. Noxious weeds and Weeds of National Significance (WONS).

Item 1 - Attachment 4 - Vegetation Management Plan

COMMON NAME	SCIENTIFIC NAME	WONS	CLASS	REQUIREMENT
Blackberry	Rubus fruticosus* spp. aggr.	Y	4	Locally controlled weed 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.
Lantana	Lantana camara*	Y	4	Locally controlled weed 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.
Fireweed	Senecio madagascariensis*	Y	4	Locally controlled weed 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.

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Vegetation Management Plan

3. Vegetation management and restoration

Vegetation management works outlined in this VMP should be implemented for the subject site and referred to if necessary for elsewhere in the study area. A suitably qualified and experienced bush regeneration contractor as per **Section 4.2** must be engaged to carry out vegetation management works.

3.1 Preliminary Works

3.1.1 Seed collection

Seed collection will be required to ensure endemic species are available for revegetation works; species identified for revegetation are outlined in **Appendix B**. All plantings should preferably be of local provenance stock collected from seed onsite however nurseries that supply endemic 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.

3.1.2 Fencing

Protective fencing will be erected consisting of treated pine or hardwood posts and loose chain. Post should be installed with 10m spacing.

3.1.3 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, revegetation and then ongoing maintenance. Weed control will include mechanical removal techniques, herbicide application and natural shading technique. Disturbance of the soil during the weed management process should be minimised at all times (see Buchanan 2000, Bradley 2002).

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. Exotic grasses can be slashed then spot-sprayed using a monocot-specific herbicide. Care must be taken to avoid spray drift into adjacent vegetated areas.



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.

Weed disposal

Weeds removed must be disposed of according to their disposal requirements being either mulched, solarised or removed off-site to a registered green waste disposal facility.

Revegetation

Plantings are required to supplement natural regeneration and self-recruitment as well as providing natural shading weed suppression of exotic pasture grasses such as, *Pennisetum clandestinum** (Kikuyu). Planting will take place in cleared areas of the site only.

Planting of tube-stock for trees and shrub species and Hiko or Viro cells for grasses and other groundcover species is the preferred method. Local provenance species are to be used for revegetation, as discussed above (**Section 3.1**). Planting should be done via a low impact method such as hand digging or hand auger. The holes dug for each tubestock should be at least 1.5x the width and 2x the depth of the rootball. Fertiliser and wetting agent should be added to each hole dug as per the label specifications. Revegetation plantings should follow primary weed control.

Plantings should be planned for spring or autumn when regular rainfall is naturally occurring however irrigation will be required if rainfall does not occur within a 5-day period. Irrigation should continue *in lieu* of rainfall for a period of 6 weeks or until plantings have taken, in order to improve seedling survival plan for plantings prior to small rainfall events.

It is likely that tree guards will be required, for protection against small grazing animals. If, however, deer are active in the area, there may be a need to install electric fencing.

Any mulch that is generated on the site as a result of tree removal should be used within vegetation management areas improve soil health.

Natural shading

Natural shading is the technique of promoting canopy growth over a broad area to reduce the UV light penetration reaching the groundcover species therefore impeding light dependant exotic flora growth. This technique is a long-term solution and generally needs to be implemented with a supplementary control measure.

3.3 Vegetation Management Zones

Item 1 - Attachment 4 - Vegetation Management Plan

The subject site can be divided into two distinct vegetation management zones, each comprising specific vegetation management measures. The two zones include:

- Zone 1 Lot 1
- Zone 2 Lot 23

Revegetation planting for each zone should be selected from the planting schedule in **Appendix B** (summarised below) and follow the planting density guide outlined in **Table 3.1**.

Table 3.1: Planting density table for revegetation works

Zones /	Area	Den	Annyov total*	
Treatment area	(m²)	Shrubs	Trees	Approx. total*
1. Lot 1	6,500	1 / 6 m ²	1 / 10 m ²	1,100 shrubs 650 trees
2. Lot 23	1,500	1 / 6 m ²	1 / 10 m ²	250 shrubs
2. LOI 23		170111-	17 10 111	150 trees

^{*} Note these total are estimates and actual numbers may vary subject to site evaluation at time of implementation

Zone 1 – Moist Box-Red Gum Foothills Forest; Lot 1

Lot 1 which covers an area of approximately 5.6 ha, will be established as a conservation zone, to be eventually managed by Wollongong City Council. Lot 1 occupies the north-western corner of the study area and mainly includes vegetation patches of various regenerating ages, as well as some areas of grassland, in which regeneration may be inhibited by deer grazing. Overmature trees are rare in this patch, although at least one hollow-bearing tree occurs. The suite of regenerating species is consistent with Moist Box-Red Gum Foothills Forest, although invasive exotic shrub, forb and climber species are also common. The edge in some areas mainly consists of invasive species, especially Lantana, Privet and Blackberry, while other sections of edge contain dense patches of typical indigenous pioneer shrub and climber species, especially Cockspur Thorn, Whalebone Tree and Brush Daphne. Weed management and revegetation techniques will be used to enhance the existing condition of this area to replicate the structure and diversity of areas of patches of Moist Box-Red Gum Foothills Forest adjacent to the study area.

A localised site assessment will first be undertaken to determine areas of exotic infestations and areas of high native resilience, specific management measures according to condition status will then be implemented. Areas of high weed infestation will undergo primary weed control using methods suitable to the weeds present. For large areas of exotic grasses, initial slashing and broad-scale herbicide application should be undertaken. Subsequently, areas of medium to low weed infestation should undergo primary weed control requiring a targeted approach to ensure native resilience in not compromised.

Following completion of primary weed control, revegetation plantings must be carried out at the density outlined in **Table 3.1** and with species selected from the planting schedule detailed in **Table 3.2** and/or **Appendix B**, to reflect natural community structure and provide a shrub



stratum allowing refuge and foraging habitat for small insectivorous birds. Revegetation plantings will be focused in the cleared areas and areas of high weed infestation to inhibit regrowth of exotic species and encourage recolonisation of native flora.

Regeneration within this zone will provide ongoing management of exotic grass species by providing natural shading as the community structure develops.

Secondary weed control and ongoing weed management will include targeted spot spraying and slashing of any broad scale exotic grass regrowth.

Table 3.2: Suggested planting schedule Zone 1 – Lot 1.

Genus	Species	Quantity
Acacia	mearnsii	35
Acacia	implexa	35
Alphitonia	excelsa	
Eucalyptus	quadrangulata	50
Melaleuca	styphelioides	50
Eucalyptus	tereticornis	50
Backhousia	myrtifolia	600
Myrsine	variabilis	600
Syzygium	smithii	2,000
Gymnostachys	anceps	2,000
Elaeodendron	australe	
Clerodendrum	tomentosum	
Croton	verreauxii	2,000
Oplismenus	aemulus	2,000

^{*} Where unavailable (refer to **Appendix B** for appropriate species.

Zone 2 – Moist Box-Red Gum Foothills Forest; Lot 23

The vegetation in Lot 23 contains a similar suite of species to that in Lot 1, although there are, proportionately, a greater number of mature and over-mature trees. The vegetation follows a creekline and is more-or-less complete and continuous, following the full extent of Lot 23 and extending downslope into Lots 2 and 3. Weed species are common, both along the edges as well as in the creekline, but, in comparison with Lot 1, weed management and assisted revegetation will be less labour-intensive, with more obvious short-term responses.



Table 3.3: Suggested planting schedule Zone 2 – Lot 23.

Item 1 - Attachment 4 - Vegetation Management Plan

Genus	Species	Quantity
Acacia	meamsii	35
Acacia	implexa	35
Alphitonia	excelsa	
Eucalyptus	quadrangulata	50
Melaleuca	styphelioides	50
Eucalyptus	tereticornis	50
Backhousia	myrtifolia	600
Myrsine	variabilis	600
Syzygium	smithii	2,000
Gymnostachys	anceps	2,000
Elaeodendron	australe	
Clerodendrum	tomentosum	
Croton	verreauxii	2,000
Oplismenus	aemulus	2,000

^{*} Where unavailable (refer to **Appendix B** for appropriate species.





Figure 3.1: Vegetation management zones.



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3.4 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. Planning must ensure that vegetation management works are programmed to follow the completion of the OSD and bio-retention area to ensure revegetation works are not compromised.

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.

3.5 Maintenance

The maintenance phase must continue for in-perpetuity and include inspections of each vegetation management zone and then subsequent weed removal of any newly identified or reoccurring areas of weed growth. 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 and/or treatment of weeds; and
- Slashing of open exotic grass areas.

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.



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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 be the responsibility of the bush regeneration contractor. The performance criteria listed in the table below are considered to be best practice and are not linked with any specific legislation. The bush regeneration contractor or WCC bush regeneration staff can adapt these criteria as required in response to the success of rehabilitation works. The performance criteria are outlined in **Table 4.1**.

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 following end of establishment phase.

Treatment Zones	Year 1	Year 2	Year 3					
All Zones	Commencement of all ta their implementation.	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 in exotic cover and diversity by the end of the 3 rd year. A minimum of 85% survival rate of all revegetation.							
Zone 1 – Lot 1	Proportion of exotic groundcover, grasses and understorey species cover no greater than 80%.	Proportion of exotic groundcover, grasses and understorey species cover no greater than 40%.	Proportion of exotic groundcover, grasses and understorey species cover no greater than 10%.					
Zone 2 – Lot 23	Minimum native vegetation groundcover no less than 30% of zone.	Minimum native vegetation groundcover no less than 50% of zone.	Minimum native vegetation groundcover no less than 90% of zone.					

4.2 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 (2000).

A flexible approach to this site is recommended as is consistent with adaptive management and allows the contractor to develop and build on site knowledge whilst implementing this VMP.



4.3 Monitoring reports

The bush regeneration contractor will monitor the vegetation during the monitoring phase. 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 bush regeneration contractor and WCC.

Short and long term monitoring 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.

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.



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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		
(Litres)		
Other		
Describe relevant weed management		
techniques:		
Describe problems;		
e.g. weed invasions,		
damage to planted material, etc.:		
material, etcir		
Photographic		
evidence:		
Planned work before next monitoring		
report:		



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Appendix A: Flora inventory and revegetation species

Family	Genus	Species	Common Name	Native/Exotic	Туре	Zone 1	Zone 2
Acanthaceae	Brunoniella	australis	Blue Trumpet	Native	Herb	u	u
	Pseuderanthemum	variabile	Pastel Flower	Native	Herb	u	u
Adiantaceae	Adiantum	aethiopicum	Maidenhair Fern	Native	Fern	u	u
	Adiantum	formosum	Giant Maidenhair Fern	Native	Fern	u	0
	Cheilanthes	sieberi	Poison Rock Fern	Native	Fern	0	u
	Pellaea	falcata	Sickle Fern	Native	Fern	0	0
Amaranthaceae	Alternanthera	denticulata	Lesser Joyweed	Native	Herb		u
	Nyssanthes	erecta		Native	Herb		u
Apiaceae	Centella	asiatica	Indian Pennywort	Native	Herb	0	0
	Hydrocotyle	peduncularis	Pennywort	Native	Herb	0	u
Apocynaceae	Araujia	sericifera	Mothvine	Exotic	Vine	u	u
	Parsonsia	straminea	Common Silkpod	Native	Vine	u	u
Araceae	Gymnostachys	anceps	Settlers Flax	Native	Herb		0
Arecaceae	Livistona	australis	Cabbage Palm	Native	Tree	u	u
Asclepiadaceae	Gomphocarpus	fruticosus	Narrow-leaved Cotton Bush	Exotic	Shrub	u	u
	Gomphocarpus	physocarpus	Balloon Cotton Bush	Exotic	Shrub	u	u
	Marsdenia	suaveolens	Scented Marsdenia	Native	Shrub		u
	Tylophora	barbata	Bearded Tylophora	Native	Vine	u	u
Asparagaceae	Asparagus	aethiopicus	Asparagus Fern	Exotic	Shrub	u	u



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Family	Genus	Species	Common Name	Native/Exotic	Туре	Zone 1	Zone 2
	Asparagus	plumosus	Climbing Asparagus	Exotic	Climber	u	
Asteraceae	Ageratina	adenophora	Crofton Weed	Exotic	Shrub	0	0
	Cirsium	vulgare	Spear Thistle	Exotic	Herb	u	u
	Conyza	bonariensis	Flaxleaf Fleabane	Exotic	Herb	u	u
	Conyza	sumatrensis	Tall Fleabane	Exotic	Herb	u	u
	Delairea	odorata	Cape Ivy	Exotic	Herb	u	
	Hypochaeris	radicata	Cat'sear	Exotic	Herb	u	u
	Senecio	madagascariensis	Fireweed	Exotic	Herb	u	u
	Tagetes	minuta	Stinking Roger	Exotic	Herb	u	
	Taraxacum	offinale	Dandelion	Exotic	Herb	u	u
	Bidens	pilosa	Cobbler's Pegs	Native	Herb	u	u
	Euchiton	sphaericus	Cudweed	Native	Herb	u	u
	Sigesbeckia	orientalis subsp.	Indian Weed	Native	Herb	0	0
Bignoniaceae	Pandorea	pandorana subsp. pandorana	Wonga Wonga Vine	Native	Vine	u	u
Blechnaceae	Doodia	aspera	Rasp Fern	Native	Fern	u	u
Campanulaceae	Wahlenbergia	gracilis	Native Bluebell	Native	Herb	u	u
Caryophyllaceae	Stellaria	pungens	Prickly Starwort	Native	Herb	u	0
Casuarinaceae	Casuarina	glauca	Swamp Oak	Native	Tree		
Celastraceae	Celastrus	australis	Staff Vine	Native	Vine	u	u
	Elaeodendron	australe	Red-fruited Olive- plum	Native	Shrub/tree	u	0
Chenopodiaceae	Einadia	hastata	Saloop	Native	Herb	u	u
Clusiaceae	Hypericum	gramineum	Small St John's Wort	Native	Herb	u	u



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Vegetation Management Plan Farmborough Road, Farmborough Heights

Family	Genus	Species	Common Name	Native/Exotic	Туре	Zone 1	Zone 2
Commelinaceae	Tradescantia	fluminensis	Wandering Jew	Exotic	Herb	0	0
	Commelina	cyanea	Scurvy Weed	Native	Herb	0	0
Convolvulaceae	Dichondra	repens	Kidney Weed	Native	Herb	0	0
Cupressaceae	Cupressus	sempervirens	Mediterranean Cypress	Exotic	Tree		
Cyperaceae	Cyperus	eragrostis		Exotic	Sedge	u	u
	Carex	appressa	Tall Sedge	Native	Sedge	0	0
	Carex	longebrachiata	Drooping Sedge	Native	Sedge	С	С
	Cyathochaeta	diandra	Sheath Rush	Native	Sedge		u
	Cyperus	brevifolius	Mullumbimby Couch	Native	Herb	u	u
	Cyperus	gracilis		Native	Herb		u
	Gahnia	clarkei	Tall Saw-sedge	Native	Sedge	u	u
Dennstaedtiaceae	Pteridium	esculentum	Bracken	Native	Fern	0	0
Dicksoniaceae	Calochlaena	dubia	Common Ground Fern	Native	Fern	u	0
Dilleniaceae	Hibbertia	scandens	Climbing Guinea Flower	Native	Vine	0	0
Ebenaceae	Diospyros	australis	Black Plum	Native	Shrub/tree	u	u
Euphorbiaceae sens. str.	Claoxylon	australe	Brittleweed	Native	Shrub/tree	u	0
Fabaceae - Caesalpinoideae	Senna	pendula var. glabrata	Cassia	Exotic	Shrub	u	u
Fabaceae -	Trifolium	repens	White Clover	Exotic	Herb	0	u
Faboideae	Desmodium	varians	Desmodium	Native	Herb	u	u
	Glycine	clandestina	Twining Glycine	Native	Vine	u	u
	Glycine	tabacina	Variable Glycine	Native	Vine	u	u



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Vegetation Management Plan Farmborough Road, Farmborough Heights

Family	Genus	Species	Common Name	Native/Exotic	Туре	Zone 1	Zone 2
	Hardenbergia	violacea	Purple Twining Pea	Native	Vine	u	u
Fabaceae -	Acacia	implexa	Hickory	Native	Tree	0	0
Mimosoideae	Acacia	maidenii	Maiden's Wattle	Native	Tree	С	С
	Acacia	mearnsii	Mearns' Wattle	Native	Tree	С	С
	Acacia	melanoxylon	Sickle Wattle	Native	Tree	С	С
Gentianaceae	Centaurium	erythaea	Centaury	Exotic	Herb	u	u
Geraniaceae	Geranium	solanderi var. solanderi	Australian Cranesbill	Native	Herb	u	u
Juncaceae	Juncus	cognatus		Exotic	Sedge	u	
	Juncus	continuus		Native	Sedge		u
	Juncus	usitatus	Common Rush	Native	Sedge	0	0
Lamiaceae	Clerodendrum	tomentosum	Hairy Clerodendrum	Native	Shrub/tree	С	С
	Plectranthus	parviflorus	Cockspur Flower	Native	Shrub	u	u
Lauraceae	Cryptocarya	microneura	Murrogun	Native	Tree	0	0
Lindsaeaceae	Lindsaea	linearis	Screw Fern	Native	Fern	u	u
Lobeliaceae	Pratia	purpurascens	White root	Native	Herb	0	0
Lomandraceae	Lomandra	longifolia	Spiny-headed Mat-rush	Native	Sedge	u	u
Loranthaceae	Muellerina	eucalyptoides		Native	Shrub		u
Malacea	Cotoneaster	pannosus		Exotic	Shrub	u	
Malvaceae sens lat.	Malva	parviflora	Small-flowered Mallow	Exotic	Herb	u	u
	Modiola	caroliniana	Red-flowered Mallow	Exotic	Herb	u	u
	Sida	rhombifolia	Paddy's Lucerne	Exotic	Shrub	0	0
	Sida	corrugata	Variable Sida	Native	Shrub	u	u



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Vegetation Management Plan Farmborough Road, Farmborough Heights

Family	Genus	Species	Common Name	Native/Exotic	Туре	Zone 1	Zone 2
Meliaceae	Melia	azedarach	White Cedar	Native	Tree	0	0
Moraceae	Morus	alba	White Mulberry	Exotic	Shrub/tree	u	
	Ficus	coronata	Sandpaper Fig	Native	Shrub/tree	0	0
	Maclura	cochinchinensis	Cockspur Thorn	Native	Shrub	С	С
	Streblus	brunonianus	Whalebone Tree	Native	Shrub/tree	С	С
Myrtaceae	Leptospermum	petersonii	Lemon-scented Teatree	Native	Shrub/tree		
	Acmena	smithii	Lilly Pilly	Native	Shrub/tree	u	0
	Callistemon	citrinus	Crimson bottlebrush	Native	Shrub	u	
	Callistemon	salignus	Willow Bottlebrush	native	Shrub/tree	0	0
	Eucalyptus	cinerea	Argyle Apple	Native	Tree		
	Eucalyptus	eugenioides	Thin-leaved Stringybark	Native	Tree	u	0
	Eucalyptus	quadrangulata	Coast Grey Box	Native	Tree	0	С
	Eucalyptus	tereticornis	Forest Redgum	Native	Tree	С	С
	Melaleuca	decora		Native	Shrub/tree	0	u
	Melaleuca	styphelioides	Prickly-leaved Paperbark	Native	Shrub/tree	С	0
	Syzygium	paniculatum	Magenta Lillypilly	Native	Shrub/tree		
Ochnaceae	Ochna	serrulata	Mickey Mouse Plant	Exotic	Shrub	u	u
Oleaceae	Ligustrum	lucidum	Large-leaved Privet	Exotic	Shrub/tree	0	0
	Ligustrum	sinense	Small-leaved Privet	Exotic	Shrub/tree	0	0





Vegetation Management Plan Farmborough Road, Farmborough Heights

Family	Genus	Species	Common Name	Native/Exotic	Туре	Zone 1	Zone 2
	Olea	europaea subsp. cuspidata	African Olive	Exotic	Tree	u	u
	Notelaea	longifolia forma intermedia	Native Olive	Native	shrub/tree	u	u
	Notelaea	longifolia forma longifolia	Native Olive	Native	shrub/tree	u	0
	Notelaea	venosa	Smooth Native Olive	Native	Shrub/tree	u	u
Oxalidaceae	Oxalis	corniculata	Yellow Wood- sorrel	Exotic	Herb	u	u
	Oxalis	perennans		Native	Herb		u
Phormiaceae	Dianella	caerulea var. producta	Paroo Lily	Native	Herb	u	u
Phyllanthaceae	Breynia	oblongifolia	Coffee Bush	Native	Shrub	0	0
	Glochidion	ferdinandi var. ferdinandi	Smooth Cheesetree	Native	Shrub/tree	0	С
	Phyllanthus	hirtellus	Thyme Spurge	Native	Herb	0	0
Pinaceae	Pinus	radiata	Monterey Pine	Exotic	Tree		
Pittosporaceae	Billardiera	scandens	Blackthorn	Native	Shrub	u	u
	Pittosporum	multiflorum	Orange Thorn	Native	Shrub	0	0
	Pittosporum	revolutum	Rough-fruited Pittosporum	Native	Shrub	0	0
	Pittosporum	undulatum	Brush Daphne	Native	Shrub/tree	С	С
Plantaginaceae	Plantago	lanceolata	Lamb's Tongues	Exotic	Herb	u	u
Poaceae	Axonopus	fissifolius	Carpet Grass	Exotic	Grass	0	0
	Bromus	catharticus	Prairie Grass	Exotic	Grass	0	0
	Digitaria	ciliaris	Summer Grass	Exotic	Grass	u	u





Vegetation Management Plan Farmborough Road, Farmborough Heights

Family	Genus	Species	Common Name	Native/Exotic	Туре	Zone 1	Zone 2
	Lolium	perenne	Perennial Ryegrass	Exotic	Grass	u	u
	Paspalum	dilatatum	Paspalum	Exotic	Grass	С	0
	Pennisetum	clandestinum	Kikuyu Grass	Exotic	Grass	С	С
	Setaria	gracilis	Slender Pigeon Grass	Exotic	Grass	u	u
	Anisopogon	avenaceus	Oat Speargrass	Native	Grass	u	u
	Aristida	ramosa	Three-awn Spear- grass	Native	Grass	u	u
	Bothriochloa	macra	Redleg Grass	Native	Grass		u
	Chloris	divaricata	Windmill Grass	Native	Grass		u
	Cynodon	dactylon	Couch	Native	Grass	С	С
	Dichelachne	micrantha	Shorthair Plumegrass	Native	Grass	0	0
	Digitaria	diffusa	Summer Grass	Native	Grass		u
	Echinopogon	caespitosus var. caespitosus	Tufted Hedgehog Grass	Native	Grass	u	u
	Echinopogon	ovatus	Forest Hedgehog Grass	Native	Grass	u	u
	Entolasia	stricta var. B	Wiry Panic	Native	Grass	u	u
	Eragrostis	brownii	Brown's Lovegrass	Native	Grass	u	u
	Eragrostis	leptostachya	Paddock Lovegrass	Native	Grass	u	u
	Imperata	cylindrica var. major	Blady Grass	Native	Grass	0	0
	Microlaena	stipoides var. stipoides	Weeping Grass	Native	Grass	С	С
	Oplismenus	aemulus	Basket Grass	Native	Grass	С	С



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Vegetation Management Plan Farmborough Road, Farmborough Heights

Family	Genus	Species	Common Name	Native/Exotic	Туре	Zone 1	Zone 2
	Oplismenus	imbecillis	Basket Grass	Native	Grass	0	0
	Panicum	simile	Two colour Panic	Native	Grass		u
	Poa	affinis	Proliferous Tussock Grass	Native	Grass		u
	Poa	labillardieri var. labillardieri	Tussock Grass	Native	Grass	u	u
	Rytidosperma	tenuius	Wallaby Grass	Native	Grass	u	u
	Themeda	australis	Kangaroo Grass	Native	Grass	u	u
Polygonaceae	Rumex	crispus	Curled Dock	Exotic	Herb	u	
	Persicaria	decipiens	Slender Knotweed	Native	Herb	u	
	Rumex	brownii	Swamp dock	Native	Herb	u	
Primulaceae	Anagallis	arvensis	Scarlet Pimpernel	Exotic	Herb	u	u
	Myrsine	howittiana	Brush Muttonwood	Native	Shrub/tree	u	0
	Myrsine	variabilis	Muttonwood	Native	Shrub/tree	u	u
Proteaceae	Banksia	integrifolia	Coast Banksia	Native	Tree		
Rhamnaceae	Alphitonia	excelsa	Red Ash	Native	Tree	u	0
Rosaceae	Rubus	anglocandicans	Blackberry	Exotic	Shrub	u	u
	Rubus	moluccanus var. triloba	Molucca bramble	Native	Shrub	0	0
	Rubus	parvifolius	Native Raspberry	Native	Shrub	u	u
	Rubus	rosifolius	Native Raspberry	Native	Shrub	u	u
Rubiaceae	Asperula	conferta	Common Woodruff	Native	Herb		u
	Galium	binifolium	Bedstraw	Native	Herb		u
	Opercularia	diphylla	Stinkweed	Native	Herb	u	u
Rutaceae	Zieria	smithii	Sandfly Zieria	Native	Shrub	u	u



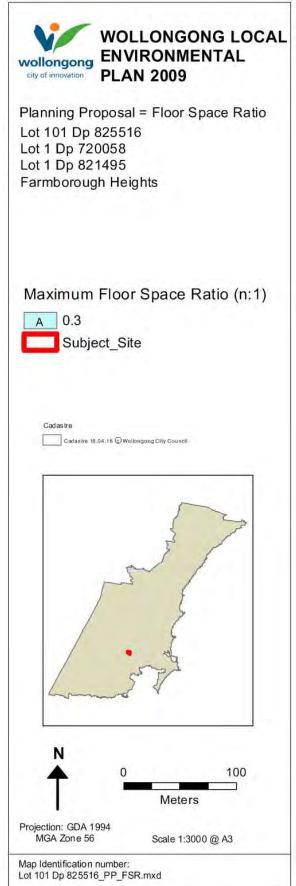
57



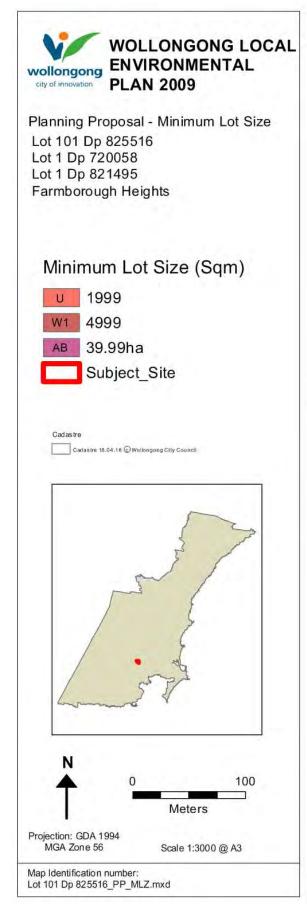
Vegetation Management Plan Farmborough Road, Farmborough Heights

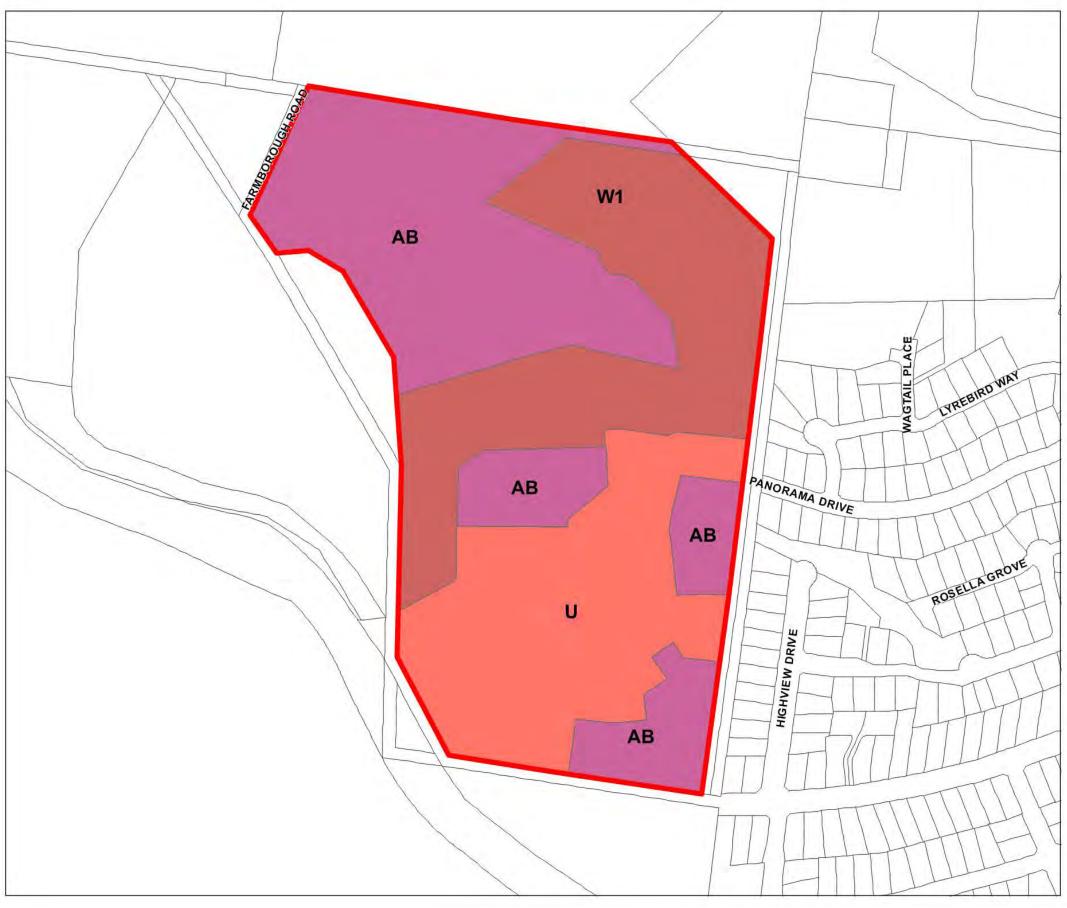
Family	Genus	Species	Common Name	Native/Exotic	Туре	Zone 1	Zone 2
Sapindaceae	Alectryon	subcinereus	Native Quince	Native	shrub/tree	u	0
Scrophulariaceae	Veronica	plebeia	Creeping Speedwell	Native	Herb	u	u
Smilacaceae	Eustrephus	latifolius	Wombat Berry	Native	Vine	0	0
	Geitonoplesium	cymosum	Scrambling Lily	Native	Vine	0	0
Solanaceae	Solanum	mauritianum	Wild Tobacco	Exotic	Shrub/tree	u	u
	Solanum	nigrum	Black-berry Nightshade	Exotic	Herb	u	u
	Solanum	pseudocapsicum	Jerusalem Cherry	Exotic	Shrub	u	u
	Solanum	prinophyllum	Forest Nightshade	Native	Herb	u	u
Thymelaeaceae	Pimelea	linifolia subsp. linifolia	Slender Rice- flower	Native	Herb	u	u
Verbenaceae	Duranta	erecta	Sky Flower	Exotic	Shrub		
	Lantana	camara	Lantana	Exotic	Shrub	0	0
	Verbena	bonariensis	Purple top	Exotic	Herb	u	u
	Verbena	rigida	Veined Verbena	Exotic	Herb		u
Violaceae	Melicytus	dentatus	Tree Violet	Native	Shrub		u
	Viola	hederacea	Native Violet	Native	Herb	u	u
Vitaceae	Cayratia	clematidea	Slender Grape	Native	Vine	u	u
	Cissus	antarctica	Water Vine	Native	Vine		u













WOLLONGONG LOCAL **ENVIRONMENTAL PLAN 2009**

Planning Proposal Proposed Changes to Natural Resource Sensitivity Map Lot 101 Dp 825516 Lot 1 Dp 720058 Lot 1 Dp 821495 Farmborough Heights

Legend

Subject_Site

Add

Existing

Remove

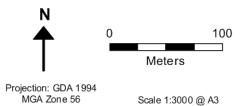
E2 Environmental Conservation

E3 Environmental Management

E4 Environmental Living

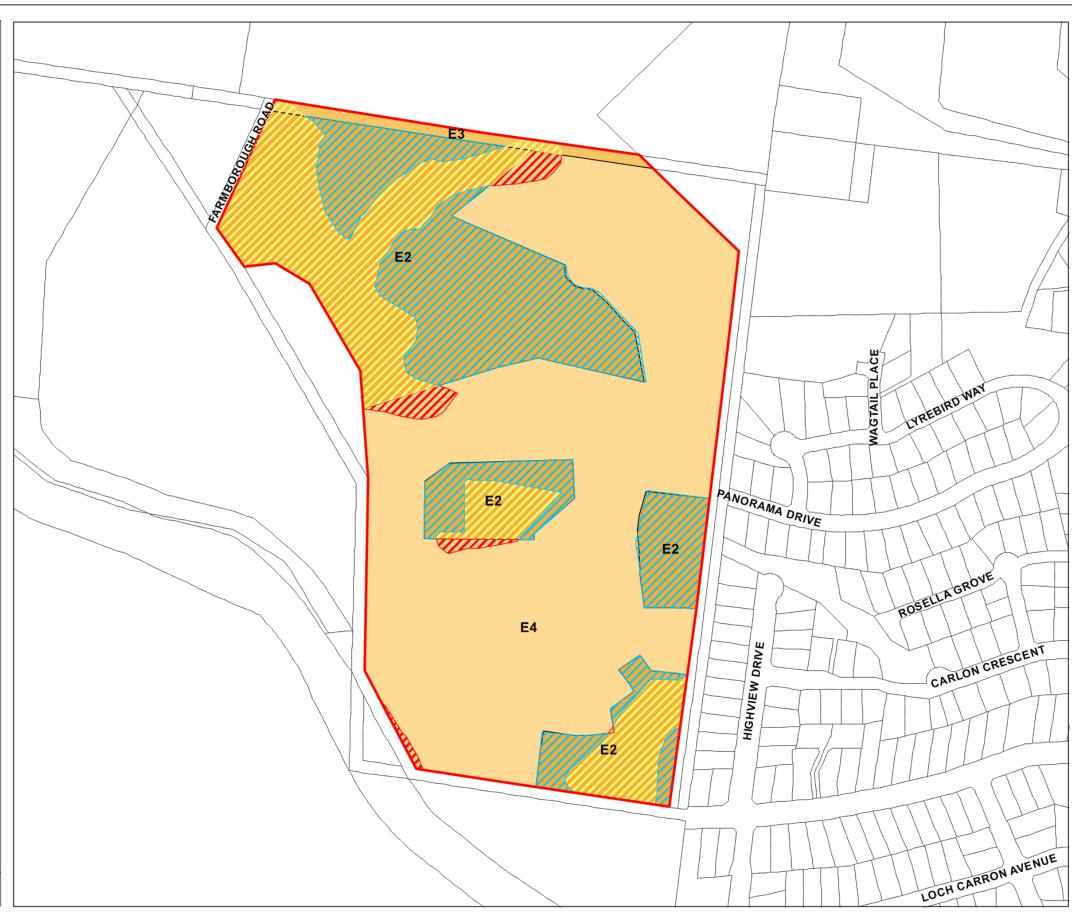
Cadastre 18.04.16 @ Wollongong City Council



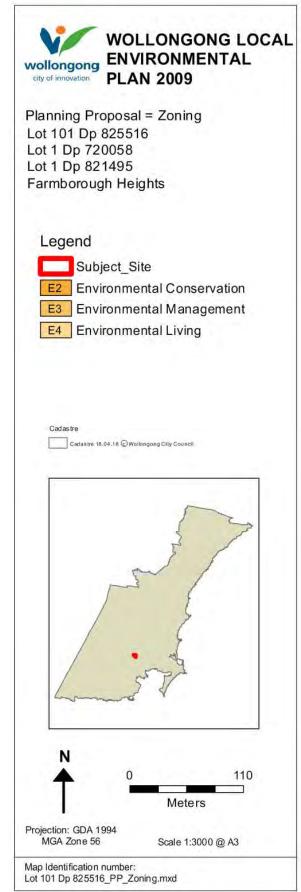


Scale 1:3000 @ A3

Map Identification number: Lot 101 Dp 825516_PP_Zone Sig Veg Rip.mxd



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Item 1 - Attachment 6 - Summary of Submissions

SUMMARY OF SUBMISSIONS

Community

	Comment
Farmhorough	
Farmborough Heights Action Group	 Appeal to WCC to reject the application in its current form The Concept Plan produced by an independent consultant (GHD) provided a blueprint for development between Farmborough Heights and Mount Kembla that provided developers and residents with a clear understanding of what could and could not be done bearing in mind that any rezoning must lead to an overall conservation improvement for the escarpment We cannot see how allowing a housing development and putting aside a few public reserve areas that mostly could not be built on anyway is enhancing the escarpment Whytes Gully Solid Waste Refuse: new guidelines for solid waste landfills were released in 2016 which increased exclusion zones for a waste dump to 1000m – this makes Lot 101 DP 825516 fall into the recommended exclusion zone. A 10 year moratorium should apply. WCC has decided it is "impractical" because other residents are already within the zone and the guidelines are "really for new Waste Facilities". For WCC to disregard guidelines as to exclusion zones from a waste dump are a blatant disregard for rules which have been set down to safeguard members of our community. WCC must make a stand, as it legally obliged to do so, and protect future residents by not permitting housing within the exclusion zone. WCC say that reports of odour have fallen and only 10 complaints were received in 2015 – most long term residents have given up complaining because nothing appears to have improved. Also when WCC outsourced the green waste processing the public was advised to ring the EPA. The odour complaints reported to the EPA have shown an increase in the last few years. WCC was fined twice in 2014 for odours emanating from
	 Whytes Gully. Need to comply with Concept Plan – the developers have applied for 30 blocks but the Concept Plan clearly says for this property "up to 25 lots". Traffic: a solution to the existing problems along Farmborough Road is needed before any more development approvals are approved – due to the double lines on Farmborough Road between Kotara Cres and Bristol Pde parking is illegal but on any day between 8 and 30 cars are parked illegally making it extremely dangerous to pass oncoming traffic. With 30 blocks proposed there would be potentially up to 60 extra vehicles using the road each way each day – Farmborough Road cannot handle any more traffic. Numerous approaches to WCC in the past 5 years (individual letters and Neighbourhood Forum) regarding the narrowness of Farmborough Road and Panorama Drive have been brushed aside. Security fencing along Sydney Water owned road giving access to the reservoir needs fixing. Flooding and drainage: the waterway that flows down the gully on the western side of Lot 101 and under the Sydney Water road and into an open and piped drain between the northern end of Highview Drive and Panorama Drive is not shown on any development plans and needs to be taken into account. When it rains there is a torrent of water flowing down there. This in turn ends up crossing Farmborough Road, flows down the creek behind the houses in Loch Carron Ave and then across Fairloch Ave just north of the southern end of Loch Carron Ave and over the waterfall in the bush behind the fire station down to Kembla Grange. This water is obviously overloaded and any further water added to the system needs to be taken into account and managed. Our understanding is that to cover off on the "be seen to enhance the escarpment" clause developers are setting aside areas, usually sections of land that are restricted from building due to geodetic restraints or similar and offering to dedicate these sections for Public Reserve. Access to the Public reserve i

	border is adjoining properties with only a small access point near the roundabout. If we are serious about these so-called Public reserve areas which double as a corridor for native wildlife the four areas suggested should be joined. That might mean a reduction in the number of lots but the Concept Plan says "up to 25" and there are 30 listed. It is good practice for riparian corridors and hopefully public reserves to be joined in some way. The overriding factor from the Concept Plan is that escarpment land has to be enhanced - more needs to be done to accommodate these principles. • Concern regarding the amount of money set aside for establishing and maintaining the public reserve areas
Resident Farmborough Heights	 As a long term resident I am horrified at the extent of the proposed development. The areas identified as public reserve should be joined to create an extensive corridor if there is any hope for the animals (190 bird species and many other native animals) to survive. The COI stated that this development was inappropriate for so many reasons – it should stay the same. The Concept Plan recommended up to 25 lots – why has this changed to about 30? Please don't let it happen.
Resident Farmborough Heights	Concern about increase in traffic on Farmborough Road — it is a narrow road, and perhaps requires "No Standing" signs?
Resident Farmborough Heights	 The COI findings state that "the provision of limited residential development must be considered within the context of active conservation and as a secondary outcome". The Planning proposal is designed primarily to create residential lots rather than enhance the escarpment; instead of making conservation a principle aim, areas unsuitable for housing construction are set aside for environmental protection as a secondary outcome. The applicants must be requested to provide a comprehensive study juxtaposing the scenario of leaving the area in a rural state against a scenario of opening it up to development – they must prove that their proposal truly enhances the natural beauty of the escarpment. An Aboriginal archaeological assessment has been carried out – an additional study is requested addressing European heritage items – suggest that this area be declared a Heritage area to support the existing heritage values. The southern part of the Farmborough Heights area represents a unique period of settlement. Do not agree that visual impact should be assessed at DA stage – a plan should be prepared now clearly showing where houses may or may not be built, to ascertain feasibility of development. Consideration should be given to viewpoints from Dapto and West Dapto, and a ridgeline running south-north across the property. The latest EPA recommendations state that no residential development should take place within a radius of 1000m of a large putrescible waste landfill. This guideline should be respected. At the very least a 10 year moratorium ought to be imposed. Council could use the moratorium time to engage in serious studies about deleterious health effects caused by their waste dump. Land set aside for environmental conservation is disjointed – it should be linked to create a natural corridor for flora and fauna. An easement along the Eastern Gas Pipeline could form part of the E2 area and this land brought into public ownership (parkl

Item 1 - Attachment 6 - Summary of Submissions

	 Legally binding arrangements must be in place for the proposed land dedication to Council before any approval to rezone. Concern that the amount of \$370,000 to provide for costs of the proposed Vegetation Management Plan appears low – ought to be increased to make sure ratepayers are not going to finance part of the proposed development. The Concept Plan stated that the land should be subdivided into 25 lots. Drawings submitted by the proponent show over 30. Council must make it clear that 25 dwellings is the maximum that may be created in this subdivision. Already overloaded drainage system in the area – developers should be made responsible for upgrading the system downstream to cope with new loads/ensure any runoff created by the new roads and houses is retained on site. Additional traffic from the development will exacerbate the current situation of illegal
	parking along Farmborough Road. The developer should contribute to the widening of Farmborough Road to make room for legal parking. • The internal roads of this subdivision should be linked up with Panorama Drive to establish a second escape route in case of bushfires.
	A covenant should be applied to any rezoning demanding that only rural type fencing may be used to match the existing character of the area.
Resident Farmborough Heights	 Object to Planning proposal Proposal does not confirm to the stringent guidelines in the Concept Plan. The Concept Plan allowed up to 25 allotments – looks as though Council is prepared to approve 30 or more. It would seem that Council is prepared to allow development which will eventually have a negative environmental impact on the foothills leading to the escarpment – to satisfy a developer's profitability Appears that the areas set aside for reserves and corridors are merely patches that can't be built on or where stands of trees should not be removed. These green patches should be linked and joined to allow for native fauna and flora – i.e. the escarpment land should be enhanced as the initial priority before any development approvals, not the other way round as is the case with the current proposal. Parts of Farmborough Road are congested at peak times – the proposed development will exacerbate this. Farmborough Road is dangerously narrow between Kotara Cres and Bristol Pde where there are double lines – vehicles park here which further narrows the road to a dangerous level. This situation needs to be permanently addressed before allowing for any more development. Proximity to Whytes Gully Refuse Dump: the proposed development is within the new exclusion zone of 2000m for any new housing – over the years there have already been numerous complaints about insalubrious odours.
Resident Farmborough Heights	 Object to Planning Proposal Whytes Gully Waste Refuge – we have over the past 24 months made several complaints. Based on the smells we experience at times, it would be a terrible error to allow more homes to be built even closer to it Farmborough Road and Panorama are already crowded. Farmborough Road requires cars to cross over double lines to navigate up and down it when cars are parked on the side of the road Concern about drainage and flooding – we have had to call Council in the past to ask for drains to be cleared due to flooding.
Resident Farmborough Heights	 Consideration should be given to the existing gas pipe line running parallel to the Sydney Water service road – better to consider a public reserve, minimum 20 metres in order to avoid potential accidents by private land owners. Like to know who will be responsible in the event of an accident with the gas pipeline.



Resident Farmborough Heights

- Object to Planning proposal.
- The proposed rezoning will allow for subdivision creating approximately 31 lots this proposal exceeds the recommendation of the Concept Plan, being 25 lots
- Areas proposed for E2 are disjointed these areas should be considered as riparian corridors in which case connectivity between the sites is highly desirable from an environmental management perspective. By proposing minimal and disjointed areas for environmental protection, the planning proposal does not reflect the principles of escarpment conservation nor is it consistent with environmental and conservation findings of the Concept Plan – no proposed connectivity between the areas identified for conservation.
- Concept plan suggests zoning some of the subject land RE1 Managed Open Space the dedication of land zoned RE1 would provide for additional public recreational land/open
- Subject lot lies within the 1000m residential exclusion zone to Whytes Gully Waste Depot the fact that previously established dwellings lie within the updated exclusion zone should not set a precedence to allow for further development within the identified zone.
- Consideration needs to be given to appropriate access to the subject site prior to determination of the planning proposal – the proposed southern access is located at the crest of a hill and would require excavation and stabilisation of the batter slope adjoining the northern side of Farmborough Road – questionable whether the appropriate safe intersection sight distance to this intersection will be achieved. The proposed northern access shows connectivity to an adjoining private access, rather than Farmborough Road questions if appropriate locations for the intersections of the loop road with Farmborough Road can be achieved.
- Question traffic modelling findings for Concept Plan onsite observation and calibration of queue lengths may not have been considered
- Recognised that development of the site may be able to be achieved while supporting and enhancing the environmental values of the escarpment, however the planning proposal encourages over development of the site – request a more environmentally sensitive solution for the site.

Resident Farmborough Heights

- Concern about 30 dwellings it was agreed in the Concept Plan that it would not be any more than 25 dwellings.
- New guidelines now make an exclusion zone for a waste dump 1000m, however Council has decided it's impractical because other residents are already within the zone and the guidelines are really for new Waste Facilities. WCC also reports 10 odour complaints in 2015. We are new to the area but it is our understanding that most residents who have lived in the area for a long time have given up complaining because nothing appears to have improved - it is absurd to assume that the problem has somehow resolved itself just because people have grown tired of complaining in vain. The odour complaints reported to EPA have shown an increase in the last few years not a decrease as WCC reports.
- Any development must enhance the escarpment this requirement has seen the developers set aside areas (usually sections of land that they are restricted from building on) and offering to dedicate these sections for public reserves. It would be great to see some clear land set aside – it is good practice for Riparian Corridors and public reserves to be joined in some way. My family and many others would be grateful to see this happen creating usable public reserves for children to safely enjoy. Joining the proposed public reserves behind Highview Drive would go a long way to enhancing the escarpment for local residents.

Resident Farmborough Heights

Concerned that the proposal will have a detrimental effect on the environment and amenity of local residents - the proposal will not contribute to the preservation of the escapement or provide any benefit to the community at large.

- No compelling case made to show that the proposed rezoning will contribute to protect the escarpment
- Current rural classification enhances the European heritage value of heritage listed properties nearby
- Proposed development contravenes the latest EPA regulations which state that no residential properties should be within 1000m of a putrescible waste dump – Council should impose a 10 years moratorium on any development
- Land set aside for environmental conservation should be linked to create a continuous corridor for wildlife and plants
- Land on the eastern boundary should be declared an easement linking the conservation areas – that land could be used for communal purposes e.g. playground, community garden, a walking track linking up with the Mt Kembla ring track
- Previous studies highlight the importance of avoiding any negative visual impact of developments on the escarpment – the current proposal is on a ridge and will be an eyesore
- The proposed \$370,000 to maintain preservation areas in perpetuity is very low and should be doubled – the ratepayers should not have to subsidise private developers
- The proposal shows more than 30 lots the Concept Plan permits a maximum of 25 lots
- The proposal will adversely affect Farmborough Road the proponent should contribute financially to make Farmborough Road safe by providing parking on one side of the road
- The internal roads of the subdivision should be linked to Panorama Drive to create an alternative exit in case of a bush fire
- Need legally binding contract with the developers about land to be transferred to Council including associated financial contributions
- Request opportunity to review documents before approval to subdivide given.

Resident Farmborough Heights

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- The proposed \$370,000 to maintain preservation areas in perpetuity is very low and should be doubled – the ratepayers should not have to subsidise private developers
- The proposal shows more than 30 lots the Concept Plan permits a maximum of 25 lots
- The proposal will adversely affect Farmborough Road the proponent should contribute financially to make Farmborough Road safe by providing parking on one side of the road
- The internal roads of the subdivision should be linked to Panorama Drive to create an



	alternative cuit in second a level fire
	 alternative exit in case of a bush fire Need legally binding contract with the developers about land to be transferred to Council including associated financial contributions Request opportunity to review documents before approval to subdivide given.
Resident Farmborough Heights	 Concerned that the proposal will have a detrimental effect on the environment and amenity of local residents – the proposal will not contribute to the preservation of the escapement or provide any benefit to the community at large. No compelling case made to show that the proposed rezoning will contribute to protect the escarpment Current rural classification enhances the European heritage value of heritage listed properties nearby Proposed development contravenes the latest EPA regulations which state that no residential properties should be within 1000m of a putrescible waste dump – Council should impose a 10 years moratorium on any development Land set aside for environmental conservation should be linked to create a continuous corridor for wildlife and plants Land on the eastern boundary should be declared an easement linking the conservation areas – that land could be used for communal purposes e.g. playground, community garden, a walking track linking up with the Mt Kembla ring track Previous studies highlight the importance of avoiding any negative visual impact of developments on the escarpment – the current proposal is on a ridge and will be an eyesore The proposed \$370,000 to maintain preservation areas in perpetuity is very low and should be doubled – the ratepayers should not have to subsidise private developers The proposal shows more than 30 lots – the Concept Plan permits a maximum of 25 lots The proposal will adversely affect Farmborough Road – the proponent should contribute financially to make Farmborough Road safe by providing parking on one side of the road The internal roads of the subdivision should be linked to Panorama Drive to create an alternative exit in case of a bush fire Need legally binding contract with the developers about land to be transferred to Council including associated financial contributions Request oppo
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	alternative exit in case of a bush fire			
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	including associated financial contributions			
	Request opportunity to review documents before approval to subdivide given.			
Resident	Object to Planning proposal			
Farmborough	The proposal is to create 30 to 35 lots – the GHD Concept Plan says "up to 25"			
Heights	Object to loss of the natural beauty of the escarpment			
	Visual impact not considered at this stage – to be determined later?			
	Additional traffic on an already congested Farmborough Road and Panorama Drive			
	(especially narrow) – dangerous stretch of road east of Bristol Street – reduces the traffic			
	flow to a single lane. The construction vehicles and extra service and domestic vehicles			
	from any new subdivision will add to this already dangerous stretch of road			
	Health concerns re vicinity of Whytes Gully – latest EPA guidelines recommend no			
	residential habitation within 1000m			
	Additional stress on an already overloaded drainage system			
	Land set aside for environmental conservation is disjointed rather than linked – the addition of any late between the appropriate ground the property of the S2.			
	addition of one lot between the conservation areas appears to negate the good. If the E2			
	conservation land is for public use and recreation how is this possible with a dwelling in the middle?			
	Seeking assurance that the water board access road is not subsumed into the subdivision			
	and becomes an access road – no property owner should be expected to have a property			
	surrounded by front and back traffic.			
Resident	Strongly object			
Farmborough	Loss of natural beauty of the escarpment			
Heights	Visual impact not considered and at this stage to be determined later			
	Additional traffic on an already congested Farmborough Road and Panorama Drive			
	(especially narrow)			
	Vicinity of Whytes Gully causing health concerns – latest EPA regulations recommend no			
	residential habitation within 1000m			
	Additional stress on an already overloaded drainage system			
	Land set aside for environmental conservation is disjointed rather than linked			
D 11 1	Area of European heritage lost forever			
Resident	Under the Concept Plan approval has been given for "up to 25 lots, half of which must be			
Farmborough	2000m² and half 5000m² – any increase on 25 should not be approved.			
Heights	Good start ensuring some small part of the property is preserved as escarpment land – scome good practice to link buckland areas — this should also provide a corridor for native			
	seems good practice to link bushland areas – this should also provide a corridor for native			
	 wildlife which this property, adjacent ones and other escarpment areas currently allow. Would like to see the Red Gum treed public reserve area in the south east joined to the 			
	other proposed public reserve area bordering the Sydney Water access road – the clear			
	area between the two proposed public reserves will propagate slowly over time with			
	regrowth of Red Gums.			
	Under the Concept Plan there was to be no removing of trees/bush for siting of houses or			



	 roads – concerned about the 10/50 new ruling in a bushfire zone Wildlife and native animals live on this part of the escarpment – snakes, wallaby, deer, echidnas, possums, sugar gliders, powerful owl. The bush has regenerated over the years but without the deer the lantana would be impenetrable. If this proposal proceeds a large proportion of the native animals will be either killed by domestic cats/dogs or be forced to move further up the escarpment Water and drainage: there is some form of water table under some parts of the property – after reasonable rain, run off water from and maybe through the water table pours down a dilapidated cement drain on parts of the western side of the Sydney Water road. This drain needs repair/replacement even if the development doesn't proceed as it has been washed away in many parts during heavy rain. Water runs across the Sydney Water road for up to 3 weeks after the rain has stopped down to Highview Drive Narrowness of Farmborough Road is a big issue – a permanent solution would be welcomed by residents to stop people parking. If this development is approved maybe by extending Panorama Drive as an access road to the property it would spread the additional traffic load produced by this development between Farmborough Road and Panorama Drive? Whilst I appreciate WCC officers have been working hard to reduce odours emanating from Whytes Gully, odours do occur and there really has been no significant reduction in the prevalence of dump odours at my premises over the years. This has affected my family's lifestyle and I don't think other potential residents should have to put up with odours – odours worse on the south of this site. Have been recording odours by date, time, prevailing conditions etc. from 2011 to present. Think 10 year moratorium should apply to this property due to closeness of Whytes Gully Waste.
Resident	Our property adjoins Lot 101 and our water metre is located at the junction of
Farmborough Heights	 Farmborough Road and the Water Board road – will our metre be replaced and moved within our boundary lines at the cost of the developer? Concerned that the proposed development (digging etc.) will cause pressure/breakages in our existing line (electricity, water, phone) Will our water supply/quality and pressure decrease because of this development? Concerned about water run off and contaminated water into our grazing paddock – what measures are in place to prevent this? What containments are going to be put in place for road runoff and excess water from new development? Previous discussion about development of this land recommended that a pond be built to collect runoff, the water cleaned and then diverted back to the creek. Need to ensure construction doesn't interfere with access to our property Will the public reserves be fenced?
Resident Cordeaux	Support Planning proposal Gurrant residents will see the value of their proporties increase and good apportunity for
Heights	 Current residents will see the value of their properties increase and good opportunity for potential buyers looking for larger blocks with private surrounds, nestled adjacent the escarpment Seems a boutique development and not a greedy grab by developers to squeeze hundreds of small lots (which would not suit the surroundings so close to the escarpment and
	farmland).
Resident Farmborough Heights	 Concern about bushfire risk – 1968 bushfires came close to our house. Concern about traffic congestion – seems number of additional traffic movements at peak times has been grossly underestimated – at peak time traffic build up is already concerning. Concerns about vicinity to Whytes Gully waste site – EPA regulations recommend no residential development within 1000m. I have to ring the EPA fairly regularly re odour complaints – combination of WCC facility and the contracted out green waste disposal

nearby producing the odour problem.



	• The GHD plan says "up to 25" lots – discounting the four E2 lots there seem to be at least 27 – what is the point of specifying a maximum number of lots and then ignoring it?
Resident Farmborough Heights	 Object to inclusion of paper road in Planning proposal – additional two allotments not included in original lodged Planning proposal. Property owners seek to retain the current RU2 zone to protect their rights with respect to the long term use of the land. Concern about encroachment of residential dwellings and associated amenity impacts – object of removal of buffer zones Concern about potential traffic impacts – no site specific traffic impact assessment undertaken to address increase in traffic volumes and site distance requirements for intersections. Access should be clarified and the proximity of the two access points should be considered within the site specific traffic assessment. Concern about capacity of existing service availability and need for a buffer for power easement that transects the site Adequate justification not given for departures from the Concept Plan – object to inclusion of additional E4 lands in the north which are constrained by bushfire, significant vegetation, riparian corridors and unstable land and shown on Concept Plan as recommended for Managed Open Space. Concern about potential need to remove vegetation to achieve Asset Protection Zones. Need to ensure buffers to riparian corridors. Concern about visual and acoustic impacts of the Maldon to Dombarton Rail line Concern that the Planning proposal will not deliver the necessary environmental outcomes under Community title subdivision – need to ensure bank guarantee of adequate amount to ensure the revegetation of riparian corridors occurs and that ongoing maintenance occur. Further detail required of an appropriate mechanism to ensure the management and revegetation of sensitive lands and riparian corridors. No provision to restrict the number of dwellings – require locality based precinct plan to prevent the site from being developed more intensely that currently proposed. Concern that the Planning Proposal seeks

building envelope restrictions as a result of the pipeline.

Item 1 - Attachment 6 - Summary of Submissions

Maps provided to illustrate requested linking of public reserves



Item 1 - Attachment 6 - Summary of Submissions

State Authorities and other Stakeholders

Office of Environment and Heritage (OEH)	 Support long term conservation outcome for the site by establishing proposed conservation areas – note presence of EECs Preferred mechanism for securing and managing conservation lots is VMP with associated costings for management works, with proposed conservation lots dedicated to Council with appropriate funding Need to ensure subdivision plan at DA stage reflects requirements for riparian buffers in line with the Riparian Corridor Management Study (2004) Further Aboriginal cultural heritage assessment of the proposed development area in accordance with OEH guidelines required – in addition to archaeological values, there may be broader cultural values associated with the cultural landscape and travel routes between Mt Kembla and the coastline. Archaeological excavation recommended to more accurately determine the level of archaeological potential. Revised planning proposal is considered to be generally consistent with the Concept Plan intent and provisions, and provisions in the Illawarra-Shoalhaven Regional Plan 2015. Additional vegetation should not be cleared for APZs. 	
Department of Primary Industries - Water	 Riparian corridor widths consistent with requirements of DPI Water's Controlled Activity guidelines. Rehabilitated riparian corridors should provide fully structured vegetation representative of the mapped native vegetation communities within the site and any proposed riparian corridor encroachment will require offsetting in accordance with the Guidelines. Public ownership of riparian corridors most effective mechanism for ensuring appropriate long term management of the function and health of these areas. 	
Jemena	Australian Standard AS 2885 requires a risk review of the pipeline operation in the event of the land around a pipeline being rezoned resulting in a change in land use and change in risk exposure to the pipeline. Jemena has indicated they will undertake a review of the proposed development in accordance with requirements of AS 2885 and provide the developer with a review of findings. These findings shall be included in any subsequent development application to ensure that the Pipeline risks are appropriately considered and managed in the planning and design of the development and subdivision. Jemena will work with the developer to ensure that a Pipeline Safety Management Study is included as part of the submission of any development application	
EPA	 The Whytes Gully Disposal Facility operated by Council is an important infrastructure asset for the Wollongong LGA and will be operational for a number of decades. The EPA regulates the facility under an Environment Protection Licence (EPL 5862) and has been working with Council over the years to deliver substantial improvements in relation to odour control. EPL prohibits the emission of offensive odours. The Facility currently exists in close proximity to residences and existed before the publication of the "EPA Environmental Guidelines: Sold Waste Landfill, Second Edition 2016" and therefore the 1000 metre buffer zone for large landfills mentioned in the publication is not achievable in this instance. The EPA guideline also mentions a buffer distance of 250 metres and this could be reasonably applied in this instance. However, the application of this buffer must be taken cautiously and with due consideration by Council – due to the location, nature of the activity, age of the Facility and limitations in the practicable measures available to control air emissions, adverse odour impacts on nearby residents are unlikely to be completely avoided. Unforeseen events can sometimes also happen. There has been a history of community complaints in the vicinity of the Facility – there is also a risk of future community complaints if the proposal is approved. Council must consider the current and future liabilities that may exist in relation to the operation of the Facility. The EPA may take regulatory action if EPL 5862 is not complied with at all times. 	

Item 1 - Attachment 6 - Summary of Submissions



NSW Rural Fire Service (RFS)	No objection subject to any future subdivision layout achieving a realistic building footprint and associated APZ wholly within each individual lot, and that the design of any future public c road being in accordance with section 4.1.3 (1) Public Access in Planning for Bush Fire Protection 2006 and that access handles for battle-axe blocks should be designed in accordance with section 4.1.3 (2) Property Access in Planning for Bush Fire Protection 2006.he
Sydney Water	 The existing wastewater network located adjacent the proposed development has adequate capacity to service the proposed subdivision, and any lots not serviced by a Sydney Water wastewater main will need to make arrangements with Council regarding on-site wastewater management system requirements. Preliminary investigation indicates that the existing water supply system can only service development up to a ground level of 144m AHD, and it is recommended that the subdivision road and lot configuration ensure the water connections are not above this level. Sydney Water advises that a feasibility application can be lodged with Sydney Water to obtain further advice to assist in planning the final subdivision layout, to be addressed at any future subdivision application phase.
Roads and	No objection in principle

Internal Consultation

Maritime Services (R MS)

Geotechnical Issues	 The geotechnical report submitted is considered sufficient to demonstrate that the rezoning is feasible from a geotechnical perspective. Further geotechnical advice will be required to support the engineering designs for any subdivision which follows a successful rezoning.
Environmental Issues	 Council's natural resources staff inspected the site to confirm vegetation types and determine support for the proposed dedication to Council with on-gong funding of the areas proposed for E2 Environmental Conservation zoning. Support was indicated for dedication with funding.
Access Issues	 Prior to submitting a development subdivision application the applicant will be required to undertake further detailed design of the road network to demonstrate it is trafficable by a large rigid vehicle (LRV) and that waste collection and emergency vehicles are able to turn safely within the proposed cul-de-sacs. The proponent will be responsible for an upgrade of the pavement and stormwater within Farmborough Road adjacent the site.
Flooding Issues	 Need to defer support for the proposed lot layout (including potential building envelopes) until such time as sufficient information is presented that addresses any flooding constraints, in line with Council's Floodplain policies.

Isolated Environmental Lots

On 27 June 2016 as part of the consideration of a draft Planning Proposal request (Lot 101 DP 825516 Farmborough Road Farmborough Heights), Council resolved (in part) that:

"A report be prepared which explores possible planning policies that reduce the creation of isolated lots of environmentally significant land separated from larger areas of similar land".

The consideration of Planning Proposal requests and development applications requires the identification of any environmental and physical constraints on site, and an assessment of the potential impacts of intensification of land use on existing environmental qualities and having regard to the site's setting and context. Landscape modification arising from urban development can result in the creation of isolated lots of environmentally significant land separated from larger areas of similar land, and Councillors have requested the consideration of possible planning polices to provide guidance in this regard.

Biodiversity Conservation and Corridors - Current Policy

There are a number of relevant Biodiversity Conservation and Corridor Polices Wollongong City Council refer to in the context of increased urban development pressures and threats from climate change and environmental weed and pest species. The following polices highlight issues of biodiversity loss, climate change and fragmentation, and provide guidance on addressing these issues when considering Planning Proposal requests and development applications:

- State Level: Part 7A Biodiversity Banking and Part 7AA Biodiversity Certification of the *Threatened Species Conservation Act 1995* establish the "improve or maintain" outcome via the Biodiversity Banking and Offsets Scheme and Biodiversity Certification mechanism. Both BioBanking and Biocertification aim to achieve secure, funded and in perpetuity conservation outcomes, underpinned by the best available science. The separate methodologies apply biometrics to a range of environmental features including measurements of vegetation patch size, vegetation condition, patch connectivity, length and width of corridors, riparian zones and buffers at a local and landscape scale. This approach aims to achieve social, economic and environmental outcomes while optimising investment in biodiversity so that the most effective actions are undertaken in locations that can provide lasting biodiversity benefits and cost-effectiveness.
- Regional Level: Biodiversity conservation areas and corridors are considered at a landscape scale and the following are relied upon for decision making on significant biodiversity values and biodiversity corridors:

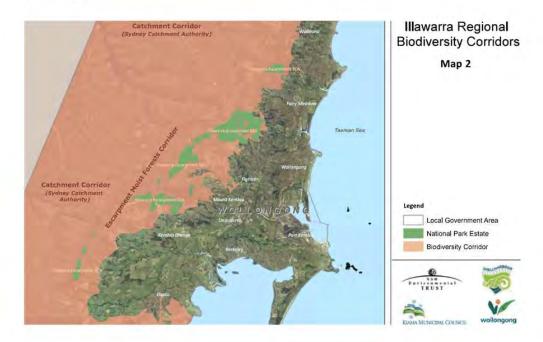


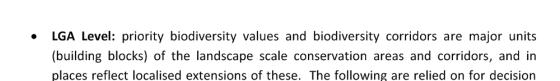
 The "High Environmental Values" and "Biodiversity Corridor" map units of Fig 1 of the Illawarra Shoalhaven Regional Plan 2015

Illawarra-Shoalhaven's environmental values map



 The Illawarra Biodiversity Strategy (2010) which identifies threats to biodiversity, conservation measures and biodiversity priority areas/regional biodiversity corridors





- WLEP 2009 Clauses 7.2 Natural resource sensitivity—biodiversity; 7.4 Riparian lands and 7.8 Illawarra Escarpment area conservation and related mapping
- Illawarra Escarpment Strategic Management Plan (2015)

making on local priority biodiversity values and biodiversity corridors:

- o Mt Kembla to Farmborough Heights Strategic Planning Study and Concept Plan (2013), and mapping
- **Site Specific Scale**: decision making is based on
 - Studies prepared according to Wollongong Development Control Plan Chapters E18 Threatened Species Impact Assessment and E23 Riparian Land Management
 - Review and balanced assessment of all the above.

Impact of Landscape Modification on Biodiversity

Biodiversity is fundamental to human health and well-being and issues of biodiversity loss are a major area of concern. "Australia's Biodiversity Conservation Strategy 2010-2030" highlights destruction and disturbance of native vegetation, the introduction of pest species (exotic animals and weeds) and climate change as key threats to biodiversity.

At the city level biodiversity is impacted on by habitat degradation and fragmentation. In Habitat Fragmentation and Landscape Change (2006), landscape modification is shown as potentially resulting in the decrease in the average size of remaining vegetation patches, an increase in the average distance between these patches, a decrease in landscape connectivity between patches, and an increase in the ratio of patch edges to patch sizes. This can result in habitat loss and degradation (decline in food resources, shelter and nest availability). Other things being equal, larger patches tend to support more species that smaller patches, and vegetation that is structurally complex tends to support more species than structurally degraded vegetation.

Species richness is often found to be higher in larger patches of remnant vegetation. Likely mechanisms for higher species richness in larger patches include lower extinction rates, higher immigration rates, and greater habitat diversity. Overall levels of species richness tend to be reduced in landscapes subject to extensive human modification. Grazing by livestock can cause soil compaction and therefore water infiltration into the soil, damage remnant native vegetation and add nutrients to the soil, which can in turn promote the invasion and growth of non- native plants. Barriers such as roads and fences can negatively affect a wide range of species, reducing a landscape's permeability and also reducing habitat connectivity for many individual species and changing ecological processes. Landscapes that retain more connections between patches of otherwise isolated areas of vegetation and therefore have higher levels of landscape connectivity are assumed to be more likely to

maintain populations of various species. Landscapes altered by agricultural or urban development can maintain permeability for many species if trees, rocky outcrops or other "stepping stones" between larger areas of habitat remain in good condition.

The loss of landscape connectivity can affect habitat connectivity of many species, especially for those dependent on native vegetation. It may also disrupt ecological processes, such as waste decomposition or seed dispersal, thereby reducing ecological connectivity. Loss of native vegetation may equate to habitat loss; loss of structural complexity and edge effects may translate into habitat degradation; and large distances between vegetation patches may equate to increased habitat isolation for many species.

The *National Wildlife Corridors Plan (2012)* identifies Wildlife Corridors and Stepping Stones as features contributing to landscape connectivity, and provides guiding principles for wildlife corridor design and implementation. The Plan highlights the fact that different species will require different scales of connectivity, for example some bird species require continuous cover while other species are able to traverse landscapes via "stepping stones" such as paddock trees.

The *Office of Environment and Heritage* similarly identify the importance of some corridors at a regional scale, assisting migratory and nomadic species to move across large areas and connecting gene pools, however also recognise the significance of corridors on a local or property scale as they connect two or more areas of isolated habitat.

Wildlife corridors are physical linkages between patches of native vegetation which contribute to landscape connectivity and may facilitate increased habitat connectivity for some species and the potential to increase ecological connectivity. Wildlife corridors range in size, from small corridors created by local communities to large corridors that stretch across many different landscapes. It should be noted, however, that not all species use corridors - attributes of corridors such as their width and length, habitat suitability for a particular species, location in the landscape and a range of other factors can affect corridor use by wildlife. Riparian corridors are a particular type of corridor that can often be particularly effective at maintaining habitat connectivity for many species, as well as contributing to ecological connectivity.

Stepping stones are relatively small patches of native vegetation scattered throughout a landscape that while not physically connected are functionally connected allowing movement between larger patches. They enhance landscape connectivity and may facilitate habitat connectivity for a variety of species. Mobile species are able to utilise resources in small habitat patches located many kilometres apart to help them move across the landscape. Stepping stones may assist connectivity in plant populations for genetic exchange between spatially isolated populations. Although wildlife corridors can be valuable for some taxa, for others habitat connectivity may be better provided by the maintenance or establishment of stepping stones or dispersed patches of vegetation. The

provision of stepping stones may be a good strategy for mobile species (e.g. butterflies and bats) that are unable to disperse long distances between isolated patches. A range of studies have highlighted the importance of stepping stones in contributing to landscape connectivity, including those of birds and butterflies. Stepping stones may also be valuable for plants as sources of pollen to maintain gene flow over larger distances between scattered plant populations. Steeping stones and corridors can provide additional habitat for those species that use native vegetation but which are not area sensitive – hence even small areas of native vegetation when protected and managed can be of conservation value. Although perhaps not as effective as larger patches for conservation, small patches are nevertheless valuable, and special conservation efforts are required.

The following excerpt from "Australia's Biodiversity Conservation Strategy 2010-2030" highlights the important role different scales of connectivity play in achieving overall conservation gains.

Figure 4: Conceptual spatial planning for terrestrial connectivity conservation

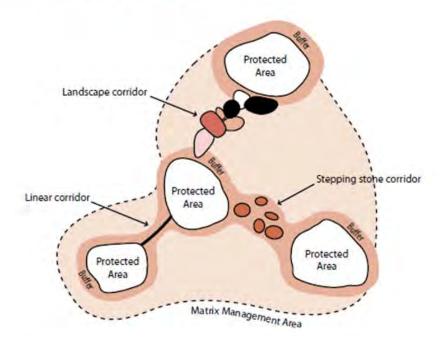


Figure 4 illustrates the way in which connectivity is not just about corridors. It includes both small patches and larger distinct areas, including core protected areas: areas managed for conservation, the broader landscape in which these areas exist, and remnant native vegetation outside reserves (which provides habitat and serves as stepping stones and linear corridors to aid the movement of species). It also involves the use of sustainable land management practices in areas adjacent to dedicated conservation areas, to create a 'landscape matrix'. Source: Mackey et al. 2009.



Current Application of Strategies and Policies

Preservation of native vegetation is often viewed as a competing interest to urban development. However, "Best Practice Guidelines for Greener Subdivision in Western Sydney" highlight that a balance between environmental, social and economic issues can be achieved through the careful integration of these aspects during the initial stages of the planning process. The Guidelines identify an opportunity to promote vegetation management and connectivity as a feature of a development, rather than being viewed as a site constraint, and that where possible, subdivision design should maintain, or where necessary establish corridor links between existing habitat areas located both on and off site.

The biodiversity value of corridor networks has been documented in the *Illawarra Biodiversity Strategy*, with a regional corridor network flagged as core conservation areas as they are large, biologically diverse areas containing a diversity of habitats and vegetation communities, contain habitats for threatened species, and contain vegetation communities that are significant to New South Wales and the Illawarra region. This regional corridor, due to its size, supports many species and vegetation that is structurally complex, and exhibits high levels of species richness. The proposed objectives of the Illawarra biodiversity corridors are to:

- Delineate areas of high quality habitat;
- Conserve and protect areas of high quality habitat;
- Enhance existing connectivity within corridors by regenerating or revegetating missing links where possible;
- Consolidate and manage these continuous links to provide large scale connectivity through the landscape;
- Implement effective planning controls to prevent further fragmentation;
- Maintain viability of native vegetation and provide dispersal corridors for fauna;
- · Minimising further clearing within these areas; and
- Minimise the impact of development on land within and adjoin the regional corridors.

Outside of the Regional Biodiversity Corridors is the opportunity to provide a strategic framework for delivering green infrastructure. A key finding from *The Green Infrastructure Project* was that a network of green spaces and water systems can also play a significant role in enhancing urban biodiversity, including countering habitat fragmentation. Research shows that retaining and enhancing "nature" in urban areas has a wide range of human benefits. Green networks include parks and reserves, backyards and gardens, waterways and wetlands, streets and transport corridors, farms and orchards, squares and plazas, roof gardens and living walls, sports fields and cemeteries. Green infrastructure secures the



health, liveability and sustainability of urban environments. Council is currently developing an **Urban Greening Strategy** for the city.

Developing a network of reserves is a regional-scale strategy to provide core habitat for many species. At a smaller scale patches of native vegetation scattered throughout a given human-modified landscape can fulfil similar complementary ecological roles. Structurally characteristic patches of relatively unmodified native vegetation are a key part of conservation in both forestry and farming landscapes, providing important habitat for numerous species. In addition to protection of patches of native vegetation, there is also a need to restore and expand structurally characteristic but degraded patches across the LGA. Active management efforts are sometimes required to enhance vegetation structure and condition. In some landscapes, vegetation restoration involves the complete reestablishment of native vegetation cover, involving long term active replanting and revegetation. Water courses and associated riparian vegetation provide a high conservation return for effort.

Planning Proposal requests and development applications require a site specific management plan to conserve and enhance environmental attributes, and consideration of an appropriate legal and financial mechanism to ensure in perpetuity conservation works. As a result of the Farmborough Heights to Mt Kembla Concept Plan, sites in proximity to the escarpment are now required to demonstrate active conservation as part of any proposed development (IESMP 2015). The Planning Proposal request for the site located at the top of Farmborough Road, Farmborough Heights (Lot 101 DP 825516) was supported by a Flora and Fauna survey which identified ecological qualities to be retained and enhanced on site. An indicative Vegetation Management Plan (VMP) was prepared which included calculations of indicative costings for the proposed dedication to Council of vegetation areas using the BioBanking standard management actions and a modified version of the OEH BioBanking Trust Fund Deposit spreadsheet methodology, applying the in perpetuity funding model (as advised by OEH). At this site, the BioBanking "improve or maintain" outcome is achieved, with the retained patches of native vegetation rezoned to E2 Environmental Conservation and the retention and restoration works in the dedication patches maintaining existing structural connectivity and foreseeably improving functional connectivity (i.e. reestablishing plant species diversity by removing weeds and thereby improving the gene pool as well as improving habitat and desirability for some groups of fauna such as pollinators).

A series of non-connected habitat parcels as depicted in the Planning Proposal can result in a stepping stone corridor effect which is widely recognised as assisting to reduce the effects of fragmentation, as animals use these areas to find shelter, food or to rest. Creating corridors that link patches of native vegetation and providing stepping stones of native vegetation throughout the landscape are effective ways to enhance landscape connectivity. A combination of riparian revegetation efforts in the large area in the north-west, and a series of stepping stone patches of native vegetation habitat, will enhance the wildlife

corridor on site and provide functional connectivity, contributing to animals moving more freely to find food, shelter and opportunities to breed. Street tree planting as part of any future subdivision design will also enhance the stepping stone effect.

These current strategies and policies state the importance of encouraging biodiversity conservation efforts on private land (in recognition of large private holdings), in addition to any efforts undertaken on public land. Active conservation efforts are made possible on private land holdings, with limited and appropriately scaled development contributing the funding for in perpetuity conservation efforts.

Biodiversity Conservation and Corridors – Principles to observe in mitigating the negative effects of landscape change

The common guiding management principles to be observed through the above strategies, polices, plans and studies, from the State level through to the site specific scale, are:

- Ensure in perpetuity conservation that achieves the "improve or maintain the site's overall biodiversity values" outcome
- Encourage conservation or offsetting, via Biocertification, BioBanking or compensatory measures, conservation covenant, dedication of conservation lands to a public authority or rezoning to increase environmental controls and extend areas of existing E zones to reflect environmental qualities requiring protection and enhancement.
- Encourage the reduction or removal of threatening processes.
- The biodiversity benefits of protecting and enhancing existing remnant vegetation outweigh those of compensatory planting in cleared areas:
 - retain first (conserving existing natural areas and protecting these areas from threatening processes such as weeds, grazing, stormwater, mowing etc. is the first priority),
 - o regenerate second (where bushland is degraded by threats such as weed invasion, grazing or other disturbances, regeneration is the primary goal) and
 - replant last (where a site's natural ability to regenerate has been assessed as very poor).

Conclusion

Council has available a range of strategies and polices to provide guidance in terms of mitigating the negative effects of landscape modification that results from population pressure, climate change, and the threat of environmental weed and pest species. These strategies and polices recognise a range of landscape attributes as contributing to overall biodiversity, including native vegetation cover, vegetation connectivity, patch size and the strategic location of sites identified for active conservation efforts.



Item 1 - Attachment 7 - Isolated Environmental Lots

A regional strategic corridor has been identified and documented in the Illawarra Biodiversity Strategy as core conservation areas, as they are large, biologically diverse areas containing a diversity of habitats and vegetation communities, contain habitats for threatened species, and contain vegetation communities that are significant to New South Wales and the Illawarra region. Outside of the Regional Biodiversity Corridors is the opportunity to provide a strategic framework for delivering green infrastructure in recognition that, at a smaller scale, patches of native vegetation scattered throughout a given human-modified landscape can fulfil important complimentary ecological roles.

References

Australia's Biodiversity Conservation Strategy 2010-2030

https://www.environment.gov.au/system/files/.../biodiversity-strategy-2010.pdf

National Wildlife Corridors Plan: a framework for landscape-scale conservation (2012)

www.environment.gov.au/biodiversity/wildlife-corridors/.../national-plan.htm

Illawarra Biodiversity Strategy 2010

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Conservation Management Notes: Wildlife on your property – corridors and connectivity, Office of Environment & Heritage

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File: ESP-100.07.015 Doc: IC17/88

ITEM 2

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 AMENDMENT

The NSW Department of Planning is seeking input into the draft Environmental Planning and Assessment Amendment Bill 2017, which proposes numerous amendments to the Environmental Planning and Assessment Act 1979.

Many of the proposed amendments are supported. However, certain proposals require additional consideration and further changes and/or detail to ensure the amendments will improve the NSW planning system. The draft submission recommends some changes to the draft amendments.

This report reviews the draft Bill and recommends that Council authorise the General Manager to finalise a submission to the Department.

RECOMMENDATION

- 1 The General Manager be authorised to finalise the submission to the NSW Department of Planning on the draft Environmental Planning and Assessment Amendment Bill 2017 (Attachment 1).
- 2 Copies of the submission be forwarded to the Secretary for the Illawarra and other Local Members of Parliament for information.

REPORT AUTHORISATIONS

Report of: Renee Campbell, Manager Environmental Strategy and Planning

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

ATTACHMENTS

1 Draft submission to Department of Planning on draft Environmental Planning and Assessment Act Amendments

BACKGROUND

The Environmental Planning and Assessment Act 1979 (EP&A Act) commenced on 1 September 1980 and has been in place for over 36 years. The provisions of the EP&A Act are supplemented by the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation). The Act and Regulations have been subject to over 150 major and minor amendments over the past 4 decades, including:

- 1998 the introduction of private certification, exempt and complying development, and the removal of the Building Application process from the *Local Government Act 1993*;
- 2005 the introduction of Part 3A for major developments; and
- 2011 Part 3A was repealed and replaced with State Significant Development (SSD) and State Significant Infrastructure (SSI) pathways.

In 2001 the NSW Government published the PlanFirst White Paper which proposed major changes to the Act, but did not progress.

In July 2011, the NSW Government commenced a review of the EP&A Act and related legislation. This review was initially undertaken by Tim Moore and Ron Dwyer as Joint Chairs of an Independent Panel. A further review was then undertaken by the (then) NSW Department of Planning and Infrastructure which resulted in a Green Paper and subsequently, in April 2013, a Planning White Paper entitled *A New Planning System for NSW*.

On 24 June 2013 Council considered a report on the White Paper and draft Exposure Bill and resolved that:



- 1 The draft submission on "A New Planning System for NSW White Paper", Planning Bill 2013 (Attachment 1 to the report) be endorsed for finalisation by the General Manager and submission to the NSW Government, subject to
 - The inclusion of a request that the Planning Legislation address the matter of unfinished developments, by way of allocating maximum completion dates for construction works, which are determined through conditions of consent.
- 2 Council write to the NSW Independent Commission Against Corruption in order to seek that the Commission express an opinion to the NSW State Government on the draft Planning Bills.
- 3 As a matter of urgency, Council formally request that the NSW State Government extend the time for submissions by at least 14 days.
- 4 Council indicate, within the context of its response, the cost in preparing the submission.

In November 2013 the draft Bill was not passed by the NSW Legislative Council and the draft legislation was abandoned.

On 10 January 2017 the (former) Minister for Planning released the following documents for consultation:

- Planning legislation updates Summary of Proposals
- Draft Environmental Planning & Assessment Amendment Bill 2017
- Planning legislation updates Bill Guide
- Planning legislation updates Stakeholder Feedback (from consultation undertaken in 2016)

Councillors were advised of the draft legislation on 10 January 2017 and forwarded the link to the Department's website.

The documents were initially on exhibition until 10 March 2017 (2 months). Council officers requested a 1 week extension to enable a report to be considered at the Council meeting on 13 March 2017. Following the change of NSW Minister for Planning, the exhibition period was extended to 31 March 2017.

It is anticipated that the draft Bill will be supported by amendments to the Environmental Planning and Assessment Regulation 2000, or a new Regulation, but this has not been published.

A Councillor briefing on the proposed legislative changes occurred on 27 February 2017.

PROPOSAL

The draft legislation has been reviewed by Council officers, and a draft submission is attached (Attachment 1) for Council endorsement prior to submission to the NSW Department of Planning.

The EP&A Act has been amended some 150 times over the past 36 years and has become complex and confusing. Farrier describes NSW environmental law as "like a jigsaw puzzle, but some of the pieces are missing, and many others are duplicated. When you think that you have come close as you can to putting it together, governments take some pieces away and add others" (Environmental Law Handbook 2011 – p:viii). The EP&A Act contains the principal pieces of the puzzle.

The 2013 draft Bill proposed to replace the old Act with a new Planning Act. As noted, the 2013 draft Bill was abandoned and the Environmental Planning and Assessment Act 1979 remains. The current 2017 draft Bill proposes to make amendments to both the form and substance of the Act with the purported intent of making it easier to navigate and to build public confidence in the NSW planning systems' ability to deliver quality, cost effective planning outcomes.

Much of the Government's publicity on the proposed changes relates to improving housing affordability. However housing affordability is barely mentioned in the exhibition material. Housing affordability does remain an objective of the Act, however the draft legislation does not contain any additional provisions to directly promote housing affordability.



The proposed amendments in the draft Bill are contained in Schedules that reflect the proposed Parts. This report follows the proposed Act structure.

Part 1 Preliminary

Structure

The Act currently contains 12 active Parts, 3 repealed Parts for which some savings provisions still operate and 7 Schedules. It is proposed to simplify the Act into 10 Parts and 6 Schedules, as indicated in the following table. These changes to the form and structure of the Act are supported, as it will tidy up the Act and make it easier to read.

Current Act	Proposed	
Part 1 Preliminary	Part 1 Preliminary	
Part 2 Administration	Part 2 Administration	
Part 3 Environmental Planning Instruments	Part 3 Planning Instruments	
Part 3A (repealed)	Part 4 Development assessment and consent	
Part 3B Strategic Planning	Part 5 Infrastructure and environmental impact assessment	
Part 4 Development Assessment	Part 6 Building and subdivision certification	
Part 4A Certification of development	Part 7 Infrastructure contributions and finance	
Part 4B (repealed)	Part 8 Reviews and appeals	
Part 4C Liability and insurance Part 9 Implementation and Enforcem		
Part 5 Environmental assessment	Part 10 Miscellaneous	
Part 5.1 State significant development		
Part 5A (repealed)		
Part 6 Implementation and Enforcement		
Part 7 Finance		
Part 8 Miscellaneous		
Schedule 1 (repealed)	Schedule 1 Community Participation Requirements	
Schedule 2 (repealed)	Schedule 2 Provisions relating to Planning Bodies	
Schedule 3 Planning Assessment Commission	Schedule 3 will become "NSW Planning Portal and online delivery of services and information"	
Schedule 4 Joint Regional Planning Panels	Omitted	
Schedule 4A Development for which regional panels may be authorised to exercise consent authority functions of councils	Remains unchanged (renumbered?)	
Schedule 5 Paper Subdivisions	This Schedule will be omitted and its provisions moved to the regulations under the Act.	



Current Act	Proposed	
Schedule 5a Special Contributions Areas	Remains unchanged (renumbered?)	
Schedule 5B Planning Assessment Panels	Omitted	
Schedule 6 Savings, transitional and other provisions	The current provisions of this schedule will be moved to the regulations under the Act.	
	Schedule 6 will become: "Liability in respect of contaminated land".	
Schedule 6A Transitional arrangements – repeal of Part 3A	This Schedule will be omitted and its provisions amended and moved to the regulations under the Act.	
Schedule 7 Transferred provisions	This Schedule will be omitted and its provisions moved to the regulations under the Act.	

Section numbering

Currently the Act contains 159 numbered sections, however some sections include 1 or 2 letters after the number e.g. 75AA-AL, 94EA-EM or 121A-ZS. The current numbering is as a result of amendments introducing new provisions, and trying to avoid renumbering other provisions. The consequence is that the Act is hard to read and reference.

The Bill proposes to renumber the sections in the Act within each Part, to reflect the Part, using the decimal system. For example, the first section 1 in Part 1 will become Section 1.1, followed by 1.2, 1.3 etc, and the first section in Part 2, will be numbered 2.1, followed by 2.2, 2.3 etc.

There may be some initial confusion about the sections being renumbered, but in the long term the change will make the Act easier to read, and easier to amend. Such changes have occurred in the past and the planning community have adjusted. For example, in 1998, section 79C Evaluation of development applications, replaced section 90 Matters for consideration. The changes to the section numbers are supported.

Objects of the Act

The objects of an Act are a statement of the Government's intention for the legislation. Objects are of paramount importance to both decision-makers and the Courts when it comes to how provisions within the legislation are to be interpreted, and the importance which is to be placed on certain, often competing, considerations. Significant changes to the objects of the EP&A Act are proposed by the draft Bill. The existing 10 objects are proposed to be condensed into 8. All references to utilities, community services and facilities and the provision of land for public purposes will be removed. Two entirely new objects are proposed to be inserted, one which seeks to elevate the role of design in changes to the built environment and another to promote the sustainable management of built and cultural heritage. The specific changes proposed are set out in full in Table 1 below.

Currently the objects of EP&A Act are:	The proposed objects to the EP&A Act are:	
a. To encourage:		
i. The proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,	a. To promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,	



Currently the objects of EP&A Act are:	The proposed objects to the EP&A Act are:	
ii. The promotion and coordination of the orderly and economic use and development of land,	c. To promote the timely delivery of business, employment and housing opportunities (including for housing choice and affordable	
viii. The provision and maintenance of affordable housing	housing),	
iii. The protection, provision and coordination of communication and utility services.	-	
iv. The provision of land for public purposes	-	
v. The provision and coordination of community services and facilities	-	
vi. The protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities and their habitats,	d. To protect the environment, including the conservation of threatened and other species of native animals and plants,	
vii. Ecologically sustainable development	b. To facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	
b. To promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and	Remains unchanged (g)	
c. To provide increased opportunity for public involvement and participation in environmental planning and assessment.	Remains unchanged (h)	
	e. To promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage).	
	f. To promote good design in the built environment	

The replacement of the verb "to encourage" with the more definitive verbs of "to promote", "to protect" is supported.

An object relating to Ecological Sustainable Development (ESD) was absent from the 2013 draft Bill, resulting in a lot of criticism. The retention of ESD in the objects of current Bill is strongly supported, however the term "to facilitate" could be replace with a stronger term such as "to promote" or "to require".

The 2013 draft Bill included an object "to promote health, amenity and quality in design..." which has not been included in the current draft Bill, and could be considered for inclusion.

The draft submission suggests a number of changes to the proposed wording of the draft objects to ensure that conservation objectives relating to heritage, environmental quality, human health, biodiversity and agricultural land remain.



Minor Changes Definitions

The draft Bill proposes to make a small number of amendments to definitions, however most of these changes involve simply moving the definition to a different section of the Act (e.g. exempt development, subdivision of land) or simplifying the definition by removing a reference to another document (e.g. affordable housing). No substantial changes to definitions are noted from the exhibited information currently available.

Part 2 Planning administration

This part of the Act indicates the role of the Minister for Planning, the Planning Secretary, Planning Ministerial Corporation, Independent Planning Commission (currently called the Planning Assessment Commission), Sydney district and regional planning panels (currently called Joint Regional Planning Panel) and local planning panels.

Planning Bodies

The Independent Planning Commission (IPC), Sydney district and regional planning panels and local planning panels will be referred to in the Act collectively as planning bodies.

The IPC is proposed to replace the Planning Assessment Commission (PAC). It will be given a broad range of functions including, to hold a public hearing into any matter requested by the Minister, and can perform any function of a Sydney district, regional or local planning panel which the Minister requests that it exercise, to the exclusion of the panel. Whilst the IPC can still be required to advise the Minister in relation to any matter, and to determine State Significant and other development, it will no longer have a review function. The members which make up the panel will be appointed and changed at the Minister's discretion (Schedule 2, Proposed Division 2.3).

The Southern Regional Planning Panel is proposed to replace the Southern Region Joint Regional Planning Panel (JRPP). The Southern Regional Planning Panel (RPP) would cover the following local government areas:

City of Albury, Bega Valley, Coolamon, Eurobodalla, Goulburn Mulwaree, Greater Hume Shire, Gundagai, Hilltops, Junee, Kiama, Lockhart, Queanbeyan-Palerang Regional, Shellharbour City, Shoalhaven City, Snowy Monaro Regional, Snowy Valleys, Temora, Upper Lachlan Shire, Wagga Wagga City, Wingecarribee, Wollongong City and Yass Valley.

Similar to the current JRPP, the RPP would consist of 3 members appointed by the Minister and 2 members appointed by the Council. It is suggested that similar to Council's IHAP, the Minister should appoint a pool of experts that can be drawn from depending on the type of development being considered.

The draft Bill would enable Council to establish a Local Planning Panel (LPP), which would replace Council's Independent Hearing Assessment Panel (IHAP). An LPP would consist of 3 members - an independent chair, an independent expert and a community representative.

Council's IHAP currently consists of 4 members – an independent expert chair, 2 independent experts and a community representative. The panel was established following significant community consultation and under the guidance of ICAC. Council's panel is based on a peer review, rather than a determinative model and has now been working very effectively for over 8 years – with all sensitive DAs being reviewed by IHAP and then determined by staff under delegated authority. Unlike other Council's, the IHAP has taken the politics out of DA determination, with only one DA being reported to Council in the last 5 years when the planning officer and IHAP recommendations disagreed.

Although the proposed provisions in the Bill relating to LPPs would appear to permit the panel to continue to perform a review role, there is scope for the Minister to issue a direction that it is to determine certain applications. The attached submission requests that sufficient flexibility be built into the Act to allow Council's IHAP to continue to function as it currently does and to retain its 4 members.



Community Participation Plans

The draft Bill proposes that a planning authority (which includes Council and the local planning panel) be required to prepare a Community Participation Plan (CPP), which will indicate how and when the planning authority will undertake community participation, when:

- Preparing and reviewing planning instruments (e.g. LEPs, Planning proposals and DCPs);
- Assessing development applications;
- Undertaking environmental impact assessments; and
- Preparing and reviewing development contribution plans and Planning Agreements

Schedule 1 of the draft Bill indicates that a CPP will be required to be publically exhibited for at least 28 days and then to be published on the NSW planning portal. There will be a presumption of validity if the CPP is not challenged in Court proceedings within 3 months after the plan is published.

Proposed section 2.23(2) provides that:

A planning authority is to have regard to the following when preparing a community participation plan:

- a) The community has a right to be informed about planning matters that affect it.
- b) Planning authorities should encourage effective and on-going partnerships with the community to provide meaningful opportunities for community participation in planning.
- c) Planning information should be in plain language, easily accessible and in a form that facilitates community participation in planning.
- d) The community should be given opportunities to participate in strategic planning as early as possible to enable community views to be genuinely considered.
- e) Community participation should be inclusive and planning authorities should actively seek views that are representative of the community.
- f) Members of the community who are affected by proposed major development should be consulted by the proponent before an application for planning approval is made.
- g) Planning decisions should be made in an open and transparent way and the community should be provided with reasons for those decisions (including how community views have been taken into account).
- h) Community participation methods (and the reasons given for planning decisions) should be appropriate having regard to the significance and likely impact of the proposed development.

Council will not be required to prepare a separate community participation plan (CPP), if its Community Strategic Plan (CSP), prepared in accordance with Section 402 of the *Local Government Act 1993*, covers the required matters.

Table 2 below sets out the minimum exhibition periods specified in the draft Bill and how this compares with current requirements:

	Minimum exhibition requirements	Current exhibition requirements
Draft community participation plans (Division 2.6)	28 days	NA
Draft regional or district strategic plans (Division 3.1)	45 days	45 days
Planning proposals for local environmental plans subject to a gateway determination (other than minor proposals that under the	28 days, or if a different period of public exhibition is specified in the gateway determination for the	Timeframe specified in Gateway determination, usually 28 days. Council often exhibits for longer, for example



	Minimum exhibition requirements	Current exhibition requirements
gateway determination are excluded from public exhibition) (Division 3.4)	proposal, the period so specified	to exclude the Christmas – New Year Period.
Draft development control plans (Division 3.6)	28 days	28 days
Application for development consent (other than for complying development certificate, for designated development or for State significant development)	14 days	14 days
Application for development consent for designated development	28 days	30 days
Application for development consent for State significant development	28 days	30 days
Application for modification of development consent that is required to be publicly exhibited by the regulations	The period (if any) determined by the consent authority in accordance with the relevant community participation plan.	As per requirements for original development application (minimum 14 days).
Environmental impact statement obtained under Division 5.1	28 days	30 days
Environmental impact statement for State significant infrastructure under Division 5.2	28 days	30 days
Re-exhibition of any amended application or matter referred to above required by or under this Schedule	The period (if any) determined by the person or body responsible for publicly exhibiting the application or matter.	As per requirements for original development application.

As can be seen, the minimum exhibition requirements in relation to designated development, State significant development and State significant infrastructure will be reduced by 2 days. However given that Councils appear likely to retain the flexibility, through individual CPPs, to maintain timeframes slightly above the minimum requirements, the draft submission does not raise any objections to these exhibition changes.

Providing and publishing reasons for decisions

As part of the proposed new community participation requirements, the draft Bill proposes that all consent authorities must include with their mandatory public notification of each determination of an application for development consent, the reasons for the decision (having regard to any statutory requirements applying to the decision), and how community views were taken into account in making the decision. It is understood that this requirement is aimed at decisions that are contrary to the report recommendations, so that the applicant and community will know the reasons.

This requirement will have some minor procedural implications for Council as an organisation. Notices of determination by way of refusal have for a long time been accompanied by 'reasons for refusal'. Over the past 12 months, Council's Development Assessment Team has provided the applicant with, and published on Council's website, the development assessment report upon which each determination is based. It is unclear at this stage whether the development assessment report will fulfil the proposed



requirement to provide 'reasons for the decision'. It seems likely that a standard format will be prescribed by the, yet to be exhibited, amended Regulations.

The requirement to provide and publish reasons for decisions will apply equally to determinations made by a Local Planning Panel (currently IHAP) and by Councillors at Council meetings. This will mean that when applications for development consent are determined at Council meetings and the decision is not in accordance with the assessing officer's recommendation, a list of reasons with reference to relevant statutory requirements and community views will need to be formulated and included as part of the meeting minutes.

Section 96 and 96AA will be amended to require that a consent authority take into consideration the reasons given by the consent authority (or the Court) for the grant of the consent sought to be modified.

The aim of this requirement to furnish reasons is to increase decision making transparency and consistency and presumably also to ensure that expressed community views are taken into account during the development assessment process. The reasons will also be required to be considered as part of any modification proposal. It is foreseeable that this change may potentially increase the opportunity for third party appeals of determinations, based on an alleged error of law (otherwise known as a class 4 appeal or judicial review). Under the proposed changes, objectors to a development will now have ready access to written reasons for approval which could potentially be used as evidence of an error of law being applied in the decision making process.

However, as discussed above, our Council has been publishing development assessment reports for each determination for some 12 months now and in this time; no class 4 appeals have been lodged in respect of our LGA. That said, third parties do have 3 months under the EP&A Regulations within which to lodge a class 4 appeal.

Community consultation by applicants

Section 23 of the amended Act will allow the Regulations to require applicants for development consent or other approvals to undertake community consultation in relation to their applications. The Department has indicated that this provision will only apply to larger development proposals, not dwelling houses. Council currently encourages proponents of development to consult with the owners of adjoining properties and to consider their comments prior to the lodgement of a development application. We support the principle that proponents should undertake consultation early in their design process. However, as the proposed amendments to the Regulations are yet to be drafted, it is unclear at this stage how a legislative requirement of this nature would work in practice. There may be some difficulty in notifying absent landlords, and Council cannot give out person's addresses under privacy legislation.

Part 3 Planning Instruments

This part of the Act currently deals with the preparation and amendment of planning instruments (State Environmental Planning Policies and Local Environmental Plans) and Development Control Plans (DCPs). The draft Bill does not propose many changes to this Part.

One significant change proposed is the requirement for Council to prepare and publish a local strategic planning **statement** and review it every 5 years.

The statement must include or identify the following:

- a) the basis for strategic planning in the area, having regard to economic, social and environmental matters,
- b) the planning priorities for the area that are consistent with any strategic plan applying to the area and any applicable community strategic plan under section 402 of the Local Government Act 1993,
- c) the actions required for achieving those planning priorities,
- d) the basis on which the council is to monitor and report on the implementation of those actions.

It is recommended that the statement form part of Council's Community Strategic Plan.



In addition, every 5 years Councils will be required to determine whether LEPs should be updated. At this stage there are no criteria in the draft Bill for Councils to use to perform this 'LEP check'. Councils are already required to perform regular reviews of LEPs to ensure their currency. This new provision merely formalises a 5 yearly review cycle. It does not mandate that after 5 years, an LEP must be updated. It is noted that Regulations are also required to be reviewed every 5 years, yet the EP&A Regulation has been in place since 2000.

The draft Bill also proposes standardising DCPs, by enabling the Regulations to publish requirements relating to their format, structure and subject matter. However, there is no information on what is proposed. It is understood that the standardisation of structure is to assist the loading of information on the NSW Planning Portal. The Department has indicated that it does not intend to regulation DCP content. It is anticipated that the detail will be in the draft Regulations. This issue is addressed in Council's draft submission. It is noted that DCP provisions can be overridden by the Code SEPP, and the proposed Medium Density Development Guidelines.

Other proposed changes to Part 3 mainly involve consequential amendments to reflect the renaming of the PAC and JRPP.

A lost opportunity is to review the process of preparing planning proposals and making and amending LEPs. The current process in NSW is complex and in need of review. LEPs are promoted as local instruments for local communities, but in reality they are State instruments prepared under the Act and Regulations. They are required to follow the State template (Standard Instrument), be reviewed by the Department's Gateway process, drafted by the Parliamentary Counsel's Office and approved by the Minister (or delegate).

When preparing a draft Planning Proposal, Council is required to consider the Act and Regulations, SEPPs, Regional Plans, various Ministerial Directions, Department of Planning guidelines, policies and guidelines from other agencies, Council's strategies and policies, as well as site constraints relevant to the specific proposal.

State and regional objectives are contradicted by the policies of other agencies. The Department is promoting a model to manage agency comments for integrated development. The same model could provide integrated comments on Planning Proposals. These matters are raised in the attached submission.

The draft Bill does not address contamination issues. Through the Code SEPP, buildings are able to be demolished without adequate consideration of contaminants, such as asbestos, lead and other heavy metals. The source of the contaminants is broad, and could include past land use, building materials, or the proximity to industrial developments or main roads.

Part 4 Development assessment and consent

This Part of the Act addressed development assessment, including exempt development, complying development and local development. The current development assessment framework is proposed to be retained. A number of new requirements are proposed.

A broadening of section 117 direction powers

The draft Bill proposes to give the Minister powers under section 117 relating to the determination of development applications which the Minster does not currently have. Traditionally, section 117 directions have been confined to the furnishing of information, the content of planning proposals and environmental planning instruments and issues relating to the timing of the performance of certain Council functions. The draft Bill proposes to broaden the Minister's powers to include an ability to determine when Council's function of determining development applications is to be exercised by a local planning panel or a delegate of council, and to further empower the Minister to stipulate the identity of the persons who may comprise the local planning panel or be the delegate of the council.

Council's draft submission requests further detail in the form of Draft Regulations which set out the circumstances in which this power can be enlivened. In addition, a minor change to the wording of the proposed subsection is suggested to ensure that specific people cannot be named by the minister (or



their delegate) to comprise a local planning panel or be the 'delegate of council' chosen to determine a particular development application.

Complying Development

The draft Bill proposes to permit deferred commencement conditions to be applied to Complying Development Certificates (CDC). It is understood that this will enable a CDC to be issued on a proposed lot in a new subdivision before the title has been registered, although work would not be able to commence until the lot has been registered. Council's submission does not object to this change.

Under the proposed amendments to Part 4, the validity of complying development certificates will be subject to legal challenge if proceedings are bought within 3 months of the issue of the certificate and the Court finds that the certificate authorises the carrying out of development for which a complying development certificate is not authorised to be issued. These changes allowing the validity of complying development certificates to be questioned, are supported. However, in practice, it may often not be until works commence that an irregularity is detected, and by this stage, the 3 month window may have closed.

The State / Department of Planning seems to be intent on expanding the range of complying development, as evidenced by the draft Medium Density Housing Code that Council considered on 12 December 2016. This intention appears to be somewhat at odds the simultaneous intent to elevate the role of design in planning and development decisions. Consequently, any proposed changes need to be carefully considered.

Private certification has been in place for 19 years, and is partially responsible for the decrease in confidence in the NSW Planning system. There are many examples of certifiers, issuing approvals beyond the development consent or where Council has refused a development application. The proposed Stop Work Orders on CDCs (discussed under Part 9 of this report) should also be available for construction certificates and construction subdivision certificates.

In addition, it is recommended that prior to issuing a CDC, the certifier be required:

- obtain a section 149 Planning certificate that indicates the zoning, planning controls and site constraints;
- ensure compliance with any DCP applying to that locality or place (separate from the development class controls); and
- ensure any section 88B restrictions on title are complied with.

In 2014 the former Minister for Planning appointed Michael Lambert to conduct an Independent Review of the *Building Professionals Act 2005* which establishes the Building Professionals Board (BPB). The BPB oversees certifiers. The review occurred in 2015 and the Government published its response in 2016. The implementation of the actions recommended by the review and supported by the Government, are being progressed separately to the current draft Bill.

Compliance Levy

The draft Bill proposes to establish a compliance levy to support Councils in their role in enforcing complying development standards. There are no details on the levy amount or how it will be distributed to Council. It is assumed that it will be a nominated amount per application which will go to the relevant local government area. This initiative is supported, as Council is the default organisation, that the community or a neighbour goes to if there is a problem with a development. A certifier may not even be from the local area, and could have difficulty in responding to complaints.

The draft Bill also includes provisions for Compliance Cost Notices which can be issued with Development Control Orders (discussed in Part 9 of this report). A compliance cost notice will enable Council to recoup expenses in monitoring and enforcing development control orders.

The introduction of a compliance levy to fund enforcement of development, and compliance cost notices are supported.



Modification of consents

In 2000, a precedent was set by the NSW Land and Environment Court in the case of *Windy Dropdown Pty Ltd v Warringah Council* which led to an erosion of the principle that development must only be carried out in accordance with the development consent. In that case, extra landfill had been placed on the subject land in breach of the conditions of the consent. Windy Dropdown applied for a section 96 modification and this was refused by Warringah Council who argued that the filling had already taken place and had substantially changed the character of the land from a naturally vegetated area to bare space. The Court permitted a retrospective modification approval under section 96 of the EP&A Act which legalised the works. The effect of this decision is that an application can now be made to modify a development consent which would extend the development consent to cover work already carried out.

Some Councils' have raised concerns that this has led to an increase in the number of developments that are being carried out other than in accordance with the conditions of development consent. Indeed, there is one recent, high impact example of this occurring on a prominent site in the Wollongong CBD where a developer raised the ground floor level of multi-story mixed use building in an attempt to avoid certain fire safety requirements. The practical result of this floor level increase was the loss of an effective interface between the building and the streetscape with long lasting negative public domain impacts being imposed on the community.

In response to these concerns, the Bill proposes a new subsection 3A to section 96 which provides that if, after the grant of development consent, any part of the development is carried out in contravention of the consent, the consent may not be modified (except to correct a minor error, misdescription or miscalculation) in order to authorise that part of the development. This amendment is supported.

However, it is foreseeable that following implementation of the proposed amendments, in an attempt to regularise unauthorised works, developers may shift their attention from section 96 to 149D, and apply for a building certificate instead.

Therefore, while Council officers support the proposed changes to provisions in the EP&A Act relating to the modification of consents, Council's submission strongly suggests that changes are also required to section 149D to give Councils the option of withholding the issue of a building certificate under the additional circumstance that development has been carried out other than in accordance with a development consent and for which council is entitled to take proceedings. Such an inclusion would, it is suggested, when taken together with the amendments proposed to section 96, act as a significant deterrent to the carrying out of illegal works. Additionally the fee for a Building Certificate could be substantially increased to act as a greater deterrent.

It is noted however that even as it currently stands, the issue of a building certificate does not operate to prevent Council from taking criminal proceedings under section 125 of the EP& A Act for failure to comply with conditions of consent.

Part 5 Infrastructure and environmental impact assessment

Current practice by public authorities is to consult with other agencies and State owned corporations for activities assessed under Part 5 of the Act (Review of Environmental Factors only - no Consent required), however there is no formal requirement to do so.

It is proposed to address this matter via the insertion of a new division into Part 5 to require concurrence or notification of public authorities to activities within future infrastructure corridors. The formalisation of concurrence and or notification requirements for Part 5 activities is supported so as to ensure inappropriate development does not occur within an infrastructure corridor that could have significant cost implications at a future time.



Part 6 Building and subdivision certification

Part 6 of the draft Bill addresses certification. Overall the changes proposed are generally consistent with current legislative requirements. The proposal provide better clarity and structure than the current framework. Notable amendments include:

- Introduction of a Subdivision Works Certificate. This is a similar certificate to a construction certificate (which is for building works), while the subdivision works certificate is for subdivisions.
- If a certificate is challenged within 3 months of issue and is deemed to not be consistent with the approval then that certificate is invalid. It is noted that there is in improvement in the revised wording that requires certificates to be 'consistent' with the approvals
- Certifiers are required to prepare a building manual when issuing an occupation certificate for more complex developments. This includes ongoing maintenance requirements by owners such as fire safety systems.

The proposed amendments are supported.

Part 7 Infrastructure contributions and finance

Part 7 of the draft Bill includes development contributions. Little change is proposed to section 94, Section 94A or Planning Agreements (apart from renumbering the sections). The Department has exhibited separately amendments relating to Planning Agreements, including a new draft circular and draft Ministerial Direction.

There are a number of changes in relation to Special infrastructure contributions, imposed by the State. One change proposed will enable the State to collect State infrastructure contributions from complying development.

Part 8 Reviews and appeals

Under the proposed changes to Part 8, a development consent will have effect on and from the date it is published on the NSW Planning Portal and is no longer required to be published in the local newspaper. The exception is a development consent for designated development which will take effect on and from the end of 28 days after the date it is published (unless the consent was granted following a public hearing by the IPC, in which case it will take affect from the day it is published). Such changes are not controversial, and will reduce the cost of publishing in multiple newspapers. It is noted that some Council's in rural areas, may not have access to weekly newspapers.

Council's IHAP was instituted some 8 years ago and its role as a review body for development applications is considered to have reduced the number of Class 1, merit based appeals lodged with the Land and Environment Court.

The new provisions relating to reviews are not substantially different to those currently in place and would not in themselves prevent Council from utilising a Local Planning Panel to conduct reviews as Council's delegate, in the same way that IHAP is currently being used.

The timeframes for merit based (Class 1) appeals for both development assessed under Part 4 and Certificates issued under Part 6, will remain the same: 6 months for the applicant and 28 days for an objector (the later appeal right only exists in relation to designated development). Similarly, no amendments are proposed to the timeframe for a judicial review of a decision under section 123 of the EP&A Act. This is specified in the EP&A Act Regulation and remains at 3 months from the date the determination is published.



Part 9 Implementation and enforcement

Enforcement of Undertakings

A new enforcement mechanism is proposed to be inserted into the Act which will allow the Planning Secretary to accept enforceable undertakings in connection with any matter in relation to which the Minister, Planning Secretary or a public authority has a function under the EP& A Act. The Planning Secretary can then apply to the Court for orders if the person who gave the undertaking has breached any of its terms.

In general, enforceable undertakings are particularly useful when there has been damage to the environment that needs to be repaired and/or mitigation measures are required to prevent further harm. In these situations, fines or the institution of criminal proceedings are inadequate. Further, enforceable undertakings potentially provide a faster and cheaper regulatory option than seeking orders for remedial works in the Court based on a breach of the Act. The *Protection of the Environment Operations Act* 1997, the *Mining Act* 1992 and the *Petroleum (Onshore) Act* 1991 all include provisions for similar undertakings. Enforceable undertakings are also widely used by WorkCover NSW/ Safework NSW.

However, the proposed amendments to the EP&A Act regarding enforceable undertakings in their current form do not give Councils the power to accept these undertakings. It is unclear at this stage whether this power is proposed to be delegated by the Planning Secretary to Councils. Further, additional provisions would be required in the Regulations relating to the form and registration of such undertakings, and allowing them to run with the land, in order for them to be used in practice. These matters are addressed in the attached submission.

Development Control Orders

From an enforcement perspective, the majority of the proposed changes are structural/terminology based and are supported. For example orders under s121B will now be called "development control orders" and some of the terminology is slightly different however, the way we use the orders will remain the same.

There will be a requirement for Council to update all of its templates and documentation as a result of these changes as well as some refresher training/induction to staff.

Stop Work Order (CDC)

Councils are the enforcement authority responsible for monitoring how development is carried out at the local level, and ensuring that it follows the rules.

This includes complying development where the certificate is issued by a private certifier. However, work on complying development can proceed very quickly. This leaves Council with limited time in which to investigate whether or not a Complying Development Certificate (CDC) is being followed.

It is proposed that where a CDC has been issued, Councils will be able to issue a temporary stop work order on the project, in order to investigate whether it is being constructed in line with the CDC. Work will be able to be stopped for seven (7) days, and the power will be limited to genuine complaints about building work not complying with a CDC. This amendment is supported.

It should be noted that resourcing may have an impact on the ability to investigate within seven (7) days of the issuing of the Order, however the proposed compliance levy (outlined below) may go some way towards addressing this issue.

Part 10 Miscellaneous

The amendments to this Part mainly relate to omission of the various Schedules and other numbering based, consequential amendments.



CONSULTATION AND COMMUNICATION

The draft Bill is being exhibited by the State from 10 January to 31 March 2017 by the NSW Department of Planning and Environment. The Department has held briefing sessions in Sydney and regional areas, including Wollongong.

Due the short exhibition timeframe, Council has not undertaken any community consultation. Council officers have reviewed newspaper articles and commentary prepared by other organisations to assist the preparation of a draft submission.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of all six Wollongong 2022 goals.

It specifically delivers on core business activities as detailed in the Land Use Planning Service Plan 2016-17.

CONCLUSION

The Environmental Planning and Assessment Act 1979 (EP&A Act) and has been in place for over 36 years and is in need of review. The NSW State Government is exhibiting a draft Bill to update the structure of the Act, as well as revising some of the provisions, and adding new provisions.

It is recommended that Council endorse the attached submission to the NSW Department of Planning to enable Council to have input into the proposed amendments.



Item 2 - Attachment 1 - Draft submission to Department of Planning on draft Environmental Planning and Assessment Act Amendments



WOLLONGONG CITY COUNCIL

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Planning Legislation Updates 2017 NSW Department of Planning and Environment GPO Box 39 SYDNEY NSW 2001

Our Ref: File: Date: Z17/37269 ESP-100.07.015 14 March 2017

Dear Sir/Madam

DRAFT ENVIRONMENTAL PLANNING & ASSESSMENT AMENDMENT BILL 2017

Thank you for the opportunity to comment on the Environmental Planning and Assessment Amendment Bill 2017. Wollongong City Council endorsed this submission at its meeting on 13 March 2017.

This submission is structured to reflect the structure of the draft Bill.

General Comments

The simplification of the *Environmental Planning and Assessment Act* 1979 (EP&A Act) into 10 Parts, and the renumbering of sections using the decimal system within each Part, are supported as this will assist in the reading of the Act and any future amendments.

Many of the proposed legislative amendments are supported in principle. However, great care is required to ensure the amendments will not result in unintended consequences and will achieve the objective of improving the State's planning system.

Council has provided detailed feedback on proposals where further changes and/or additional detail is required to achieve the stated aims.

Part 1 - Preliminary

Objects of Act.

The objects of the Act are important, as they indicate the Government's intention for the legislation, and are used in legal proceedings to determine how provisions are interpreted. The re-writing of the objectives will change case law.

Council supports the use of the verbs 'promote' and 'protect' in place of the word 'encourage'. The following changes are suggested to some of the new and amended objects:

- (a) It is submitted that the word "agricultural" be added after "State's natural".
- (b) The continued inclusion of Ecologically Sustainable Development (ESD) in the objects of the EP&A Act is strongly supported. However the proposed wording appears to limit the ESD focus to the balancing of social, economic and environmental considerations. Whilst this is an important ESD principle, the definition of ESD adopted by the EP&A Act and reflected in national and international law, is much broader and incorporates other fundamental principles such as the fundamental importance of the conservation of biological diversity and ecological integrity, intergenerational equity



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and the precautionary principle. The application of each and every principle in decision making is essential if ESD is to be achieved in practice. The current proposed construction of the object is likely to lead to a narrowing of the application of ESD considerations in decision making and potentially, lengthy and expensive legal arguments regarding the weight, if any, to be given to other ESD principles in the context of contentious planning and development proposals. It is suggested that verb should be stronger than 'facilitate'.

It is suggested that the object within the EP&A Act that relates to ESD should seek to 'operationalise' all of the principles which form part of the definition of the ESD adopted by the Act. This could be achieved through wording such as: "To require the application of the principles of Ecologically Sustainable Development to planning and development decisions."

- (d) It is acknowledged that the current wording of section 5(a)(vi) is a stronger statement of intent than the 'environmental protection' object proposed by the draft Bill. However we note that there is potential to improve the wording of this object. To align with the *Biodiversity Conservation Act 2016* which recognises the importance of strategic landscape scale conservation, with specific references to biodiversity values and threatened species and ecological communities and habitats, Council offers the following alternative wording for clearer consistency between Acts:
 - "The protection of the environment, including the conservation of biodiversity and biodiversity values encompassing threatened and other native animal and plant species, ecological communities, their habitats and linkages between habitats."
- (e) It is submitted that the words "conservation and" should be inserted before "sustainable management".
- (f) The elevation of the role of design in the built environment is supported.

Council would also encourage the inclusion of an object which recognises the link between human and environmental health similar to the object previously included in the 2013 draft Bill.

Part 2 - Administration

Independent Planning Commission

Proposed section 2.10 Constitution of Commission for particular matters. Subsections (1) and (2) appear to be contradictory, and the meaning of the remaining subsections is difficult to interpret. Council submits that the Independent Planning Commission (IPC) should be constituted of not less than 3 members when exercising the functions of determining development applications and holding public hearings.

It is unclear why the IPC is excluded from the definition of 'Planning Body' in clause 15 of Schedule of the draft Bill.

Regional Planning Panel

The Minister should appoint a pool of experts to the Regional Planning Panel, rather than 3 members, that can be drawn upon depending on the nature of the development proposal being considered. Council has a pool of 15 members for its Independent Hearing and Assessment Panel (IHAP). The pool would also prevent delay in the assessment process if a panel member was not available.

Local Planning Panel

Council's Independent Hearing and Assessment Panel (IHAP) currently consists of 4 members, an independent expert chair, 2 independent experts and a community representative. The panel was established following significant community consultation and under the guidance of ICAC. The panel is based on a peer



Item 2 - Attachment 1 - Draft submission to Department of Planning on draft Environmental Planning and Assessment Act Amendments

review, rather than a determinative model and has now been working very effectively for 8 years – with all sensitive DAs being reviewed by the IHAP and then determined by staff under delegated authority. The IHAP has taken the politics out of DA determination, with only 1 DA reported to Council in the last 5 years when the IHAP and Council officers had opposing recommendations (and as required by the IHAP Charter in such circumstances).

Although the proposed provisions in the Bill relating to Local Planning Panels (LPPs) would permit the panel to continue to perform a review role, Council requests that sufficient flexibility be built into the Act to allow Council's IHAP to continue to function as it currently does and to retain its 4 members.

Part 3 Planning Instruments

Planning Proposals

Not reviewing and amending the current process of preparing planning proposals and making and amending LEPs is considered a lost opportunity. The current process in NSW is complex and in need of a review. LEPs are promoted as local instruments for local communities, but in reality they are State instruments prepared under the Act and Regulations. LEPs / Planning Proposals are required to follow the State template (Standard Instrument), be reviewed by the Department's Gateway process, drafted by the Parliamentary Counsel's Office and approved by the Minister (or delegate). When preparing a draft Planning Proposal, Council is required to consider the Act and Regulations, SEPPs, Regional Plans, various Ministerial Directions, Department of Planning guidelines, policies and guidelines from other agencies, Council's strategies and policies, as well as site constraints relevant to the specific proposal.

State and regional objectives are contradicted by the policies of other agencies. The Department is promoting a review process for agency comments for integrated development. The same team could provide integrated comments on Planning Proposals.

Contamination

The draft Bill does not address contamination issues which are currently arising in the context of complying developments. Through the Code SEPP, buildings are able to be demolished without adequate consideration of contaminants, such as asbestos, lead and other heavy metals. By way of practical example, the roof spaces of dwellings and commercial premises which surround industrial land uses (both past and present) or which are located along main roads; invariably contain a build-up on dust materials which pose a risk to public health when exposed or disturbed.

Development Control Plans

The standardisation of DCPs structure is supported, however the detail of what is proposed needs to be reviewed. In order to facilitate meaningful community participation in planning and development decisions (one of the stated objectives of the reforms), DCPs need to retain their 'local' identity. People, both residents and tourists alike, value uniqueness in places. The social diversity of our communities and the diverse histories of our towns and villages necessarily require inherent flexibility in the planning framework which allows for local solutions to local needs and aspirations. Whilst Council does not object to efforts to increase consistency in the structure of DCPs across NSW, Council strongly objects to the proposed standardisation of subject-matter. Council is willing to work with the Department to trial a new format, given the variety of development types, site constraints and localities/character that occurs within the LGA.

Part 4 Development assessment and consent

Ministerial directions



Item 2 - Attachment 1 - Draft submission to Department of Planning on draft Environmental Planning and Assessment Act Amendments

Proposed clause 4, item [3](8) (on p.48 of the Draft Bill) seeks to give the Minister powers under section 117 relating to the determination of development applications which the Minister does not currently have. It may reduce confusion if section 117 itself is amended to give effect to the intention to broaden the Minister's powers. Council further submits that item [3], sub item 8 (on page 48 of the Bill) should be amended to insert the words "class of" before "persons". Such a change will ensure that specific people cannot be named to comprise a local planning panel, and allow Councils (such as Wollongong) who already have an established and well- functioning local panel (albeit under a different name) to continue the effective operation of their panels without disruption.

In addition, we request further detail in the form of Draft Regulations which set out the circumstances in which the new Ministerial power to determine when Council's function of determining development applications is to be exercised by a local planning panel or a delegate of Council, and to further empower the Minister to stipulate the identity of the persons who may comprise the local planning panel or be the delegate of the Council, can be enlivened.

Complying Development Certificates

Under the proposed amendments to Part 4, the validity of complying development certificates will be subject to legal challenge if proceedings are bought within 3 months of the issue of the certificate and the Court finds that the certificate authorises the carrying out of development for which a complying development certificate is not authorised to be issued. These changes allowing the validity of complying development certificates to be questioned, are supported. However, it is noted that in practice, it may often not be until works commence that an irregularity is detected, and by this stage, the 3 month window may have closed.

The proposed change to the threshold wording regarding the validity of certificates (proposed section 6.32 (b) on page 69 of Bill) to "are not consistent with", is strongly supported.

Amendments to section 96 - Modifications

Council supports the proposed new subsection 3A to section 96 which provides that if, after the grant of development consent, any part of the development is carried out in contravention of the consent, the consent may not be modified (except to correct a minor error, misdescription or miscalculation) in order to authorise that part of the development.

However, it is foreseeable that following implementation of the proposed amendments, in an attempt to regularise unauthorised works, developers may shift their attention from section 96 to 149D, and apply for a building certificate instead.

Therefore, Council strongly submits that changes are also required to section 149D to give councils the option of withholding the issue of a building certificate under the additional circumstance that development has been carried out other than in accordance with a development consent and for which council is entitled to take proceedings. Such an inclusion would, it is suggested, when taken together with the amendments proposed to section 96, act as a significant deterrent to the carrying out of illegal works, because it would help to ensure the achievement of the government's intention to preventing the granting of retrospective approvals. In this regard, a subsection to the following effect could be inserted after section 149D(1)(a)(iii):

(iv) to take proceedings to prosecute for illegal works carried out other than in accordance with development consent.

Additionally, it is submitted that the fee for a Building Certificate could be substantially increased to act as a further deterrent.

Certification



Item 2 - Attachment 1 - Draft submission to Department of Planning on draft Environmental Planning and Assessment Act Amendments

Private certification has been in place for 19 years, and is partially responsible for the decrease in confidence in the NSW Planning system. There are many examples of certifiers, issuing approvals beyond the development consent or where Council has refused a development application.

The proposed Stop Work Orders on CDCs should also be available for construction certificates and construction subdivision certificates.

In addition, it is recommended that prior to issuing a CDC, the certifier be required:

- obtain a section 149 Planning certificate that indicates the zoning, planning controls and site constraints;
- ensure compliance with any DCP applying to that locality or place (separate from the development class controls); and
- ensure any section 88B restrictions on title are complied with.

It is noted that the Government's responses to the Michael Lambert's Independent Review of the *Building Professionals Act 2005* are being progressed separately to the draft Bill. As the performance of certifiers directly impacts on the NSW Planning system, Council would like more regular updates on progress of implementation.

It is Council's view that increased professional standards and requirements together with increased supervision for certifiers is required to improve confidence in this area of the NSW planning system.

Compliance Levy

The introduction of a compliance levy to fund enforcement of development is supported. However there are no details on the levy amount or how it will be distributed to Council.

Part 5 Infrastructure and environmental impact assessment

The formalisation of concurrence and or notification requirements for Part 5 activities is supported so as to ensure inappropriate development does not occur within an infrastructure corridor that could have significant cost implications at a future time.

Part 6 Building and subdivision certification

The proposed amendments to Part 6 are supported. The separation of subdivision certificates from construction certificates (for building works) is supported. In fact, Council already separates building and subdivision, construction certificates because they are managed by different teams.

Part 7 Infrastructure contributions and finance and Part 8 Reviews and appeals

No comment

Part 9 Implementation and Enforcement

Enforceable undertakings

Council supports the introduction of 'enforceable undertakings' as an enforcement tool which offers an alternative to costly and drawn out legal proceedings. However, proposed section 9 (page 86 of the Bill) frames the new power as an ability of the Planning Secretary to accept undertakings.

In order for this to be a useful enforcement tool for local government:

- The power to accept a written undertaking will need to be extended to councils who are then
 authorised to delegate this authority to suitably qualified officers;
- The Act will need to enable the Regulations to provide for the form and manner in which the
 undertakings are to be written, executed (signed and witnesses etc), accepted and recorded/kept in a
 register;



Item 2 - Attachment 1 - Draft submission to Department of Planning on draft Environmental Planning and Assessment Act Amendments

The undertakings will need to run with the land (in the same way as conditions of consent do) to
ensure that the objectives of the mechanism cannot be thwarted by the sale of the subject land to a
third party

Development Control Orders

The proposed amendments are supported.

Stop Work Order (CDC)

The proposed ability for Councils to be able to issue a temporary stop work order on a project, in order to investigate whether it is being constructed in line with the CDC, for 7 days in supported. The power will be limited to genuine complaints about building work not complying with a CDC. Work on complying development can proceed very quickly. This leaves Council with limited time in which to investigate whether or not a Complying Development Certificate (CDC) is being followed.

Part 10 Miscellaneous

No comment

Schedule 11 of draft Bill - Consequential amendments of other Acts and instruments

Under the proposed new Clause 17P, it is recommended that in accordance with the principles of ESD, the disciplines listed in subclause (2) be expanded to include "environmental science" and "ecology".

Other issues:

It is unclear what is happening to Section 149 Planning certificates, or what they will be called.

The Summary of Proposals and Government press releases indicate that the draft amendments will improve Housing Affordability. It is unclear how the draft legislation will directly achieve this goal, as apart from the retention of an housing affordability object, and the clarification of a definition in Part 7, there are no new provisions relating to housing affordability. It is noted, that indirectly, improvements to the planning system may reduce delay and uncertainty which will benefit all applicants.

The Environmental Planning and Assessment Regulation 2000 is 16 years old and is also in need of review, especially to reflect the proposed amendments to the Act. It is further noted that according to the NSW Government legislation website, the Regulation is currently due to be automatically repealed under the Subordinate Legislation Act 1989 on 1 September 2017. Council would appreciate the opportunity to review the draft Regulations, especially as they will contain detail around how provisions in the draft Bill will be implemented.

If you require further information or clarification on Council's submission please contact Council's Director Planning & Environment, Mr Andrew Carfield on 4227-7284.

Yours faithfully

David Farmer **General Manager** Wollongong City Council Telephone: (02) 4227 7111



File: CCE-020.50.40.152 Doc: IC17/91

ITEM 3

FINANCIAL ASSISTANCE POLICY - PART J LARGE CULTURAL GRANTS

This report provides information, in accordance with Council's Financial Assistance Policy, in relation to both successful and unsuccessful recipients for the 2016-17 financial year in the program. It also provides an update on funded programs from Council's 2015-16 Large Cultural Grants Program.

RECOMMENDATION

Council note the information provided in this report.

REPORT AUTHORISATIONS

Report of: Sue Savage, Manager Community Cultural and Economic Development (Acting)

Authorised by: Kerry Hunt, Director Corporate and Community Services - Creative, Engaged and

Innovative City (Acting)

ATTACHMENTS

- 1 Update from 2015-16 Recipients
- 2 Large Cultural Grants Program 2016-17 Applications

BACKGROUND

Wollongong City Council introduced a new Large Cultural Grants Program in 2015-16. This is the second year of this funding program. The Large Cultural Grants Program supports local community cultural development, arts based projects in each of the three wards of the local government area.

PROPOSAL

This report be noted by Council.

CONSULTATION AND COMMUNICATION

The opportunity to apply for assistance in accordance with Council's Financial Assistance Program and attend one of three information sessions for the broader community was delivered by:

- Advertisements in Council's pages of The Advertiser
- Information and applications were available on Council's website
- Social media activity

The consultation process was undertaken in accordance with Council's Financial Assistance Policy assessment process with the following involved:

- General Manager
- Manager Community, Cultural and Economic Development [Acting]
- Large Cultural Grants Sub-Committee

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 goal 3 "Wollongong is a creative and vibrant city". It specifically delivers on the following:

	Community Strategic Plan	Delivery Program 2012-2017	Annual Plan 2016-17
	Strategy	5 Year Action Annual Deliverables	
3.1.2	Artists and innovators are employed, mentored and supported.	3.1.2.1 Support existing and emerging arts workers and their networks.	Manage Cultural Grants (small and large).
3.4.2	Using Community and Cultural Development practices, our places and space reflect the creativity and identity of our people.	3.4.2.1 Develop a new Cultural Plan	Deliver key funded strategies from the Cultural Plan including community cultural development projects.



RISK ASSESSMENT

All funding recipients are required to supply evidence of their public liability insurance with their signed agreement while also providing a report post event showing the outcomes of the event.

This information is included in each individual agreement and is done so in accordance with Council's Financial Assistance Policy.

FINANCIAL IMPLICATIONS

The following Financial Assistance Programs are delivered within the 2016-17 Council approved budget.

CONCLUSION

The Large Cultural Grants Program will build on our cultural strength and provide an opportunity for cultural capacity building for cultural development and creative industries.



UPDATE FROM 2015-16 RECIPIENTS

WARD	NAME	AMOUNT (\$)	PROJECT DESCRIPTION	UPDATE
1	Corrimal Chamber of Commerce	11,374	Pop Up Creative Makers Space at Spring into Corrimal	Creative Corrimal Arts Festival will be held on 22 April 2017
1	Judy Stubbs	11,125	Mosaic Artworks	Currently running workshops and negotiating sites for artworks
2	Laughter House Productions	11,500	Creative Project – "Look Up and Laugh"	Activities will be held in March/April 2017
2	HONK OZ	6,000	Music Street Festival	Completed
2	Anchors Away	4,000	Mural – Safer Spaces Mural	Completed
3	Barnardos	4,779	Placemaking Project in Howard Fowles Park	Will be installed in March/April 2017
3	Ann-Louise Rentell	15,349	Where Lies Beauty – Stage 1: The gathering of individual stories, the setting up of the online archive and presentation of the walking tours	Currently transcribing interviews, working on uploading images and stories to Wordpress site
3	Laughter House Productions	15,300	Creative Project – "Look Up and Laugh"	Activities will be held in March/April 2017

LARGE CULTURAL GRANTS PROGRAM 2016-17 APPLICATIONS

Item 3 - Attachment 2 - Large Cultural Grants Program 2016-17

Summary:

-	ARTIST	DESCRIPTION	ALLOCATED (\$)
Ward 1	Emma Saunders	Dance Performance	12,500
	Yours & Owls & Science Centre	Film/Documentary	<u>10,000</u>
			22,500
Ward 2	Art Panels Daniel Robson	Visual Art Panels	4,500
	WHY Documentaries	Film/Documentary	10,000
	Phoenix Theatre	Theatre Performance	<u>6,000</u>
			20,500
Ward 3	Spontaneous Films	Film/Documentary	7,500
	The Adelphi Experiment	Theatre Project	12,000
	Angela Cass	Visual Art Exhibition	<u>3,000</u>
			<u>22,500</u>
TOTAL ALL WARDS			\$65,500

Full Details:

Applicant	Ward	Amount Sought (\$)	Amount Allocated (\$)	Briefly Summary on Proposal for Funds Sought	Comments	Yes/No
The Austinmer Dancing Project (Mrs Emma Saunders)	1	20,000	12,500	The Austinmer Dancing Project is a proposal requesting funds to produce, research, creatively develop and perform a flash mob on Austinmer Beach on New Year's Day 2018. There will be at least 100 local participants involved, with live music, photographic and video documentation, and a drone to capture the work from above. All artists involved are from Ward 1 including Austinmer and Scarborough.		Yes
Yours & Owls / Mr Balunn Jones	1	10,000	10,000	A 50-60 minute experimental film/performance developed for planetariums and virtual reality. The project will commission one writer, two videographers and three musicians, all from the Illawarra to create the piece. It will be coordinated by the Yours and Owls team and involves experts from the Science Centre and Virtual Reality content creation. It will be showcased at Wollongong Planetarium in September 2017 and if successful will be toured to Planetariums across Australia.	Film/ Documentary. Could be toured nationally	Yes

Applications

Item 3 - Attachment 2 - Large Cultural Grants Program 2016-17



Applicant	Ward	Amount Sought (\$)	Amount Allocated (\$)	Briefly Summary on Proposal for Funds Sought	Comments	Yes/No
Forever Projects/ Mr Daniel Robson	2	4,500	4,500	Funds for this grant will be used for the transport and installation of an African themed market space at the Yours and Owls Music Festival in 2017. The market installation is crucial for creating the context in which the local street artists, designers and collectives can work creatively throughout the long weekend festival, with the aim to connect the community to our cause through live art murals.	Visual Art Panels	Yes
WHY Documentaries	2	10,000	10,000	We are seeking funds to produce four films linked to the Belmore Basin precinct that will help interpret the site for tourists and students alike as part of a wider project, Yesterday Stories which has already begun documenting the history of the area for the Illawarra and a wider area	Film/ Documentary	Yes
Gathering Stories' / Phoenix Theatre Incorporated	2	6,000	6,000	By gathering stories of older and young women we will draw a connection to how media and public opinion form the basis of how women see themselves as either strong individuals or women who are allowing a lesser opinion affect their lives in a negative way, we hope to show that the power of positive messages and personal empowerment can change this and help young women see that there is a great future ahead if they only have the courage to walk to it.	Performance	Yes
Spontaneous Films Pty Ltd	3	15,010	7,050	Funds are needed for the filming, sound recording, editing and post production of the documentary "Wentworth Street – Port Kembla". There is also a budget for the screening and performances of the finished program at Warrawong.	Film Documentary	Yes
Ms Louisa Christina Raft	3	22,500	12,500	"Connection" is a cultural development project involving Koonawarra community members across the whole span of life. Together with contemporary performance collective The Adelphi Experiment, participants will use a range of creative art forms to explore and communicate the meaning of connection in their community.	Theatre Performance	Yes
Collage Workshop/Mrs Angela Jane Cass	3	3,089	3,000	Funds are requested for the hire of Port Kembla Community Project Hall on 19 February for two x 2 hour collage workshops. Session One is for adults and Session Two is for children with accompanying adults. Expected costs for this are for materials, light refreshments, and public liability insurance. Monies are also requested for print of postcards designed by me to advertise the workshop day. Funds are also desired for hire of the same space on Billy Cart Derby on 27 May to exhibit the community's collages. If this preferred date falls outside of the required period for completion of the grant award I have an alternative date in mind: this is 25 March 2017. Those who contributed to the collage workshop will be invited to come along for refreshing non-alcoholic drinks and cake and to celebrate the exhibition. No profit for the artist is intended or requested. Required insurance coss have also been submitted.	Exhibition	Yes



Applicant	Ward	Amount Sought (\$)	Amount Allocated (\$)	Briefly Summary on Proposal for Funds Sought	Comments	Yes/No
The Society of Historic Happenings / Ms Anne-Louise Rentell	3	\$10,500		Wentworth Dreaming is a project in four stages and will be run by a fictional professional consultancy firm (Blue Sky Futures) and fictional professional real estate agency (Wentworth Properties). It is a contemporary performance project conceived and directed by creative producer Anne-Louise Rentell in collaboration with Tamara Campbell and Dave Evans from Laughter House Entertainment. We are seeking support for Stage 1 through this application.	Performance [Stage 1 of Project only]	No
Merging of the Dreamings' / Coomaditchie Unitd Aboriginal Corporation	1+3	21,639		'Merging of the Dreamings' will bring people to Coomaditchie to participate in the creation of four large collaborative artworks and a number of smaller artworks depicting the Dreaming stories of the local area. On completion there will be an exhibition of the works in the community access space of the Wollongong City Gallery and a story book will be published, telling one of the stories and using some of the artwork.	Visual Arts	No
Strawberry Visions	1	22,500			Film / Documentary [already established project]	No
Paint Façade & Sides of Koonawarra Community Centre / CareWays Community	3	20,000		Paint the façade and sides of the community centre at Koonawarra with an art piece codesigned and created by community. Create additional art pieces on panels to add to the façade to create an outdoor gallery of community created art to enhance and revitalise the community centre and its outside garden seating areas. Utilise a them such as belonging or equity, to create cohesion, inclusiveness and engagement with the community cultural development art project.	Painting mural on building [Council]	No
Public Musical Mud Stomps / mr David Mitsak	1+2	22,203		David Mitsak will pursue his artistic vision of creating a festive earthen masonry building culture with local flair. In this vision the finest musicians and performing artists will collaborate with professionals from the building sciences. Public musical mud stomps will engage many people in the process of mixing special clay mud mixtures that will be used for building and sculpting functional structures for the community.	Mud stomp with musicians and clay bricks to be used for community projects	No



Applicant	Ward	Amount Sought (\$)	Amount Allocated (\$)	Briefly Summary on Proposal for Funds Sought	Comments	Yes/No
Cringila Community Cooperative – Cringila Youth Project	3	11,000		'Cringila's Secret Stories' will engage Multicultural Youth and Community members living in Cringila, an Indigenous Community Cultural Educator, Community Artist, local Arabic speaking Community Arts Worker as well as an advisory panel of experienced community based artists and Youth Community members known as "The Cringila Brain's Trust!". The project will be overseen by Cringila Youth Project, Cringila Community Cooperative. This project will consist of a series of Youth/Community Culture Share and Vision Board making workshops and youth/community mural panel skills development workshops. These processes will lead into the collaborative formation of a major public work, located in Cringila and based on the theme of Place; a side of identity, belonging and spiritual connectedness.	Workshops leading to performance. Reliance on NYWYP funding	No
Exhibition / Mr Ray Collins	1+2	12,000		I have all of the gear and time to do this project now. The funds are for fuel so I can visit our 8 tidal pools on an almost daily basis and for printing costs associated with an exhibition.	Exhibition. No CCD applying for printing and travel costs	No
Sculpture / John Haymes	1	16,500		Sculpture constructed from white ferro-cement, placed in a natural place, adjacent to the seaside. The form is based on an eroded sea shell.	Sculpture [no site]	No
Wild Rumpus Incorporated	1, 2 + 3	\$16,260		The MY SONG, YOUR SONG Skillshare Project will work in partnership with SCARF to recruit and work with members of the refugee community of Wollongong on celebrating their skills and supporting them to deliver a fun, introductory and short skillshare class that are open to the community to attend. Skillshare classes may include handicrafts, dance, music, art practices, and language. The project will deliver 12 classes over 12 months in the Wollongong area, with popular classes repeated.	Workshops	No
Youth Specific Stream of Projects' / South Coast Writers' Centre Inc	1, 2 + 3	\$19,965		We are applying for funding to run a youth-specific stream of projects in Wollongong. The SCWC youth program is split into three streams including the Young Writers Group, Kanahooka High Writing Group and the SCWC Internship Program. The project is to foster a strong local literary culture that nurtures young people's interest in writing provides real work experience and skill development for emerging writers, while supporting established, local writers.	Workshops	No



Film South/Mr Geoffrey Loxton Sykes	1	\$12,250		A set of short documentaries that highlight individual residents, artists, local historians, sportspersons (e.g. flier, surf) in the context of the local physical locality and social community where they live. It will serve as a whole to highlight and endorse the environmental, social and cultural attributes of Wollongong LGA, in particular Ward One and the Northern Illawarra.	Film / Documentary	No
Applicant	Ward	Amount Sought (\$)	Amount Allocated (\$)	Briefly Summary on Proposal for Funds Sought	Comments	Yes/No
Interactive Community Artwall / Miss Violetta Ljubica Strabic	1	\$4,500		I will be creating an interactive community art wall which everyone can participate in. The art wall will be 10 large 2m long by 2m high heavy duty sheets which will be propped up with scaffolding during the 4 allocated painting days. This will contribute to the cultural value of the Wollongong culture, by taking a snapshot of the community's thoughts during 2017 to April 2018.	Visual Arts - Community Art Wall. (Does not have site permission)	No
Mr Zachary Bennett-Brook	1,2 +	\$10,000		To cover costs of materials, equipment insurance and the time to complete that artwork	Visual Arts no CCD component	No
Compose, record and perform work - jazz quintet / Mr Phillip James Slater	2	\$22,000		The proposed project is to compose, record and perform a new 70-80 minute work for jazz quintet and accompanying photographic visual artwork responding to and reflecting upon key cultural, industrial, historical and geographical sites within the Ward 2 district of the Wollongong Local Government Area. The work will receive its premier performance as part of the 2017 "Wollongong Jazz" series administered by the Wollongong Conservatorium of Music, with subsequent national performances accusing throughout 2017 and 2018.	Composition / Performance	No
Mural Art Work / Mr Joel Tonks	2	\$22,500		I intend to create a mural artwork in Ward 2, depicting a selection of local flora and fauna representing quintessential Wollongong wildlife. During the day, only these painted images are visible. At night, a ultraviolet floodlight reveals a hidden layer of images and text in the mural painted in UV reactive paint, adding a dynamic discovery element to the mural.	Mural. (No CCD component)	No
"Public Garden" /Mr Joel Tonks	2	\$22,500		The project I am proposing is a public 'garden', occupying an alleyway or nook in ward 2. The walls of the alleyway will be lined with local and endemic plants and flowers. This garden is accompanied by a 'digital garden' of artificial flowers suspended from above. When interacted with or touched, these flowers emit sound and light, creating a playful experience.	Digital Artwork.	No



All Abilities Interactive Exhibition - / Big Fat Smile	2	\$14,340		We plan to produce an 'All Abilities' interactive exhibition at The Gallery @ Big Fat Smile in 2017. The vision for the exhibition is an interactive sensory exhibition aimed at all children with a particular emphasis on creating a space that welcomes children with a disability. We would work with local children, artists and inclusion advocates to design and create an exhibition that would capture the imagination of all children and in particular those with a disability. We would create sensory interactive 'pods' using texture, lighting and projection and sound scapes. Children visiting the space with their families would have the opportunity to create, imagine, discover and be part of a huge collaborative art piece.	Exhibition	No
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Applicant	Ward	Amount Sought (\$)	Amount Allocated (\$)	Briefly Summary on Proposal for Funds Sought	Comments	Yes/No
Artspace Studio / Big Fat Smile	2	\$5,320		Bellambi Kids Artspace Project. The project will provide access to up to 180 stage 3 and 4 students to our professional arts studio in Corrimal. The children will have the opportunity to work with degree qualified exhibiting artists in an immersive, engaging setting with all workshops linking to the current syllabus. Thematically our project will look at real artists for inspirations around the topic of coastal habitats.	Workshops	No
A Walking Narrative / Elizabeth Anne buck master	1	\$22,500		Unseen Mythologies: Infinite Geographies is a scripted piece, performed as a walk, made available as an audio file with a view to users undertaking their own guided walk. Participants will listen to a narrative piece through headphones, leading them on their own walk through a predetermined urban landscape in Corrimal, Ward 1. The intention of the walk is to activate and connect to place, to uncover the unfamiliar within the familiar and reimagine the urban landscape and our place in it.	Scripted piece performed as guided walk	No



File: GI-50.01.01.009 Doc: IC17/60

ITEM 4 DRAFT POLICY - LAND AND EASEMENT ACQUISITION AND DISPOSAL

Council's Land and Easement Acquisition and Disposal Policy is due for review. It has now been reviewed and amended, and is submitted for adoption by Council.

RECOMMENDATION

The Land and Easement Acquisition and Disposal Policy be adopted.

REPORT AUTHORISATIONS

Report of: Peter Coyte, Manager Property and Recreation

Authorised by: Kerry Hunt, Director Corporate and Community Services - Creative, Engaged and

Innovative City (Acting)

ATTACHMENTS

1 Draft Land and Easement Acquisition and Disposal Policy

BACKGROUND

Council's Land and Easement Acquisition and Disposal Policy is due for review. It has been revised and amended to ensure that it is consistent with contemporary practices. Most of the changes are minor in nature and have been undertaken in order to simplify the document. The key changes are:

1 Page 3 – Procedure for the Acquisition of Land

Point 1 – Information has been added into this point on the procedure to be used where the value of a property is considered to be in excess of \$1M. This is to make it consistent with Page 5 – Procedure for Disposal of Land – Point 4 – Valuation Requirements.

2 Page 6 – Point 6 – Escalation Fee

The timeframe from Council resolution to settlement has been increased from 12 months to 2 years.

3 Page 6 – Point 8 – Unmade Public Roads

This point has been added in.

The policy was submitted to the Executive Management Committee on 8 November 2016 where it was endorsed for referral to Council for adoption.

CONSULTATION AND COMMUNICATION

Executive Management Committee – report of 8 November 2016.

PLANNING AND POLICY IMPACT

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

It specifically delivers on core business activities as detailed in the Property Services Service Plan 2016-17.

CONCLUSION

It is recommended that the review of the policy be adopted, as set out in this report.





LAND AND EASEMENT ACQUISITION AND DISPOSAL COUNCIL POLICY

ADOPTED BY COUNCIL: [TO BE COMPLETED BY CORP SUPPORT]

BACKGROUND

Council from time to time acquires and disposes of its land assets. Council has obligations under a range of legislation and this policy has been developed in order to provide the framework for a transparent process that adheres to the relevant legislation.

OBJECTIVE

The main objectives of this policy are to -

- 1 Ensure that Wollongong City Council has open and accountable processes to consider the acquisition and disposal of land assets.
- 2 Ensure best value is achieved in Council land dealings.
- 3 Establish the criteria under which Council will consider acquisition and sale of land and easements.

POLICY STATEMENT

Council (as custodian of public assets) acquires and disposes of all property interests in open market format to ensure due probity of process and optimal financial return (and minimal risk). All dealings in Council land can only be achieved through a resolution of Council.

Land Acquisitions

Section 186 of the Local Government Act prescribes what purposes Council can acquire land for, as follows:

- 1 A council may acquire land (including an interest in land) for the purpose of exercising any of its functions.
- 2 Without limiting subsection (1), a council may acquire:
 - a. land that is to be made available for any public purpose for which it is reserved or zoned under an environmental planning instrument, or
 - b. land which forms part of, or adjoins or lies in the vicinity of, other land proposed to be acquired under this Part.

Land Disposals

Where land (including surplus areas of public road) is capable of being sold on the open market and able to be developed independently of any other property, the sale shall be by competitive process involving public auction, tender or expression of interest unless circumstances warrant sale by Direct Negotiation as set out below. For public auction, the General Manager will set the reserve price based on a recommendation of an independent valuer.

Council can dispose of land by Direct Negotiation under the following circumstances -:

- 1 Where the total cost of the public sale process will exceed the expected community benefit. For example, where the land is worth \$1,000 and the cost to market the land is \$5,000.
- Where there is only one identifiable purchaser. For example, where a site is not large enough for development in its own right (including a portion of road reserve). Where a site adjoins two owners such as laneways, they will each be offered 50%.
- Where Council is bound by a contractual obligation. For example, a tenant with a first right of refusal, where that tenancy has been entered into as a result of public competition.
- 4 Disposal of land to a government or utility authority for the purpose of infrastructure provision.
- 5 Where a public marketing process which has been undertaken within the last 12 months in accordance with this policy has failed to achieve the desired outcome.



LAND AND EASEMENT ACQUISITION AND DISPOSAL

COUNCIL POLICY

6 In response to a proposal which achieves specific policy goals of Council. This exclusion aims to allow Council to respond to an approach for the development of a unique project. Any such proposal must comprise a concept plan and description of the project and clear demonstration of the achievement of specific policy and strategic goals and objectives of Council, eg a land-swap transaction.

The report to Council covering these sales will identify the reasons why this sale process was chosen.

Easements

Disposal Policy

Easements are a right over a property for Council to use land for a specific purpose (drainage easement, easement in gross for access etc) and can be in the form of a covenant restricting the use of land (restriction as to user for unstable land etc) or can be a positive covenant that requires a land owner to use and or maintain the site for a specific use (maintain detention basins etc).

Where Council requires an easement over a property and the easement is not created in subdivision or as a condition of development consent, compensation may be payable to the land owner and shall be paid to the respective land owner where appropriate. The amount of compensation shall be assessed by a consultant registered valuer in accordance with the Land Acquisition (Just Terms Compensation) Act 1991.

Where a Council easement over land is no longer required, Council can agree to the extinguishment of that easement at the request of the affected land owner. Where appropriate, Council will seek compensation from the landowner for the benefit of that extinguishment to the landowner as determined by a consultant valuer.





LAND AND EASEMENT ACQUISITION AND DISPOSAL

COUNCIL POLICY

STATEMENT OF PROCEDURES

The acquisition or sale of Council-owned land, easements or public road shall be undertaken in accordance with the following procedures aimed at ensuring a transparent process and maximising income for Council.

ACQUISITION OF LAND

Acquisition Criteria

- Section 186 of the Local Government Act prescribes what purposes Council can acquire land for, as follows: A council may acquire land (including an interest in land) for the purpose of exercising any of its functions.
 - 1.2 Without limiting subsection (1), a council may acquire:
 - (a) land that is to be made available for any public purpose for which it is reserved or zoned under an environmental planning instrument, or
 - (b) land which forms part of, or adjoins or lies in the vicinity of, other land proposed to be acquired under this Part.
- 2 Properties are identified taking into consideration the purpose for which they need to be acquired, the strategic nature of such properties and the value that such properties have to the community.
- 3 Where properties are listed for sale on the open market, council officers negotiate the terms of purchase with either the vendor or the vendor's agent.
- 4 Where properties are not listed on the open market, Council officers arrange a valuation report as a basis for negotiation.
- 5 For all land and easement acquisitions for properties not listed on the open market, the acquisition must be undertaken in strict accordance with the Land Acquisition (Just Terms Compensation) Act 1991.
- 6 Authority to compulsorily acquire land is granted under the Roads Act 1993 or the Local Government Act 1993 and must be for a public purpose.
- 7 An offer is made subject to Council's consideration and resolution of a staff recommendation to purchase the property.
- 8 In the report to Council, the classification of the land must be resolved as either Operational or Community land

PROCEDURE FOR ACQUISITION OF LAND

1 Obtain valuation report from a registered valuer and negotiate based on this report. Where a property is considered to be in excess of \$1M, the procedure will be as outlined in Item 4 of Procedure for Disposal of Land.

2 Method of negotiation

Where a property is placed for sale on the open market, Council can negotiate the purchase price and terms of acquisition to achieve the best possible outcome for the community.

All other acquisitions must be negotiated having regard to the provisions of the Land Acquisition (Just Terms Compensation) Act 1991.

3 Council Resolution

The acquisition of land cannot be delegated and, as required by the *Local Government Act* 1993, must be effected by a resolution of Council.

4 Classification

In the report to acquire the land, Council must resolve what the classification of the land will be (either Community or Operational) at the time of resolving to acquire the land. Failure to do so means that the land will default to Community land 3 months after the acquisition date under Sec 31 of the Local Government Act 1993.



LAND AND EASEMENT ACQUISITION AND DISPOSAL

COUNCIL POLICY

DISPOSAL OF LAND

Disposal Criteria

Land and buildings are to be tested against a number of criteria to determine whether the property is:

- a Retained and developed for community use, or
- b Developed for operational/commercial purposes, and/or
- c Sold to realise its commercial potential.

The seven (7) criteria contained in the assessment are:

- Statutory influences (restrictions or limitations) are there statutory reasons for the Council ownership of the property? This will extend to actual or implied trusts that have been established as a result of Council's acquisition of the land.
- 2 Existing usage Is the land used or likely to be used to meet operational, community or recreational needs?
- 3 Potential future use is the land or road likely to be required for Council's operational needs?
- 4 Spatial distribution are there adequate like facilities and the opportunity to meet future needs in the area and serve the local community?
- 5 Conservation value does the land or road have cultural, natural or heritage value that should be maintained?
- 6 Site constraints Are there site constraints which may extend to (but are not restricted to) contamination, flood liability, land slip, mine subsidence or other physical impairment?
- 7 Maintenance issues what is the cost benefit to Council of retaining or disposing of the land?

Should the proposed sale have an adverse impact on Council by any of these matters, the request may be refused.

PROCEDURE FOR DISPOSAL OF LAND

1 Council Resolution

The sale of Council land cannot be delegated and, as required by the *Local Government Act* 1993, all sales must be effected by a resolution of Council.

2 Classification

All Council land is classified under the *Local Government Act* 1993 as either Operational or Community land. The Act provides that only Operational land can be sold and if an area of Community land is identified as being surplus, the land must first be reclassified to Operational prior to that sale proceeding. The process of reclassification must be undertaken in accordance with the *Environmental Planning and Assessment Act* 1979.

3 Probity Plan

Where land is being sold by direct negotiation, a probity plan and negotiation protocol will be developed to cover the following matters:

- a obtaining best value for money;
- b demonstrating accountability and transparency;
- c dealing with conflict of interest;
- d The reasoning for direct negotiation;
- e providing a community benefit; and
- f where Council sells property subject to a development application, that application will be assessed independently and submitted to either the Independent Hearing and Assessment Panel or the Joint Regional Planning Panel.

4 Valuation Requirements

Where Council proposes to sell land valued at greater than \$1m, Council will obtain either:

- a two independent valuations where the site has no special value to an adjoining owner and atits highest and best use; or
- b one valuation undertaken jointly by two consultant valuers, or
- c one valuation undertaken jointly by a consultant valuer in conjunction with either a land economist, quantity surveyor or retail specialist in the case of the site being deemed to have a special value either to an adjoining



LAND AND EASEMENT ACQUISITION AND DISPOSAL

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owner or where the purchaser is acquiring the land for a specific purpose for which direct comparable sales data is not available.

When Council land is proposed to be sold on the open market, Council will obtain a valuation from an independent valuer to establish the market value, taking into account the highest and best use of the site and any conditions Council may place on the sale. When land is for sale for unpaid rates, a valuation report is not always required as the value of the land may be less than the cost of the valuation report.

Council recognises that valuation advice is not an exact science and it is not unreasonable that a sale price of up to 10% variation from that valuation may be achieved. However, where the negotiated outcome results in a sale price more than 10% less than the assessed market value, it shall be acknowledged in the report to Council giving reason why that variation shall be adopted.

5 Escalation Fee

Where the sale is conditional on the determination of a development application, approval of a road closure or the making of an LEP to reclassify the land to Operational land and settlement is not achieved within 2 years from the date of the Council resolution authorising the sale, Council will obtain a further valuation report and the matter will not progress until the compensation amount is agreed. The report will recommend that the General Manager be delegated the authority to finalise the terms of the sale.

6 Form of Contract

Where Council resolves to sell its land, the method of transfer will be determined by Council's Legal Services Section.

7 Public Roads

Areas of surplus Public Road must be closed under the *Roads Act* 1993 and consent obtained from Department of Primary Industries – Crown Lands Division to enable the sale to proceed.

For public roads, the proposal shall also be subject to compliance with local service authorities whose utilities are located within the area affected by the proposed sale.

For classified roads, the approval of the Roads and Maritime Services must be obtained prior to the matter being referred to Council for consideration.

8 Unmade Public Roads

Council's position is that it does not support the closure and sale of unmade public roads due to the length of time and cost to Council in processing the application and the road vesting in the Crown upon closure as per Section 38(2)(b) of the *Roads Act* 1993 ie the proceeds go to the Crown.

Only in exceptional circumstances, where the applicant can demonstrate that the unmade road remaining open is detrimental to their property will Council consider processing an unmade road closure application.

MAJOR LEGISLATIVE AND CORPORATE REQUIREMENTS

- 1 This policy complies with the requirements of the Local Government Act 1993.
- 2 Other major legislative requirements that may be relevant include the following:
 - Real Property Act 1900
 - Strata Titles Act 1988
 - Community Titles Act 1996
 - Roads Act 1993
 - Crown Lands Act 1989
 - Land Acquisition (Just Terms Compensation) Act 1991
 - Conveyancing Act 1919
- 3 This policy is to be implemented in conjunction with other relevant Council policies and strategies including the following:
 - Asset Management Policy
 - Community Consultation Policy
 - Open Space and Recreation Strategy –Planning People Places and Spaces



LAND AND EASEMENT ACQUISITION AND DISPOSAL

COUNCIL POLICY

4 The Local Government Act 1993 requires all land vested in a council (except a road or land to which the Crown Lands Act 1989 applies) to be classified as either community or operational.

The purpose of classification is to identify clearly that land which should be kept for use by the general public (community) and that land which need not (operational). The major consequence of classification is that it determines the ease or difficulty with which land may be alienated by sale, leasing or some other means.

Classification or reclassification of land does not affect any estate or interest a council has in the land.





Disposal Policy

LAND AND EASEMENT ACQUISITION AND DISPOSAL

COUNCIL POLICY

SUMMARY SHEET					
Responsible Division	Property and Recreation				
Date adopted by Council	[To be inserted by Corporate Governance]				
Date of previous adoptions	11 November 2013, 30 March 2010				
Date of next review	November 2019				
Responsible Manager	Property Services Manager				
Authorised by	Manager Property and Recreation				





File: CO-40.002 Doc: IC17/120

ITEM 5

APPROVAL FOR COUNCILLOR ATTENDANCE - AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION (ALGWA) 2017 - PENRITH

Councillors Blicavs, Martin and Merrin have requested approval to attend the 2017 NSW Conference of the Australian Local Government Women's Association (ALGWA) in Penrith from 4 to 6 May 2017, which includes travel and three nights' accommodation.

RECOMMENDATION

Council approve the attendance of Councillors Blicavs, Martin and Merrin at the 2017 NSW Conference of the Australian Local Government Women's Association in Penrith, including travel and three nights' accommodation.

REPORT AUTHORISATIONS

Report of: Clare Phelan, Executive Strategy Manager

Authorised by: David Farmer, General Manager

ATTACHMENTS

1 2017 ALGWA Annual Conference Program

BACKGROUND

In 2017, the ALGWA's NSW Annual Conference will be hosted by Penrith City Council. This conference is a significant opportunity to network with other NSW elected representatives, discuss the issues facing women in local government, and to also develop agreed positions which can inform NSW Local Government policy development in the coming year. Through this conference, local government representatives can engage directly, hear from a range of subject matter experts, and network with local government colleagues from around the State.

CONSULTATION AND COMMUNICATION

Consultation was undertaken with the Lord Mayor, and Councillors were asked to indicate their availability and interest in attending the Conference.

PLANNING AND POLICY IMPACT

This report complies with the approval requirements of the Payment of Expenses and Provision of Facilities to Lord Mayor and Councillors Policy. This report relates to the commitments of Council as contained within the Strategic Management Plans. The report contributes to the Wollongong 2022 Objective 'our local Council has the trust of the community' under the Community Goal 'we are a connected and engaged community'.

FINANCIAL IMPLICATIONS

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

2016/17 Councillor Conference Attendance and Travel Budget							
Description	Budget	Expended	Funds available				
Training, Seminars & Travel	\$35,000	\$10,800	\$24,200				

The estimated total cost, excluding GST, of attendance at the 2017 ALGWA conference for three (3) delegates including registration and accommodation expenses is \$3,837 excluding GST. Note,



early bird registration closes on 24 March 2017. Registration after this date is \$970 (ex GST) per person for ALGWA members.

The estimated individual costs of attendance at the ALGWA conference 2017 are as follows:

Delegate	Registration	Accommodation	Total
Cr Blicavs	870	409	1279
Cr Martin	870	409	1279
Cr Merrin	870	409	1279
Total	\$2,610	\$1,227	\$3,837

CONCLUSION

This report includes estimated costs for the three (3) Councillors who indicated they would be requesting approval to attend. However, the report does not preclude any other Councillor who may wish to attend, from nominating at the time of consideration of this report by Council.





Pennith is steeped in rich history, it's surrounded by natural beauty, has a thriving arts and culture scene and boasts an impressive list of adrenaline attractions.

We're looking forward to showcasing this to you, and so much more, at the 2017 ALGWA conference in Penvith in May.

The two-day conference features an entertaining, thought-provoking and informative program of speakers and workshops, and off-site and after hours activities to appeal to the adventurer in everyonal

Whether you're coming alone or bringing your partner, you can explore what the region has to offer Plan your trip at visitpenrith.com.au. While you're there make sure you subscribe to the monthly e-newsletter to keep up to date with what's happening in Penrith.

You can also connect with Visit Penrith on Facebook, instagram and Twitter for regular updates on things to see and do, and remember to share all your adventures in Penrith using #visitpenrith.

REGISTER NOW

Registrations and conference information: penrithcity.new.gov.au/algwa2017.

Date: Thursday 4 May - Saturday 6 May 2017

Venue: Penrith Panthers Event Centre

Accommodation and Attractions: visitpennth.com.au.

Conference enquiries: shelley lee@penrith.city

ALGWA: algwa.crg.au











penrithcity.nsw.gov.au

PROGRAM

DAY 1 - Thursday 4 May

Registration opens

Local Government Super welcome function

DAY 2 - Friday 5 May

Wellness activity

Mayor's official welcome: Penrith Mayor Clr John Thain

Official opening

ALGWA OPENING ADDRESS

Keynote Speaker Robbi Mack Robbi Mack is the 'Queen of HeartBeatz' and has a passion for inspiring and amplifying the potential found in human connection. Robbi empowers people with the tools to integrate our minds, with a message from the heart. An expert in emotional intelligence, she innately understands the importance of self-awareness, self-management, and the power of empathy in becoming our groatest selves.

Topic: Heartbeatz for resilience - Courage to change the things we can.

Item 5 - Attachment 1 - 2017 ALGWA Annual Conference Program

MORNING TEA

Majorie Propsting Talk - Heather Chaffey - Neighbourhood Renewal Coordinator, Penrith City Council

Kim-Cherie Davidson: Use your bucker list, dream and explore

Kim-Cheria Davidson is a media profiler, adventurer, storyteller, photographer, dreamer, inspirer, explorer and philanthropist.

In the past five years Kirn-Cherie has automated Mount Killmanjaro, our automathion at Uluni, chimbed three peaks in South America and treiched in Nepal. Her secret to these achievements is slow and steady at the back of the pack because it is about being part of the race, not first. Through these physical pursuits, Kim-Cherie has purified horself physically, montally, emplionally, spiritually and provin exponentially.

As a speaker, staryteller and coach, she has inspired wemen to follow their own adventure dreams. From her own experience, Kim-Chan's knows they can turn their dreams into reality with the right export and nameset.

She also started a Facebook page "liveyourhucketlistau" for women to have a place to dream, inspire and explore their adventure dreams. Km-Charle's passion is to help you live your bucketlist.

Full conference discussion panel: Local inspiring leaders

LUNCH

CONCURRENT WORKSHOPS

Kim-Cherie Davidson: How to start your bucket list

Flourishing Mothers: Boosting wellbeing and increasing your levels of flourishing both at work and outside of work

Professor Roberta Ryan: Director of the Institute for Public Policy & Governance and the LTS Centre for Local Government at the University of Technology Sydney.

Topic: The state of women in local government referencing amalgamation, and leadership and what that means for young women.

AFTERNOON TEA

ALGVVA hotspors

Performance of Chicago by the Penrith Musical Comedy Company (tickets limited) at the Joan Sutherland Performing Arts Centre.



DAY 3 - Saturday 6 May

Wellness activity

Morning announcements

Sandy Davies: Executive Manager People & Capability, Pennth City Council

Item 5 - Attachment 1 - 2017 ALGWA Annual Conference Program

Topic: Silver Award Gender Equity. How to get accreditation for gender equity and the process.

Jane Liddelow: Style Makeover HQ.

Topic: Discover your personal style for business. Does your appearance reflect your personal values and beliefs? Does it convey who you are and how you want to be seen in business?

MORNING TEA

Margo Blacklaw: Training and Coaching Solutions

Topic: This session covers all you need to know to successfully write a winning resume. It involves preparation and updating of your resume as well as improving your image with a Linkedin Profile.

2019 Conference pids

LUNCH

ALGWA AGM

United Services Union Gala Dinner - Chairman's Lounge, Pepper Stadium

Program subject to change without notification





File: IW-005.08.030 Doc: IC17/80

ITEM 6

PROPOSED SALE OF LOT 14 SEC B DP 15742 NORTHCOTE STREET, WOLLONGONG

Lot 14 Sec B DP 15742 Northcote Street, Wollongong was reclassified from Community land to Operational land in order to dispose of it to the adjoining landowners.

Agreement has been reached on a purchase price with those owners and this report seeks approval to the sale of the land.

RECOMMENDATION

- 1 Council authorise the sale of Lot 14 Sec B DP 15742 Northcote Street, Wollongong to the owners of the adjoining properties on the following conditions:
 - a Sale price of \$5,500 (GST inc) to the owner of Lot A DP 386649 No 15 Northcote Street.
 - b Sale price of \$7,700 (GST inc) to the owner of Lot B DP 386649 No 15B Northcote Street.
- 2 An Easement for Drainage 6.095m wide be created over the drainage infrastructure contained within Lot 14 Sec B DP 15742 and Lot A DP 386649 in favour of Wollongong City Council.
- 3 Each party be responsible for their own legal costs.
- 4 Authority be granted to affix the Common Seal of Council to the transfer documents and any other documents required to give effect to this resolution.

REPORT AUTHORISATIONS

Report of: Peter Coyte, Manager Property and Recreation

Authorised by: Kerry Hunt, Director Corporate and Community Services - Creative, Engaged and

Innovative City (Acting)

ATTACHMENTS

- 1 Plan of Lot 14 Sec B DP 15742 Northcote Street, Wollongong
- 2 Plan of Proposed Subdivision of Lot 14 Sec B DP 15742 and Lots A and B DP 386649 Northcote Street, Wollongong

BACKGROUND

Lot 14 Sec B DP 15742 was created in 1928 upon the registration of DP 15742 as a Drainage Reserve over a natural watercourse through that area.

Lot 14 bisects Lots A and B DP 386649 Nos 15 and 15B Northcote Street and prevents legal access to a portion of their properties. In the case of No 15B, it prevents the owners from legally accessing their house. In fact the owners of both properties have to illegally cross Council's land to gain access to their entire property.

Following planned drainage works by Council within No 15 Northcote Street, in November 2013 Lot 14 was reclassified from Community land to Operational land to allow for the disposal of the land to the adjoining landowners.

Recently, DA-2016/1118 was approved for the subdivision of Lots A and B DP 386649 and Lot 14 Sec B DP 15742 into three lots, with a drainage easement 6.095m wide to be created over the drainage structures within Nos 15 and 15B Northcote Street in favour of Council.

The book value for Lot 14 is listed at \$25,000. Valuations of the subject portions of Lot 14 were obtained and the land was valued at \$9,000 for the portion within No 15 Northcote Street and \$13,500 for the portion within No 15B Northcote Street. Following protracted negotiations since 2013 with the two adjoining landowners, agreement could not be reached on the disposal of the land for the amounts indicated in the valuation reports. In order to dispose of this surplus portion of land and resolve the access issues, agreement has recently been reached for the portion of Lot 14 within



No 15 Northcote Street to be sold for \$5,500 (GST inc) and the portion within No 15B Northcote Street to be sold for \$7,700 (GST inc). Considering the constraints of the drainage structures that have been installed within the properties and the easement that will be created over these structures in Council's favour, these are considered to be fair and reasonable amounts.

Council has the option not to sell the land, however, this will not resolve the issue of illegal access across the land by the adjoining landowners.

PROPOSAL

It is proposed that Lot 14 Sec B DP 15742 be subdivided and sold to the owners of Lots A and B DP 386649 Nos 15 and 15B Northcote Street, Wollongong on the conditions set out in this report.

CONSULTATION AND COMMUNICATION

Landowners of Nos 15 and 15B Northcote Street, Wollongong

Walsh and Monaghan Valuers

PLANNING AND POLICY IMPACT

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

This report contributes to the delivery of Wollongong 2022 goal "We are a healthy community in a liveable city". It specifically delivers on core business activities as detailed in the Property Services Service Plan 2016-17.

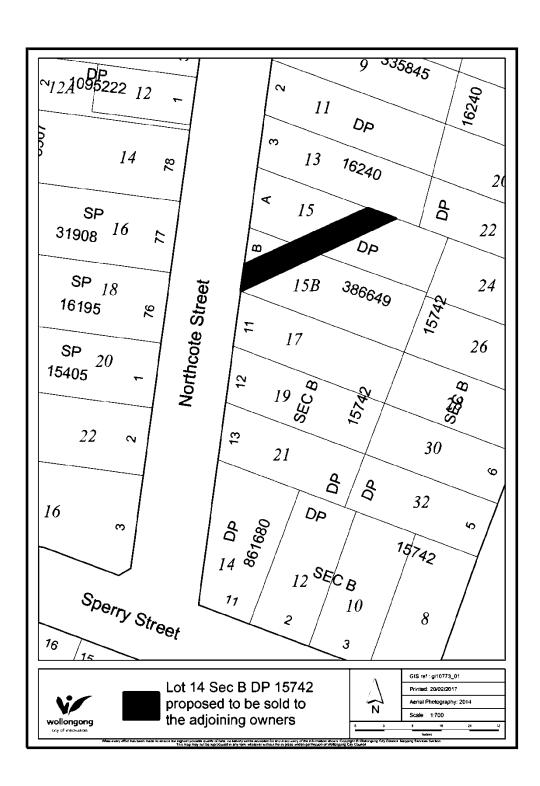
FINANCIAL IMPLICATIONS

Council will receive \$13,200 (GST inc) from the sale of Lot 14 Sec B DP 15742. Although Council's book value for the land is listed at \$25,000 and the whole of the land was valued at a total of \$22,500, the negotiated amounts are considered to be fair and reasonable and will allow for the disposal of an unwanted portion of land, as well as resolving the issue of illegal access across the land by the adjoining landowners.

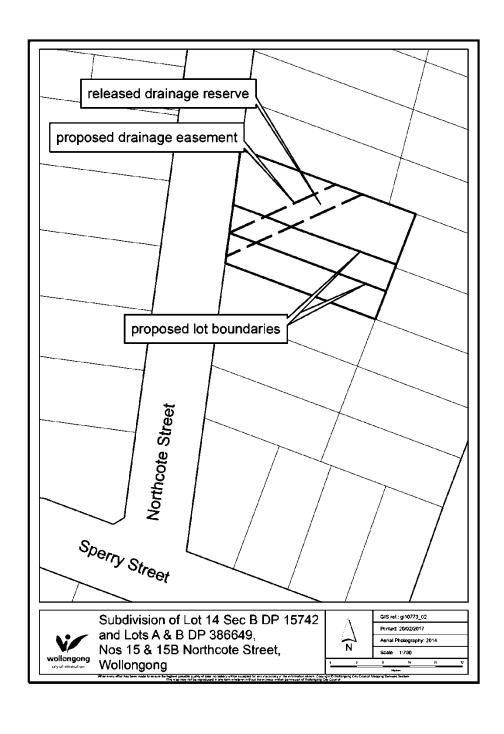
CONCLUSION

As this land is surplus to Council's requirements and Council's drainage assets will be protected by the creation of an easement, it is recommended the land be sold as set out in this report.

wollongong









File: PR-005.08.080 Doc: IC16/100486

ITEM 7 SALE OF 2 GLADSTONE STREET, BELLAMBI

This report seeks approval from Council to sell Lot 116 DP 881345 known as 2 Gladstone Street, Bellambi, to the adjoining land owners at 4 Gladstone Street, Bellambi (known as Lot 12 Section B DP976975).

No 2 Gladstone Street was originally purchased from the owners of 4 Gladstone Street in 1987 for road widening but was only partly utilised for this purpose, and the remaining part is now surplus to requirements.

RECOMMENDATION

- 1 Lot 116 DP881345 known as 2 Gladstone Street, Bellambi be sold to the owners of 4 Gladstone Street, Bellambi, for a purchase price of \$315,000 (includes GST) as per the valuation report obtained by Council from the registered property valuer Walsh and Monaghan.
- 2 Each party be responsible for their own costs associated with the sale.
- 3 The General Manager be authorised to sign any documentation necessary to effect the resolution.
- 4 Authority be granted to affix the Common Seal of Council to any necessary documentation to effect this resolution.

REPORT AUTHORISATIONS

Report of: Peter Coyte, Manager Property and Recreation

Authorised by: Kerry Hunt, Director Corporate and Community Services - Creative, Engaged and

Innovative City (Acting)

ATTACHMENTS

1 Plan of Lot 116 DP881345 known as 2 Gladstone Street, Bellambi, proposed to be sold to the owner of 4 Gladstone Street, Bellambi

BACKGROUND

In approximately 1987 Council bought Lot 13 Section B DP881345 now known as 2 Gladstone Street, Bellambi, from the owners of the adjoining 4 Gladstone Street, Bellambi, for road widening. The land was subdivided in 1998 and became known as Lot 116 DP881345. Part of the land was used for road widening and the remaining is now surplus to requirements.

2 Gladstone Street is operational land zoned R2 low density and measures 438.2 sq m which falls short of the minimum lot size for residential development (which is 449 sq m) and therefore the land cannot be developed in its own right and would only be of use to an adjoining owner.

Council was approached by Cheryl Onley in September 2016 (the daughter of the late Brian and Annabel Onley, owners of 4 Gladstone Street) who advised that 4 Gladstone Street was in probate as her father had passed away (her mother having previously passed away). Ms Onley enquired if Council would be willing to sell the land back to her and provided a copy of a letter from Council to her parent's dated 1999 enquiring if they were interested in purchasing 2 Gladstone Street. At the time they were not in a position to do so.

The internal divisions were advised and no objections were received to the proposed sale.

A valuation report was obtained from the property valuer Walsh and Monaghan which valued the land at \$315,000 and the offer to purchase the land at this amount was accepted by Cheryl Onley.

PROPOSAL

It is proposed that Council sell 2 Gladstone Street, Bellambi, to the adjoining land owner of 4 Gladstone Street, Bellambi, as the land was originally owned and bought from the owners of 4 Gladstone Street,



Bellambi, in approximately 1987. Also Council has previously enquired (in 1999) if the owners wished to buy the land back from Council due to it being surplus to requirements.

CONSULTATION AND COMMUNICATION

Internal Council Divisions.

The Property Valuer Walsh and Monaghan.

The daughter and son in law of the late Brian and Annabel Onley who owned 4 Gladstone Street, Bellambi.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 goal under the objective *Carry out commercial business management of Council's Operational lands* (Community Goal *We are a healthy community in a liveable city*).

It specifically delivers on core business activities as detailed in the Property Services Service Plan 2016-17.

FINANCIAL IMPLICATIONS

Each party will be responsible for their own costs associated with the sale.

Council will receive an income of \$315,000 for the surplus land.

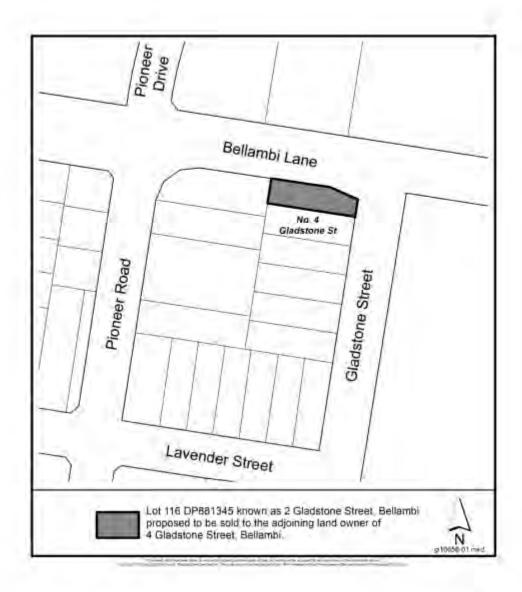
Council will no longer have to expend funding to maintain the land.

CONCLUSION

It is fair and reasonable that Lot 116 DP 881345 known as 2 Gladstone Street, Bellambi be sold to the owner of 4 Gladstone Street, Bellambi, at a fair market value as the land was originally purchased from the owners of 4 Gladstone Street in approximately 1987. Further, the land is only of use to the owner of 4 Gladstone Street as, in its own right, it does not meet the minimum lot size for residential development.



Item 7 - Attachment 1 - Plan of Lot 116 DP881345 known as 2 Gladstone Street, Bellambi, proposed to be sold to the owner of 4 Gladstone Street, Bellambi





File: PR-175.05.046 Doc: IC17/82

ITEM 8

PROPOSED ROAD CLOSURE OF MINOR PORTION OF ROAD AT STANWELL PARK

The owner of 64 Lawrence Hargrave Drive, Stanwell Park, has encroached onto part of Railway Crescent, Stanwell Park by means of a retaining wall.

Railway Crescent is Council public road and the encroachment measures approximately 5m² (subject to survey). As the retaining wall is vital to the structural integrity of the dwelling, it is proposed to close the part of Railway Crescent affected by the encroachment and sell the land to the owners of 64 Lawrence Hargrave Drive.

RECOMMENDATION

- 1 Council close and sell part of the public road known as Railway Crescent, which is encroached upon by a retaining wall to the adjoining owners of 64 Lawrence Hargrave Drive.
- 2 The owners of 64 Lawrence Hargrave Drive pay Council \$900 per m² for the closed road which approximates to \$4,500 but the final purchase price be dependent upon the road closure survey.
- 3 The owners of 64 Lawrence Hargrave Drive be responsible for all costs associated with the matter.
- 4 The General Manager be authorised to sign any documentation necessary to effect this resolution.
- 5 Authority be granted to affix the Common Seal of Council to any necessary documentation to effect this resolution.

REPORT AUTHORISATIONS

Report of: Peter Coyte, Manager Property and Recreation

Authorised by: Kerry Hunt, Director Corporate and Community Services - Creative, Engaged and

Innovative City (Acting)

ATTACHMENTS

1 Map of Area - depicting Road Closure

BACKGROUND

Towards the end of 2014 Council became aware of the encroachment of a retaining wall on the Council public road known as Railway Crescent, Stanwell Park. The section of encroachment measures approximately 5m². Council wrote to the owners of the adjoining 64 Lawrence Hargrave Drive and enquired if they wished to pursue a road closure application. The owners responded that they did and paid the application fee.

The appropriate sections within Council were consulted and no objections were received.

Letters of advice of the proposed road closure were sent to adjoining neighbours and statutory authorities to which no objections were received. The proposed road closure was advertised in the Wollongong Advertiser newspaper on 12 October 2016 and no objections were received.

A valuation report was obtained from Council's property valuation consultant Walsh and Monaghan which valued the section of road (to be closed) at \$900 per m² or approximately \$4,500 subject to the final survey.

PROPOSAL

It is proposed to close and sell the encroached part of Railway Crescent, Stanwell Park to the adjoining owners of 64 Lawrence Hargrave Drive, Stanwell Park. The owners have agreed to pay the requested purchase price of \$900 per m² or approximately \$4,500 subject to the final survey.

CONSULTATION AND COMMUNICATION

Owners of 64 Lawrence Hargrave Drive.

Various internal sections.

Other adjoining land owners.

Statutory Authorities.

Walsh and Monaghan Property Valuers.

The general public through the Wollongong Advertiser newspaper.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 goal under the objective *Carry out commercial business management of Council's Operational lands* (Community Goal *We are a healthy community in a liveable city*).

It specifically delivers on core business activities as detailed in the Property Services Service Plan 2016-17.

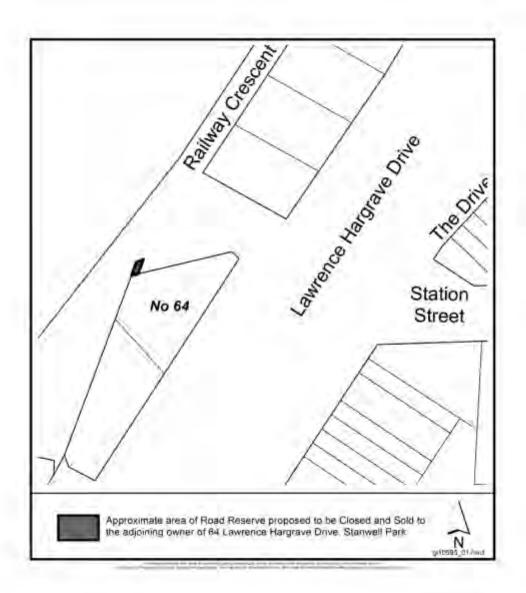
FINANCIAL IMPLICATIONS

Council will receive approximately \$4,500 for the closure and sale of the road to the owners of 64 Lawrence Hargrave Drive.

All costs associated with the road closure and sale will be borne by the owner.

CONCLUSION

As the retaining wall which encroaches on the Council public road is vital to the structural integrity of the dwelling, it cannot be removed. Therefore closing the road and selling the land to the adjoining owners of 64 Lawrence Hargrave Drive is the most suitable solution.





File: FI-230.01.276 Doc: IC17/113

ITEM 9 TENDER T17/02 - GLENIFFER BRAE RETAINING WALL

This report recommends acceptance of a tender for the reconstruction of the state heritage listed retaining wall at Gleniffer Brae in accordance with the requirements of the Local Government Act 1993 and the Local Government (General) Regulation 2005.

The existing fig tree has structural damage and could fail at any time. The retaining wall has been structurally weakened by the fig tree roots. Approximately 20 metres of the retaining wall is on the verge of collapse and has been barricaded off from the public.

RECOMMENDATION

- In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Donnelley Civil Pty Ltd for the reconstruction of the state heritage listed retaining wall, utilising current design standards and construction techniques, at Gleniffer Brae, in the sum of \$117,672.00, 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.

REPORT AUTHORISATIONS

Report of: Mark Roebuck, Manager City Works and Services

Authorised by: Greg Doyle, Director Infrastructure and Works - Connectivity Assets and Liveable City

(Acting)

ATTACHMENTS

1 Location Plan T17-02 Gleniffer Retaining Wall

BACKGROUND

Tenders were required to be invited for the purpose of further developing a regional botanic garden of excellence (Item 5.5.2.3, Delivery Program 2012-2017). The annual deliverable being the facilitation of the future use of Gleniffer Brae. The Hills Weeping Fig tree that is currently located behind the retaining wall has structural issues that will limit its long term viability being located in a public open space. The fig tree has also significantly damaged the retaining wall by undermining its foundation and in some sections even penetrating the wall. The fig tree has since been removed in preparation for these rectification works.

Tenders were invited by the open tender method with a close of tenders of 10.00 am on 21 February 2017.

Six 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 Environmental Strategy and Planning, Governance Information, Supply Chain and Logistics and City Works and Services Divisions.

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

- 1 Cost to Council 30%
- 2 Appreciation of scope of works and construction methodology 20%
- 3 Project Schedule 5%



- 4 Proposed sub-contractors 10%
- 5 Experience and satisfactory performance in undertaking heritage projects of similar size, scope and risk profile 20%
- 6 Demonstrated strengthening of local economic capacity 5%
- 7 Workplace health and safety management system 5%
- 8 Environmental Management Policies and Procedures 5%

The mandatory assessment criteria have been met by the recommended tenderer.

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.

The recommended Tenderer (Donnelley Civil) submitted the second lowest price. The lowest priced vendor is a small (4 employees), Sydney based organisation who does not have a background in heritage stone masonry works of a similar scope.

Table 1 below summarises the results of the tender assessment and the ranking of tenders.

Name of TendererRankingDonnelley Civil Pty Ltd1E-Scaping Pty Ltd2HBS Group Pty Ltd3Cadifern Civil4Shore Contracting Pty Ltd5Silver Raven Pty Ltd6

TABLE 1 - SUMMARY OF TENDER ASSESSMENT

PROPOSAL

Council should authorise the engagement of Donnelley Civil Pty Ltd to carry out the replacement of the heritage listed retaining wall 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 Wollongong 2022 goal "GOAL 5: We are a healthy community in a liveable city". It specifically delivers on the following:

Community Strategic Plan	Delivery Program 2012-2017	Annual Plan 2016-17
Strategy	5 Year Action	Annual Deliverables
5.5.2 A variety of quality public spaces and opportunities for sport, leisure recreation, learning and cultura activities in the community.	Garden of Excellence.	Facilitate the future uses of Gleniffer Brae.

RISK ASSESSMENT

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

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

FINANCIAL IMPLICATIONS

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

B284016 Natural Area Management and Rehabilitation - Capital Program 2016/2017

The additional funds for this project are available within the Natural Area Management bulk program budget.

CONCLUSION

The recommended tenderer has submitted an acceptable tender for this project and Council should endorse the recommendations of this report.





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File: CP-914.05.001 Doc: IC17/81

ITEM 10

QUARTERLY REPORT ON DEVELOPMENT APPLICATIONS INVOLVING VARIATIONS TO DEVELOPMENT STANDARDS - 1 OCTOBER TO 31 DECEMBER 2016

This report outlines that six (6) Development Applications have been determined during the quarterly period 1 October to 31 December 2016, where variations to development standards were granted.

RECOMMENDATION

Council note the report.

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 Quarterly Report on Development Applications involving Variations to Development Standards - 1 October to 31 December 2016

BACKGROUND

Development Applications involving variations to development standards may be made under clause 4.6 of Wollongong Local Environmental Plan 2009 (WLEP 2009). Relevant criteria is prescribed under clause 4.6 of WLEP 2009 for the assessment of variations to development standards.

Any variations approved require reporting on a quarterly basis to the NSW Department of Planning and Environment (DP&E), in accordance with procedural guidelines. Council and DP&E may in turn consider the extent and nature of variations granted when reviewing relevant planning controls or instruments.

Wollongong City Council provides further transparency and oversight of applications seeking development standard departures via:

- Independent Hearing and Assessment Panel (IHAP) peer review;
- Declaration of any variation during public exhibition; and
- Maintaining an ongoing pubic record of all variations approved.

QUARTERLY RESULT

During the last quarter (1 October 2016 to 31 December 2016) six (6) Development Applications were approved which included variations to development standards. All six (6) applications were peer reviewed by the IHAP and recommended for approval.

Attachment 1 provides for the information relating to this matter and forms the basis of the Quarterly Return for the NSW Department of Planning and Environment, which is now submitted.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 under Community Goal - We value and protect our environment Objective 1.6: The sustainability of our urban environment is improved.

It specifically addresses the Annual Plan 2016-17 Key Deliverables: *Development is functional, attractive and sympathetic with the environment and avoids unnecessary use of energy, water or other resources* which forms part of the Five Year Action: *Provide high quality development assessment and certification based on QBL principles* contained with the Revised Delivery Program 2012-2017.



Item 10 - Attachment 1 - Quarterly Report on Development Applications involving Variations to Development Standards - 1 October to 31 December 2016

Development Applications approved with variations to development standards for the quarterly period between 1 October 2016 and 31 December 2016 (Reporting applications with a decision of 'Approved'/'Deferred Commencement')

Application	DA-2015/1175				
Lots	19 DP 4286; A DP 40418	4	Zone	B2 Local Centre	
Address	36-44 Underwood Street,	CORRIMAL NSW 2	2518		
Description	comprising: six (6) comme	ercial/retail tenancie ; 49 residential units	es on the ground s; 122-place child	torey mixed use development, floor, including Aldi supermarket d care centre at roof level; and pasement level	
Decision	Approved	Decision Date 16/12/2016			
Variations	Planning Instrument	WLEP 2009	Clause	CI 4.3(2) Height of Buildings	
	Justification of variation	surrounding pro objectives or obj generally compli compliant building	perties, nor is it i jectives of the he iant where it add ng, but exceeds	reasonable adverse impacts on nconsistent with the zone sight control. The proposal is resses the street, so presents as a the height limit due to the fall of the npacts in the locality.	
			was referred to I the officer's reco	HAP on 30 November 2016. The ommendation.	
	Extent of variation		neight of buildings the proposal is 1	s in the B2 zone is 15 metres 9.5 metres.	
	Concurring Authority	Council under a	ssumed concurre	ence	

Application	DA-2016/442			
Lots	A DP 932017; Lot 2 DP 50 DP 505687; Lot B DP 932		Zone	B2 Local Centre
Address	1-5 Stuart Street and 4 Clu	ub Lane, HELENSI	BURGH NSW 250	08
Description		sidential units, a re associated car park	esidential flat build king, change of us	ding consisting of twenty one se of existing dwelling houses
Decision	Approved		Decision Date	17/10/2016
Variations	Planning Instrument	WLEP 2009	Clause	Cl 7.13 Ground Floor Dev on Business Zoned Land
	Justification of variation	surrounding pro objectives. Land street frontages At present Club streetscape in the carriageways ac	perties, nor is it ir e 11 and Club Lar under the adopte Lane and Lane 1 he immediate vici	reasonable adverse impacts on inconsistent with the zone inconsistent with the zone inconsistent with the zone inconsistent required to have active and Helensburgh Town Centre Plant 1 do not have a distinct nity of the subject site and both is lane to service developments in it.
			was referred to II th the officer's re	HAP on 21 September 2016. The commendation.
	Extent of variation		s located on Grou b Lane in B2 Zor	und Floor of building addressing ne.
	Concurring Authority	Council under a	ssumed concurre	ence

Application DA-2016/823	



Item 10 - Attachment 1 - Quarterly Report on Development Applications involving Variations to Development Standards - 1 October to 31 December 2016

Lot	2 DP 535694		Zone	R2 Low Density Residential
Address	St Mark's, 429 Crown Stree	t, WOLLONGON	G NSW 2500	
Description	Place of public worship - alt	terations and add	itions	
Decision	Approved		Decision Date	13/12/2016
Variations	Planning Instrument	WLEP 2009	Clause	Cl 4.3(2) Height of Buildings
	Justification of variation	however is the s demolished. Re	same height as th	e maximum 9m height limit ne existing steeple to be le is necessary to retain form.
			th the officer's re	HAP on 7 December 2016. The commendation, subject to
	Extent of variation		eeple has a heigl mit by 14.81 metr	ht of 23.81m, thereby exceeding res.
	Concurring Authority	Council under a	ssumed concurre	ence

Application	DA-2016/842		,	
Lots	4 DP 162065; Lot 2 DP 16	2065	Zone	R3 Medium Density Residential
Address	29 Elliotts Road, FAIRY M 2 Cowper Street, FAIRY M			
Description	Residential - demolition of multi dwelling housing and subdivision			ary adjustment, construction of ccupancy with 2 lot strata
Decision	Approved		Decision Date	7/12/2016
Variations	Planning Instrument	WLEP 2009	Clause	Cl 7.14(1,2) Minimum Site Width
	Justification of variation	site, including a	ppropriate carpai ace areas, withou	rided on the narrower portion of the rking and access, landscaping and at detrimentally impacting the
			was referred to I th the officer's re	HAP on 16 November 2016. The commendation.
	Extent of variation	18m required, 1	6.53m provided	
	Concurring Authority	Council under a	ssumed concurre	ence



Item 10 - Attachment 1 - Quarterly Report on Development Applications involving Variations to Development Standards - 1 October to 31 December 2016

Application	DA-2009/432/A			
Lot	108 DP 262790		Zone	R2 Low Density Residential
Address	55 Shearwater Drive, BER	KELEY NSW 250	6	
Description	Alterations to existing dwell relocation of garage roller of			e and deck - Modification A - ern wall of garage
Decision	Approved		Decision Date	21/11/2016
Variations	Planning Instrument	WLEP 2009	Clause	Cl 4.4(2) Floor Space Ratio
	Justification of variation	and scale of the	e dwelling is cons	irrounding development, and bulk istent with locality. HAP on 16 November 2016. The commendation
	Extent of variation	The maximum f	•	n the R2 zone is 0.5:1 whereas th
	Concurring Authority	Council under a	assumed concurr	ence

Application	DA-2016/1430			
Lot	8 DP 1015275		Zone	E4 Environmental Living
Address	11 Cato Place, MOUNT K	EIRA NSW 2500		
Description	Residential - Alterations a	nd Additions		
Decision	Approved		Decision Date	7/12/2016
Variations	Planning Instrument	WLEP 2009	Clause	Cl 4.4(2) Floor Space Ratio
	Justification of variation	on adjoining devadditional amen proposed FSR residential block of Mount Keira that of the sul minimum lot s proposal is als	velopment than if lity to the occupa is generally le ks zoned R2 adjo and Keiraville) w bject allotment, lize for the E4	ly to have a greater adverse impact the FSR was met, and will provide nts of the dwelling. Additionally, the ess than that of most suburban bining to the south (ie. the suburbs thich have similar characteristics to which was created at below the Environmental Living zone. The h the prevailing character of the ocality.
			was referred to II officer's recomm	HAP on 6 April 2016. The IHAP endations.
	Extent of variation		loor space ratio in the proposed is	n the E4 Environmental Living zone 0.39:1.
	Concurring Authority	Council under a	ssumed concurre	ence



File: FI-914.05.001 Doc: IC17/84

ITEM 11 JANUARY 2017 FINANCIALS

The January 2017 financial results to the end of January are favourable compared to phased budget across the key indicators. The Operating Result (pre capital) is favourable by \$5.2M and the Funds Result shows a favourable variance compared to the phased budget of \$2.6M.

The Cash Flow Statement at the end of the period indicates that there is sufficient cash to support external restrictions.

Council has expended \$39.7M on its capital works program representing 43% of the annual budget. The year to date budget is \$42.7M (or 47% of the annual budget).

The results and variations presented include those proposed at the December Quarterly Review.

RECOMMENDATIONS

- 1 The financials be received and noted.
- 2 Proposed changes in the Capital Works Program be approved.

REPORT AUTHORISATIONS

Report of: Brian Jenkins, Manager Finance

Authorised by: Kerry Hunt, Director Corporate and Community Services - Creative, Engaged and

Innovative City (Acting)

ATTACHMENTS

- 1 Income and Expense Statement January 2017
- 2 Capital Project Report January 2017
- 3 Balance Sheet January 2017
- 4 Cash Flow Statement January 2017

BACKGROUND

This report presents the Income and Expense Statement, Balance Sheet and Cash Flow Statement for January 2017. Council's current budget has a Net Funding (cash) deficit of \$1.8M, an Operating Surplus [Pre Capital] of \$4.4M and a capital expenditure of \$91.2M. The current annual Net Funding budget includes a transfer to reserve of \$2.6M that relates to the 2015-16 year end positive funds result.

At the end of January, Council remains on target to the operational components of this result.

The following table provides a summary view of the organisation's overall financial results for the year to date.



FORECAST POSITION		Original Budget	Revised Budget	YTD Forecast	YTD Actual	Variation
KEY MOVEMENTS		1-Jul	27-Jan	27-Jan	27-Jan	
Operating Revenue	\$M	262.0	266.0	153.9	155.0	1.2
Operating Costs	\$M	(262.1)	(261.6)	(145.2)	(141.2)	4.0
Operating Result [Pre Capital]	\$M	(0.0)	4.4	8.7	13.9	5.2
Capital Grants & Contributions	\$M	32.9	16.5	8.9	6.6	(2.3)
Operating Result	\$M	32.9	20.9	17.6	20.4	2.8
Funds Available from Operations	\$M	61.8	62.7	39.1	41.9	2.8
Capital Works		101.6	91.2	42.7	39.7	3.0
Contributed Assets		-	-	-	-	-
Transfer to Restricted Cash		-	8.1	8.1	8.1	-
Borrowings Repaid	\$M	7.3	7.3	4.8	4.9	(0.1)
Funded from:						
- Operational Funds	\$M	61.8	62.7	39.1	41.9	2.8
- Other Funding	\$M	47.1	42.1	21.1	18.0	(3.1)
Total Funds Surplus/(Deficit)	\$M	(0.1)	(1.8)	4.6	7.2	2.6

Financial Performance

The January 2017 Operating Result [pre capital] shows a positive variance compared to budget of \$5.2M.

The Operating Result includes non-cash or restricted variations such as externally funded operational projects expenditure (\$1.3M), operating grants received that are transferred to restricted cash (\$0.8M), lower depreciation (\$0.5M), payment of accrued leave (\$0.2M) and domestic waste result transferred to restricted cash (\$0.1M). These have been offset by the loss on disposal of assets (\$0.5M). The Funds Available from Operations, which excludes the above adjustments, shows the underlying operational variation of \$2.8M.

Funds Result

The Total Funds result includes the funds component of the operating result in addition to increased Council funded capital expenditure and timing of loan payments.

Capital Budget

As at 27 January 2016, Council had expended \$39.7M or 43% of the approved annual capital budget of \$91.2M. This report includes a proposed reduction in the capital budget of \$2.8M that will result in a revised forecast capital expenditure of \$88.4M. The proposed reduction is the result of the re-phasing of strategic projects funding for purchase of land for Southern Suburbs Community Centre and Library.

Liquidity

Council's cash and investments decreased during January 2017 to holdings of \$154.9M compared to \$168.2M at the end of December 2016. This reflects normal trends for this time of the year.



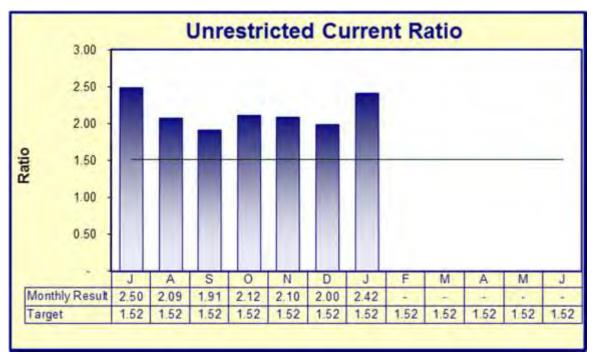
CASH, IN	VESTMENTS	& AVAILAB	LE FUNDS		
	Actual 2015/16	Original Budget 2016/17	September QR 2016/17	December QR 2016/17	Actual Ytd January 2017
	\$M	\$M	\$M	\$M	\$M
Total Cash and Investments	154.0	133.7	127.0	137.8	154.9
Less Restrictions: External Internal Total Restrictions Available Cash	75.3 55.3 130.6 23.5	88.8 37.6 126.4 7.3	72.7 43.7 116.4 10.7	74.4 52.2 126.7 11.1	83.3 59.4 142.6 12.2
Adjusted for : Current payables Receivables Other Net Payables & Receivables Available Funds	(34.9) 22.9 2.9 (9.1) 14.4	(23.6) 23.0 4.6 4.0 11.3	(23.8) 25.3 3.3 1.5	(23.5) 25.3 1.8 12.9	(19.1) 21.3 7.3 9.4 21.7

The Available Funds position excludes restricted cash. External restrictions are funds that must be spent for a specific purpose and cannot be used by Council for general operations. Internal restrictions are funds that Council has determined will be used for a specific future purpose.

The Available Funds forecast that was revised during the December Quarterly Review is within Council's Financial Strategy target of 3.5% to 5.5% of Operational Revenue [pre capital] and is between \$9.2M and \$14.4M for the year ending 30 June 2017. The actual Available Funds at 27 January 2017 are impacted by the progress of planned expenditure to date.

The Unrestricted Current Ratio measures the cash/liquidity position of an organisation. This ratio is intended to disclose the ability of an organisation to satisfy payment obligations in the short term from the unrestricted activities of Council. Council's current ratio is in line with the Local Government Benchmark of >2:1, however, the strategy is to maximise the use of available funds for asset renewal by targeting a lean Unrestricted Current Ratio.





Receivables

Receivables are the amount of money owed to Council or funds that Council has paid in advance. At January 2017, receivables totalled \$21.3M, compared to receivables of \$19.1M at January 2016. Fluctuations relate to the timing of rates payments which are accrued before the actual payments are due.

Payables

Payables (the amount of money owed to suppliers) of \$19.1M were owed at January 2017 compared to payables of \$24.2M in January 2016. The difference in payables relate to goods and services and capital projects delivered but not yet paid for and timing of the Financial Assistance Grant payments.

Debt

Council continues to have financial strength in its low level of borrowing. The industry measure of debt commitment is the Debt Service Ratio that measures the proportion of revenues that is required to meet annual loan repayments.

Council's Financial Strategy includes provision for additional borrowing in the future and Council will consider borrowing opportunities from time to time to bring forward the completion of capital projects where immediate funding is not available. Council currently has borrowings through an interest free loan and the subsidised Local Government Infrastructure Renewal Scheme (LIRS). In 2009-10, Council borrowed \$26M interest free to assist in the delivery of the West Dapto Access Plan. Council has also been successful in securing subsidies for loans under the three rounds of the LIRS program and has entered into loans of \$20M in 2012-13 for Round 1, \$4.3M in 2013-14 for Round 2 and \$15M for Round 3. The LIRS program provides a loan subsidy of 4% for Round 1 and 3% for the subsequent rounds. Loan funds have been used to accelerate the Citywide Footpaths, Shared Path Renewal, Missing Links Construction Program, building refurbishment works for Berkeley Community Centre, Corrimal Library and Community Centre, Thirroul Pavilion and Kiosk and to support the West Dapto Access – Fowlers Road project respectively. Council was advised of eligibility for further subsidy under Round 3 and an additional amount of \$5.5M was drawn down earlier this year that will also be used to support the West Dapto Access – Fowlers Road project.

Council's Debt Service Ratio forecast for 2016-17 is approximately 3.5%, which is still below Council's target of 4% and remains low in comparison to the Local Government's benchmark ratio of <10%. It is noted that non-cash interest expense relating to the amortisation of the income recognised on the West Dapto Access Plan Loan is not included when calculating the Debt Service Ratio.



Assets

The Balance Sheet shows that \$2.5B of assets are controlled and managed by Council for the community as at 27 January 2017. The 2016-17 capital works program includes projects such as the West Dapto Access strategy, civil asset renewals including roads, car parks and buildings and purchase of library books. At the end of January, capital expenditure amounted to \$39.7M.

PLANNING AND POLICY IMPACT

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

Community Strategic Plan	Delivery Program 2012-17	Annual Plan 2016-17
Strategy	5 Year Action	Annual Deliverables
4.4.5 Finances are managed effectively to ensure long term financial sustainability	4.4.5.1 Effective and transparent financial management systems are in place	Provide accurate and timely financial reports monthly, quarterly and via the annual financial statement Continuous Budget Management is in place, controlled and reported Manage and further develop compliance program Monitor and review achievement of Financial Strategy

CONCLUSION

The results for January 2017 are positive and within expectations over a range of financial indicators. Based on this information it is expected that Council will achieve the forecast annual results with further potential for improvement against budget.



	2016 to 27 Jan 2016/17 Orginal Budget \$'000	2016/17 Current Budget \$'000	2016/17 YTD Budget	2016/17 Actual YTD
	ncome Staten		\$'000	\$'000
Income From Continuing Operations	ncome Staten	nem		
Revenue:				
Rates and Annual Charges	184,035	184,540	106,679	106,613
User Charges and Fees	33,594	36,376	21,318	21,50
Interest and Investment Revenues	4,253	5,179	2,868	3,12
Other Revenues	10,205	9,787	5,213	5,41
Grants & Contributions provided for Operating Purposes	29,961	30,079	17,811	18,86
Grants & Contributions provided for Capital Purposes	32,947	16,543	8,890	6,55
Profit/Loss on Disposal of Assets	0	0	(0)	(477
Total Income from Continuing Operations	294,994	282,503	162,779	161,58
Expenses From Continuing Operations				
-				
Employee Costs	117,960	119,680	68,081	66,99
Borrowing Costs	4,131	4,082	2,359	2,37
Materials, Contracts & Other Expenses	89,066	89,669	46,288	43,09
Depreciation, Amortisation + Impairment	64,840	62,639	36,796	36,34
Internal Charges (labour)	(12,352)	(12,914)	(7,465)	(6,95
nternal Charges (not labour)	(1,566)	(1,560)	(908)	(679
Total Expenses From Continuing Operations	262,079	261,597	145,152	141,16
Operating Results From Continuing Operation	ns 32,916	20,907	17,627	20,42
	-			
Net Operating Result for the Year	32,916	20,907	17,627	20,42
Net Operating Result for the Year before Grants &				
Contributions provided for Capital Purposes	(31)	4,364	8,737	13,87
Net Operating Result for the Year before Grants & Contributions provided for Capital Purposes NET SURPLUS (DEFICIT) [Pre capital] %	(31) 11.2%	4,364 7.4%	8,737 10.8%	13,87 12.6
Contributions provided for Capital Purposes NET SURPLUS (DEFICIT) [Pre capital] %	11.2%	7.4%		
Contributions provided for Capital Purposes NET SURPLUS (DEFICIT) [Pre capital] %		7.4%		
Contributions provided for Capital Purposes NET SURPLUS (DEFICIT) [Pre capital] %	11.2%	7.4%		12.6
Contributions provided for Capital Purposes NET SURPLUS (DEFICIT) [Pre capital] % For the Very state of the Very state	11.2% Funding State	7.4%	10.8%	12.6
Contributions provided for Capital Purposes NET SURPLUS (DEFICIT) [Pre capital] % For the Very state of the Very state	11.2% Funding State	7.4%	10.8%	
Contributions provided for Capital Purposes NET SURPLUS (DEFICIT) [Pre capital] % Final Purposes Final Purp	11.2% Funding State	7.4%	17,627	12.6
Contributions provided for Capital Purposes NET SURPLUS (DEFICIT) [Pre capital] % Find the Company of the Year Add back: - Non-cash Operating Transactions	11.2% Funding State 32,916 78,451	7.4% ment 20,907	10.8% 17,627	20,42 44,79 6,83
Contributions provided for Capital Purposes NET SURPLUS (DEFICIT) [Pre capital] % Find the Community of the Year Add back: - Non-cash Operating Transactions - Restricted cash used for operations	11.2% Funding State 32,916 78,451 15,013	7.4% ment 20,907 76,616 16,473	17,627 44,713 8,163	20,42 44,79 6,83 (22,51)
Contributions provided for Capital Purposes NET SURPLUS (DEFICIT) [Pre capital] % Net Operating Result for the Year Add back: - Non-cash Operating Transactions - Restricted cash used for operations - Income transferred to Restricted Cash - Payment of Accrued Leave Entitlements	11.2% Funding State 32,916 78,451 15,013 (52,489)	7.4% ment 20,907 76,616 16,473 (39,224)	17,627 44,713 8,163 (24,065)	20,42 44,79 6,83 (22,51)
Contributions provided for Capital Purposes NET SURPLUS (DEFICIT) [Pre capital] % Net Operating Result for the Year Add back: - Non-cash Operating Transactions - Restricted cash used for operations - Income transferred to Restricted Cash - Payment of Accrued Leave Entitlements - Payment of Carbon Contributions	78,451 15,013 (52,489) (11,943)	7.4% 20,907 76,616 16,473 (39,224) (12,082)	17,627 44,713 8,163 (24,065) (7,485)	20,42 44,79 6,83 (22,51) (7,66)
Contributions provided for Capital Purposes NET SURPLUS (DEFICIT) [Pre capital] % Net Operating Result for the Year Add back: - Non-cash Operating Transactions - Restricted cash used for operations - Income transferred to Restricted Cash - Payment of Accrued Leave Entitlements - Payment of Carbon Contributions Funds Available from Operations	78,451 15,013 (52,489) (11,943) 0 61,948	7.4% 20,907 76,616 16,473 (39,224) (12,082) 0 62,689	17,627 44,713 8,163 (24,065) (7,485) 0 38,955	20,42 44,79
Contributions provided for Capital Purposes NET SURPLUS (DEFICIT) [Pre capital] % Net Operating Result for the Year Add back: - Non-cash Operating Transactions - Restricted cash used for operations - Income transferred to Restricted Cash - Payment of Accrued Leave Entitlements - Payment of Carbon Contributions Funds Available from Operations Advances (made by) / repaid to Council	78,451 15,013 (52,489) (11,943)	7.4% 20,907 76,616 16,473 (39,224) (12,082) 0	17,627 44,713	20,42 44,75 6,83 (22,51 (7,66
Fontributions provided for Capital Purposes IET SURPLUS (DEFICIT) [Pre capital] % Fet Operating Result for the Year Add back: - Non-cash Operating Transactions - Restricted cash used for operations - Income transferred to Restricted Cash - Payment of Accrued Leave Entitlements - Payment of Carbon Contributions Funds Available from Operations Advances (made by) / repaid to Council Borrowings repaid	78,451 15,013 (52,489) (11,943) 0 61,948	7.4% 20,907 76,616 16,473 (39,224) (12,082) 0 62,689	17,627 44,713 8,163 (24,065) (7,485) 0 38,955	20,42 44.75 6,83 (22,51) (7,66 41,86
Contributions provided for Capital Purposes NET SURPLUS (DEFICIT) [Pre capital] % Net Operating Result for the Year Add back: - Non-cash Operating Transactions - Restricted cash used for operations - Income transferred to Restricted Cash - Payment of Accrued Leave Entitlements - Payment of Carbon Contributions Funds Available from Operations Advances (made by) / repaid to Council Borrowings repaid Operational Funds Available for Capital Budget	78,451 15,013 (52,489) (11,943) 0 61,948	7.4% 20,907 76,616 16,473 (39,224) (12,082) 0 62,689 0 (7,285)	17,627 44,713 8,163 (24,065) (7,485) 0 38,955 0 (4,795)	20,42 44.75 6,83 (22,51) (7,66 41,86
Contributions provided for Capital Purposes WET SURPLUS (DEFICIT) [Pre capital] % Net Operating Result for the Year Add back: - Non-cash Operating Transactions - Restricted cash used for operations - Income transferred to Restricted Cash - Payment of Accrued Leave Entitlements - Payment of Carbon Contributions Funds Available from Operations Advances (made by) / repaid to Council Borrowings repaid Operational Funds Available for Capital Budget CAPITAL BUDGET	78,451 15,013 (52,489) (11,943) 0 61,948 0 (7,285)	7.4% 20,907 76,616 16,473 (39,224) (12,082) 0 62,689 0 (7,285)	17,627 44,713 8,163 (24,065) (7,485) 0 38,955 0 (4,795) 34,159	20,42 44,75 6,83 (22,51) (7,66 41,86 (4,92)
Filed Departing Result for the Year Add back: - Non-cash Operating Transactions - Restricted cash used for operations - Income transferred to Restricted Cash - Payment of Accrued Leave Entitlements - Payment of Carbon Contributions - Individual Carbon Contributions - Payment of	78,451 15,013 (52,489) (11,943) 0 61,948	7.4% 20,907 76,616 16,473 (39,224) (12,082) 0 62,689 0 (7,285)	17,627 44,713 8,163 (24,065) (7,485) 0 38,955 0 (4,795)	20,4; 44,7; 6,8; (22,51 (7,66 41,8; (4,92
Contributions provided for Capital Purposes NET SURPLUS (DEFICIT) [Pre capital] % Net Operating Result for the Year Add back: - Non-cash Operating Transactions - Restricted cash used for operations - Income transferred to Restricted Cash - Payment of Accrued Leave Entitlements - Payment of Carbon Contributions Funds Available from Operations Advances (made by) / repaid to Council Borrowings repaid Operational Funds Available for Capital Budget CAPITAL BUDGET Assets Acquired Contributed Assets	11.2% Tunding State 32,916 78,451 15,013 (52,489) (11,943) 0 61,948 0 (7,285) 54,663	7.4% 7.4% 7.4% 76,616 16,473 (39,224) (12,082) 0 62,689 0 (7,285) 55,404 (88,370) 0	17,627 44,713 8,163 (24,065) (7,485) 0 38,955 0 (4,795) 34,159 (39,649) 0	20,42 44,75 6,83 (22,51) (7,66 41,86 (4,92) 36,94
Contributions provided for Capital Purposes NET SURPLUS (DEFICIT) [Pre capital] % Net Operating Result for the Year Add back: - Non-cash Operating Transactions - Restricted cash used for operations - Income transferred to Restricted Cash - Payment of Accrued Leave Entitlements - Payment of Carbon Contributions Funds Available from Operations Advances (made by) / repaid to Council Borrowings repaid Operational Funds Available for Capital Budget CAPITAL BUDGET Assets Acquired Contributed Assets	78,451 15,013 (52,489) (11,943) 0 61,948 0 (7,285) 54,663	7.4% 20,907 76,616 16,473 (39,224) (12,082) 0 62,689 0 (7,285) 55,404	17,627 44,713 8,163 (24,065) (7,485) 0 38,955 0 (4,795) 34,159	20,42 44,75 6,83 (22,51) (7,66 41,86 (4,92) 36,94
Contributions provided for Capital Purposes NET SURPLUS (DEFICIT) [Pre capital] % Net Operating Result for the Year Add back: - Non-cash Operating Transactions - Restricted cash used for operations - Income transferred to Restricted Cash - Payment of Accrued Leave Entitlements - Payment of Carbon Contributions Funds Available from Operations Advances (made by) / repaid to Council Borrowings repaid Operational Funds Available for Capital Budget CAPITAL BUDGET Assets Acquired Contributed Assets Fransfers to Restricted Cash Funded From :-	11.2% Tunding State 32,916 78,451 15,013 (52,489) (11,943) 0 (7,285) 54,663 (101,627) 0 0	7.4% 7.4% 7.4% 7.4% 7.4% 7.4% 7.4% 7.4% 7.4% 7.4% 7.4% 7.4% 1.20,907 0.20,907 6.40,407 6.400 6.400 6.400 6.400 6.400 6.400 6.400 6.400 6.400 6.400 6.400 6.400 6.400 6.400 6.400 6.400 6.400 6.400 6.400 6.400 6.400 6.400 6.400 6.400 6.400 6.400 6.400	10.8% 17,627 44,713 8,163 (24,065) (7,485) 0 38,955 0 (4,795) 34,159 (39,649) 0 (8,100)	20,42 44,79 6,83 (22,51) (7,66) 41,86 (4,92) 36,94 (39,65)
Contributions provided for Capital Purposes NET SURPLUS (DEFICIT) [Pre capital] % Net Operating Result for the Year Add back: - Non-cash Operating Transactions - Restricted cash used for operations - Income transferred to Restricted Cash - Payment of Accrued Leave Entitlements - Payment of Carbon Contributions Funds Available from Operations Advances (made by) / repaid to Council 3orrowings repaid Operational Funds Available for Capital Budget CAPITAL BUDGET Assets Acquired Contributed Assets Fransfers to Restricted Cash Funded From: - Operational Funds	11.2% Tunding State 32,916 78,451 15,013 (52,489) (11,943) 0 61,948 0 (7,285) 54,663 (101,627) 0 0 54,663	7.4% 7.4% 20,907 76,616 16,473 (39,224) (12,082) 0 62,689 0 (7,285) 55,404 (88,370) 0 (8,100)	17,627 44,713	20,42 44,75 6,83 (22,51) (7,66 41,86 (4,92 36,94 (39,65)
Contributions provided for Capital Purposes NET SURPLUS (DEFICIT) [Pre capital] % Net Operating Result for the Year Add back: Non-cash Operating Transactions - Restricted cash used for operations - Income transferred to Restricted Cash - Payment of Accrued Leave Entitlements - Payment of Carbon Contributions Funds Available from Operations Advances (made by) / repaid to Council Borrowings repaid Operational Funds Available for Capital Budget CAPITAL BUDGET Assets Acquired Contributed Assets Fransfers to Restricted Cash Funded From :- - Operational Funds - Sale of Assets	11.2% Tunding State 32,916 78,451 15,013 (52,489) (11,943) 0 61,948 0 (7,285) 54,663 (101,627) 0 0 54,663 1,743	7.4% 7.4% 7.4% 7.4% 7.4% 7.4% 7.4% 7.4% 7.4% 7.4% 7.4% 7.4% 1.2,982 0 62,689 0 (7,285) 55,404 (88,370) 0 (8,100) 55,404 1,743	17,627 44,713	20,42 44,75 6,83 (22,51) (7,66 41,86 (4,92) 36,94 (39,65) (8,10) 36,94
Fire to Perating Provided for Capital Purposes IET SURPLUS (DEFICIT) [Pre capital] % Filet Operating Result for the Year Add back: - Non-cash Operating Transactions - Restricted cash used for operations - Income transferred to Restricted Cash - Payment of Accrued Leave Entitlements - Payment of Accrued Leave Entitlements - Payment of Carbon Contributions Funds Available from Operations Advances (made by) / repaid to Council Borrowings repaid Operational Funds Available for Capital Budget CAPITAL BUDGET Assets Acquired Contributed Assets Fransfers to Restricted Cash Funded From: - Operational Funds - Sale of Assets - Internally Restricted Cash	11.2% Tunding State 32,916 78,451 15,013 (52,489) (11,943) 0 61,948 0 (7,285) 54,663 (101,627) 0 0 54,663 1,743 21,770	7.4% 7.4% 20,907 76,616 16,473 (39,224) (12,082) 0 (7,285) 55,404 (88,370) 0 (8,100) 55,404 1,743 10,786	10.8% 17,627 44,713 8,163 (24,065) (7,485) 0 (4,795) 34,159 (39,649) 0 (8,100) 34,159 515 5,482	20,42 44,75 6,83 (22,51) (7,66 41,86 (4,92) 36,94 (39,65) (8,10) 36,94 73 4,87
Contributions provided for Capital Purposes IET SURPLUS (DEFICIT) [Pre capital] % Iet Operating Result for the Year Add back: - Non-cash Operating Transactions - Restricted cash used for operations - Income transferred to Restricted Cash - Payment of Accrued Leave Entitlements - Payment of Carbon Contributions Funds Available from Operations Advances (made by) / repaid to Council Borrowings repaid Operational Funds Available for Capital Budget CAPITAL BUDGET Assets Acquired Contributed Assets Fransfers to Restricted Cash Funded From: - Operational Funds - Sale of Assets - Internally Restricted Cash - Borrowings	11.2% Tunding State 32,916 78,451 15,013 (52,489) (11,943) 0 61,948 0 (7,285) 54,663 (101,627) 0 0 54,663 1,743 21,770 0	7.4% 7.4% 7.4% 7.4% 7.4% 76,616 16,473 (39,224) (12,082) 0 62,689 0 (7,285) 55,404 (88,370) 0 (8,100) 55,404 1,743 10,786 5,500	10.8% 17,627 44,713 8,163 (24,065) (7,485) 0 (4,795) 34,159 (8,100) 34,159 515 5,482 5,500	20,42 44,75 6,85 (22,51) (7,66 41,86 (4,92) 36,94 (39,65) (8,10) 36,94 4,87 4,87 5,56
Contributions provided for Capital Purposes NET SURPLUS (DEFICIT) [Pre capital] % Net Operating Result for the Year Add back: - Non-cash Operating Transactions - Restricted cash used for operations - Income transferred to Restricted Cash - Payment of Accrued Leave Entitlements - Payment of Carbon Contributions Funds Available from Operations Advances (made by) / repaid to Council Borrowings repaid Operational Funds Available for Capital Budget CAPITAL BUDGET Assets Acquired Contributed Assets Fransfers to Restricted Cash - Operational Funds - Sale of Assets - Internally Restricted Cash - Borrowings - Capital Grants	11.2% Tunding State 32,916 78,451 15,013 (52,489) (11,943) 0 61,948 0 (7,285) 54,663 (101,627) 0 54,663 1,743 21,770 0 11,065	7.4% Tent 20,907 76,616 16,473 (39,224) (12,082) 0 62,689 0 (7,285) 55,404 (88,370) 0 (8,100) 55,404 1,743 10,786 5,500 9,291	10.8% 17,627 44,713 8,163 (24,065) (7,485) 0 (4,795) 34,159 (8,100) (8,100) 34,159 515 5,482 5,500 2,251	20,42 44,75 6,83 (22,51) (7,66 41,86 (4,92) 36,94 (39,65) (8,10) 36,94 4,75 4,87 4,87 4,87 4,87 4,87
Contributions provided for Capital Purposes NET SURPLUS (DEFICIT) [Pre capital] % Net Operating Result for the Year Add back: - Non-cash Operating Transactions - Restricted cash used for operations - Income transferred to Restricted Cash - Payment of Accrued Leave Entitlements - Payment of Carbon Contributions Funds Available from Operations Advances (made by) / repaid to Council Borrowings repaid Operational Funds Available for Capital Budget CAPITAL BUDGET Assets Acquired Contributed Assets Transfers to Restricted Cash Funded From: - Operational Funds - Sale of Assets - Internally Restricted Cash - Borrowings	11.2% Tunding State 32,916 78,451 15,013 (52,489) (11,943) 0 61,948 0 (7,285) 54,663 (101,627) 0 0 54,663 1,743 21,770 0	7.4% 7.4% 7.4% 7.4% 7.4% 76,616 16,473 (39,224) (12,082) 0 62,689 0 (7,285) 55,404 (88,370) 0 (8,100) 55,404 1,743 10,786 5,500	10.8% 17,627 44,713 8,163 (24,065) (7,485) 0 (4,795) 34,159 (8,100) 34,159 515 5,482 5,500	20,42 44,75 6,83 (22,51) (7,66 41,86 (4,92) 36,94
Contributions provided for Capital Purposes NET SURPLUS (DEFICIT) [Pre capital] % Net Operating Result for the Year Add back: - Non-cash Operating Transactions - Restricted cash used for operations - Income transferred to Restricted Cash - Payment of Accrued Leave Entitlements - Payment of Carbon Contributions Funds Available from Operations Advances (made by) / repaid to Council Borrowings repaid Operational Funds Available for Capital Budget CAPITAL BUDGET Assets Acquired Contributed Assets Transfers to Restricted Cash Funded From: - Operational Funds - Sale of Assets - Internally Restricted Cash - Borrowings - Capital Grants - Developer Contributions (Section 94)	11.2% Tending State 32,916 78,451 15,013 (52,489) (11,943) 0 61,948 0 (7,285) 54,663 (101,627) 0 0 54,663 1,743 21,770 0 11,065 6,008	7.4% Tent 20,907 76,616 16,473 (39,224) (12,082) 0 62,689 0 (7,285) 55,404 (88,370) 0 (8,100) 55,404 1,743 10,786 5,500 9,291 5,745	10.8% 17,627 44,713 8,163 (24,065) (7,485) 0 (4,795) 34,159 (39,649) 0 (8,100) 34,159 5,5482 5,500 2,251 3,192	20,42 44,76 6,83 (22,51 (7,66 41,86 (4,92 36,94 (39,65 (8,10 36,94 4,87 4,87 4,87 4,87 4,87 2,88 1,08

Item 11 - Attachment 2 - Capital Project Report - January 2017



Manager Project Delivery Division Commentary on January 2017 Capital Budget Report

As at 27 January 2017, year to date expenditure was \$39.7M of the approved capital budget of \$91.2M. This value is \$3.0M less than the forecast expenditure of \$42.7M for this period.

The following table summarises the proposed changes to the total Capital Budget by transfer of budget between programs and reduction or introduction of various types of external or loan funding. These changes result is a net decrease of \$2.8M in the overall capital budget to \$88.4M.

Program	Major Points of change to Capital Budget
Roadworks	Rephase Roads to Recovery funding
	Reallocate budget from Capital Budget Contingency to Roadworks Program
Bridges, Boardwalks & Jetties	Reallocate budget from Capital Budget Contingency to Bridges, Boardwalks & Jetties
Footpaths	Rephase funding for LIR1S and Section 94 for existing projects
	Introduce funding from Stanwell rock pool reserve for new project
Car Parks	Reallocate budget from Capital Budget contingency for Parking Meter Upgrade
Admin Buildings	Reallocate budget from Beach Facilities Program to Admin Buildings program
Community Buildings	Rephase Strategic Projects Funding for existing project
	Reallocate budget from Rock/Tidal Pools Program to Community Buildings program
	Reallocate budget from Beach Facilities to Community Buildings Program
Public Facilities	Reallocate budget from Recreation Facilities Program to Public Facilities Program
Play Facilities	Reallocate budget from Treated Water Pool to Play Facilities Program
Recreation Facilities	Reallocate budget from Recreation Facilities to Public Facilities
Sporting Facilities	Reallocate budget from Treated Water Pool to Sporting Facilities Program
Beach Facilities	Reallocate budget from Beach Facilities to Community Buildings and Admin Buildings programs
Rock/Tidal Pools	Reallocate budget from Rock/Tidal Pools to Community Buildings Program
Treated Water Pools	Reallocate budget from Treated Water Pools to Play Facilities Program and Sporting Facilities Program
Whytes Gully New Cells	Transfer Waste Reserve funding from Helensburgh Rehabilitation to Whytes Gully New Cells
Helensburgh Rehabilitation	Transfer Waste Reserve funding from Helensburgh Rehabilitation to Whytes Gully New Cells
Mobile Plant	Introduce HACC funding for additional community transport bus
Information Technology	Introduce external funding for Central Library I.T. training space
Emergency Services	Reallocate budget from Emergency Services to Capital Project Contingency
Land Acquisitions	Rephase strategic projects funding for purchase of land for southern suburbs community centre and library
Capital Project Contingency	Multiple budget reallocations to various programs as detailed above



	C	ADITAL	PROJECT	PEDOB	т		
			iod ended 27 J		. 1		
	\$*0	00	\$1000)		\$00	0
	CURRENT	BUDGET	WORKING B	UDGET		VARIAT	TON
ASSET CLASS PROGRAMME	EXPENDITURE	OTHER FUNDING	EXPENDITURE	OTHER FUNDING	YTD EXPENDITURE	EXPENDITURE	OTHER FUNDING
Roads And Related Assets							
Traffic Facilities	2,050	(1,561)	2,050	(1,561)	618	(0)	
Public Transport Facilities	271	(20)	271	(20)	84	(0)	
Roadworks Bridges, Boardwalks and Jetties	13,791 1,939	(4,221)	13,899 2,259	(4,179) (100)	6,500 1,007	108 320	
TOTAL Roads And Related Assets	18,051	(5,902)	18,479	(5,860)	8,209	428	
/est Dapto							
West Dapto Infrastructure Expansion	5,001	(4,531)	5,001	(4,531)	1,134	0	
TOTAL West Dapto	5,001	(4,531)	5,001	(4,531)	1,134	0	
ootpaths And Cycleways							
Footpaths	4,769	(1,650)	4,793	(1,674)	3,128	24	(
Cycle/Shared Paths	6,345	(2,745)	6,345	(2,745)	1,973	0	
Commercial Centre Upgrades - Footpaths and Cyclews	4,034	(795)	4,034	(795)	2,497	(0)	
TOTAL Footpaths And Cycleways	15,148	(5,190)	15,172	(5,214)	7,597	24	(
arparks							
Carpark Construction/Formalising	350	0	350	0	132	(0) 456	
Carpark Reconstruction or Upgrading TOTAL Carparks	1,221	0	1,677 2,027	0	715	456	
stormwater And Floodplain Manageme							
Floodplain Management	2,143	(530)	2,143	(530)	373	0	
Stormwater Management	2,088	(550)	2,088	(550)	605	(0)	
Stormwater Treatment Devices	423	(175)	423	(175)	317	0	
TOTAL Stormwater And Floodplain №	4,654	(1,255)	4,654	(1,255)	1,295	(0)	
Buildings							
Cultural Centres (IPAC, Gallery, Townhall)	1,100	0	1,100	0	409	(0)	
Administration Buildings Community Buildings	1,475 11,194	(1,993)	1,505 11,354	(1,793)	1,031 7,509	30 160	:
Public Facilities (Shelters, Toilets etc.)	2,083	(170)	2,183	(170)	1,879	100	•
Carbon Abatement	1,000	(1,000)	1,000	(1,000)	98	(0)	
TOTAL Buildings	16,852	(3,163)	17,142	(2,963)	10,925	290	:
ommercial Operations							
Tourist Park - Upgrades and Renewal	750	0	750	0	390	(0)	
Crematorium/Cemetery - Upgrades and Renewal	200	0	200	0	59	0	
Leisure Centres & RVGC TOTAL Commercial Operations	1,100	0	1,100	0	452	0	
·	1,100	0	1,100	0	452		
arks Gardens And Sportfields	2.20						
Play Facilities Recreation Facilities	1,260 2,182	(60)	1,390 2,082	(60)	10 1,580	130 (100)	
Sporting Facilities	1,175	(483)	1,195	(483)	431	20	
Lake Illawarra Foreshore	50	0	50	0	0	(0)	
TOTAL Parks Gardens And Sportfield	4,667	(924)	4,717	(924)	2,022	50	
eaches And Pools							
Beach Facilities	580	0	480	0 (465)	356	(100)	
Rock/Tidal Pools Treated Water Pools	1,880 1,397	(165) (18)	1,590 1,247	(165) (18)	1,023 577	(290) (150)	
TOTAL Beaches And Pools							
TOTAL DEACHES AND POOLS	3,857	(183)	3,318	(183)	1,956	(540)	



	C	APITAL	PROJECT	REPOR	Т		
				anuary 2017			
	\$10	00	\$1000)		\$100	0
	CURRENT	BUDGET	WORKING B	UDGET		VARIAT	TION
ASSET CLASS PROGRAMME	EXPENDITURE	OTHER FUNDING	EXPENDITURE	OTHER FUNDING	YTD EXPENDITURE	EXPENDITURE	OTHER FUNDING
Natural Areas							
Environmental Management Program Natural Area Management and Rehabilitation	0 275	0	0 275	0	0 19		(
TOTAL Natural Areas	275	0	275	0	20	(0)	-
Waste Facilities							
Whytes Gully New Cells	6,145	(6,145)	6,195	(6,195)	2,503	50	(50
Whytes Gully Renewal Works Helensburgh Rehabilitation	439 129	(439) (129)	439 79	(440) (79)	130 24	(0) (50)	(0 54
TOTAL Waste Facilities	6,714	(6,714)	6,714	(6,714)	2,657	(0)	(0
Fleet							
Motor Vehicles	1,783	(940)	1,783	(940)	722	(0)	
TOTAL Fleet	1,783	(940)	1,783	(940)	722	(0)	(
Plant And Equipment							
Portable Equipment (Mowers etc.)	355	(53)	355	(53)	40	(0)	
Mobile Plant (trucks, backhoes etc.) Fixed Equipment	3,611 320	(1,361)	3,686 320	(1,436)	590 1	75 (0)	(75
TOTAL Plant And Equipment	4,286	(1,414)	4,361	(1,489)	631	75	(75
Information Technology							
Information Technology	1,160	0	1,325	(165)	177	165	(165
TOTAL Information Technology	1,160	0	1,325	(165)	177	165	(165
Library Books							
Library Books	1,193	(66)	1,193	(66)	731	(0)	(0
TOTAL Library Books	1,193	(66)	1,193	(66)	731	(0)	(0
Public Art							
Public Art Works	200	0	200	0	61	(0)	
Art Gallery Acquisitions	110	0	110	0	67	0	(
TOTAL Public Art	310	0	310	0	128	(0)	
Emergency Services							
Emergency Services Plant and Equipment	900	0	400	0	41	(500)	(
TOTAL Emergency Services	900	0	400	0	41	(500)	'
Land Acquisitions							
Land Acquisitions TOTAL Land Acquisitions	2,992 2,992	(2,825)	167	0	64	(2,825)	2,82
·	2,552	(2,023)	107			(2,023)	2,02
Non-Project Allocations							
Capital Project Contingency Capital Project Plan	552 105	0	126 105	0	0 48	(426) 0	
TOTAL Non-Project Allocations	657	0	231	0	48	(426)	
Loans							
West Dapto Loan	0	(2,900)	0	(2,900)	0		
LIRS Loan	0	(6,094)	0	(6,094)	0		(
TOTAL Loans	0	(8,994)	0	(8,994)	0		C
GRAND TOTAL	91,173	(42,102)	88,370	(39,299)	39,656	(2,803)	2,803

Item 11 - Attachment 3 - Balance Sheet - January 2017



	WOLLONGONG CITY	COUNCIL	
		Actual 2016/17 \$'000	Actual 2015/16 \$'000
	BALANCE SHEET		
	CURRENT ACCETO	as at 27/01/17	as at 30/06/16
_	CURRENT ASSETS		
	Cash Assets Investment Securities Receivables Inventories Other Assets classified as held for sale	108,875 35,909 21,317 6,020 7,296 0	112,276 31,663 21,280 6,028 3,207
	Total Current Assets	179,417	174,453
	NON-CURRENT ASSETS		
	Non Current Cash Assets Property, Plant and Equipment Investment Properties Westpool Equity Contribution Intangible Assets	10,085 2,267,655 4,775 1,310 688	10,085 2,265,362 4,775 1,310 1,042
	Total Non-Current Assets	2,284,513	2,282,574
	TOTAL ASSETS	2,463,930	2,457,027
_	CURRENT LIABILITIES		
	Current Payables Current Provisions payable < 12 months Current Provisions payable > 12 months Current Interest Bearing Liabilities	19,128 15,463 37,858 7,160	33,258 16,998 37,858 6,690
	Total Current Liabilities	79,608	94,804
	NON-CURRENT LIABILITIES		
	Non Current Interest Bearing Liabilities Non Current Provisions	34,470 45,136	33,940 44,031
	Total Non-Current Liabilities	79,606	77,970
	TOTAL LIABILITIES	159,214	172,774
	NET ASSETS	2,304,716	2,284,253
	EQUITY		
	Accumulated Surplus Asset Revaluation Reserve Restricted Assets	1,176,733 985,341 142,642	1,167,459 986,148 130,647
	TOTAL EQUITY	2,304,716	2,284,253

Item 11 - Attachment 4 - Cash Flow Statement - January 2017



WOLLONGONG CITY COUNCIL CASH FLOW STATEMENT as at 27 January 2017 YTD Actual \$ '000 \$ '000 CASH FLOWS FROM OPERATING ACTIVITIES Receipts: Rates & Annual Charges 105,611 174,893 User Charges & Fees 20,417 33,314 Interest & Interest Received 3,416 5,633 Grants & Contributions 26,428 55,323 Other 5,581 22,139 Payments: Employee Benefits & On-costs (65,412) (100.072) Materials & Contracts (25,688)(56,091) Borrowing Costs (781)(1,547)(21, 367)(37,388)48,205 96,204 Net Cash provided (or used in) Operating Activities CASH FLOWS FROM INVESTING ACTIVITIES 737 919 Sale of Infrastructure, Property, Plant & Equipment Deferred Debtors Receipts Payments: Purchase of Investments Purchase of Investment Property Purchase of Infrastructure, Property, Plant & Equipment (48,509)(81,467) Purchase of Interests in Joint Ventures & Associates Net Cash provided (or used in) Investing Activities (47,772)(80,548)CASH FLOWS FROM FINANCING ACTIVITIES Receipts: Proceeds from Borrowings & Advances 5,500 Repayment of Borrowings & Advances (5,088)(6,369) Repayment of Finance Lease Liabilities Net Cash Flow provided (used in) Financing Activities 412 (6,369)845 (15,832)Net Increase/(Decrease) in Cash & Cash Equivalents 154,024 plus: Cash & Cash Equivalents and Investments - beginning of year 169,856 154,869 154,024 Cash & Cash Equivalents and Investments - year to date

)17 YTD Actual	Ac
	2016/17	201
	\$ '000	\$ *
Total Cash & Cash Equivalents and Investments - year to date	154,869	154,02
Attributable to:		
External Restrictions (refer below)	83,250	75,2
Internal Restrictions (refer below)	59,392	55,3
Unrestricted	12,227	23,3
	154,869	154,02
External Restrictions		
Developer Contributions	17,653	15,3
RMS Contributions	864	2
Specific Purpose Unexpended Grants	5,966	4,6
Special Rates Levy Wollongong Mall	194	1
Special Rates Levy Wollongong City Centre	26	
Local Infrastructure Renewal Scheme	22,203	18,1
Unexpended Loans	7,328	7,2
Domestic Waste Management	10,394	9,9
Private Subsidies	4,232	3,9
West Dapto Home Deposit Assistance Program	9,954 1,610	9,7 1.3
Stormwater Management Service Charge West Dapto Home Deposits Issued	85	1,3
Carbon Price	2,741	4,3
	00.050	75.0
Total External Restrictions	83,250	75,2
Internal Restrictions		
Property Development	4,030	4,1
Property Investment Fund	8,240	8,1
Strategic Projects	28,189	23,8
Future Projects	5,366	5,5
Sports Priority Program	332	4
Car Parking Stategy	943	9
MacCabe Park Development	928	8
Darcy Wentworth Park	188	1
Garbage Disposal Facility	9,432	10,0
Telecommunications Revenue	176	1
West Dapto Development Additional Rates	978	5
Southern Phone Natural Areas	370 220	4
Lake Illawarra Estuary Management Fund	220	
Total Internal Restrictions	59,392	55.3
i otal iliterilai Restrictions	35,392	55,5

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ITEM 12 STATEMENT OF INVESTMENTS - JANUARY 2017

This report provides an overview of Council's investment portfolio performance for the month of January 2017.

Council's average weighted return for January 2017 was 3.48% which was above the benchmark return of 1.78%. The result was primarily due to solid returns received on the term deposits and the positive marked to market valuation of the aggregated Floating Rate Notes and CBA Zero Coupon Bond in Council's portfolio. The remainder of Council's portfolio continues to provide a high level of consistency in income and a high degree credit quality and liquidity.

RECOMMENDATION

Council receive the Statement of Investments for January 2017.

REPORT AUTHORISATIONS

Report of: Brian Jenkins, Manager Finance

Authorised by: Kerry Hunt, Director Corporate and Community Services - Creative, Engaged and

Innovative City (Acting)

ATTACHMENTS

1 Statement of Investments - January 2017

2 Investment Income Compared to Budget 2016-2017

BACKGROUND

Council is required to invest its surplus funds in accordance with the Ministerial Investment Order and Division of Local Government guidelines. The Order reflects a conservative approach and restricts the investment types available to Council. In compliance with the Order and Division of Local Government guidelines, Council adopted an Investment Policy on 19 October 2015. The Investment Policy provides a framework for the credit quality, institutional diversification and maturity constraints that Council's portfolio can be exposed to. Council's investment portfolio was controlled by Council's Finance Division during the period to ensure compliance with the Investment Policy. Council's Governance Committee's role of overseer provides for the review of the Council's Investment Policy and Management Investment Strategy.

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

Council's investment holdings as at 27 January 2017 were \$154,264,768 (Statement of Investments attached) [29 January 2016 \$157,248,038].

Council's average weighted return for January 2017 was 3.48% which was above the benchmark return of 1.78%. The result was primarily due to solid returns received on the term deposits and the positive marked to market valuation of the aggregated Floating Rate Notes and CBA Zero Coupon Bond in Council's portfolio. The remainder of Council's portfolio continues to provide a high level of consistency in income and a high degree credit quality and liquidity.

At 27 January 2017, year to date interest and investment revenue of \$2,802,691 was recognised compared to the year to date budget of \$2,482,090 (as revised in the December Quarterly Review). It is anticipated a further adjustment will be made to the investment return budget in March 2017.

Council's CBA Zero Coupon Bond experienced an increase in valuation for January 2017 of \$15,174. The valuation methodology used by Laminar (Council's investment consultants) discounts the bond using a margin for a straight four year CBA obligation but also considers the illiquidity premium, this being a restructured deal and there being limited bids on the security. As this bond gradually nears



maturity, movements in interest rates and liquidity will have less of an impact on the securities valuation. While there will be short term fluctuations along the way, the investments valuation will gradually increase to its \$4M maturity value.

Council's 14 Floating Rate Notes had a net increase in value of \$67,430 for January 2017.

Council holds two Mortgaged Backed Securities (MBS) that recorded a net increase in value of \$4,973 for January 2017. These investments continue to pay higher than normal variable rates. While the maturity dates are outside Council's control, the investment advisors had previously indicated that capital is not at risk at that stage and recommended a hold strategy due to the illiquid nature of the investment.

The NSW T-Corp Long-Term Growth Facility recorded a decrease in value of \$6,336 in January 2017. The fluctuation is a reflection of the current share market volatility both domestically and internationally.

During the February 2017 RBA meeting, the official cash rate remained unchanged at 1.50%. The RBA has advised that it would continue to assess the outlook and adjust policy as needed to foster sustainable growth in demand and inflation outcomes consistent with the inflation target over time. The current inflation rate is quite low and below target.

This report complies with Council's Investment Policy which was endorsed by Council on 19 October 2015. Council's Responsible Accounting Officer has signed the complying Statements of Investments contained within the report, certifying that all investments were made in accordance with the Local Government Act 1993 and the Local Government Regulation 2005.

PLANNING AND POLICY IMPACT

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

Community Strategic Plan	Delivery Program 2012-17	Annual Plan 2016-17
Strategy	5 Year Action	Annual Deliverables
4.4.5 Finances are managed effectively to ensure long term	4.4.5.1 Effective and transparent financial management systems	Provide accurate and timely financial reports monthly, quarterly and via the annual financial statement
financial sustainability	are in place	Continuous Budget Management is in place, controlled and reported
		Manage and further develop compliance program
		Monitor and review achievement of Financial Strategy

CONCLUSION

The investments for January 2017 have performed favourably compared to the year to date budget and the portfolio recorded an average weighted return above the annualised Bloomberg Bank Bill Index Benchmark.



Item 12 - Attachment 1 - Statement of Investments - January 2017

On Call & Term Deposits

Investment Body	Rating	Purchase Price \$	Fair Value of Holding \$	Security	Purchase Date	Maturity Date	Interest / Coupor Rate
NAB Professional Maximiser	A-1+	-	9,533,301	11am	27/01/2017	27/01/2017	1.90%
WBC	A1+	3,000,000	3,000,000	T/Deposit	31/07/2015	31/01/2017	
SUN	A1	2,000,000	2,000,000	T/Deposit	06/06/2016	31/01/2017	
BOQ	A2	2,000,000	2,000,000	T/Deposit	04/01/2016	03/02/2017	
IMB NAB	A2	2,000,000 1,500,000	2,000,000	T/Deposit T/Deposit	28/08/2015 31/08/2015	28/02/2017 28/02/2017	2.80%
BEN .	A1+ A2	1,000,000	1,500,000 1,000,000	T/Deposit	11/09/2015	13/03/2017	
BOQ	A2	2,000,000	2,000,000	T/Deposit	26/02/2016	29/03/2017	
NAB	A1+	1,000,000	1,000,000	T/Deposit	29/02/2016	30/03/2017	
CBA	A1+	1,000,000	1,000,000	T/Deposit	23/03/2016	20/04/2017	2.88%
BWest	A1+	1,000,000	1,000,000	T/Deposit	23/03/2016	21/04/2017	2.85%
STG	A1+	2,000,000	2,000,000	T/Deposit	23/03/2016	24/04/2017	2.87%
SUN	A1	1,000,000	1,000,000	T/Deposit	23/03/2016	26/04/2017	2.85%
ME	A2	2,500,000	2,500,000	T/Deposit	18/02/2016	15/05/2017	3.13%
STG	A1+	1,500,000	1,500,000	T/Deposit	27/11/2015	25/05/2017	
SUN	A1	1,500,000	1,500,000	T/Deposit	27/11/2015	26/05/2017	2.81%
ME	A2	1,000,000	1,000,000	T/Deposit	23/12/2015	15/06/2017	
SUN	A1	1,500,000	1,500,000	T/Deposit	24/05/2016	23/06/2017	
STG BEN	A1+ A2	2,000,000 2,000,000	2,000,000 2,000,000	T/Deposit T/Deposit	27/05/2016	26/06/2017	
BOQ	A2 A2	3,000,000	3,000,000	T/Deposit	31/07/2015 28/08/2015	31/07/2017 28/08/2017	2.80%
BEN	A2	1,000,000	1,000,000	T/Deposit	11/09/2015	11/09/2017	2.95%
SUN	A1	2,000,000	2,000,000	T/Deposit	24/05/2016	24/11/2017	
CBA	A1+	2,000,000	2,000,000	T/Deposit	27/05/2016	27/11/2017	
SUN	A1	2,000,000	2,000,000	T/Deposit	13/07/2016	10/03/2017	
ME	A2	2,500,000	2,500,000	T/Deposit	22/08/2016	24/07/2017	
ANZ	A1+	2,500,000	2,500,000	T/Deposit	06/08/2016	07/08/2017	2.64%
CBA	A1+	2,000,000	2,000,000	T/Deposit	09/08/2016	08/09/2017	2.61%
BOQ	A2	2,000,000	2,000,000	T/Deposit	09/09/2016	10/09/2018	
MB	A2	2,000,000	2,000,000	T/Deposit	12/09/2016	12/09/2018	
ME	A2	1,000,000	1,000,000	T/Deposit	14/09/2016	12/04/2017	
ME	A2	1,000,000	1,000,000	T/Deposit	14/09/2016	13/10/2017	2.65%
ME ME	A2 A2	1,000,000	1,000,000	T/Deposit	14/09/2016	14/03/2018	
CBA	A1+	2,000,000 1,000,000	2,000,000 1,000,000	T/Deposit T/Deposit	14/09/2016 19/09/2016	14/09/2018 16/02/2017	
STG	A1+	1,000,000	1,000,000	T/Deposit	19/09/2016	19/10/2017	
BOQ	A2	2,000,000	2,000,000	T/Deposit	29/09/2016	28/02/2017	
BOQ	A2	2,000,000	2,000,000	T/Deposit	29/09/2016	27/02/2017	2.70%
SUN	A1	2,000,000	2,000,000	T/Deposit	29/09/2016	28/03/2017	
SUN	A1	2,000,000	2,000,000	T/Deposit	29/09/2016	26/06/2017	2.60%
BEN	A2	1,000,000	1,000,000	T/Deposit	29/09/2016	26/07/2017	2.80%
BEN	A2	2,000,000	2,000,000	T/Deposit	29/09/2016	26/07/2017	
ME	A2	2,000,000	2,000,000	T/Deposit	29/09/2016	29/09/2017	2.65%
CBA	A1+	2,000,000	2,000,000	T/Deposit	29/09/2016	29/09/2017	
BOQ	A2	2,000,000	2,000,000	T/Deposit	29/09/2016	28/12/2017	
SUN IMB	A1 A2	2,000,000 3,000,000	2,000,000 3,000,000	T/Deposit T/Deposit	29/09/2016 30/09/2016	28/09/2018 30/10/2017	
CBA	A2 A1+	2,000,000	2,000,000	T/Deposit	10/10/2016	07/02/2017	
WBC	A1+	2,000,000	2,000,000	T/Deposit	19/10/2016	19/10/2017	2.56%
NAB	A1+	2,000,000	2,000,000	T/Deposit	18/11/2016	18/05/2018	
ME	A2	1,000,000	1,000,000	T/Deposit	21/11/2016	19/05/2017	
BWest	A1+	3,000,000	3,000,000	T/Deposit	08/12/2016	08/02/2017	
BWest	A1+	1,000,000	1,000,000	T/Deposit	06/12/2016	06/03/2017	2.60%
NAB	A1+	1,000,000	1,000,000	T/Deposit	30/11/2016	31/05/2017	2.75%
BEN	A2	3,000,000	3,000,000	T/Deposit	08/12/2016	08/01/2018	
ME	A2	1,500,000	1,500,000	T/Deposit	08/12/2016	08/01/2018	
MB	A2	3,000,000	3,000,000	T/Deposit	08/12/2016	08/03/2018	
NAB	A1+	1,030,000	1,030,000	T/Deposit	19/12/2016	19/06/2018	
BOQ	A2	1,500,000	1,500,000	T/Deposit	08/12/2016	07/12/2018	
SUN ME	A1+ A2	3,000,000	3,000,000	T/Deposit	08/12/2016	07/12/2018	
Total	AZ	2,000,000	2,000,000 118,063,301	T/Deposit	16/01/2017	16/05/2017	2.60%

STATEMENT OF INVESTMENTS 27 January 2017

WOLLONGONG CITY COUNCIL STATEMENT OF INVESTMENTS 27 January 2017 continued

Bond and Floating Rate Note Securities

DIRECT INVESTMENTS	IRECT INVESTMENTS							
Investment Body	Rating	Purchase Price \$	Fair Value of Holding \$	Security	Purchase Date	Maturity Date	Interest / Coupon Rate	
Commonwealth Bank Australia zero coupon								
bond with a \$4M face value	A-1+	2,000,000	3,854,000	BOND	21/01/2008	22/01/2018		
CBA	AA-	1,000,000	1,003,640	FRN	19/10/2015	19/10/2018	2.56%	
CUA	BBB+	3,000,000	3,016,500	FRN	01/04/2016	01/04/2019	3.40%	
Westpac	AA-	3,000,000	3,035,820	FRN	11/03/2016	10/05/2019	2.76%	
Greater Bank Ltd	BBB+	2,000,000	2,017,320	FRN	07/06/2016	07/06/2019	3.37%	
Bendigo Bank	A-	1,000,000	1,001,020	FRN	16/09/2015	17/09/2019	2.72%	
Bendigo Bank	A-	2,000,000	2,011,840	FRN	21/11/2016	21/02/2020	2.86%	
NAB	AA-	3,000,000	3,005,850	FRN	24/06/2015	03/06/2020	2.57%	
Bendigo Bank	A-	2,000,000	2,011,140	FRN	18/08/2015	18/08/2020	2.86%	
SUN Corp	AA-	1,500,000	1,512,990	FRN	20/10/2015	20/10/2020	3.03%	
NAB	AA-	1,000,000	1,012,000	FRN	05/11/2015	05/11/2020	2.84%	
SUN	AA-	2,000,000	2,023,760	FRN	12/04/2016	12/04/2021	3.16%	
AMP	A+	2,000,000	2,030,240	FRN	24/05/2016	24/05/2021	3.10%	
Westpac	AA-	3,000,000	3,037,290	FRN	03/06/2016	03/06/2021	2.94%	
ANZ	AA-	2,000,000	2,021,640	FRN	16/08/2016	16/08/2021	2.89%	
EMERALD A Mortgage Backed Security *	AAA	669,818	498,379	M/Bac	17/07/2006	21/08/2022	2.20%	
EMERALD B Mortgage Backed Security *	AA	2,000,000	1,259,200	M/Bac	17/07/2006	21/08/2056	2.50%	
Total			34,352,629					

Managed Funds & Other

MANAGED FUNDS							
MANAGED FORES					Banabbb		
					Monthly		
Investment Body	Rating	Purchase Price \$	Fair Value of Holding \$	Purchase Date	Return	Annualised % p.a.	FYTD (Actual)
					(Actual)		
Tcorp Long Term Growth Facility Trust	N/A	1,131,841	1,848,836	13/06/2007	-0.34%	-4.45%	11.22%

Investment Body		Face Value		Security
Southern Phone Company		2		shares
	TOTAL INVI	ESTMENTS	\$ 154,264,768	

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

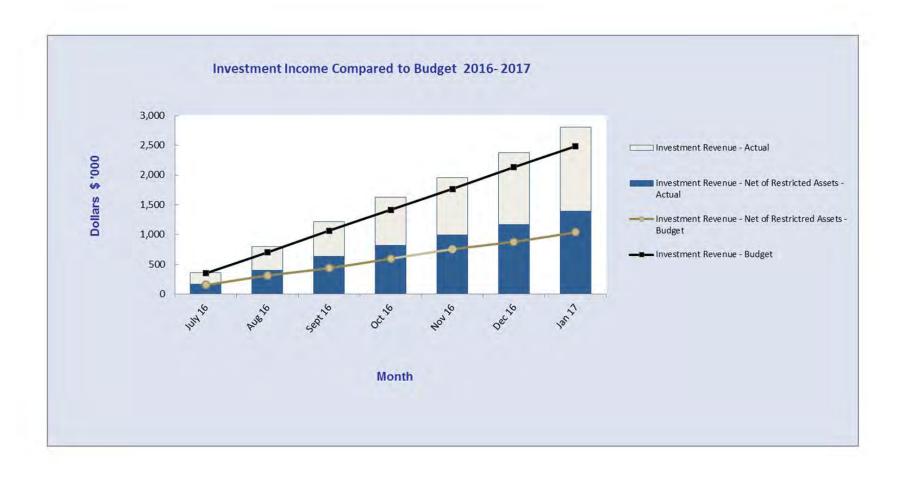
This is to certify that all of the above investments have been placed in accordance with the Act, the regulations and Council's Investment Policies.

Brian Jenkins

RESPONSIBLE ACCOUNTING OFFICER

Item 12 - Attachment 2 - Investment Income Compared to Budget 2016-2017







File: IW-911.01.158 Doc: IC17/89

ITEM 13

CITY OF WOLLONGONG TRAFFIC COMMITTEE - MINUTES OF MEETING HELD 15 FEBRUARY 2017

A meeting of the City of Wollongong Traffic Committee was held on 15 February 2017.

Items 1 – 6 and 14 – 20 have been adopted by Council through delegated authority.

Items 7 – 13 of the meeting must be determined by Council and are recommended to Council for approval for the 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 Meeting held on 15 February 2017 in relation to the Regulation of Traffic be adopted.

REPORT AUTHORISATIONS

Report of: Mike Dowd, Manager Infrastructure Strategy and Planning

Authorised by: Greg Doyle, Director Infrastructure and Works - Connectivity Assets and Liveable City

(Acting)

ATTACHMENTS

- 1 Standard Conditions for Road Closures
- 2 Removal of Tower Crane
- 3 Humber Festival
- 4 Kembla Joggers Fitness 5 and Kerryn McCann 10
- 5 ANZAC Day Parade
- 6 City Slider
- 7 Kembla Joggers Winter Series 2017
- 8 'Ride around the Lake'

BACKGROUND

REGULATION OF TRAFFIC

7 WOLLONGONG – WARD 2

Crown Street - Road Closure to dismantle Tower Crane – 20 to 23 March 2017

Background:

A major contactor has requested a closure of Crown Street between Harbour and Corrimal Streets in order to permit a large tower crane to be dismantled. The contractor has permission from NSW Roads & Maritime Services to occupy parts of the adjoining signalised intersections. It is proposed to permit vehicles to exit from Queens Parade onto Crown Street for the duration of the work. Bus services will not be affected.

The contractor has not requested alternate dates for the work; however weather conditions may prevent the dismantling of the crane. Accordingly it is appropriate that Council provide permission for the closure to occur on any three consecutive week days within one month of Monday 20 March 2017.

Consultation:

Consultation regarding this Agenda item is to be conducted with NSW Roads & Maritime Services and businesses in the area as a condition of approval.

PROPOSAL SUPPORTED UNANIMOUSLY

The proposed three day road closure be approved from 5am Monday 20 to 6pm Wednesday 23 March 2017 weather permitting, or alternatively any three other consecutive week days within



one month of Monday 20 March 2017; subject to the submitted traffic management plans (Attachment 2) and Council's Standard Conditions for Road Closures (Attachment 1).

8 WOLLONGONG - WARD 2

Crown Lane - Humber Festival 30 March - 2 April 2017

Background:

Council has received a Development Application to hold a festival in Crown Lane which will result in the closure of the lane for the duration of the event. Pedestrian access will be maintained however vehicle access will be restricted from 8pm on Thursday 30th March until 5pm Sunday 2 April 2017.

Crown Lane is one way between Regent Street and Crown Street and has a primary function for service vehicles. The closure will have a negligible effect on Council's road network.

Consultation:

Consultation regarding this Agenda item has been carried out by the applicant with all affected businesses in the area.

PROPOSAL SUPPORTED UNANIMOUSLY

The road closure be approved subject to the submitted traffic management plans (Attachment 3) and Council's Standard Conditions for Road Closures (Attachment 1).

9 WOLLONGONG - WARD 2

Crown Street, Marine Drive, Cliff Road - Kembla Joggers Fitness Five and Kerryn McCann 10 Events - Sunday 2 April 2017 from 6am to 12 noon

Background:

Kembla Joggers have submitted final traffic management plans for the Fitness Five and the Kerryn McCann 10 Events held previously. The runners start and finish in Crown Street immediately to the east of Harbour Street, proceeding along Crown Street, Marine Drive and Cliff Road to the junction with Bourke Street and return for the Fitness Five event. The Council project to rebuild the Tramway walking and cycling route is expected to be underway and the submitted traffic management plans take into account the diversions.

The Kerryn McCann 10 Event follows the same route, however runners will utilise the shared path to Fairy Meadow and return. As Marine Drive will be closed there will be a temporary bus terminus established in Burelli Street in the vicinity of the Steelers Club. The event will also require the Gong Shuttle to be diverted along Corrimal Street for the duration.

Consultation:

Consultation regarding this Agenda item was conducted with NSW Police, NSW Roads & Maritime Services and the bus operators.

PROPOSAL SUPPORTED UNANIMOUSLY

The road closures be approved subject to the submitted traffic management plans (Attachment 4) and Council's Standard Conditions for Road Closures (Attachment 1).

10 WOLLONGONG - WARD 2

Kembla, Burelli and, Church Street - Anzac Day Parade - 25 April 2017

Background:

The Anzac Day Committee of the Wollongong RSL Sub Branch has arranged for the preparation of traffic control plans for the 2017 Anzac Day Parade in consultation with Wollongong City Council Events staff. The parade will be marshalled in the Crown Street Mall, with the lead motor vehicles marshalled in Simpson Place. This new route via Kembla, Burelli and Church Streets avoids the multiple side street closures associated with the previous parade route. The alterations within the Crown Street Mall provide a more open pavement which has made the new route possible.



Subject to security arrangements being managed by NSW Police, the bus routes on Burelli Street will be diverted from approximately 9am until 11am. Otherwise, the road closures will be in place from 8.30am until 11.30am. The bus routes are to be diverted via Keira, Swan and Corrimal Streets and via Crown Street to the Bus Terminus on Marine Drive.

Consultation:

Subsequent to the meeting, the diversion for bus services has been confirmed with Premier Illawarra. Dion's Bus Services are also affected and the company will be advised of these arrangements.

PROPOSAL SUPPORTED UNANIMOUSLY

The road closures be approved subject to the submitted traffic management plans (Attachment 5) and Council's Standard Conditions for Road Closures (Attachment 1).

11 PORT KEMBLA – WARD 3

Military Road - City Slider Event: Saturday 25 March 2017

Background:

The promoters of the City Slider Event have proposed a closure of Military Road, Port Kembla between Church Street and Darcy Road for the period 6pm Friday 24 March to 5am Sunday 26 March. The event will operate during daylight hours on the Saturday with the bump in and bump out work to be carried out overnight on the Friday and Saturday nights respectively.

A previous City Slider event operated over several days presented some difficulty in maintaining deliveries to businesses in the area. As this event is for one day only, it is expected that businesses in the area will not be adversely affected. Bus services will be maintained on Wentworth Street following the established route.

Consultation:

Consultation regarding this Agenda item with the Port Kembla Chamber of Commerce and Industry and nearby businesses is a condition of approval.

PROPOSAL SUPPORTED UNANIMOUSLY

The road closures be approved subject to the submitted traffic management plans (Attachment 6) and Council's Standard Conditions for Road Closures (Attachment 1).

12 MOUNT KEIRA, MOUNT KEMBLA, WEST DAPTO - WARDS 2 AND 3 Kembla Joggers Winter Series - Road Races for 2017

Background:

Kembla Joggers have submitted plans for the 2017 Winter Race Series with events occurring as follows:

Date	Roads	Event	
Saturday 18 March	Darkes, Sheaffes and W	est Dapto Roads, Kembla Grange	8 km
Saturday 13 May	Darkes, Sheaffes and W	est Dapto Roads, Kembla Grange	5 km
Saturday 3 June	Darkes, Sheaffes and W	est Dapto Roads, Kembla Grange	16 km
Saturday 22 July	Cordeaux Road and Har	ry Graham Drive, Mount Kembla	9 miles

While the traffic management plans have been updated, the events are substantially the same as have been held in previous years and these are generally incident free. The traffic control plans are to apply from 12 noon to 4pm on the day of each event, which include road closures for Darkes, Sheaffes, West Dapto and Payne's Roads for the three Kembla Grange events, and Harry Graham Drive for the Mount Kembla event. The traffic controllers will be in place for the duration of the events, but when safe vehicles may be permitted past the closures.



Consultation:

Consultation regarding this Agenda item with residents in the area is a condition of approval.

PROPOSAL SUPPORTED UNANIMOUSLY

The road closures be approved subject to the submitted traffic management plans (Attachment 7) and Council's Standard Conditions for Road Closures (Attachment 1).

13 **BERKELEY – WARD 3**

Hooka Creek Road and Northcliffe Drive - 'Ride around the Lake' Saturday 6 May 2017

Background:

The Lighthouse Christian Church has arranged to hold the 'Ride around the Lake' Event with similar arrangements for the regulation of traffic as in previous years. The event begins at Kanahooka Point and proceeds around the lake to Yallah, through Albion Park and Shellharbour to Windang and around the northern side of the lake to Hooka Creek Road, Northcliffe Drive and onto Kanahooka where the event finishes. Detailed traffic control plans were tabled at the meeting.

There are a number of controls necessary on the M1 at Yallah which require separate approval from NSW Roads & Maritime Services. With respect to local roads, the organisers propose to have traffic controls on Hooka Creek Road and on Northcliffe Drive where the shared path crosses the two roundabouts which access the M1. Riders are expected to use shared paths and lightly trafficked local roads for the remainder of the event. The proposed traffic control plans are to apply from 4.30am to 12.30pm on the day.

Consultation:

Consultation regarding this Agenda item has been conducted with NSW Police and NSW Roads & Maritime Services.

PROPOSAL SUPPORTED UNANIMOUSLY

The regulation of traffic be approved subject to the submitted traffic management plans (Attachment 8) and Council's Standard Conditions for Road Closures (Attachment 1).

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 goal under the objective Community Goal 6 – We have sustainable, affordable and accessible transport.

It specifically delivers on core business activities as detailed in the Transport Services Plan 2016 -17.

Item 13 - Attachment 1 - Standard Conditions for Road Closures

Attachment 1 - Standard Conditions for Road Closures

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.
- 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.
- 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:

- $\ensuremath{\square}$ 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.

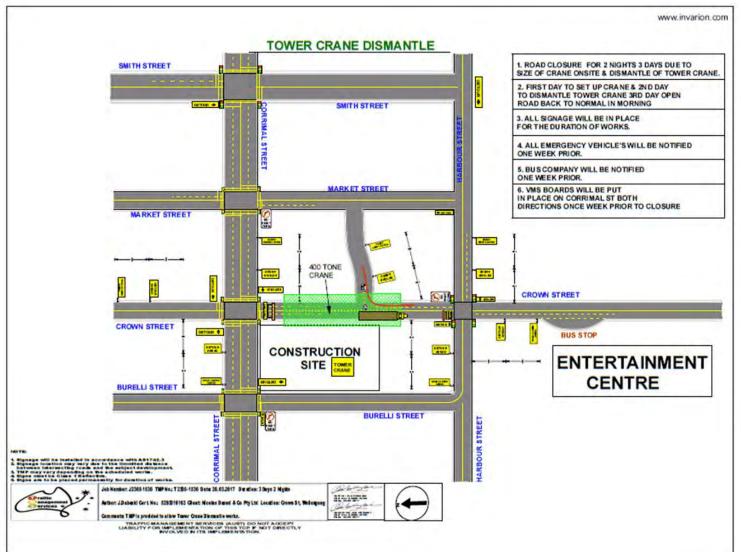




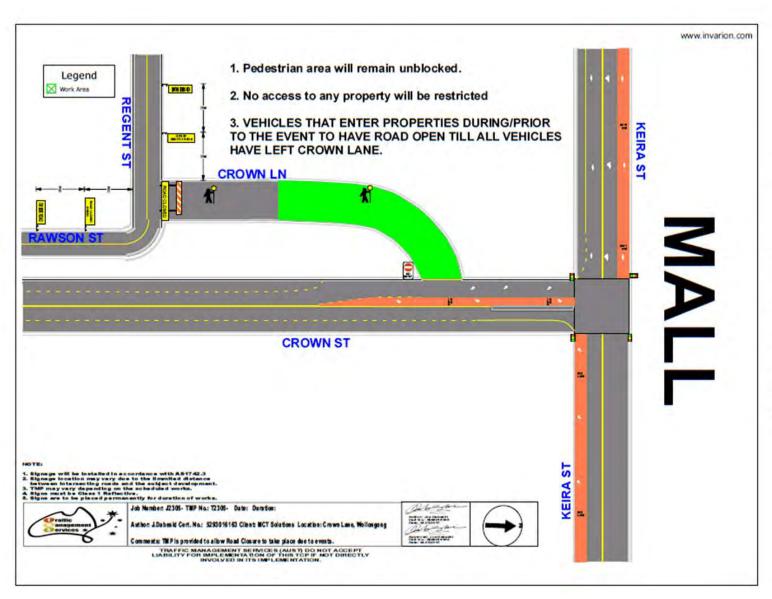
Attachment

N

Removal of Tower Crane - Crown Street, Wollongong



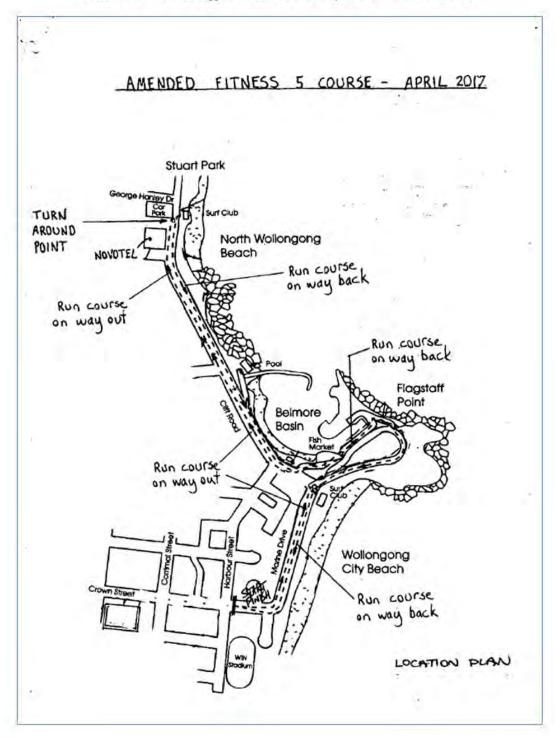




Attachment 3 – Humber Festival – Crown Lane, Wollongong

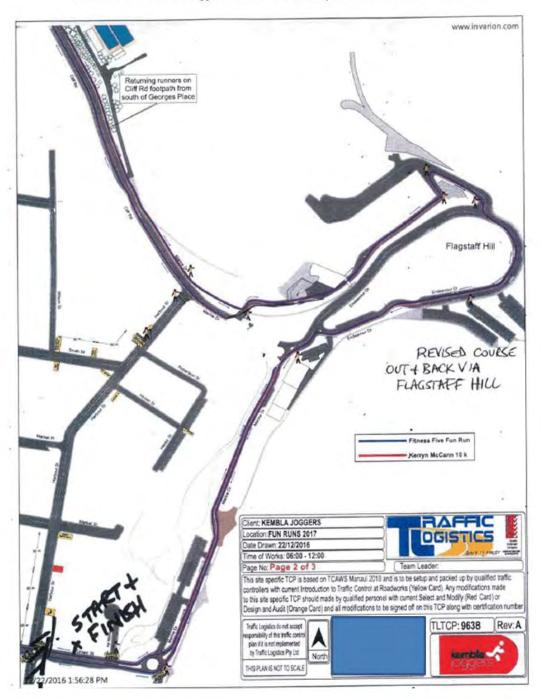


Attachment 4 – Kembla Joggers Fitness Five and Kerryn McCann 10 Events – 1 of 9



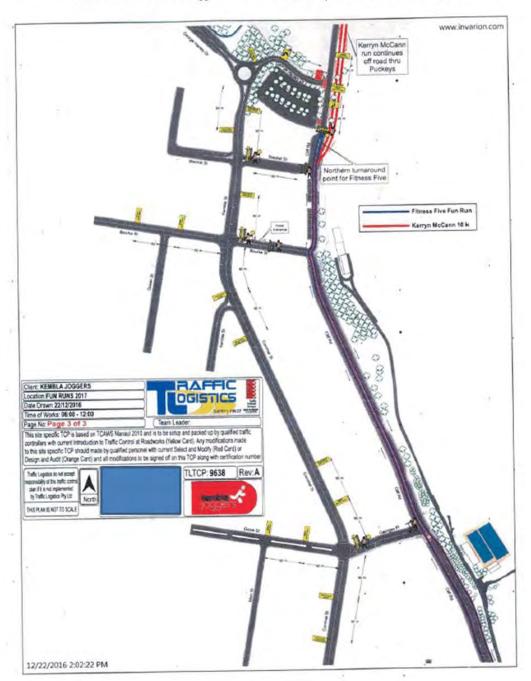


Attachment 4 – Kembla Joggers Fitness Five and Kerryn McCann 10 Events – 2 of 9





Attachment 4 – Kembla Joggers Fitness Five and Kerryn McCann 10 Events – 3 of 9

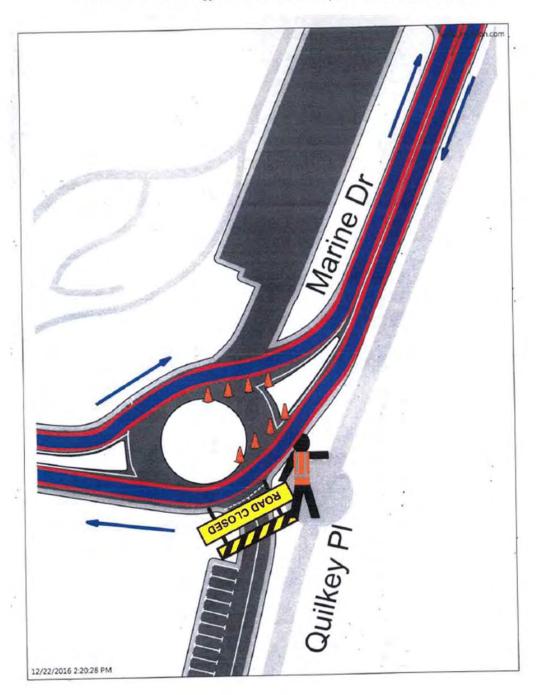




Attachment 4 – Kembla Joggers Fitness Five and Kerryn McCann 10 Events – 4 of 9 $\,$



Attachment 4 – Kembla Joggers Fitness Five and Kerryn McCann 10 Events – $5\ \text{of}\ 9$



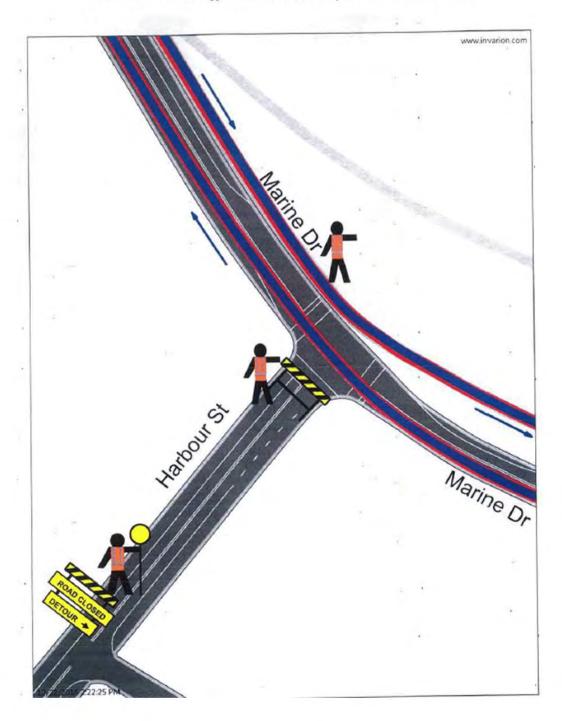


Item 13 - Attachment 4 - Kembla Joggers Fitness 5 and Kerryn 13 March 2017 McCann 10

Attachment 4 – Kembla Joggers Fitness Five and Kerryn McCann 10 Events – 6 of 9 $\,$

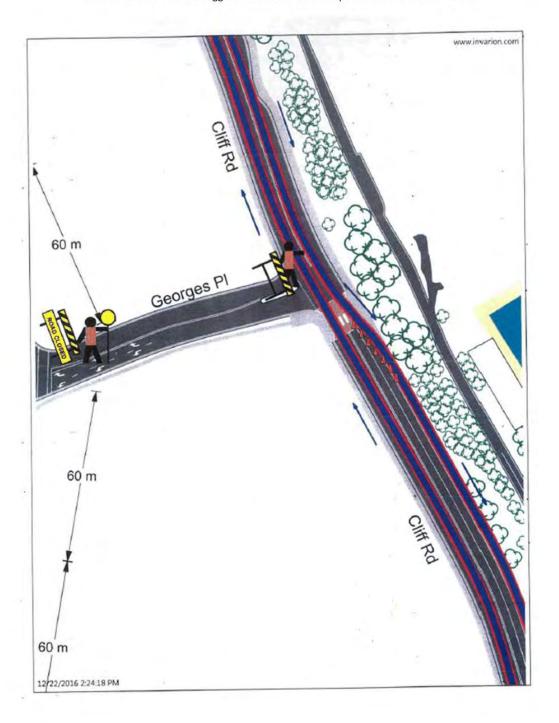


Attachment 4 – Kembla Joggers Fitness Five and Kerryn McCann 10 Events – 7 of 9 $\,$

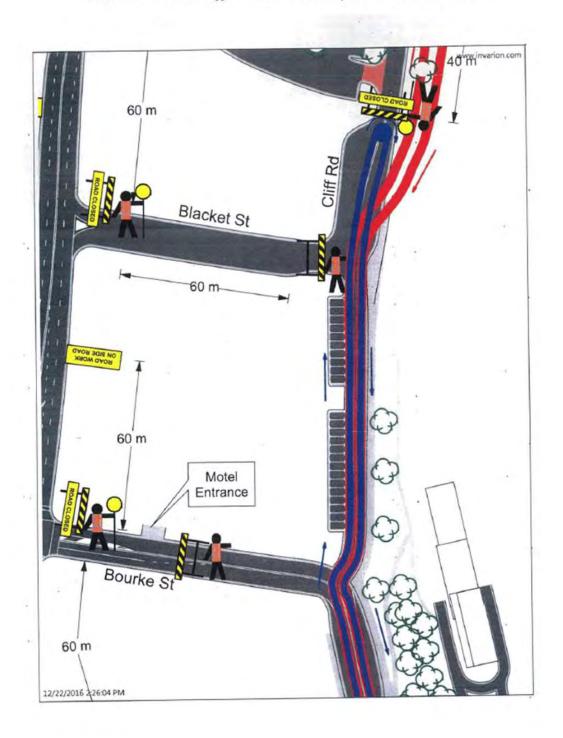


Item 13 - Attachment 4 - Kembla Joggers Fitness 5 and Kerryn McCann 10

Attachment 4 – Kembla Joggers Fitness Five and Kerryn McCann 10 Events – $8\ \text{of}\ 9$

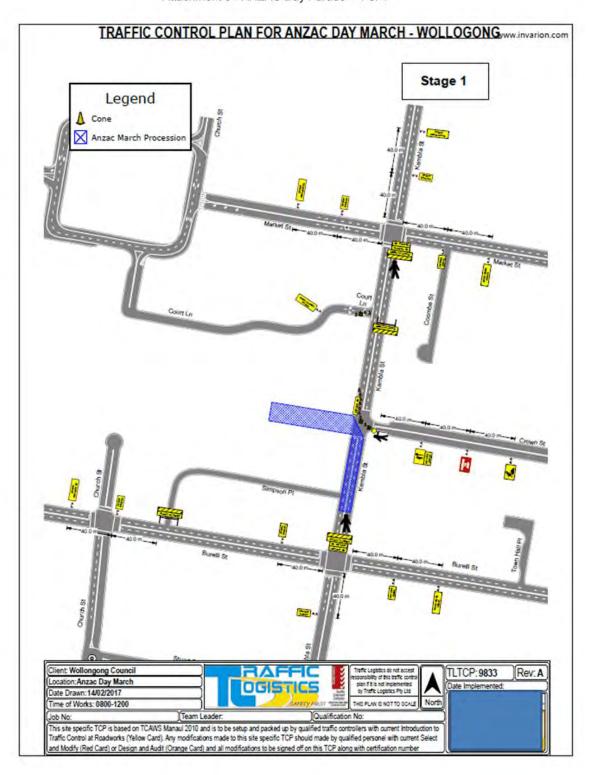


Attachment 4 – Kembla Joggers Fitness Five and Kerryn McCann 10 Events – 9 of 9 $\,$



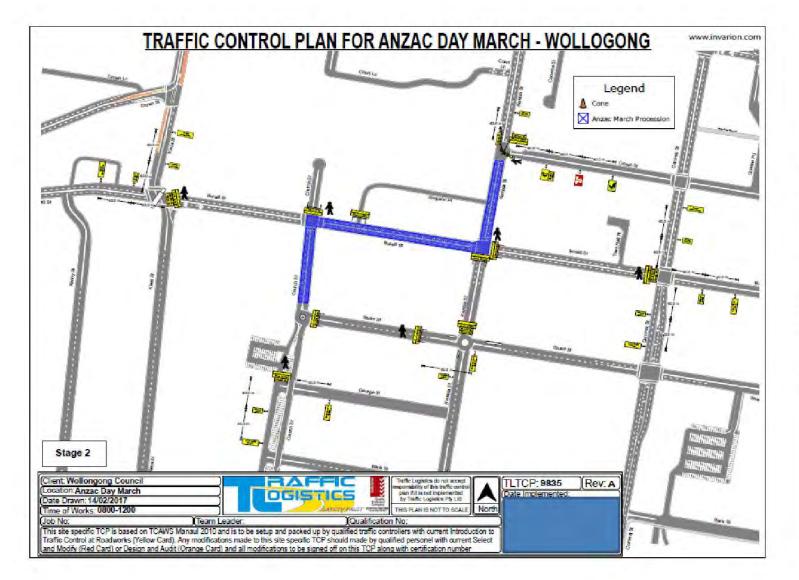


Attachment 5 - ANZAC Day Parade - 1 of 4





Attachment 5 - ANZAC Day Parade -2 of 4





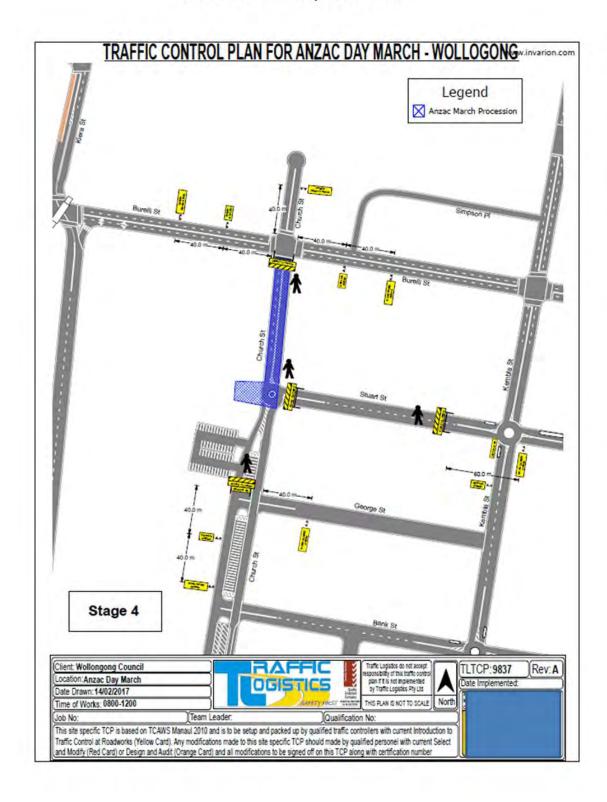
TRAFFIC CONTROL PLAN FOR ANZAC DAY MARCH - WOLLOGONG www.invarion.com Legend Anzac March Procession Client: Wollongong Council Location: Anzac Day March Date Drawn: 14/02/2017 Traffic Logistics do not accept repossibility of this traffic control plan if it is not implemented by Traffic Logistics Pty Ltd TLTCP: 9836 Date Implemented Rev: A Time of Works: 0800-1200 Team Leader. Qualification No: This site specific TCP is based on TCAWS Manaul 2010 and is to be setup and packed up by qualified traffic controllers with current Introduction to Traffic Control at Roadworks (Yellow Card). Any modifications made to this site specific TCP should made by qualified personel with current Select and Modify (Red Card) or Design and Audit (Crange Card) and all modifications to be signed off on this TCP along with pertification number

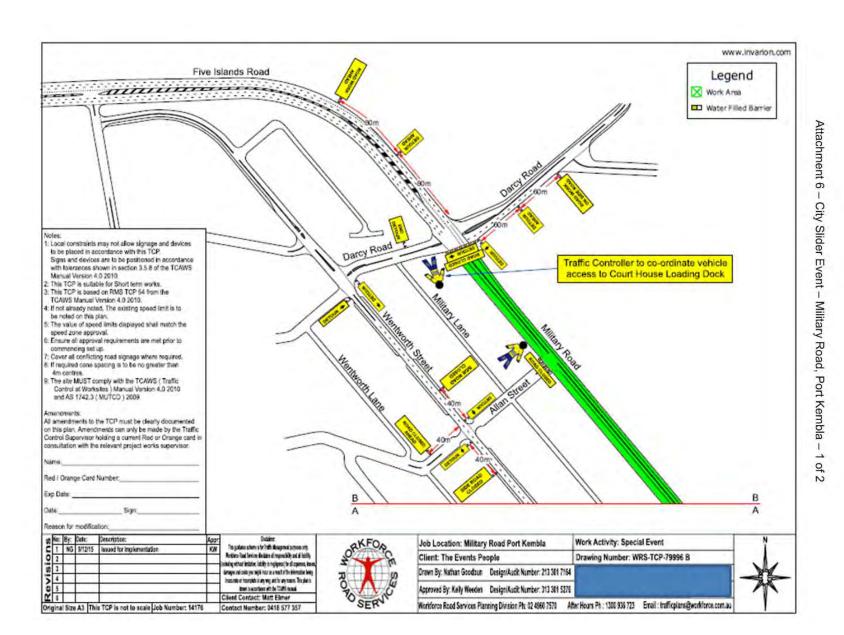
Stage 3

Attachment 5 - ANZAC Day Parade – 3 of 4

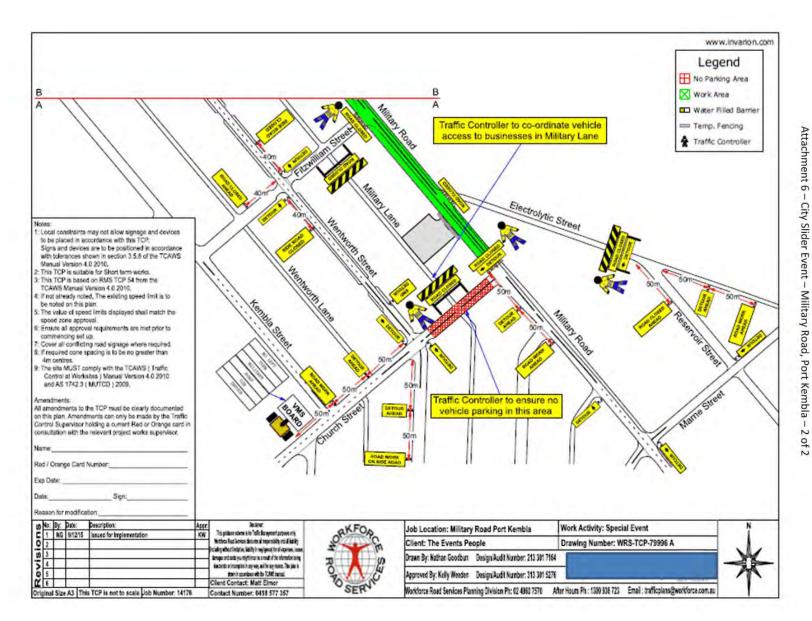


Attachment 5 - ANZAC Day Parade - 4 of 4

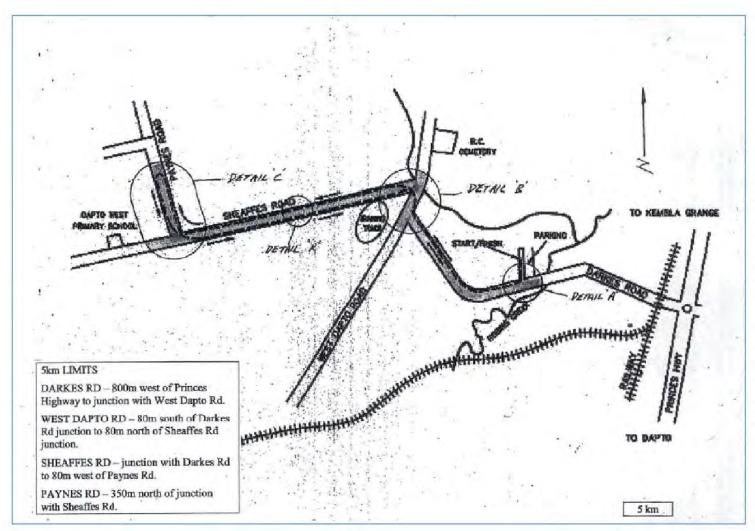






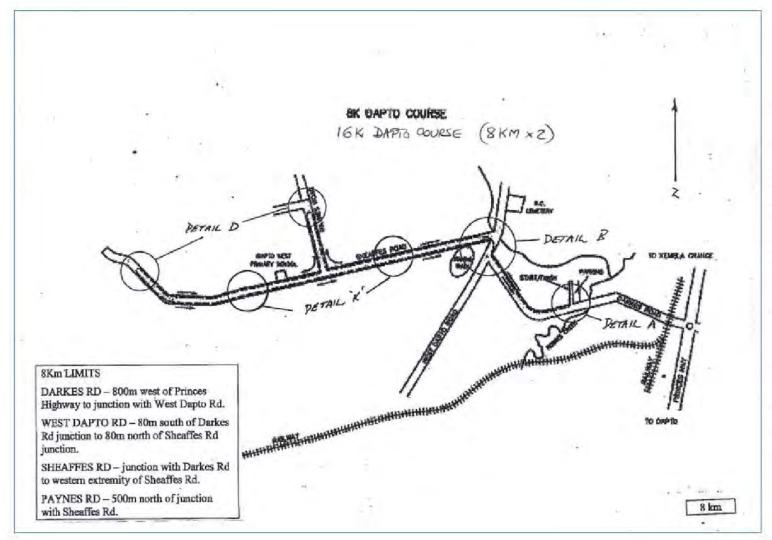






Attachment 7 - Kembla Joggers Winter Series 2017 - 1 of 8

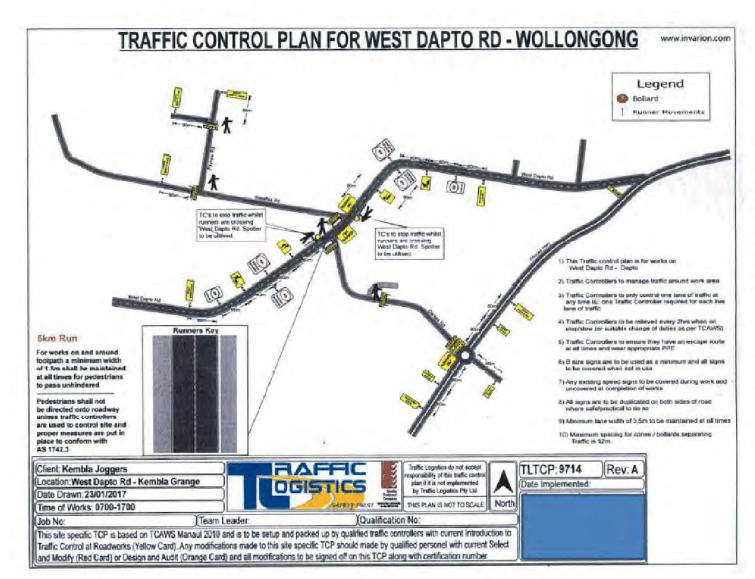




Attachment 7 - Kembla Joggers Winter Series 2017 - 2 of 8

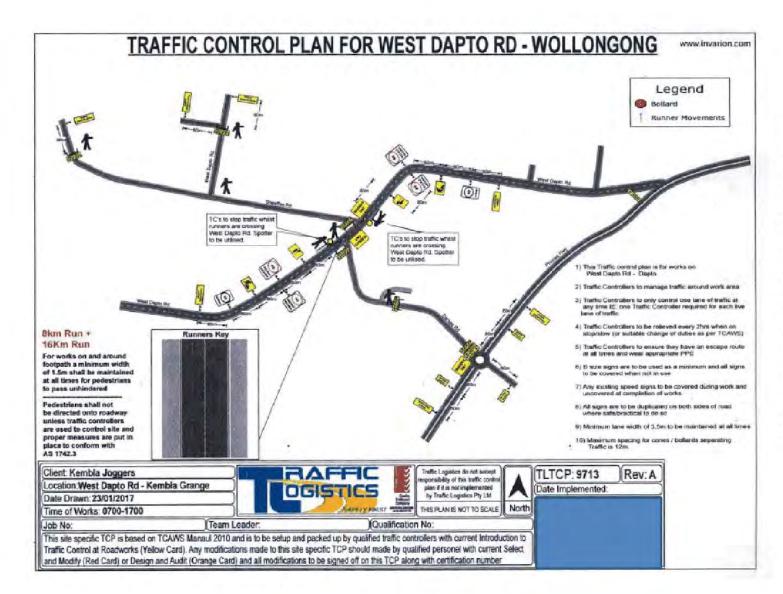
2017





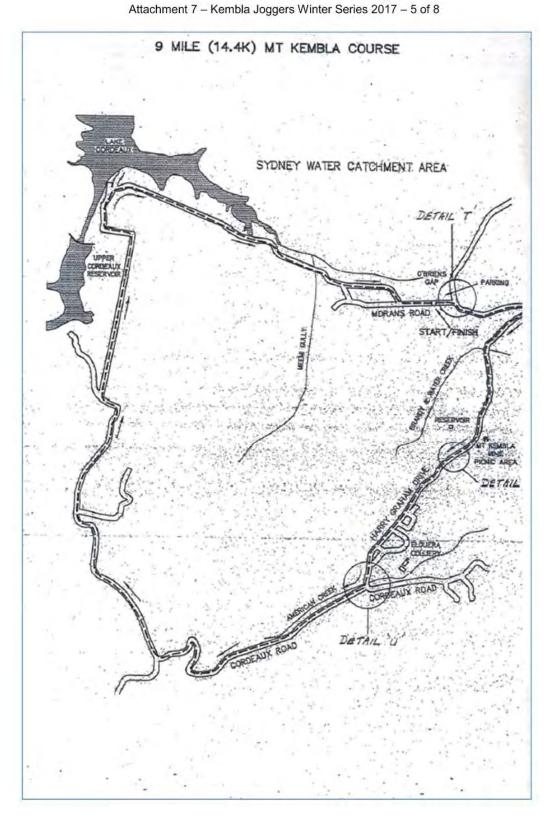
Attachment 7 – Kembla Joggers Winter Series 2017 – 3 of 8



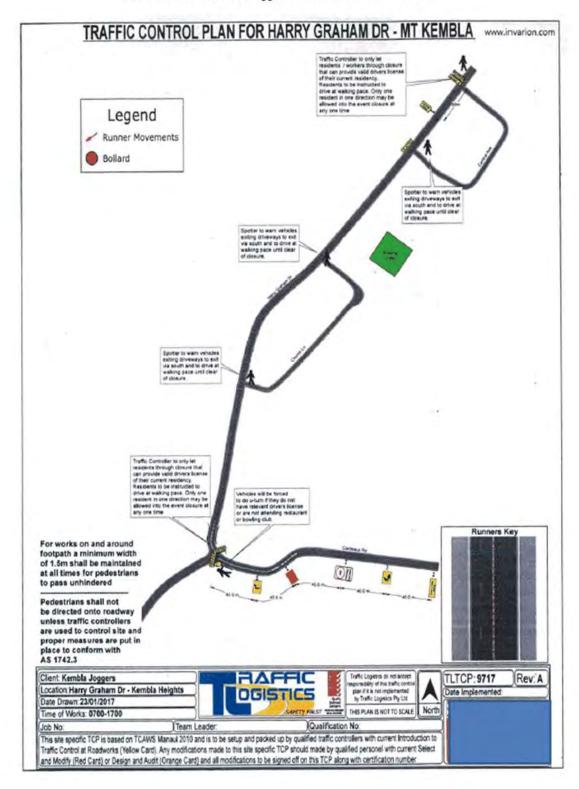


Attachment 7 – Kembla Joggers Winter Series 2017 – 4 of 8

Item 13 - Attachment 7 - Kembla Joggers Winter Series 2017

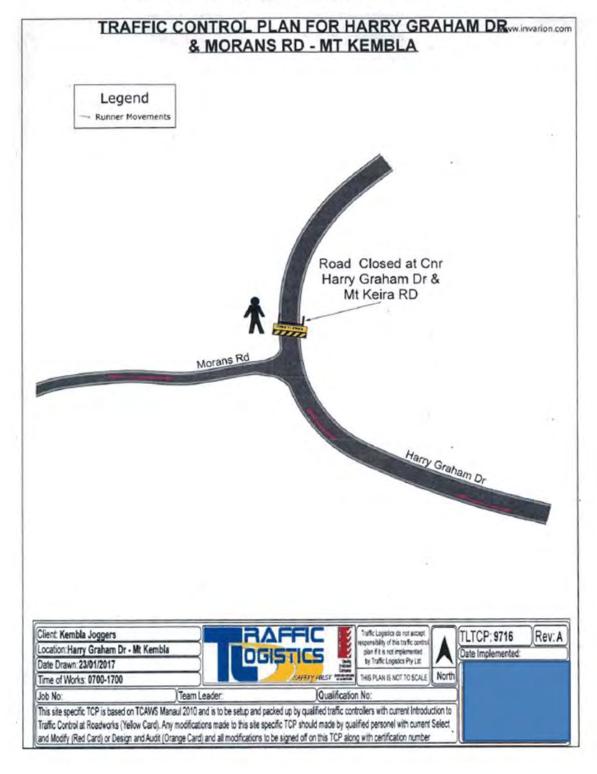


Attachment 7 - Kembla Joggers Winter Series 2017 - 6 of 8





Attachment 7 - Kembla Joggers Winter Series 2017 - 7 of 8







Attachment 7

Kembla Joggers Winter Series 2017

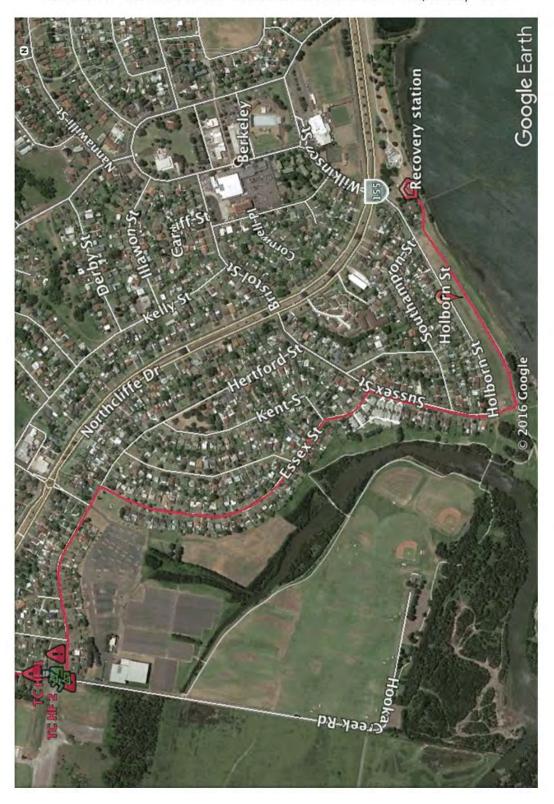
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Attachment 8 – 'Ride around the Lake' - Hooka Creek Road and Northcliffe Drive, Berkeley – 1 of 5





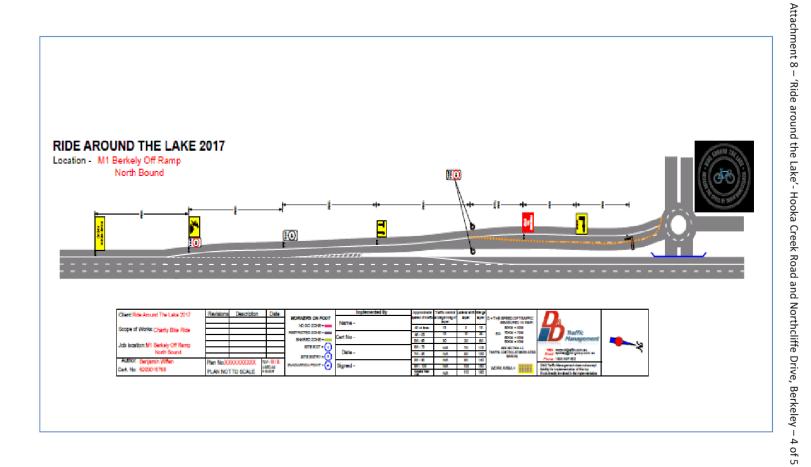
Attachment 8 - 'Ride around the Lake' - Hooka Creek Road and Northcliffe Drive, Berkeley - 2 of 5





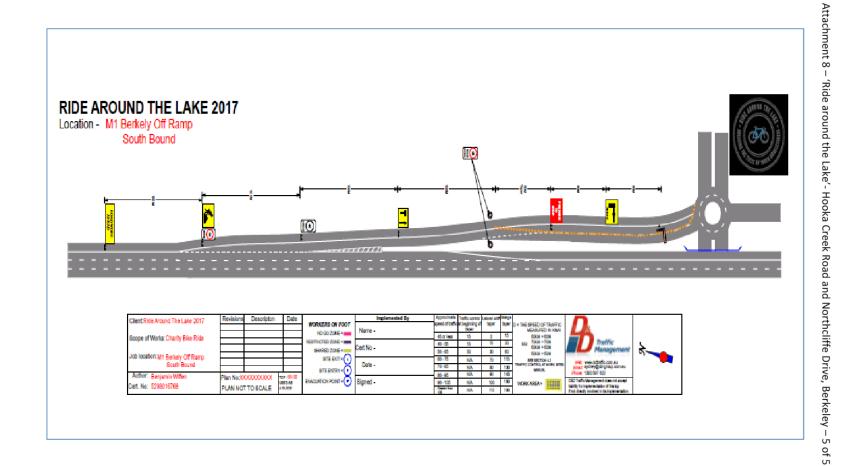
Attachment 8 - 'Ride around the Lake' - Hooka Creek Road and Northcliffe Drive, Berkeley - 3 of 5













File: GI-80.12.020 Doc: IC17/85

ITEM 14

BI-MONTHLY TABLING OF RETURNS OF DISCLOSURES OF INTEREST AND OTHER MATTERS

The Local Government Act 1993 requires the General Manager to table all Returns of Disclosures of Interest lodged by persons nominated as designated persons. Returns are submitted to Council on a bi-monthly basis.

RECOMMENDATION

Council note the tabling of the Returns of Disclosures of Interest as required by Section 450A of the Local Government Act 1993.

REPORT AUTHORISATIONS

Report of: Kylee Cowgill, Manager Governance and Information

Authorised by: Kerry Hunt, Director Corporate and Community Services - Creative, Engaged and

Innovative City (Acting)

ATTACHMENTS

1 Returns of Disclosures of Interest and Other Matters (to be tabled)

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 goal "We are a connected and engaged community". It specifically delivers on core business activities as detailed in the Governance and Administration Service Plan 2016-17.