



ATTACHMENTS

Ordinary Council Meeting

19 November 2018

Table of Contents

11.1	Biodiversity Certification Application for Macquariedale Road, Appin	
	Attachment 1 Submissions table - Macquariedale Road.....	5
11.2	Draft Planning Agreement - Macquariedale Road, Appin	
	Attachment 1 Draft Voluntary Planning Agreement.....	13
11.3	Planning Proposal - Macquariedale Road, Appin (Post Exhibition Report)	
	Attachment 1 Land Zoning Comparison Map.....	77
	Attachment 2 Minimum Lot Size Comparison Map	78
	Attachment 3 Height of Building Limit Comparison Map	79
	Attachment 4 Natural Resources Biodiversity Layer Comparison Map	80
	Attachment 5 Bushfire Hazard Assessment.....	81
	Attachment 6 Table Summarising Community Submissions.....	82
	Attachment 7 Appin Community Forum - Summary Outcomes Report	95
11.4	Draft Planning Proposal - Heritage Housekeeping Amendments	
	Attachment 1 Table Summarising Proposed changes to Schedule 5 of Wollondilly Locla Environmental Plan 2011	141
	Attachment 2 Map identifying proposed extension of Menangle Landscape Conservation Area.....	151
	Attachment 3 Local Planning Panel Minutes from 26 July 2018 for Heritage Housekeeping Amendments Draft Planning Proposal.....	152
11.5	Planning Proposal - Noongah and Gwynn Hughes Streets - Post Gateway Report to Council	
	Attachment 1 Current zoning of Planning Proposal site and surrounds	156
	Attachment 2 Noongah Gwynne Hughes Street Planning Proposal - Subdivision Concept Plan (Rev C).....	157
	Attachment 3 Assessment of Proposal against the Community Strategic Plan	158
	Attachment 4 Assessment of Proposal against the Growth Management Strategy 2011	160
	Attachment 5 Table of submissions recieved at preliminary consulation.....	163
	Attachment 6 Extracts from Flood Study	166
	Attachment 7 Office of Environment and Heritage referral response	169
11.6	Planning Proposal - Picton East	
	Attachment 1 Land Zoning Comparison Map.....	173
	Attachment 2 Height of Building Comparison Map.....	174
	Attachment 3 Lot Size Comparison Map	175
	Attachment 4 Natural Resources - Water Comparison Map	176
	Attachment 5 Urban Release Area Comparison Map	177
	Attachment 6 Landslide Risk Comparison Map	178
	Attachment 7 RMS referral response and information request.....	179

	Attachment 8	Submission Matrix	183
	Attachment 9	Conservation Value Map - Land to be included on Natural Resources Biodiversity Layer	187
11.7		Draft Development Control Plan for Abbotsford Planning Proposal	
	Attachment 1	Draft DCP for Abbotsford Planning Proposal (Subdivision Controls)	188
	Attachment 2	Draft DCP for Abbotsford Planning Proposal (Residential Development)	196
11.8		High Speed Rail	
	Attachment 1	Letters to Ministers about HSR	201
	Attachment 2	Response from Department of Planning regarding HSR	222
	Attachment 3	Response from Transport for NSW regarding HSR	223
	Attachment 4	Map of Melbourne to Shepparton Faster Rail Project	224
	Attachment 5	Map of Sydney to Newcastle Faster Rail Corridor	225
	Attachment 6	Map of Brisbane to Nambour and Maroochydore Corridor	226
	Attachment 7	Trax to the Future Presentation	227
11.9		Draft Wilton Priority Growth Area Special Infrastructure Contribution Levy	
	Attachment 1	Wilton Special Infrastructure Contribution Levy Brochure	244
	Attachment 2	Special Infrastructure Contribution Levy Feasibility Report	253
11.10		Wildlife Protection Policy	
	Attachment 1	Draft Compliance Wildlife Protection Areas Policy	277
	Attachment 2	Wildlife Protection Policy Community Feedback	282
12.2		Adoption of Bonds Policy	
	Attachment 1	DRAFT - Bonds Policy	295
15.1		Investment of Funds as at 30 September 2018	
	Attachment 1	Investment Summary Report as at 30 September 2018	299
15.2		Presentation of 2017-18 Annual Financial Statements to the Public	
	Attachment 1	Annual Financial Statements for the year ended 30 June 2018	317

Reference	Key Issues	Response
LOSS OF VEGETATION AND WILDLIFE		
	<ul style="list-style-type: none"> - Concern that Shale Sandstone Transition Forest (SSTF) and Cumberland Plain Woodland trees will be removed for residential dwellings. There is concern that sites will be clear-felled and that this will have significant impact on the native wildlife and scenery, even with the offset vegetation proposed to be retained. - Concern that drainage to natural watercourses will be increased and that development of this area would break the wildlife corridors between the Georges and Nepean Rivers, and east to west of Appin. There was speculation that no subdivision should be allowed until a wildlife corridor (National Park) has been established between Campbelltown and Wilton. - Concern that the increase in cats, dogs and vehicles will threaten wildlife, particularly bird species. - There's concern that one approval will lead to a precedent being established and further clearing of forested areas for new residential developments in the area. 	<p>Walker Corporation (Walker Corp.) have undertaken to engage consultants to perform a credit calculation, management matrix and bio-banking application for an offsite bio-banking site at Elladale Road, Appin. This plan, the <i>"Biodiversity Offset Strategy February 2014"</i>, was referred to the Office of Environment and Heritage who provided comments back to Council on 9 April 2014.</p> <p>The OEH advice at that time confirmed that the proposal would be likely to provide sufficient offsets provided that the Planning Proposal was Biocertified and only if one of the mechanism in section 8.1.1 or 8.1.2 of the BCAM was used to secure the offset. The OEH also advised that it was preferred that all offsets are to the west of the bypass location as the parcels to the east of the bypass would be small fragments with reduced long term viability.</p> <p>The Office of Environment and Heritage (OEH) notes that the application will be processed under the now repealed <i>Threatened Species Conservation Act 1995 (TSC Act)</i> as OEH authorised the exhibition of the biodiversity certification application before the commencement of the new <i>Biodiversity Conservation Act 2016 (BC Act)</i>.</p> <p>OEH has advised Council in their submitted comments that one of the outcomes of the BC Act is that payment to the Biodiversity Conservation Fund is also an acceptable conservation measure. OEH notes that the developer can only obtain the benefits of biodiversity certification under the <i>Biodiversity Certification Assessment Methodology</i> under the <i>TSC Act</i>. Future applications would be processed under the <i>Biodiversity Conservation Act 2016</i>.</p>

Reference	Key Issues	Response
		<p>Wollondilly Shire Council has been liaising with OEH since November 2008 regarding the need to reduce impacts to priority conservation lands on the Cumberland Plain, as identified in the Cumberland Plain Recovery Plan (2011), and to the Shale Sandstone Transition Forest. OEH has also requested that the location of the proposed Appin Bypass reservation be considered in the planning proposal with the land west of the bypass reservation be protected as an offset area.</p> <p>The current proposal is consistent with this advice. The proposal has reduced the proposed residential zone area to reduce impacts on red flag vegetation and associated habitat. The residential area has been located so that a core area of connected vegetation is protected to the west of the development.</p> <p>In the Draft Voluntary Planning Agreement, the proponent proposes to provide funds to establish a “green fund” grants program to support community led environmental projects such as animal crossings, revegetation projects, and community garden projects. The proponent is proposing to contribute \$500,000 towards the green fund (\$2,326 per lot).</p> <p>Following the presentation of this Submissions Report regarding bio-certification to Council, the final application will be submitted to the Minister for Environment. OEH advises that they will prepare a Recommendation Report to accompany this application for the Minister for Environment’s consideration and decision on whether to grant certification.</p>
IMPACTS ON KOALA POPULATION AND CORE KOALA HABITAT		
	<ul style="list-style-type: none"> - Comments from the community that the area proposed to be cleared is “Core Koala Habitat” as koalas were documented in the area late 2017 and this habitat should be protected. 	<p>The <i>Bio-Certification Assessment Report</i> submitted by Walker Corp. details that the proposed biobanking site comprises 34.31 hectares of Shale Sandstone Transition Forest as well as large areas of habitat and confirmed records of the Cumberland Land Snail and potential Koala habitat. In addition to on-site conservation measures proposed, it is proposed that a separate</p>

Reference	Key Issues	Response
	<ul style="list-style-type: none"> - Concern that the area proposed for conservation (SSTF High Sandstone Influence) is of lower value to koala populations than the habitat which is nominated to be cleared (SSTF Low Sandstone Influence, and Core Koala Habitat). 	<p>site of at least 20 hectares at Elladale Road, Appin will be established as a biobanking site. This land contains 18 hectares of the Endangered Ecological Communities, habitat, and confirmed records of the Cumberland Land Snail and Koalas.</p> <p>Walker Corp. notes that whilst no Koalas were recorded on site during the assessment period, November 2012 to November 2014 (Travers bushfire and ecology 2014a), a review of all known Koala records and observations of Koalas by long term residents indicate that the area is likely to be used by Koalas. Similarly, an expert report has been prepared concluding that the Koala is likely to use habitat in the proposed offset area that is immediately adjacent to the impact area.</p> <p>OEH has submitted comments indicating that they initiated the “Wollondilly Koala Conservation Project”. This project involves collecting new information on koala distribution, abundance, movement, and habitat usage within the Wollondilly LGA. This information gathering commenced in March 2016 and investigations are ongoing.</p> <p>OEH recommends that the planning proposal and bio-certification application should be updated to reflect the most recent information available on koala populations and habitat. Council’s response to this is that while these updates are accurate they do not add value to the proposal. The relevant land is already identified and proposed for conservation purposes. The site is triggered as an OEH red flag area and as such is identified as being in a high importance category for conservation. Updating the planning proposal and bio-certification application to add details which do not affect the conservation ‘triggers’ any further would only serve to delay the assessment process.</p>
OEH “RED FLAG AREA”		

Reference	Key Issues	Response
	<ul style="list-style-type: none"> - Concerns that the area proposed to be cleared is a designated priority conservation area and that this area contains one of the few remaining populations of disease free koalas. One submission notes that the presence of a breeding female was recorded in the area in 2017. 	<p>Two vegetation types are recorded as being part of the Cumberland Plain Sydney Basin on the site. The <i>'Grey Box - Forest Red Gum grassy woodland'</i>, and the <i>'Narrow-leaved Ironbark - Broad-leaved Ironbark - Grey Gum open forest'</i> meet the definition of critically endangered ecological communities in the Threatened Species Conservation Act. These will be impacted by the proposed development. The report from Walker Corp. indicates that in total 13.50 hectares of red flag vegetation will be impacted by the proposed development.</p> <p>The presence of red flags within the proposed development area means that bio-certification of the land cannot be conferred unless a red flag variation is granted by the Minister for Environment. An application for a red flag variation must satisfactorily address the criteria in Section 2.4 of the Biodiversity Certification Assessment Methodology (2011) for a proposal to be regarded as improving or maintaining biodiversity values. The Minister for Environment must be satisfied that impacts to red flag areas are able to be offset.</p> <p>To ensure the retention of high conservation values in the proposed E2 zone, OEH recommends the land be consolidated under one ownership and managed for conservation purposes. To this end OEH has submitted a recommendation that the minimum lot size for the conservation lands be 100ha, consistent with adjoining E2 land.</p>
INFRASTRUCTURE PROVISION		
	<ul style="list-style-type: none"> - Comments back from multiple sources that report the current water pressure in the area is inadequate. There are also comments that there is insufficient sewerage infrastructure, public transport and local council services regarding streetscape upkeep. There is concern that the 	<p>Council raised water pressure within the Appin urban area as an issue in a letter to Sydney Water, dated 13 July 2018. A community forum held for the Macquariedale Road Planning Proposal was referenced where Council heard from numerous residents that existing water pressure was insufficient.</p>

Reference	Key Issues	Response
	<p>shortage in these services will be exacerbated by an increase in population.</p> <ul style="list-style-type: none"> - There are also comments that more public open space and schools will be needed to service an increased population. - Speculation that multiple small rezoning applications have been lodged by the same developer to avoid triggering a significant infrastructure investment. 	<p>Sydney Water consulted with their engineering team and responded that no previous customer complaints had been lodged and Sydney Water was unaware of a pre-existing issue. In addition, Sydney Water commented that their recorded pressure gauge readings registered as adequate (25-30 metres pressure) and that a booster pumping station had been constructed in 2013 to boost pressure to properties near Appin Reservoir.</p> <p>The delivery of roads and facility infrastructure is integral to the delivery development.</p> <p>The proponent is proposing the following in the Draft Voluntary Planning Agreement:</p> <ul style="list-style-type: none"> - Provide funds to establish a “community chest” grants program to help manage impacts on the community caused by growth. The proponent has indicated that the grants program would be run by Council and community members to support local community groups such as the historical society, the Men’s Shed, apprentice training, sporting clubs, etc. The proponent is proposing to contribute \$2.5 million towards the grant fund (\$11, 628 per lot). - The proponent intends to retain their current commitment for streetscape improvements to the Appin village centre. This is likely to involve undergrounding overhead power lines and landscape improvements. <p>While all planning proposals need to be considered on their merits, in assessing a planning proposal Council considers the contribution that each proposal needs to make towards the delivery of infrastructure to support growth, having regard to other proposals or development that has been approved. These contributions could include works in kind or monetary contributions.</p>
TRAFFIC AND TRANSPORT		

Reference	Key Issues	Response
	<ul style="list-style-type: none"> - Comments were received that the road infrastructure in the area currently requires upgrades, including the widening of Appin Road, the Appin Bypass and upgrades to Rixon Road, areas around Gordon Lewis Oval, and The Wilton Road. There is concern that an increase in population would mean increased traffic in several areas which already require investment. - There is concern that an increase in the local traffic will lead to congestion, decreased road safety, air pollution, inadequate street parking and pressure on road widths which are already narrow and problematic for users. - Concern that there is no additional public transport offered to support the increased population this development will generate. - A submission misunderstood the intention of the planning proposal, believing that the land reserved for the Appin Bypass and zoned SP2 Infrastructure zone is proposed to be removed. 	<p>A Voluntary Planning Agreement (VPA) between Council and the developer will deliver road infrastructure as part of the planning proposal. This Agreement has been reviewed and commented on by RMS. The proponent proposes to spend \$2.5 million on works to upgrade intersections onto Appin Road required by the development to improve safety, capacity and convenience along Appin Road between Church Street and Market Street. The VPA also outlines a contribution towards new cycle paths (i.e. \$700,000).</p> <p>The level of works proposed to Macquariedale Road will be reduced to reflect the proponent's intention to design any future development so that vehicles accessing Macquariedale are minimised. The proponent is proposing to include a VPA provision which will limit the number of new dwellings with frontage to Macquariedale Road to a maximum of 25.</p> <p>Any future development application will require a traffic study to be submitted. This will model and make recommendations to address traffic congestion, parking, pollution, and the availability of public transport.</p> <p>RMS have been extensively consulted regarding the planning proposal and have no objections to the proposal in principle assuming their recommendations outlined in correspondence dated 8 October 2018 are met. Walker Corporation notes that the inclusion of the route for the Appin Bypass is not their proposal and will not service development of the site. The Appin Bypass is an RMS proposal.</p> <p>On 18 April 2016 Council resolved to consult with RMS as to whether they would support the removal of provisions within the planning proposal that preserve the Appin Bypass corridor in the Wollondilly LEP. RMS is currently preparing a regional road corridor strategy for the Picton and Appin Road network to manage these two road corridors over the next 20 years. It is understood that a draft of this document will be available in the near future.</p>

Reference	Key Issues	Response
		<p>RMS have responded that they had no objection to replacement of the SP2 Infrastructure zone in favour of E2 Environmental Conservation. The E2 Environmental Conservation effectively protects the identified corridor from residential development and this land remains excluded for development purposes. RMS notes that the amendment does not constrain the future provision of a bypass if it is deemed to be required in the location previously identified.</p> <p>The proposed Appin Bypass bisects the Shale Sandstone Transition Forest on the western edge of the proposed development. OEH supports the application of the E2 Zone to land proposed for conservation, including the area covered by the road corridor. OEH has also requested that the location of the Appin Bypass reservation be considered in the planning proposal with the land west of the bypass reservation be protected as an offset area.</p>
URBAN DESIGN AND LIFESTYLE		
	<ul style="list-style-type: none"> - Concern that the rural character of Appin will be compromised by the additional development. It is stated that the additional 215 dwellings will increase the population by 25%. - It is speculated that small rezoning applications enable developers to make no significant infrastructure upgrade commitments. However, when numerous small applications are approved this lack of investment into infrastructure quickly becomes an accumulative problem. It is speculated that more than 18,000 new dwellings have been proposed in small applications for the area. 	<p>Council has finalised its Growth Management Strategy which outlines support “for “natural” rates of growth”. At a growth rate similar to that of the last 15 years, the average being 1.9% p.a., the LGA would experience a 20,000 population increase over the next 25 years (Wollondilly Shire Council Growth Management Strategy, 2011). A proposed increase of 215 dwellings is not unreasonable in the context of this natural growth rate.</p> <p>The amendments proposed by the proponent are not considered to change the general principle of development at this location and so the planning proposal is still considered to be generally consistent with the Key Policy Directions and Assessment Criteria contained within the Wollondilly Growth Management Strategy 2011.</p>

Reference	Key Issues	Response
	<ul style="list-style-type: none"> - There is concern that with an increased population density there will also be increased crime in the area. - There is concern that the density of the proposal is too high for the character of the area, with lot sizes that are smaller than the lots commonly in the area. - There is concern that the development will result in the loss of land which had been donated for use as two soccer fields as part of the Gordon Lewis Oval. - Residents have expressed a concern that the proposed development would detrimentally affect Rural scenic and historic character of Appin. 	<p>In the Wollondilly Council report 18 April 2016, it was recommended that Council's Land & Property Panel should be consulted on whether the Panel will support the proponent's offer to transfer a small section of land to Gordon Lewis Oval. The Land and Property Panel resolved to support the dedication of land to Council subject to the land being appropriately cleared in accordance with the Biocertification Application prior to land transfer.</p> <p>As part of the Draft Voluntary Planning Agreement, the proponent proposes to retain upgrades to Gordon Lewis Oval although the level of contribution would now be reduced to reflect the lower lot yield.</p> <p>It is noted that Council is currently review its Contributions Plan to ensure development in the area appropriately contributes to the infrastructure required to support growth. These contributions are required to be paid once development approval has been granted.</p>
CONSULTATION PROCESS		
	<ul style="list-style-type: none"> - One submission questions fairness and integrity of the consultation process. 	<p>Following the presentation of this Submissions Report regarding bio-certification to Council, the final application will be submitted to the Minister for Environment. OEH advises that they will prepare a Recommendation Report to accompany this application for the Minister for Environment's consideration and decision on whether to grant certification.</p>

Planning Agreement

Wollondilly Shire Council

Walker Corporation Pty Ltd



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Contents

1. Defined meanings	3
2. Status of this Agreement	3
3. Application of other development contribution provisions	4
4. Development Contributions	5
5. Certification of costs	7
6. Dedicating land as a Development Contribution	9
7. Risk and warranties in relation to the Dedicated Land	11
9. Carrying out of Work	11
10. Variations to Development Contributions	16
11. Conservation or enhancement of the natural environment	16
12. Registration	17
13. Transfer, assignment or novation	18
14. Security for works	19
15. Enforcement in relation to the dedication of land	22
16. Termination	23
17. Breach of obligations	23
18. Dispute resolution	24
19. General provisions	26
20. Definitions and interpretation	30
Schedule 1 – Development Contributions	38
Schedule 2 – Drawings	43
Sheet 5: Gordon Lewis Oval Concept Plan	47
Schedule 3 – Form of unconditional undertaking	51
Annexure A – Draft Deed of Novation	53

Planning Agreement

Dated

Parties

1. **Wollondilly Shire Council** of 62-64 Menangle Street, Picton NSW 2571 (**the Council**)
2. **Walker Corporation Pty Ltd** ACN 001 176 263 of Level 21, Governor Macquarie Tower, 1 Farrer Place Sydney NSW 2000 (**the Developer**)

Background

- A. The Developer has sought the EPI Change by submitting a draft of the Planning Proposal to the Council.
- B. In general terms, the EPI Change envisages the development of the Planning Proposal Area for urban purposes.
- C. If the EPI Change is made and comes into effect, the Developer is prepared to make certain Development Contributions in accordance with this Agreement.
- D. These Development Contributions are to be used for or applied towards a public purpose.

Operative provisions

1. Defined meanings

Words used in this document and the rules of interpretation that apply are set out and explained in the definitions and interpretation clause at the back of this document.

2. Status of this Agreement

2.1 Planning Agreement

This Agreement is a planning agreement within the meaning of section 93F(1) of the Act.

2.2 Land

This Agreement applies to the Land.

2.3 Change to the environmental planning instrument

This Agreement applies to the EPI Change.

2.4 Development

This Agreement applies to the Development.

2.5 Effect and obligations

- (a) This Agreement does not take effect unless and until the EPI Change is made and is in effect.
- (b) Despite any other provision of this Agreement, the Developer is under no obligation to make any Development Contribution in accordance with this Agreement unless:
 - (i) a Development Consent has been granted to carry out some or all of the Development;
 - (ii) a Construction Certificate has been issued in relation to that Development Consent; and
 - (iii) the Development has been physically commenced in reliance on the Development Consent; and
 - (iv) the relevant circumstances set out in this Agreement as to when the Development Contribution must be made have arisen.

2.6 Security

The Council is satisfied this Agreement provides the enforcement of this Agreement by a suitable means in the event of a breach of this Agreement by the Developer, particularly by:

- (a) the ability for a Subdivision Certificate to be withheld by reason of section 109J(c1) of the Act when read in conjunction with clause 4.1(a);
- (b) the provisions of clause 14; and
- (c) the provisions of clause 12, clause 14 and clause 15.

3. Application of other development contribution provisions**3.1 Local infrastructure contributions - general**

This Agreement wholly excludes the application of section 94 of the Act to the Development.

3.2 Local infrastructure contributions - fixed levies

This Agreement wholly excludes the application of section 94A of the Act to the Development.

3.3 Special infrastructure contributions

This Agreement does not exclude the application of section 94EF of the Act.

3.4 Continuing application to Final Lots

For avoidance of doubt, this clause 3 does not cease to apply merely because this Agreement is not registered on the title of a Final Lot or because the owner of a Final Lot is not a party to this Agreement.

4. Development Contributions

4.1 Nature, extent and timing

- (a) Despite any other provision of this clause 4, the Developer must make the Development Contribution in Column 2 of the Table at the point in time set out in Column 6 of the Table in accordance with this Agreement.
- (b) In relation to a Work, the reference 'make' in clause 4.1(a) is a reference to the completion of the Work for the purposes of this Agreement.
- (c) Nothing in this Agreement precludes a Developer from electing to make a Development Contribution earlier than it is required to do so.

4.2 Public purpose of the Development Contributions

- (a) Each Development Contribution must be used for or applied towards the relevant public purpose set out in Column 3 of the Table.
- (b) Despite clause 4.2(a), the Council may apply a Development Contribution made under this Agreement towards a public purpose other than the relevant public purpose set out in Column 3 of the Table if:
 - (i) at least five years has elapsed since the Defect Liability Period for the relevant Development Contribution ended; and
 - (ii) the Council reasonably considers that the public interest would be better served by applying the Development Contribution towards that other purpose.
- (c) This clause 4.2 has effect after the termination of this Agreement.

4.3 Approval of Design of Work

- (a) Prior to commencing the detailed design of a Development Contribution comprising a Work under clause 4.3(d), the Developer must submit a concept design for the Work to Council for Council's approval (**Concept Design**) together with cost estimate for the Work.
- (b) Within 90 days of receiving a Concept Design under clause 4.3(a), the Council is to consider the Concept Design, the Maximum Value in respect of the Work, any other relevant matters and advise the Developer in writing whether it:
 - (i) approves of the Concept Design of the Work, or
 - (ii) disapproves of the Concept Design for the Work as submitted by the Developer and requires any changes to the Concept Design in order to approve of the Work.
- (c) The Developer is to make any change to the Concept Design for the Work required by the Council provided such change does not increase the cost of the Work to an amount greater than the Maximum Value and resubmit it to the Council for the Council's approval.
- (d) Following the Council's approval of the Concept Design, the Parties are to work together in good faith in the preparation of the detailed design for a Work (**Detailed Design**) provided such change does not unreasonably increase the cost of the Work to an amount greater than the Maximum Value and the Developer is to submit the Detailed Design to the Council for its approval.

- (e) The Developer is not to commence carrying out of a Work unless and until the Council has first approved the Detailed Design for the Work in writing. The Council must not unreasonably withhold or delay its approval.
- (f) Any application for a Construction Certificate, Development Consent or other Approval or certificate for a Work is to be accompanied by the approved Detailed Design referred to in clause 4.3(d).
- (g) The Developer is to bear all costs associated with obtaining the Council's approval to the Concept Design and Detailed Design of a Work under this clause.
- (h) The Council may take into consideration the results of any public consultation in approving or disapproving a Concept Design or a Detailed Design under this clause.
- (i) For the avoidance of doubt, where the Council is the consent authority for a Work, nothing in this clause shall fetter the Council's discretion, as consent authority, in determining any Development Application for the Work.
- (j) The Parties may at any time and from time to time, enter into agreements relating to the subject-matter of this clause that are not inconsistent with this clause for the purpose of implementing this clause.
- (k) This clause does not apply to item 8 of the Table.

4.4 Monetary contribution and Maximum Value amounts to be indexed

- (a) The monetary amounts set out in:
 - (i) Column 7 of the Table; and
 - (ii) Column 2 of items 9, 10 and 11 of the Table,
 are to be indexed in accordance with this clause and, despite Schedule 1 and clause 4.3, the relevant monetary amount at a given point in time is the indexed amount.
- (b) The indexed amount of a monetary amount at a given point in time is determined by the following formula:

Monetary amount

$$\$V_p = \frac{\$V_{pa} \times I(p)}{I(epi)}$$

I(epi)

Where:

$\$V_p$ is the actual monetary amount.

$\$V_{pa}$ is the relevant monetary amount shown in the Table.

I(p) is the last published CPI Index value at the time the actual monetary amount is calculated.

I(epi) is the last published CPI Index value at the time the EPI Change is made and comes into effect.

4.5 Transfer of unused funds to other Development Contribution items

- (a) If the cost of a Work in the Detailed Design is less than the Maximum Value, the Council may require an increase in the Maximum Value of another Work or Works by an amount not exceeding that difference.
- (b) If:
 - (i) the Developer has completed a Development Contribution that is a Work (where applicable, combined with other Development Contributions);
 - (ii) the relevant Defect Liability Period(s) have ended (or the Council has elected to waive its rights to issue a Rectification Notice during the remainder of the relevant Defect Liability Period(s)); and
 - (iii) the cost of providing the Development Contribution(s), as calculated under clause 5, was less than the relevant Maximum Value for the Development Contribution,

the Council may ask the Developer to agree to an increase in the Maximum Value of another Development Contribution item or items that is/are a Work by an amount totalling an amount equal to the unused funds.
- (c) The Developer must not unreasonably withhold its agreement when a request is made by the Council under this clause 4.5 in which case the Maximum Value of the item of Work set out in Column 7 of the Table will be taken to be amended accordingly.

5. Certification of costs**5.1 Application of this clause**

This clause 5 only applies to Development Contributions for which a Maximum Value applies in Column 7 of the Table and only applies in relation to clause 4.5 and clause 14

5.2 Certification of costs by the Financial Certifier

- (a) The Developer must progressively submit documentation evidencing the incurring of costs in relation to a Development Contribution to the Financial Certifier (**the Progress Statement**).
- (b) For the purposes of clause 5.2(a), the following costs are to be included:
 - (i) the cost of engaging third parties to design and specify the Works required to provide the Development Contribution (including preparation of the drawings, specifications, samples, models, patterns and the like) required for:
 - (A) securing the approval for; or
 - (B) the construction of the works;
 - (ii) the cost of engaging third parties to carry out the Works required to provide the Development Contribution and includes:
 - (A) the provision of materials, labour and construction plant;

- (B) variations which were requested by the Council, and temporary works (including the costs of complying with directions given by the Council under this Agreement);
 - (C) the provision of a works-as-executed plan under clause 9.14;
 - (iii) any contingency in relation to such costs that a reasonable and prudent person would allow for;
- however the following costs are not to be included:
- (iv) the labour costs incurred directly by the Developer in engaging or managing third parties;
 - (v) development application fees and all costs incurred in the determination of any development application; and
 - (vi) the costs of any services provided by professional town planners,
 - (vii) any costs for any remedial or defects rectification work,
 - (viii) any costs incurred as a result of a breach by the Developer of this Agreement,
 - (ix) the costs of the Financial Certifier.
- (c) Each Progress Statement must include details of the costs properly incurred of the Work which the Developer:
- (i) has carried out and completed to the satisfaction of the Council;
 - (ii) is yet to carry out and complete; and
 - (iii) the Development Contribution(s) to which the cost of Work relates,
- and will include details of the costs of variations that have been requested by the Council after the issuing of a Construction Certificate as those costs become known.
- (d) The Developer must give the Financial Certifier other documents:
- (i) that are in its possession; and
 - (ii) related to the costs of engaging third parties,
- which the Financial Certifier reasonably requests, including contract documents, estimates, quotes, invoices and evidence of payment.
- (e) The Financial Certifier must, within 14 days after receiving such a Progress Statement, issue to the Council and the Developer a progress certificate evidencing the Financial Certifier's opinion of the costs incurred by the Developer under the Progress Statement and reasons for any difference from the Progress Statement.
- (f) The Progress Certificate is taken for all purposes to be conclusive proof that the costs have been incurred by the Developer in relation to the Development Contribution. It is final and binding on the parties.
- (g) Despite 5.2(f), the Financial Certifier may re-issue a Progress Certificate to correct an error, misdescription or miscalculation. The re-issued certificate has the same force and effect as (and in lieu of) the certificate it replaces.

- (h) A Progress Certificate is not evidence that any Work has been carried out satisfactorily.
- (i) The Financial Certifier must be an independent person engaged at the cost of the Developer and the terms of engagement of the Financial Certifier:
 - (i) must require the Financial Certifier to exercise its functions under this clause 5.2 reasonably and in good faith;
 - (ii) must not otherwise purport to govern how the Financial Certifier fulfils its functions under this clause 5.2;
 - (iii) may require the Financial Certifier to keep material provided by the Developer to the Financial Certifier under clause 5.2(d) confidential;
 - (iv) must require the Financial Certifier to provide the Council, on request, with information on which the Progress Certificate is based; and
 - (v) may contain such other provisions needed to give efficacy to the engagement.

5.3 Provision of information to the Council

- (a) The Developer must, on request, give the Council written particulars of the Work that has been or (to the extent that it is known at the time) is to be contracted to third parties and the name and address of the each such party.
- (b) The Developer must give the Council other documents:
 - (i) that are in its possession; and
 - (ii) related to the costs of third parties,
 which the Council reasonably requests, including contract documents, estimates, quotes, invoices and evidence of payment.
- (c) The Council must keep material provided by the Developer to the Council under clause 5.3(b) confidential, , except to the extent that it is required to disclose that information pursuant to any law, including without limitation under the *Government Information (Public Access) Act 2009*, even after the termination of this Agreement.

6. Dedicating land as a Development Contribution

6.1 When land is taken to be dedicated

A Development Contribution that is the dedication of land is taken to have been made (and made free of cost) if:

- (a) the land is dedicated as a public reserve or drainage reserve and vests in the Council for an estate in fee simple under section 49(1) of the *Local Government Act 1993*; or
- (b) the Council is given an instrument by the Developer, in registrable form, that (when registered) will effect the transfer of the title to the land to the Council.

6.2 Ancillary obligations of the parties in relation to the dedication of land

- (a) When the Council has been given an instrument by the Developer under clause 6.1(b), the Council must promptly do all things reasonably necessary to enable registration of the instrument of transfer to occur.
- (b) The Developer must ensure that the land to be dedicated under this Agreement is free of all encumbrances and affectations (whether registered or unregistered and including without limitation any charge or liability for rates, taxes and charges), when the Developer transfers that land to the Council under this Agreement.
- (c) Despite clause 6.2(b), if, despite having used its best endeavours, the Developer cannot ensure that the land to be dedicated is free from any relevant encumbrance and affectation, then:
 - (i) the Developer may request that the Council agree to accept the land subject to those encumbrances and affectations; and
 - (ii) if the encumbrance or affectation:
 - (A) does not prevent the future use of the land for the public purpose for which it is to be dedicated under this Agreement; or
 - (B) is not a charge arising as a result of unpaid taxes or charges,
 the Council must not withhold its agreement unreasonably; and
 - (iii) in other circumstances, the Council may notify the Developer in writing that it does not agree to accept the land at its absolute discretion.
- (d) If the Council notifies the Developer that it does not agree to accept the land, the Council may elect to compulsorily acquire the land or require the Developer to offer to Council Alternative Dedication Land.
- (e) If the Council elects to compulsorily acquire the land:
 - (i) the Developer consents to the Council compulsorily acquiring that land for compensation in the amount of \$1.00 without having to follow the pre-acquisition procedure under the Just Terms Act,
 - (ii) clause 6.2(e)(i) is an agreement for the purposes of section 30 of the Just Terms Act, and
 - (iii) clause 15.3 applies to an acquisition under this clause as if all references to clause 15.1 are references to this clause 6.2(e).
- (f) If the Council elects to require the Developer to offer to Council Alternative Dedication Land, the Developer must within 14 days of the notice, offer to Council Alternative Dedication Land.
- (g) Council must notify the Developer in writing whether Council:
 - (i) accepts the Alternative Dedication Land, or
 - (ii) rejects the Alternative Dedication Land, in which case further Alternative Dedication Land must be offered to the Council until:
 - (A) the Council accepts the land, or

- (B) the Council notifies the Developer that it wishes to compulsorily acquire the original land to be dedicated or the Alternative Dedication Land in which case clause 6.2(e) re-applies.

7. Risk and warranties in relation to the Dedicated Land

7.1 No warranties, etc unless express or required

The parties are not bound by any warranty, representation, collateral agreement or implied term under the general law or imposed by legislation in relation to the Dedicated Land unless:

- (a) that warranty, representation, agreement or term is contained in the express terms of this Agreement; or
- (b) it is an implied term or warranty imposed by statute which is mandatory and cannot be excluded by the parties' agreement.

7.2 The Developer's warranties in relation to the Dedicated Land

The Developer represents and warrants that it is the owner of the Dedicated Land.

8. Making of a monetary Development Contribution

A monetary Development Contribution is taken to have been made by the Developer when the Council receives the full amount of the contribution payable:

- (a) in cash; or
- (b) upon clearance of an unendorsed bank cheque; or
- (c) by a deposit, by means of electronic funds transfer, of cleared funds into a bank account nominated by the Council.

9. Carrying out of Work

9.1 Manner of the carrying out of Work

- (a) The Developer is to obtain all necessary Approvals to enable Work to be carried out.
- (b) Without limiting any other provision of this Agreement, any Work that is required to be carried out by the Developer under this Agreement is to be carried out and completed in accordance with the approved detailed design of the Work approved under clause 4.3, any relevant Approval and any other applicable law, whether or not the actual costs of completing the Work exceeds the Maximum Value.

9.2 The Council may give reasonable directions

- (a) The Developer, at its own cost, is to comply with any reasonable direction (having regard to the Maximum Value and other relevant factors) given to it by the Council to prepare or modify a design or specification relating to a Work that the Developer is required to carry out under this Agreement.

- (b) Clause 9.2(a) only applies to item 8 of the Table to the extent that it would not place the Developer in breach of any agreement, licence or approval it has with or from RMS. To this end, the Developer must use reasonable endeavours to ensure that nothing in any agreement prevents Council from giving a reasonable direction and must, within 7 days of entering into any agreement with, or receiving a licence or approval from, RMS, provide Council with a copy of the agreement, licence or approval.

9.3 Design, etc may be varied

- (a) The design or specification of any Work that is required to be carried out by the Developer under this Agreement may be varied by agreement in writing between the Parties, acting reasonably, without the necessity for an amendment to this Agreement.
- (b) Clause 9.3(a) only applies to item 8 of the Table to the extent that it would not place the Developer in breach of any agreement, licence or approval it has with or from RMS. To this end, the Developer must use reasonable endeavours to ensure that nothing in any agreement prevents Council from giving a reasonable direction and must, within 7 days of entering into any agreement with, or receiving a licence or approval from, RMS, provide Council with a copy of the agreement, licence or approval.

9.4 Compliance with Authority, etc requirements

- (a) Without limiting clause 9.3, the Developer may make a written request to the Council to approve a variation to the design or specification of a Work in order to enable it to comply with the requirements of any Authority imposed in connection with any Approval relating to the carrying out of the Work.
- (b) The Council is not to unreasonably delay or withhold its approval to a request made by the Developer under this clause 9.4.
- (c) Clause 9.4(a) only applies to item 8 of the Table to the extent that it would not place the Developer in breach of any agreement, licence or approval it has with or from RMS,

9.5 Council may require submission of variation

- (a) The Council, acting reasonably (having regard to the Maximum Value and other relevant factors), may from time to time give a written direction to the Developer requiring it to vary the design or specification of a Work before the Work is carried out in a specified manner and submit the variation to the Council for approval.
- (b) The Developer is to comply promptly with a direction referred to in clause 8.5(a) at its own cost.
- (c) This clause 9.4(c) only applies to item 8 of the Table to the extent that it would not place the Developer in breach of any agreement, licence or approval it has with or from RMS. To this end, the Developer must use reasonable endeavours to ensure that nothing in any agreement prevents Council from giving a reasonable direction and must, within 7 days of entering into any agreement with, or receiving a licence or approval from, RMS, provide Council with a copy of the agreement, licence or approval.

9.6 Access to land by Developer

- (a) The Council authorises the Developer to enter, occupy and use any land owned or occupied by the Council that is reasonably necessary for the purpose of performing its obligations under this Agreement.

- (b) The Developer must give the Council prior reasonable notice before it enters land under this clause 8.6.
- (c) Nothing in this Agreement creates or gives the Developer any estate or interest in any part of the land referred to in clause 9.6(a).

9.7 Access to land by Council

- (a) The Council may enter any land on which Work is being carried out by the Developer under this Agreement in order to inspect, examine or test the Work, or to remedy any breach by the Developer of its obligations under this Agreement relating to the Work.
- (b) The Council must give the Developer prior reasonable notice before it enters land under this clause 9.7.
- (c) Nothing in this Agreement creates or gives the Council any estate or interest in any part of the land referred to in this clause 9.7.

9.8 Council's obligations relating to Work

- (a) The Council must not unreasonably delay, hinder or otherwise interfere with the performance by the Developer of its obligations under this Agreement.
- (b) The Council must use its reasonable endeavours to ensure third parties unrelated to the Developer do not unreasonably delay, hinder or otherwise interfere with the performance of those obligations.

9.9 Protection of people, property and utilities

- (a) The Developer must, in performing its obligations under this Agreement, as far as is reasonably practicable:
 - (i) take all necessary measures to protect people and property;
 - (ii) avoid, on public roads, unnecessary interference with the passage of people and vehicles; and
 - (iii) prevent private or public nuisances (including noise and disturbances of an unreasonable nature).
- (b) Without limiting clause 9.9(a), the Developer must not obstruct, interfere with, impair or damage any:
 - (i) public road, public footpath, public cycleway or other public thoroughfare; or
 - (ii) any publicly-owned pipe, conduit, drain, watercourse or other such utility or service on any land,

except as authorised in writing by the Council or any relevant Authority.

9.10 Repair of damage

- (a) The Developer is to maintain any Work required to be carried out by the Developer under this Agreement until the Work is completed for the purposes of this Agreement or such later time as agreed between the parties.
- (b) The Developer is to carry out its obligation under clause 9.10(a) at its own cost.

9.11 Completion of Work

- (a) The Developer is to give the Council written notice of the date on which it intends to complete the Work required to be carried out under this Agreement.
- (b) The Council is to inspect the Work the subject of the notice referred to in clause 9.11(a) within 14 days of the date specified in the notice for completion of the Work.
- (c) Work required to be carried out by the Developer under this Agreement is completed for the purposes of this Agreement when the Council gives a written notice to the Developer to that effect.
- (d) The Council must not unreasonably withhold the notice referred to in clause 9.11(c).
- (e) If the Council is the owner of the land on which Work the subject of a notice referred to in clause 9.11(c) is issued, the Council assumes responsibility for the Work upon the issuing of the notice.
- (f) If the Council is not the owner of the land on which Work the subject of a notice referred to in clause 9.11(c) is issued, the Council assumes responsibility for the Work if and when it later becomes the owner.
- (g) Before the Council gives the Developer a notice referred to in clause 9.11(c), it may, acting reasonably, give the Developer a written direction to complete, rectify or repair any specified part of the Work to the reasonable satisfaction of the Council.
- (h) The Developer, at its own cost, is to promptly comply with any direction given in accordance with clause 9.11(g).
- (i) This clause 9.11 does not apply to item 8 of the Table.

9.12 Completion of Work — intersection upgrade(s) on Appin Road

Work required to be carried out by the Developer as part of Item 8 of the Table is completed for the purposes of this Agreement when it is completed (subject to any defects liability period) in accordance with the terms of a works authorisation deed (or equivalent) entered into between the Developer and Roads and Maritime Services in consultation with Council.

9.13 Defect rectification

- (a) The Council may, acting reasonably, give the Developer a Rectification Notice during the Defects Liability Period.
- (b) The Developer, at its own cost, is to comply with a Rectification Notice according to its terms and to the reasonable satisfaction of the Council.
- (c) The Council is to do such things as are reasonably necessary to enable the Developer to comply with a Rectification Notice that has been given to it under clause 10.1(a).
- (d) This clause 9.4(c) only applies to item 8 of the Table to the extent that it would not place the Developer in breach of any agreement, licence or approval it has with or from RMS. To this end, the Developer use reasonable endeavours seek to ensure that nothing in any agreement prevents Council from giving a reasonable direction and must, within 7 days of entering into any agreement with, or receiving a licence or approval from, RMS, provide Council with a copy of the agreement, licence or approval.

9.14 Works-as-executed-plan

- (a) No later than 60 days after Work is completed for the purposes of this Agreement, the Developer is to submit to the Council a full works-as-executed-plan in respect of the Work.
- (b) The Developer, being the copyright owner in the plan referred to in clause 9.14(a), gives the Council a non-exclusive, irrevocable licence in perpetuity to use the copyright in the plans for the purposes of this Agreement.
- (c) This clause 9.4(c) only applies to item 8 of the Table to the extent that it would not place the Developer in breach of any agreement, licence or approval it has with or from RMS. To this end, the Developer must use reasonable endeavours to ensure that nothing in any agreement prevents Council from giving a reasonable direction and must, within 7 days of entering into any agreement with, or receiving a licence or approval from, RMS, provide Council with a copy of the agreement, licence or approval.

9.15 Equipment removal

When Work on any Council owned or controlled land is completed for the purposes of this Agreement, the Developer, without unreasonable delay, is to:

- (a) remove any Equipment from land and make good any damage or disturbance to the land as a result of that removal; and
- (b) leave the land in a neat and tidy state, clean and free of rubbish.

9.16 Insurance

- (a) Prior to commencing the construction of any Work (required under this Agreement), the Developer must take out and keep current to the reasonable satisfaction of the Council the following insurances in relation to the relevant Work up until the Work is taken to have been completed in accordance with this Agreement:
 - (i) contract works insurance, noting the Council as an interested party, for the full replacement value of the Work (including the cost of demolition and removal of debris, consultants' fees and authorities' fees), to cover the Developer's liability in respect of damage to or destruction of the Works;
 - (ii) public liability insurance for at least \$20,000,000 for a single occurrence, which covers the Council, the Developer and any subcontractor of the Developer, for liability to any third party;
 - (iii) workers compensation insurance as required by law; and
 - (iv) any other insurance required by law.
- (b) If the Developer does not comply with clause 9.16(a), the Council may effect and keep in force such insurances and pay such premiums as may be necessary for that purpose and the amount so paid shall be a debt due from the Developer to the Council and may be recovered by the Council as a debt due in a court of competent jurisdiction.
- (c) The Developer is not to commence the construction of any Work (required under this Agreement) unless it has first provided to the Council satisfactory written evidence of the relevant insurances specified in clause 9.16(a).

9.17 Indemnity

The Developer indemnifies the Council from and against all Claims that may be sustained, suffered, recovered or made against the Council arising in connection with the performance of the Developer's obligations under this Agreement (extending to the performance of the obligation of the Developer by its employees, agents and contractors) except to the extent that, the Claim arises because of the Council's intentional act, negligence or default.

9.18 Increase of Maximum Value

Despite any other provision of this Agreement, on request by any Party, the Parties are to negotiate in good faith to an increase or decrease to a Maximum Value.

10. Variations to Development Contributions

10.1 Variation may be requested and agreed to

- (a) The Developer may, in its absolute discretion, request that the Council agree to a variation to the Development Contributions (that is, a change to any of the provisions in Schedule 1).
- (b) The Council may, in its absolute discretion, agree to a variation of the Development Contributions, provided that the variation is generally consistent with the intended objectives and outcomes of this Agreement.

10.2 Effect of variation

Variations to the development contributions under this clause 10 and where consistent with other clauses of this Planning Agreement may be agreed in writing between the Parties, acting reasonably, without the necessity for an amendment to this Agreement

11. Conservation or enhancement of the natural environment

11.1 Application of this clause

This clause 11 does not apply to:

- (a) a Service Lot or a Final Lot that is already in existence at the time a given development application is made; or
- (b) any development application for the subdivision of land that does not propose the creation of any Final Lots.

11.2 Biodiversity certification, biobanking statement, etc

If the EPI Change is made and has effect, the Developer must not Pursue Development Consent in relation to the Designated Land, unless one of the following has taken place:

- (a) the Environment Minister has conferred biodiversity certification under Part 7AA of the Threatened Species Conservation Act on all or the relevant part of the Planning Proposal Site Area;
- (b) the OEHL has issued a biobanking statement in respect of the proposed development under Part 7A of the Threatened Species Conservation Act; or

- (c) in the event that either or both of those schemes are replaced or supplemented by some other scheme under NSW legislation, an analogous authority has been given or conferred under that scheme.

11.3 Definitions

In this clause 11:

- (a) **Designated Land** means that part of the Planning Proposal Site Area marked as 'Low Density Residential' on the Land Zoning Map.
- (b) **Newly-Permitted Development** means Development for which Development Consent is only able to be granted because the EPI Change has been made and has come into effect.
- (c) **Pursue Development Consent** means:
 - (i) apply to a consent authority for Development Consent to carry out Newly-Permitted Development under section 78A(1) of the Act; or
 - (ii) consent to the making of a development application under clause 49(1)(b) of the Regulation,

but does not extend to making arrangements for another person to make a development application (in circumstances where clause 49(1) of the Regulation is not satisfied).

Note: It is intended that a development application for Newly-Permitted Development might be made, without landowner's consent (if biodiversity certification has not been conferred or a biobanking statement issued) so as to enable assessment, but not determination, by the consent authority.

12. Registration

12.1 Developer agreement to registration

The Developer agrees to the registration of this Agreement under section 93H of the Act in relation to the Planning Proposal Site Area.

12.2 Registration of this Agreement

- (a) Within 20 Business Days of this Agreement coming into effect:
 - (i) the Developer at its own expense will take all reasonably practicable steps to obtain the agreement of the persons specified in section 93H(1) of the Act whose agreement is necessary for the Registration on Title; and
 - (ii) if that agreement is obtained, take all reasonably practicable steps to secure:
 - (A) the execution of any documents; and
 - (B) the production of the relevant certificates of title; and
 - (C) the lodgement and registration of this Agreement, by the Registrar-General in the relevant folio of the Register.

- (b) The Developer must give the Council a copy of the relevant folio of the Register and a copy of the registered dealing within 21 Business Days of registration of this Agreement.

12.3 Release and discharge of this Agreement

The parties agree to do all things reasonably required by the other party to promptly release and discharge this Agreement with respect to:

- (a) a Final Lot or Service Lot, upon its creation;
- (b) all parts of the Planning Proposal Site Area, upon this Agreement being terminated.

13. Transfer, assignment or novation

13.1 Consent for transfer of Relevant Lots

- (a) The Developer must not transfer the Planning Proposal Site Area or any part of the Planning Proposal Site Area to any person without the consent of the Council.
- (b) This clause 13.1 does not apply to:
 - (i) the dedication of the Dedicated Land to the Council; or
 - (ii) to the conversion of that part of the Planning Proposal Site Area that is not Dedicated Land into common property (within the meaning of the *Strata Schemes Management Act 1996*); or
 - (iii) the transfer of a Service Lot or Final Lot.

13.2 Consent for assignment or novation of this Agreement

- (a) The Developer must not assign or novate to any person its rights or obligations under this Agreement without the consent of the Council.
- (b) For avoidance of doubt, this clause 13.2 does not preclude the transfer of any part of the Planning Proposal Site Area.

13.3 The giving of consent by the Council

- (a) The Council must give its consent under clause 13.1(a) or clause 13.2(a) if:
 - (i) the Developer has, at no cost to the Council, first procured the execution by the person to whom:
 - (A) the land will be transferred; or
 - (B) the rights or obligations under this Agreement are to be assigned or novated,
 a deed of novation on reasonable terms (being a deed generally in terms of the Novation Deed); and
 - (ii) reasonable evidence has been produced to show that the transferee, assignee or novatee is reasonably capable of performing its obligations under this Agreement; and
 - (iii) the Developer is not in breach of this Agreement.

- (b) The Council, on giving consent under clause 13.3(a) must enter into the deed of novation referred to in clause 13.3(a)(i).

13.4 No requirement for consent when Agreement is registered

- (a) Clause 13.1 and clause 13.2 do not apply in connection with the transfer of the whole or any part of the Planning Proposal Site Area if this Agreement is, at the time of transfer, Registered on Title.

13.5 No requirement for consent when Agreement is registered

- (a) If the whole or any part of the Planning Proposal Site Area is transferred without a Novation Deed being entered into (**Transferred Land**), and this Agreement is registered on the title to the Planning Proposal Site Area, then this Agreement is deemed to include the provisions of the Novation Deed as if it had been entered into:
- (i) by the person who has ceased to own the Transferred Land (who is taken to be the Existing Developer in the Novation Deed);
 - (ii) by the person who has become the owner of the Transferred Land (who is taken to be the New Developer in the Novation Deed); and
 - (iii) by the Council,
- on the basis that:
- (iv) the Effective Date is either:
 - (A) if the New Developer was not a party to the Agreement until the transfer of the Transferred Land, the date that the New Developer become a Party under section 93H(3) of the Act; or
 - (B) if the New Developer was a party prior to the transfer of the Transferred Land, the date that the Existing Developer provides the New Developer with an instrument, in registrable form, that (when registered) will effect the transfer of the title to the Transferred Land from the Existing Developer to the New Developer.

14. Security for works

14.1 Provision of security

- (a) In relation to each Development Contribution for which a security value is set out in Column 5 of the Table, the Developer must provide Security to the Council to a value determined by the following calculation:

$$SS = (SV - IC) \times 120\%$$

Where:

S means the amount of Security to be provided, which shall not be less than 20% of the Maximum Value,

SV means the security value set out in Column 5 in respect of the Development Contribution (as indexed as set out in clause 14.1(e)).

IC is the amount of incurred costs that relate to the relevant Development Contribution, being costs that are the subject of a Progress Certificate.

- (b) There is no obligation to provide the Security under 14.1(a) prior to the point in time set out in Column 4 of the Table, although the Developer is not precluded from electing to provide Security earlier if it wishes to do so.
- (c) For avoidance of doubt, if the result of the calculation under clause 14.1(a) in respect of a Work is a number less than 20% of the Maximum Value of the Work, the Developer is still obliged to provide Security in the amount of 20% of the Maximum Value.
- (d) All delivered security, other than cash, is transferred in escrow.
- (e) The indexed amount of the Security Value (SV) at a given point in time is determined by the following formula:

$$\$SV_p = \frac{\$SV_{pa} \times I(p)}{I(epi)}$$

Where:

\$SV_p is the security value payable in relation to a Development Contribution.

\$SV_{pa} is the relevant security value shown in Column 5 of the Table .

I(p) is the last published CPI Index value at the time the Security is payable.

I(epi) is the last published CPI Index value at the time the EPI Change is made and comes into effect.

14.2 Security obligation to be recalculated

- (a) When:
 - (i) Security has been provided under clause 14.1;
 - (ii) a further Progress Certificate is issued for those costs that relate to the relevant Development Contribution; and
 - (iii) the further Progress Certificate is given to the Council,
 the calculation in clause 14.1 is performed again and the Council's entitlement to Security is reduced to the value set by the new calculation.
- (b) For avoidance of doubt, if the result of the recalculation is a number less than 20% of the Maximum Value of the Work, the Developer is still obliged to provide Security in the amount of 20% of the Maximum Value (subject to clause 14.6).
- (c) The process of recalculation required may, upon the provision of each further Progress Certificate, be repeated until the Council has no entitlement to Security.

14.3 Provision of a single Security

- (a) Where this Agreement requires more than one Security to be provided by the Developer at given point in time, the Developer may provide a single Security in lieu of providing some or all of those Securities.
- (b) The value of the Security provided under clause 14.3(a) must not be less than the sum of the values of the Securities that would have otherwise been provided.

14.4 Substitution of Security

- (a) At any time the Developer providing Security may substitute it with one or more Securities of the same value.
- (b) If the value of the Security provided by the Developer exceeds the Council's entitlement to Security under this Agreement at any time, the Developer providing Security may substitute it with another Security or Securities whose value is in accordance with the Council's entitlement to Security under this Agreement at that time.
- (c) To the extent that another Security is provided, the Council must not deduct, and must promptly release and return, the Security that has been substituted.

14.5 Recourse

- (a) The purpose of this clause 14.5 is to allocate the risk pending determination of any disputed entitlement and therefore, except as provided in clause (g), nothing in this clause 14.5 confers a substantive right on the Council to avoid returning Security (or the value of Security) it is not otherwise entitled to:
 - (i) if the Council's entitlement is disputed by the Developer, once the dispute has been conclusively determined; or
 - (ii) in any case, if the Council's asserted entitlement (together with any costs, expenses or interest on such entitlement) is less than the value of the Security called-up.

For avoidance of doubt, Security required under clause 14.2(b) is Security that Council is entitled to under this clause 14.5(a).

- (b) Any Security provided under this Agreement may only be called-up by the Council where either:
 - (i) the Developer has not made a Development Contribution at the time required under clause 4.1(a); or
 - (ii) more than five years has elapsed since the issue of the first Subdivision Certificate for the creation of the first Final Lot and the Council, acting reasonably, forms the opinion that the Developer has abandoned the Development; or
 - (iii) the Developer gives written notice to the Council that it does not intend to proceed further with the Development; or
 - (iv) in the Council's opinion, the Developer has not satisfied any defects liability obligation; or
 - (v) in the Council's opinion, the Developer has otherwise breached this Agreement.
- (c) If the Council calls-up the Security or any portion of it, it may, by written notice to the Developer, require the Developer to provide a further or replacement Security to ensure that the amount of Security held by the Council equals the amount it is entitled to hold under this Agreement.
- (d) If clause 14.5(b)(i) applies, at least 28 days must have elapsed since that Council gave written notice to the Developer of its intention to have recourse.

- (e) For avoidance of doubt, the Developer is not to be considered as being in breach of this Agreement because clause 14.5(a)(ii) or (iii) applies.
- (f) The Council may call-up and apply the Security in accordance with this clause to remedy any breach of this Agreement notwithstanding any other remedy it may have under this Deed, under any Act or otherwise at law or in equity.
- (g) If Security is called-up under clause 14.5(b)(ii) or (iii) (and only to the extent that it is called-up under those provisions) the relevant part of the Security becomes a Development Contribution that is made by the Developer to the Council for the relevant public purpose set out in Column 3 of the Table.

14.6 Reduction and release

- (a) The Council's entitlement to Security, in relation to Work required to be carried out by the Developer under this Agreement, ceases 14 days after the Council has notified the Developer in writing that the Developer has complied with all Rectification Notices to the reasonable satisfaction of the Council in relation to the given Work. The Council is not unreasonably withhold or delay the issue of this notice.
- (b) Upon the Council's entitlement to a Security ceasing (under 14.6(a)) the Council must promptly release and return the Security to the Developer.

15. Enforcement in relation to the dedication of land

15.1 Agreement under the Just Terms Act

- (a) Subject to clause 15.2, if the Developer does not dedicate the land required to be dedicated under this Agreement:
 - (i) at the time at which it is required to be dedicated; or
 - (ii) at any point after that time,
 the Developer consents to the Council compulsorily acquiring that land for compensation in the amount of \$1 without having to follow the pre-acquisition procedure under the Just Terms Act.
- (b) Clause 15.1(a) is an agreement for the purposes of section 30 of the Just Terms Act.

15.2 Limitations on that agreement

The Council may only acquire land pursuant to clause 15.1 if to do so is reasonable having regard to the circumstances surrounding the failure by the Developer to dedicate the land required to be dedicated under this Agreement.

15.3 Ancillary obligations

- (a) If, as a result of the acquisition referred to in clause 15.1, the Council must pay compensation to any person other than the Developer, the Developer must reimburse the Council for that amount, upon a written request being made by the Council.
- (b) The Developer indemnifies and keeps indemnified, the Council against all claims made against the Council under the Just Terms Act as a result of any acquisition by the Council of the whole or any part of the Dedicated Land under clause 15.1(a).

- (c) The Developer is to promptly do all things necessary, and consents to the Council doing all things necessary, to give effect to this clause 15, including:
 - (i) signing any documents or forms;
 - (ii) producing certificates of title to the Registrar-General under the Real Property Act; and
 - (iii) paying the Council's reasonable costs arising under this clause 15.

16. Termination

16.1 Termination of this Agreement

One Party may terminate this Agreement by giving written notice to the Other Party but only when the Developer has completed all of its obligations under this Agreement including completion of rectification of any Defects and remedying any breaches of this Agreement. Even if the Developer has completed rectification of all Defects and has remedied any breaches of this Agreement this Agreement shall not terminate before a period of six years has passed since Council has received a written notice of completion in respect of each Work.

16.2 Consequences of the termination of this Agreement

- (a) If this Agreement is terminated under clause 16.1:
 - (i) the parties are released and discharged from their obligations under this Agreement; and
 - (ii) the Council must promptly release and return any Security provided by the Developer under this Agreement.
- (b) Any right or obligation of any party that is expressed to operate or have effect on or after the completion, expiration or termination of this Agreement for any reason, will not merge on the occurrence of that event but will remain in full force and effect.

17. Breach of obligations

17.1 Breach notice

If the Council reasonably considers that the Developer is in breach of any obligation under this Agreement, it may give a written notice (**Breach Notice**) to the Developer:

- (a) specifying the nature and extent of the breach;
- (b) requiring the Developer to either:
 - (i) rectify the breach if it reasonably considers it is capable of rectification; or
 - (ii) if the Developer reasonably considers the breach is not capable of rectification, pay a reasonable amount in compensation to the Council in lieu of rectifying the breach,

specifying the period within which the breach is to be rectified or compensation paid, being a period that is reasonable in the circumstances.

- (c) If the Developer:
 - (i) does not comply with a Breach Notice relating to the carrying out of Work under this Agreement; and
 - (ii) has no reasonable excuse for its non-compliance,

the Council may step-in and remedy the breach and may enter, occupy and use any land owned or controlled by the Developer and any Equipment on such land for that purpose.

17.2 Costs of remedying a breach

- (a) Any reasonable costs incurred by the Council in remedying a breach in accordance with clause 17.1 may be recovered by the Council by either or a combination of the following means:
 - (i) by calling-up and applying the Security provided by the Developer under this Agreement, or
 - (ii) as a debt due in a court of competent jurisdiction,

but only if there has been an actual breach by the Developer of the obligations under this Agreement that were the subject of the Breach Notice.
- (b) For the purpose of this clause 17.2, the Council's costs of remedying a breach the subject of a Breach Notice include, but are not limited to:
 - (i) the costs of the Council's servants, agents and contractors reasonably incurred for that purpose;
 - (ii) all fees and charges necessarily or reasonably incurred by the Council in remedying the breach; and
 - (iii) all legal costs and expenses reasonably incurred by the Council, by reason of the breach.
- (c) Nothing in this clause 17 prevents the Council from exercising any rights it may have at law or in equity in relation to a breach of this Agreement by the Developer, including but not limited to seeking relief in an appropriate court.

18. Dispute resolution

18.1 Determination of disputes

If there is any dispute, difference of opinion or failure to agree relating to or arising from this document (**Dispute**) that dispute must be referred for determination under this clause 18.

18.2 No legal proceedings

- (a) The parties must not bring or maintain any action on any Dispute until it has been referred and determined as provided in this clause 18.
- (b) Clause 18.2(a) does not prevent:
 - (i) class 1 proceedings (as set out in section 17 of the *Land and Environment Court Act 1979*) being commenced, maintained and concluded; or

- (ii) urgent injunctive relief to keep a particular position.

18.3 Notice of disputes

A party referring a Dispute for determination must do so by written notice to the other parties (**Dispute Notice**) which must specify the nature of the Dispute and a nominated officer of the referring party with sufficient authority to determine the Dispute.

18.4 Negotiated resolution and selection of expert

- (a) On service of the Dispute Notice, the receiving parties must refer the Dispute to an officer with sufficient authority to determine the Dispute. The nominated officers of each party must meet at least once and use reasonable endeavours to resolve the Dispute by negotiation within seven days of service of the Dispute Notice. Any resolution must be recorded in writing and signed by each nominated officer. By agreement, the nominated officers may employ the services of a mediator to assist them in resolving the Dispute.
- (b) If the nominated officers are unable to resolve the Dispute within seven days of service of the Dispute Notice they must endeavour, within the following seven-day period, to appoint an expert by agreement. That appointment must be recorded in writing and signed by each nominated officer.
- (c) If the nominated officers do not record the appointment of an expert within that second seven day period, the expert must be appointed, at the request of any party, by the President for the time being (or if none, the senior elected member) of the Law Society of New South Wales.

18.5 Assistance to the Expert

- (a) Once the Expert has been appointed (**the Expert**), the parties must:
 - (i) each use their best endeavours to make available to the Expert, all information the Expert requires to settle or determine the Dispute; and
 - (ii) ensure that their employees, agents or consultants are available to appear at any hearing or enquiry called by the Expert.
- (b) The parties may give written submissions to the Expert but must provide copies to the other parties at the same time.

18.6 Expert's decision

- (a) The decision of the Expert must:
 - (i) be in writing and give reasons; and
 - (ii) be made and delivered to the parties within one month from the date of submission of the dispute to the Expert or the date of completion of the last hearing or enquiry called by the Expert, if later.
- (b) The Expert may conduct the determination of the Dispute in any way it considers appropriate but the Expert may, at its discretion, have regard to the Australian Commercial Disputes Centre's guidelines for expert determination of disputes or such other guidelines as it considers appropriate.
- (c) The Expert's decision is final and binding on the parties.
- (d) The Expert must act as an expert and not as an arbitrator.

18.7 Expert's costs

- (a) Each Party is to bear its own costs arising from or in connection with the appointment of the Expert and the expert determination.
- (b) The Parties are to share equally the costs of the President, the Expert, and the expert determination.

18.8 Continual performance

Each party must continue to perform its obligations under this document while any dispute is being determined under this clause 18.

19. General provisions

19.1 Costs

- (a) The Developer is to pay to the Council the Council's reasonable costs of preparing, negotiating, executing and stamping this Agreement, and any document related to this Agreement within 7 days of a written demand by the Council for such payment.
- (b) The Developer is also to pay to the Council the Council's reasonable costs of enforcing this Agreement within 7 days of a written demand by the Council for such payment.

19.2 GST

- (a) If GST is payable by a supplier (or by the representative member for a GST group of which the supplier is a member) on any supply made under or in relation to this document, the recipient must pay to the supplier an amount (**GST Amount**) equal to the GST payable on the supply. The GST Amount is payable by the recipient in addition to and at the same time as the net consideration for the supply.
- (b) If a party is required to make any payment or reimbursement, that payment or reimbursement must be reduced by the amount of any input tax credits or reduced input tax credits to which the other party (or the representative member for a GST group of which it is a member) is entitled for any acquisition relating to that payment or reimbursement.
- (c) This clause 19.2 is subject to any other specific agreement regarding the payment of GST on supplies.

19.3 Duties

The party at law to pay stamp duty, must promptly, within the initial applicable period prescribed by law, pay any duty payable in relation to the execution, performance and registration of this document, or any agreement or document executed or effected under this document.

19.4 Assignment

A party must not transfer any right or liability under this document without the prior consent of each other party, except where this document provides otherwise.

19.5 Notices

- (a) Any notice to or by a party under this document must be in writing and signed by the sender or, if a corporate party, an authorised officer of the sender.

- (b) Any notice may be served by delivery in person or by post or transmission by facsimile to the address or number of the recipient specified in this provision or most recently notified by the recipient to the sender.

Addresses or numbers for notices:

The Council

Wollondilly Shire Council
62-64 Menangle Street, Picton NSW 2571
02 4677 2339

The Developer

Walker Corporation Pty Ltd
Level 21, Governor Macquarie Tower,
1 Farrer Place Sydney NSW 2000
Fax: (02) 9252 7400

- (c) Any notice is effective for the purposes of this document upon delivery to the recipient or production to the sender of a facsimile transmittal confirmation report before 4.00pm local time on a day in the place in or to which the written notice is delivered or sent or otherwise at 9.00am on the next day following delivery or receipt.
- (d) A notice to the Developer must be given in relation to each of the persons who are identified as the Developer in clause 19.5(b).

19.6 Governing law and jurisdiction

- (a) This document is governed by and construed under the law in the State of New South Wales.
- (b) Any legal action in relation to this document against any party or its property may be brought in any court of competent jurisdiction in the State of New South Wales.
- (c) Each party by execution of this document irrevocably, generally and unconditionally submits to the non-exclusive jurisdiction of any court specified in this provision in relation to both itself and its property.

19.7 Amendments

This Agreement may be amended or revoked by further agreement in writing signed by the parties (including by means of a further planning agreement).

19.8 Third parties

Subject to clause 13.5, this document confers rights only upon a person expressed to be a party, and not upon any other person.

19.9 Pre-contractual negotiation

This document:

- (a) expresses and incorporates the entire agreement between the parties in relation to its subject matter, and all the terms of that agreement; and
- (b) supersedes and excludes any prior or collateral negotiation, understanding, communication or agreement by or between the parties in relation to that subject matter or any term of that agreement.

19.10 Further assurance

Each party must execute any document and perform any action necessary to give full effect to this document, whether before or after performance of this document.

19.11 Continuing performance

- (a) The provisions of this document do not merge with any action performed or document executed by any party for the purposes of performance of this document.
- (b) Any representation in this document survives the execution of any document for the purposes of, and continues after, performance of this document.
- (c) Any indemnity agreed by any party under this document:
 - (i) constitutes a liability of that party separate and independent from any other liability of that party under this document or any other agreement; and
 - (ii) survives and continues after performance of this document.

19.12 Waivers

Any failure by any party to exercise any right under this document does not operate as a waiver and the single or partial exercise of any right by that party does not preclude any other or further exercise of that or any other right by that party.

19.13 Remedies

The rights of a party under this document are cumulative and not exclusive of any rights provided by law.

19.14 Severability

Any provision of this document which is invalid in any jurisdiction is invalid in that jurisdiction to that extent, without invalidating or affecting the remaining provisions of this document or the validity of that provision in any other jurisdiction.

19.15 Counterparts

This document may be executed in any number of counterparts, all of which taken together are deemed to constitute one and the same document.

19.16 Party acting as trustee

If a party enters into this document as trustee of a trust, that party and its successors as trustee of the trust will be liable under this document in its own right and as trustee of the trust. Nothing releases the party from any liability in its personal capacity. The party warrants that at the date of this document:

- (a) all the powers and discretions conferred by the deed establishing the trust are capable of being validly exercised by the party as trustee and have not been varied or revoked and the trust is a valid and subsisting trust;
- (b) the party is the sole trustee of the trust and has full and unfettered power under the terms of the deed establishing the trust to enter into and be bound by this document on behalf of the trust and that this document is being executed and entered into as part of the due and proper administration of the trust and for the benefit of the beneficiaries of the trust; and

- (c) no restriction on the party's right of indemnity out of, or lien over, the trust's assets exists or will be created or permitted to exist and that right will have priority over the right of the beneficiaries to the trust's assets.
- (d) Where more than one person is bound by this Agreement as the Developer any right that is capable of being exercised by the Developer under this Agreement may only be exercised by those persons jointly and each person who is a Developer may, at its absolute discretion, decline to exercise such a right.

19.17 Where more than one person is the Developer

- (a) Where more than one person is bound by this Agreement as the Developer any right that is capable of being exercised by the Developer under this Agreement may only be exercised by those persons jointly and each person who is a Developer may, at its absolute discretion, decline to exercise such a right.
- (b) Clause 19.17(a) does not apply to a right that may be exercised by:
 - (i) a Developer; or
 - (ii) two or more persons who are each a Developer (but not all persons who are a Developer) acting jointly,
 without any prejudice to the other persons who are a Developer.
- (c) The provisions of clause 19.17(a) and clause 19.17(b) have effect subject to:
 - (i) any written agreement between the parties concerned (which may be in the form of a deed under clause 13.3(a)(i)); and
 - (ii) clause 18.
- (d) This clause 19.17 does not prevent the Council from taking action against any person who is a Developer under this Agreement in respect of any breach of this Agreement.

19.18 Validity of this Agreement

- (a) No party is to commence or maintain, or cause to be commenced or maintained, any proceedings in the Land and Environment Court concerning:
 - (i) the validity of this Agreement; or
 - (ii) the making of the EPI change; or
 - (iii) the granting or modifying of any Development Consent to the extent that the Development Consent was granted or modified having regard to the existence of this Agreement.
- (b) If this Agreement or any part of it becomes unenforceable or invalid as a result of any change to a law, the parties are to co-operate and do all things necessary to ensure that an enforceable agreement of the same or similar effect to this Agreement is entered into.

19.19 Annual reporting

- (a) The Developer is to provide to the Council (no later than each anniversary of the date on which this Agreement is entered into) a report outlining the performance of its obligations under this Agreement.

- (b) The report under this clause 19.9 is to be in such a form and to address such matters as reasonably required by the Council from time to time.
- (c) This clause 19.19 has no effect unless the Development has been physically commenced.

19.20 Review of this Agreement

- (a) The parties must review this Agreement every two years, and otherwise if either party is of the opinion that any change of circumstance has occurred, or is imminent, that materially affects the operation of this Agreement.
- (b) For the purposes of this clause 19.20, the relevant changes include (but are not limited to) any change to a law that restricts or prohibits or enables the Council or any other planning authority to restrict or prohibit any aspect of the Development.
- (c) For the purposes of addressing any matter arising from a review of this Agreement, the parties must use all reasonable endeavours to agree on and implement appropriate amendments to this Agreement.
- (d) A failure by a party to agree to take action requested by the other Party as a consequence of a review referred to in clause 19.20(a) is not a breach of this Agreement and is not able to be dealt with under clause 18.

20. Definitions and interpretation

20.1 Definitions

In this document unless the context otherwise requires:

Act means the *Environmental Planning and Assessment Act 1979*;

Agreement or this document means this Deed and includes any schedules, annexures and appendices to this Deed;

Alternative Dedication Land means land having an area reasonably considered by the Council as being appropriate to replace that part of the land to be dedicated the subject of a notice by the Council under clause 6.2(c)(iii).

Appin Road Main Street Concept Plan means the Appin Road Main Street Concept Plan set out in Sheet 4 of Schedule 2;

Approval includes approval, consent, licence, permission or the like;

Approved Institution means:

- (a) an authorised deposit-taking institution within the meaning of the *Banking Act 1959* (Cth);
- (b) a general insurer within the meaning of the *Insurance Act 1973* (Cth); or
- (c) any other financial institution or insurer approved by the Council in its absolute discretion;

Authority means the Commonwealth or New South Wales government, a Minister of the Crown, a government department, a public authority established by or under any Act, a council or county council constituted under the *Local Government Act 1993*, or a person or

body exercising functions under any Act including a commission, panel, court, tribunal and the like;

Business Day means a day that is not a Saturday, Sunday, public holiday or bank holiday in New South Wales;

Claims includes actions, proceedings, suits, causes of action, arbitration, verdicts and judgments either at law or in equity or arising under a statute, debts, dues, demands, claims of any nature, costs and expenses;

Construction Certificate has the same meaning as in the Act;

CPI Index means the Consumer Price Index published by the Commonwealth Statistician for ALL GROUPS for Sydney.

Cycleway means a 2.5 metre wide concrete shared path;

Dedicated Land means the land to be, or that is, dedicated under this Agreement;

Defect means anything that adversely affects, or is likely to adversely affect, the appearance, structural integrity, functionality or use or enjoyment of a **Work** or any part of a **Work**;

Defects Liability Period means the period of one year commencing on the day immediately after a Work is completed for the purposes of this Agreement;

Development means the development of the Planning Proposal Site Area for urban purposes;

Development Consent has the same meaning as in the Act;

Development Contribution means any of the following:

- (a) a monetary contribution;
- (b) a dedication of land free of cost; or
- (c) the provision of any other material public benefit,

provided for in this Agreement and described in Schedule 1;

Encumbrance includes any mortgage or charge, lease, (or other right of occupancy) or profit a prendre;

Environment Minister means the Minister administering the Threatened Species Conservation Act;

EPBC Act Decision means any decision that is (or is like) an approval process decision within the meaning of section 158A of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth);

EPI Change means a change the *Wollondilly Local Environmental Plan 2011* insofar as it applies to the Planning Proposal Site Area, such that:

- (a) the zoning of that land is generally in accordance with Land Zoning Map;
- (a) the zone objectives and permitted uses for that land (in each zone) are generally in accordance with the zone objectives and permitted uses (for the relevant zone type)

set out in the *Wollondilly Local Environmental Plan 2011* as at the date of this Agreement;

- (b) the minimum lot size of that land is generally in accordance with the Lot Size Map;
- (c) the maximum height of buildings in the R2 Low Density Residential zone on that land is generally 9 metres; and
- (d) there is a no provision that would prevent:
 - (i) Stage 1 lot yield being generally in accordance with 108 Final Lots;
 - (ii) Stage 2 lot yield being generally in accordance with 67 Final Lots; and
 - (iii) Stage 3 lot yield being generally in accordance with 40 Final Lots.

Equipment means any equipment, apparatus, vehicle or other equipment or thing to be used by or on behalf of the Developer in connection with the performance of its obligations under this Agreement;

Final Lot means a lot created for separate occupation and disposition which is not intended to be further subdivided (by any means including strata subdivision) for the purposes of the Development, but does not include a Service Lot;

Financial Certifier means:

- (a) a person agreed to between the Parties;
- (b) if that person ceases to be available to perform that function or is not agreed prior to the date of this Agreement, the person nominated by the Developer, and agreed to by the Council (the Council must not unreasonably withhold its agreement); or
- (c) if the Council and the Developer otherwise agree, the person agreed from time to time between the Council and the Developer;

Gordon Lewis Oval Concept Plan means the Gordon Lewis Oval Concept Plan set out in Sheet 5 of Schedule 2;

Gordon Lewis Oval Land means Lot 1 DP 245866;

GST has the meaning given by section 195-1 of the *A New Tax System (Goods and Services Tax) Act (1999)* (Cth);

Indicative Staging Plan means drawing no WSA – CP - 700 Issue 47 dated 18 January 2017 and titled 'South Appin Indicative Staging Plan' and prepared by the Developer as set out in Sheet 3 of Schedule 2;

Just Terms Act means the *Land Acquisition (Just Terms Compensation) Act 1991* (NSW);

Land means:

- (a) the Planning Proposal Site Area;
- (b) the Gordon Lewis Oval Land;
- (c) the Road Land;

Land Zoning Map means the portion of the drawing dated 20 February 2017 titled 'Proposed land zoning' and the associated interpretative information as set out in Sheet 1 of Schedule 2;

Last Subdivision Certificate means:

- (a) when used in relation to the Development as whole:
 - (i) if the Developer has determined that the practical effect of an EPBC Act Decision is that Stage 3 will not proceed (and the Developer has given the Council written notice to that effect), the Subdivision Certificate for the creation of the last of the Final Lots generally depicted in the Indicative Staging Plan (excluding any Final Lots that form part of Stage 3),
 - (ii) otherwise, the Subdivision Certificate for the creation of the last of the Final Lots generally depicted in the Indicative Staging Plan;
- (b) when used in relation to Stage 1, Stage 2 and Stage 3 of the Development, the Subdivision Certificate for the creation of the last of the Final Lots generally depicted for the relevant stage or stages in the Indicative Staging Plan;

Lot Size Map means the portion of the drawing dated 20 February 2017 titled 'Proposed Minimum Lot Size' and the associated interpretative information as set out in Sheet 2 of Schedule 2;

Maintain, in relation to a Work, means keep in a good state of repair and working order, and includes repair of any damage to the Work;

Maximum Value in relation to a Development Contribution comprising a Work means the amount exclusive of GST set out in Column 7 of the Table corresponding to the Work being the agreed cost for the Work.

Novation Deed means the draft deed in Annexure A;

OEH means any person exercising the functions of the Chief Executive of the Office of Environment and Heritage under Part 7A of the Threatened Species Conservation Act;

Planning Proposal means document described as Planning Proposal: Rezoning Application and titled as Macquariedale Rd, Appin (February 2017) and prepared by the Council;

Planning Proposal Site Area means:

- (a) Lot 1 DP 1218358;
- (b) Part Lot 1 DP 245866 as depicted in pink in the Site Identification Plan;
- (c) Part Lot 2035 DP 1198686 as depicted in pink in the Site Identification Plan;
- (d) Lot 2 DP 1218358;
- (e) Lot 3 DP 1218358; and
- (f) Lot 2 DP 529457;

Progress Certificate means the certificate issued by the Financial Certifier under clause 5.2(e).

Real Property Act means the *Real Property Act 1900*;

Rectification Notice means a notice in writing:

- (a) identifying the nature and extent of a Defect;
- (b) specifying the works or actions that are required to Rectify the Defect;
- (c) specifying the date by which or the period within which the Defect is to be rectified.

Rectify means rectify, remedy or correct;

Registration on Title means the registration of this Agreement under section 93H of the Act in the folio of the Register kept under the Real Property Act in relation to the Planning Proposal Site Area, and **Registered on Title** refers to the state of the Agreement being so registered;

Regulation means the *Environmental Planning and Assessment Regulation 2000*;

Road Land means:

- (a) the portion of the Appin Road and Macquariedale Road road reserves coloured orange identified by label 'extent of work' in Roadwork Plan;
- (b) the portion of the road reserves which are identified as being the locations of 'stage 1 shared path (40%)', 'stage 2 shared path (40%)', 'stage 3 shared path (20%)'; and the roundabout at the intersection of Church Street and Appin Road;

Note: This includes areas within Sportsground Parade, Rixon Road, Market Street and King Street.

- (c) Lot 3/DP 209779; and
- (d) the portion of the King Street road reserve marked white between Appin Road and the Stage 1 land in the Indicative Staging Plan;

Roadwork Plan means the plan set out in Sheet 6 of Schedule 2;

RMS means Roads and Maritime Services;

Security means:

- (a) cash;
- (b) bonds or inscribed stock or their equivalent issued by the Commonwealth of Australia, or a state or territory government within Australia;
- (c) an:
 - (i) unconditional undertaking that is, in material respects, the same as the form set out in Schedule 3;
 - (ii) another form of unconditional undertaking approved by the Council in its absolute discretion; or
 - (iii) a performance undertaking approved by the Council in its absolute discretion,
 given by an Approved Institution; or
- (d) other form of security approved by the Council in its absolute discretion;

Service Lot means a lot that is created for one or more of the following purposes:

- (a) to be dedicated or otherwise transferred to the Council;
- (b) for any public utility undertaking (within the meaning of the Standard Instrument);
- (c) for roads, open space, recreation, environmental conservation, water cycle management or riparian land management,

but does not include a lot which is intended to be further subdivided by or on behalf of the Developer but does include association property within the meaning of the *Community Land Development Act 1989* used for a purpose mentioned in (c) above;

Site Identification Plan means the plan prepared by the Council on 14 February 2017 as set out in Sheet 7 of Schedule 2;

Stage 1 means the group of Final Lots generally depicted as Stage 1 in the Indicative Staging Plan;

Stage 2 means the group of Final Lots generally depicted as Stage 2 in the Indicative Staging Plan;

Stage 3 means the group of Final Lots generally depicted as Stage 3 in the Indicative Staging Plan;

Standard Instrument means the standard instrument for a principal local environmental plan set out in the *Standard Instrument (Local Environmental Plans) Order 2006* as at the date of this Agreement;

Subdivision Certificate has the same meaning as in the Act;

Table means the table set out in Schedule 1;

Threatened Species Conservation Act means *Threatened Species Conservation Act 1995*;

Work means:

- (a) when a reference to an object, the physical result of any building, engineering or construction work in, on, over or under land; and
- (b) when a reference to activity, activity directed to produce the physical result of any building, engineering or construction work in, on, over or under land.

20.2 Interpretation

- (a) In this document unless the context otherwise requires:
 - (i) clause and subclause headings are for reference purposes only;
 - (ii) the singular includes the plural and vice versa;
 - (iii) words denoting any gender include all genders;
 - (iv) reference to a person includes any other entity recognised by law and vice versa;

- (v) a reference to a party means a party to this Agreement, including their employees, agents, contractors, successors and assigns and a person bound by the Agreement under section 93H(3) of the Act;
- (vi) where a word or phrase is defined its other grammatical forms have a corresponding meaning;
- (vii) any reference to any agreement or document includes that agreement or document as amended at any time;
- (viii) the use of the word **includes** or **including** is not to be taken as limiting the meaning of the words preceding it;
- (ix) the expression **at any time** includes reference to past, present and future time and the performance of any action from time to time;
- (x) an agreement, representation or warranty on the part of two or more persons binds them jointly and severally;
- (xi) an agreement, representation or warranty on the part of two or more persons is for the benefit of them jointly and severally;
- (xii) any ambiguities in the interpretation of this Agreement shall not be construed against the drafting party.
- (xiii) reference to an exhibit, annexure, attachment or schedule is a reference to the corresponding exhibit, annexure, attachment or schedule in this document;
- (xiv) reference to a provision described, prefaced or qualified by the name, heading or caption of a clause, subclause, paragraph, schedule, item, annexure, exhibit or attachment in this document means a cross reference to that clause, subclause, paragraph, schedule, item, annexure, exhibit or attachment;
- (xv) when a thing is required to be done or money required to be paid under this document on a day which is not a Business Day, the thing must be done and the money paid on the immediately following Business Day;
- (xvi) reference to a statute includes all regulations and amendments to that statute and any statute passed in substitution for that statute or incorporating any of its provisions to the extent that they are incorporated; and
- (xvii) reference in this Agreement to a \$ value relating to a Development Contribution is a reference to the value exclusive of GST.
- (b) Nothing in this Agreement is to be taken to require the Council to do anything that would cause it to be in breach of any of its statutory obligations.
- (c) Nothing in this Agreement, including the Indicative Staging Plan, requires the Developer to produce any or a particular number of Final Lots, or produce the Final Lots (or a subdivision stage) in any particular order.

20.3 Stage 3

For the purposes of the Table:

- (a) it is to be taken that there is no Stage 3 if the Developer has determined that the practical effect of an EPBC Act Decision is that Stage 3 will not proceed (and the Developer has given the Council written notice to that effect); and
- (b) in all other circumstances, it is to be taken that there is a Stage 3.

20.4 No joint venture, etc

Unless otherwise stated:

- (a) nothing in this Agreement creates a joint venture, partnership, or the relationship of principal and agent, or employee and employer between the parties; and
- (b) no party has the authority to bind any other party by any representation, declaration or admission, or to make any contract or commitment on behalf of any other party or to pledge any other party's credit.

20.5 No obligation to grant or modify a Development Consent

- (a) This Agreement does not impose an obligation on the Council to grant or modify any Development Consent.
- (b) For avoidance of doubt, clause 20.5(a) does not affect any obligation of the consent authority (under section 79C(1)(a)(iia) of the Act) to take this Agreement into consideration.

20.6 No breach, etc of a Development Consent

Despite any other provision of this Agreement, this Agreement does not require, allow or preclude anything from being done if by so doing it would cause the Developer to:

- (a) be in breach; or
- (b) not fulfil a requirement,

of a Development Consent in force and applying to the Land.

20.7 Explanatory Note

In accordance with clause 25E(7) of the *Environmental Planning and Assessment Regulation 2000* the explanatory note must not be used to assist in construing this Agreement.

Schedule 1 – Development Contributions

(Clause 4, Clause 14 and Clause 20.1)

Table

Column 1 Item	Column 2 Description	Column 3 Public purpose	Column 4 When Security is required	Column 5 Security value	Column 6 When contribution is required	Column 7 Maximum Value
Material public benefit - Works						
1. Cycleway 1	Generally the Cycleway identified as 'stage 1 shared path (40%)' on the Indicative Staging Plan.	Transport and traffic	Immediately prior to the issue of the Subdivision Certificate for the creation of the first Final Lot in Stage 1	\$280,000	Immediately prior to the issue of the Last Subdivision Certificate for Stage 1.	If there is a Stage 3, \$700,000
2. Cycleway 2	Generally the Cycleway identified as 'stage 2 shared path (40%)' on the Indicative Staging Plan	Transport and traffic	Immediately prior to the issue of the Subdivision Certificate for the creation of the first Final Lot in Stage 2	\$280,000	Immediately prior to the issue of the Last Subdivision Certificate for Stage 2	If there is no Stage 3, \$560,000
3. Cycleway 3 (but only if there is a Stage 3)	Generally the Cycleway identified as 'stage 3 shared path (20%)' on the Indicative Staging Plan	Transport and traffic	Immediately prior to the issue of the Subdivision Certificate for the creation of the first Final Lot in Stage 3, but only if there is a Stage 3	\$140,000	Immediately prior to the issue of the Last Subdivision Certificate for Stage 3, but only if there is a Stage 3	
4. Undergrounding power lines in Appin Road and Macquariedale Road	Replace overhead power lines with underground lines within the Roadworks Land	Open space	Immediately prior to the issue of the Subdivision Certificate for the creation of the first Final Lot in Stage 2	\$1,400,000	Immediately prior to the issue of the Last Subdivision Certificate for Stage 2	\$1,400,000
5. Macquariedale Road	Construction of pavement improvements, shared pathway and street tree planting within the stretch of Macquariedale	Transport and traffic	Immediately prior to the issue of the Subdivision Certificate for the creation of the first Final	\$250,000	Immediately prior to the issue of the Last Subdivision Certificate for Stage 2	\$250,000

Column 1 Item	Column 2 Description	Column 3 Public purpose	Column 4 When Security is required	Column 5 Security value	Column 6 When contribution is required	Column 7 Maximum Value
	Road within the Roadworks Land		Lot in Stage 2			
6. Appin Road upgrade to Main Street	<p>One or more of the following embellishments (as determined by the Council after consultation with the community) to the Appin Road between Church Street and Market Street:</p> <ul style="list-style-type: none"> • plant mature street trees; • upgrading street furniture; • installing a cobblestone threshold and pedestrian refuge (to improve pedestrian safety); • additional parking on Appin Road, <p>generally as depicted in the Appin Road Main Street Concept Plan.</p>	Transport and traffic	Immediately prior to the issue of the Subdivision Certificate for the creation of the first Final Lot in Stage 2	\$500,000	Immediately prior to the issue of the Last Subdivision Certificate for Stage 2	\$500,000
7. Gordon Lewis Oval, and 'engineers ground' embellishment (but only if there is a Stage 3)	<p>Top dress and landscape the waste site within the 'engineers ground'</p> <p>One or more of the following embellishments (as determined by the Council after consultation with the community) to the Gordon Lewis Oval Land:</p> <ul style="list-style-type: none"> • children's playground; • barbeque facilities; • picnic tables; 	Open space	Immediately prior to the issue of the Subdivision Certificate for the creation of the first Final Lot in Stage 2, but only if there is a Stage 3	\$1,200,000	Immediately prior to the issue of the Last Subdivision Certificate for Stage 2, but only if there is a Stage 3	\$1,200,000

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Item	Description	Public purpose	When Security is required	Security value	When contribution is required	Maximum Value
8. Intersection upgrade(s) on Appin Road	<ul style="list-style-type: none"> amenity lighting; fitness circuit; and landscaping. <p>generally as depicted in the Gordon Lewis Oval Concept Plan</p> <p>Upgrade intersection(s) on Appin Road required by the Development.</p> <p>This may include:</p> <ul style="list-style-type: none"> traffic signals at the intersection of King Street and Appin Road; a protected turning lane on Macquariedale Road; and/or traffic signals or roundabout at the intersection of Appin Road and Church Street <p>as generally depicted in the strategic designs set out in Sheet 8 of Schedule 2.</p> <p>If the works authorisation deed between the Developer and the RMS provides for works that are different from the above, those works are taken to satisfy the requirements of this item.</p>	Transport and traffic	Not applicable Note: It is anticipated that the delivery of these works would be governed by a works authorisation deed with the RMS	Not applicable	Immediately prior to the issue of the Subdivision Certificate for the creation of the first Final Lot in Stage 1	
Monetary contributions						

Column 1 Item	Column 2 Description	Column 3 Public purpose	Column 4 When Security is required	Column 5 Security value	Column 6 When contribution is required	Column 7 Maximum Value
9. Community chest	<p>If there is a stage 3, an amount of \$11,628 for each of the first 215 Final Lots developed on the Planning Proposal Site Area</p> <p>If there is no stage 3, an amount of \$11,628 for each of the first 167 Final Lots developed on the Planning Proposal Site Area</p>	Community facilities	Not applicable	Not applicable	Immediately prior to the issue of each Subdivision Certificate for Final Lots referred to in column 2, but only for Final Lots that are to be the subject of relevant Subdivision Certificate	<p>If there is a stage 3, \$2,500,020</p> <p>If there is no stage 3, \$1,941,876</p>
10. Green fund	<p>If there is a stage 3, an amount of \$2,326 for each of the first 215 Final Lots developed on the Planning Proposal Site Area</p> <p>If there is no stage 3, an amount of \$2,326 for each of the first 167 Final Lots developed on the Planning Proposal Site Area</p>	Environmental works	Not applicable	Not applicable	Immediately prior to the issue of each Subdivision Certificate for Final Lots referred to in column 2, but only for Final Lots that are to be the subject of relevant Subdivision Certificate	<p>If there is a stage 3, \$500,090</p> <p>If there is no stage 3, \$388,442</p>
Dedication of Land						
11. Expansion of Gordon Lewis Oval public reserve (but only if there is a stage 3)	Dedication of an area of land of approximately 1,930m ² being generally consistent with the area identified as 'Transfer to Council' in the Indicative Staging Plan including obtain approvals for and undertake clearing of the transfer land prior to dedication	Open space	Not applicable	Not applicable	<p>If dedication is to be effected by the registration of a plan of subdivision under section 49(3) of the <i>Local Government Act 1993</i> — upon the registration of the plan of subdivision creating the first Final Lot in Stage 3.</p> <p>Otherwise — immediately prior to the issue of the Subdivision Certificate for the creation of the first Final Lot in Stage 3</p>	Not applicable

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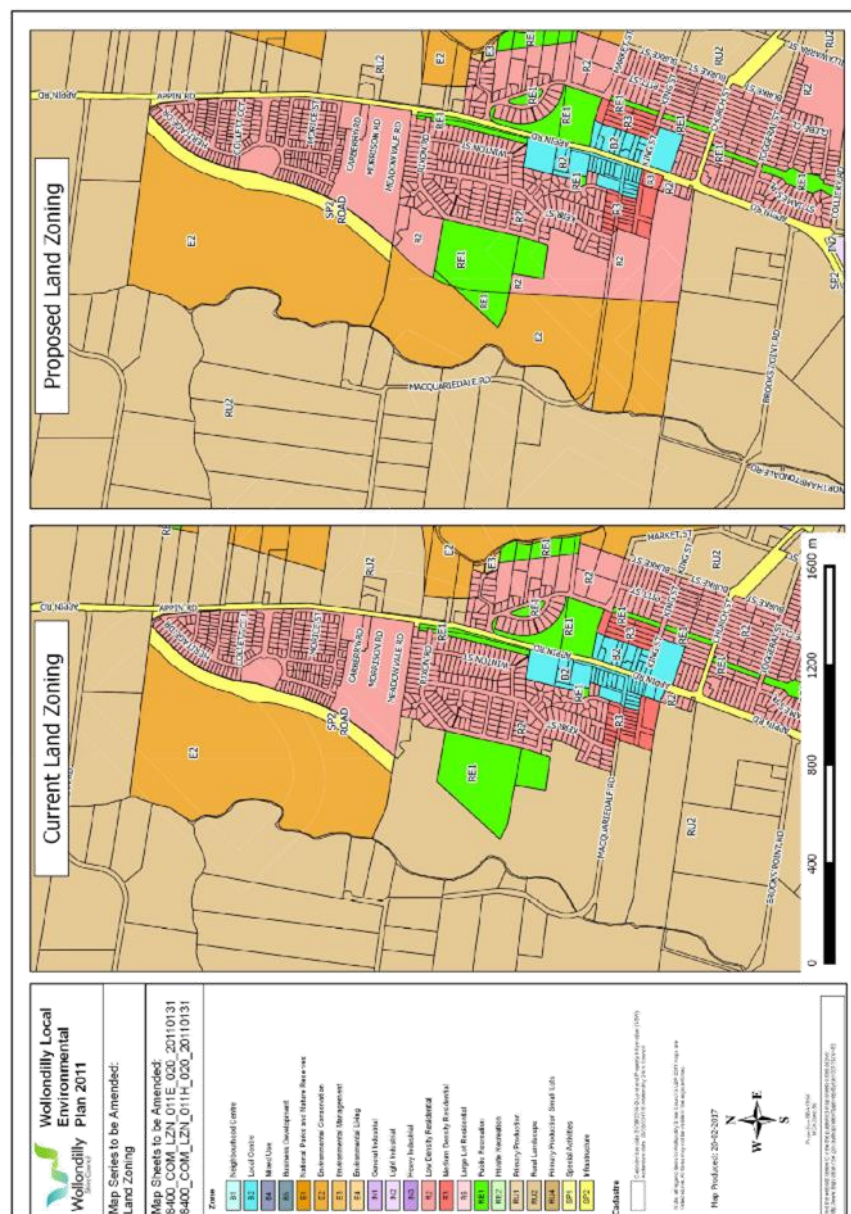
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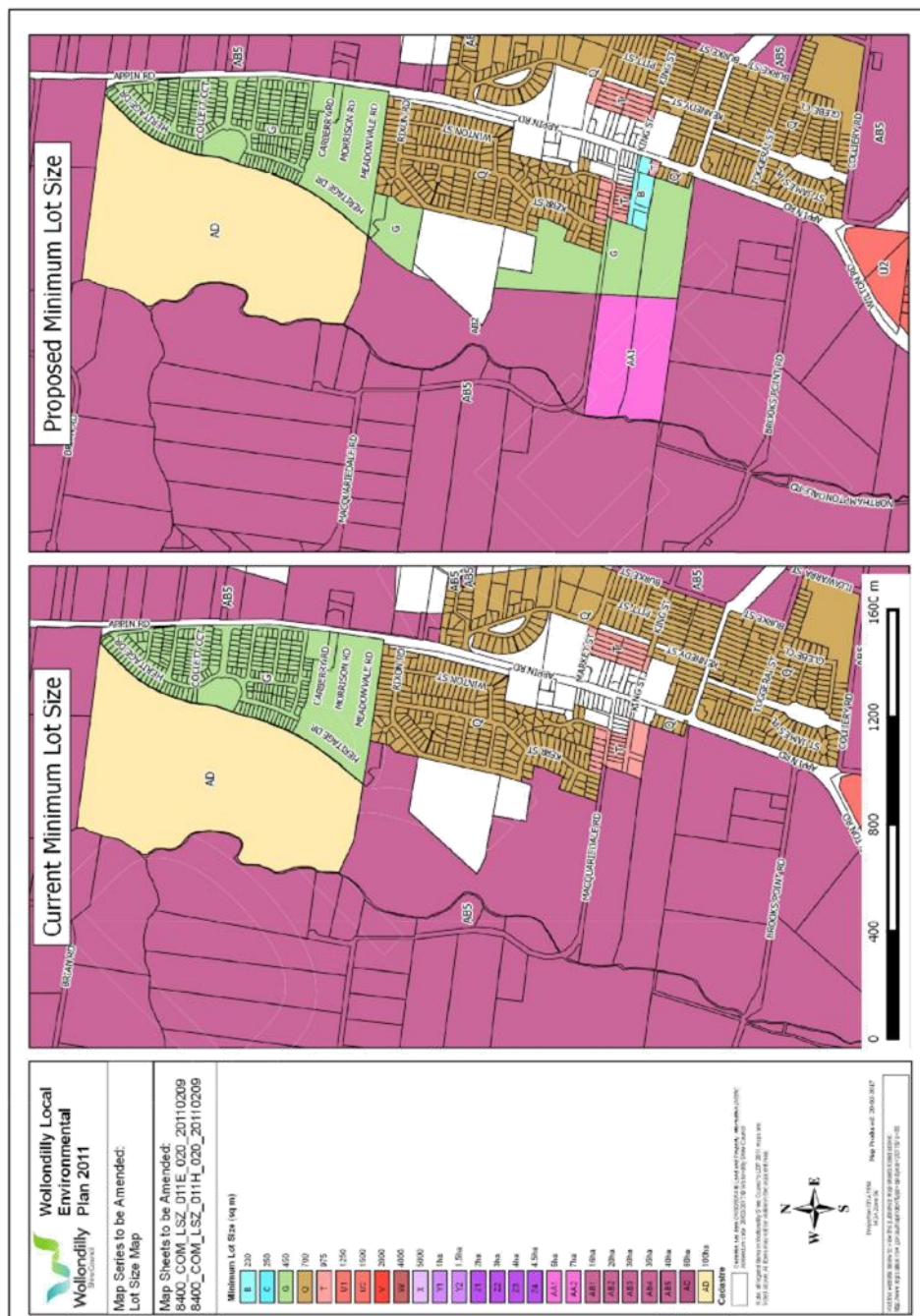
Schedule 2 – Drawings

(Clause 20)

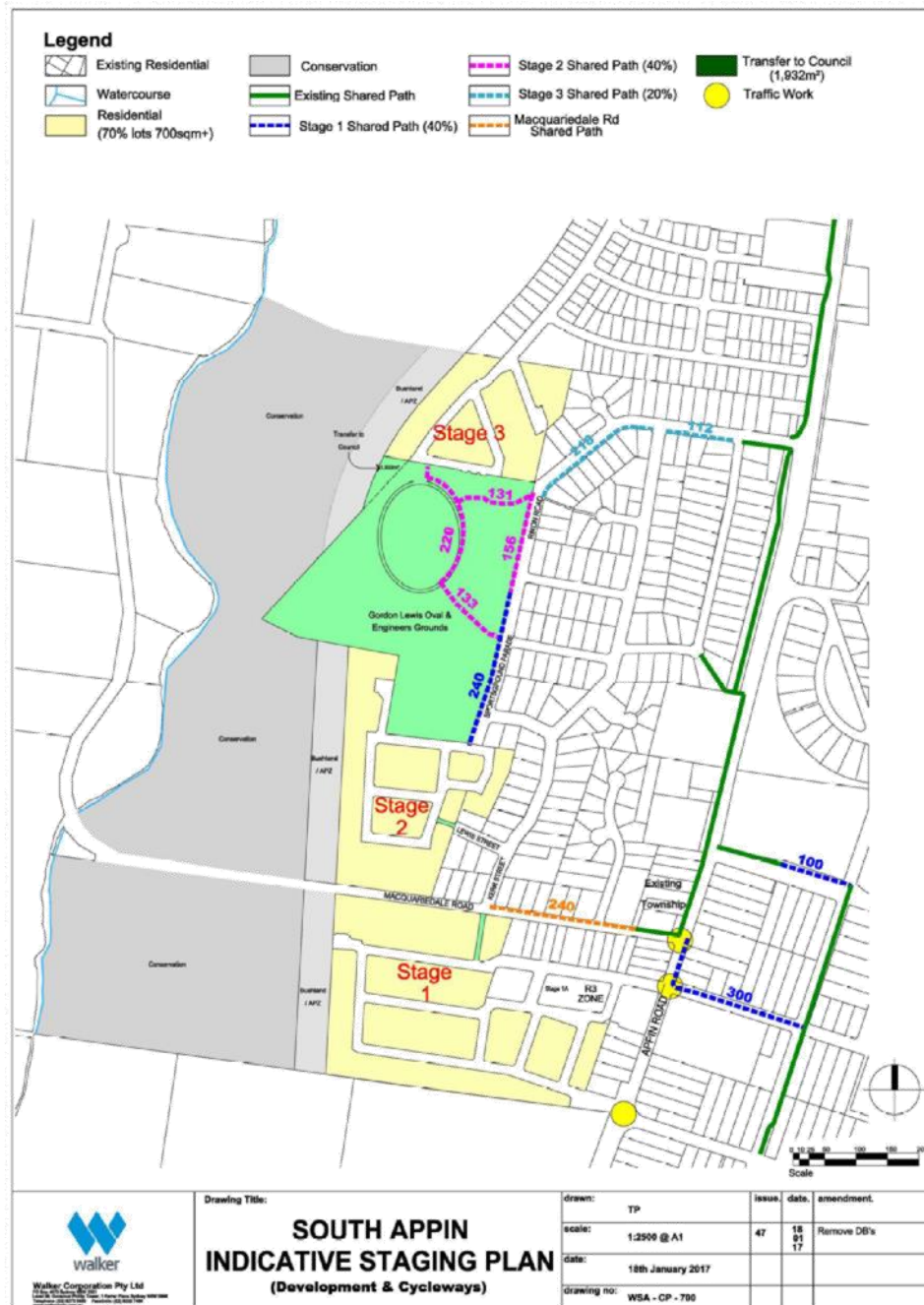
Sheet 1: Land Zoning Map



Sheet 2: Lot Size Map



Sheet 3: Indicative Staging Plan



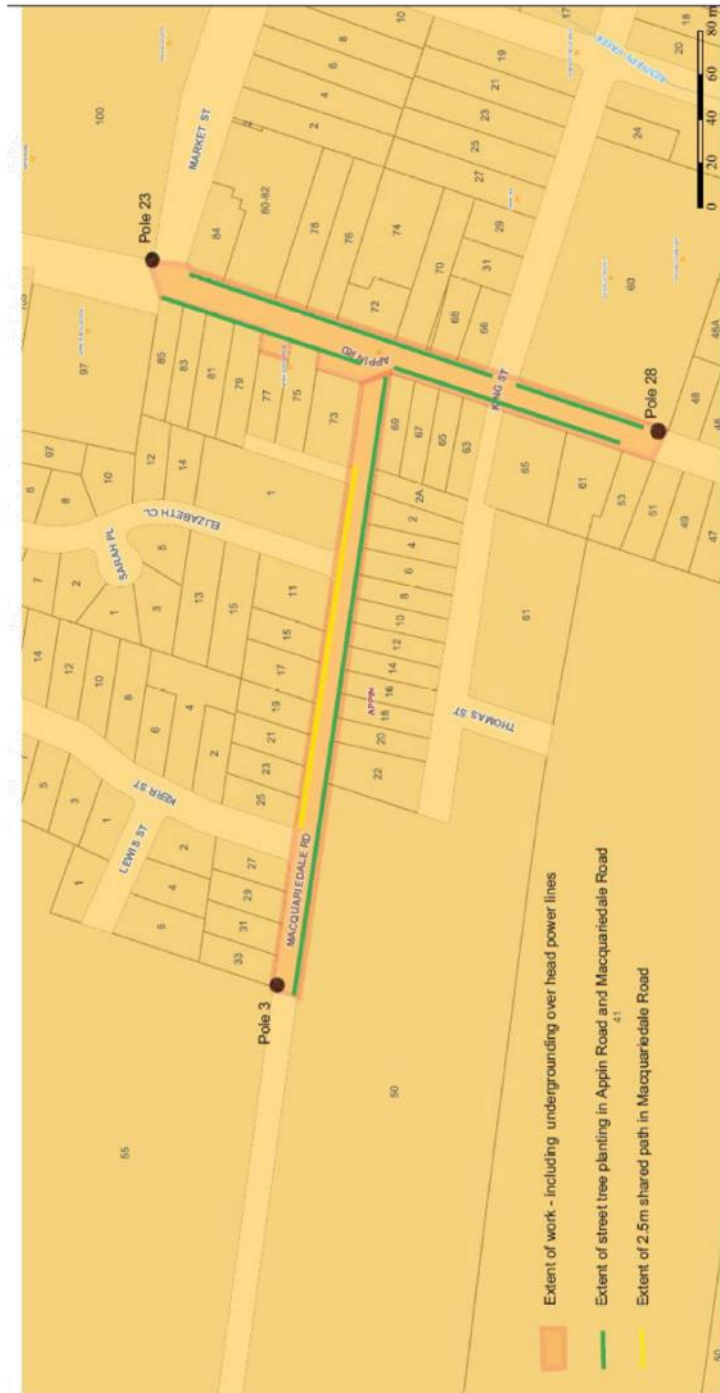
Sheet 4: Appin Road Main Street Concept Plan



Sheet 5: Gordon Lewis Oval Concept Plan



Sheet 6: Roadwork Plan

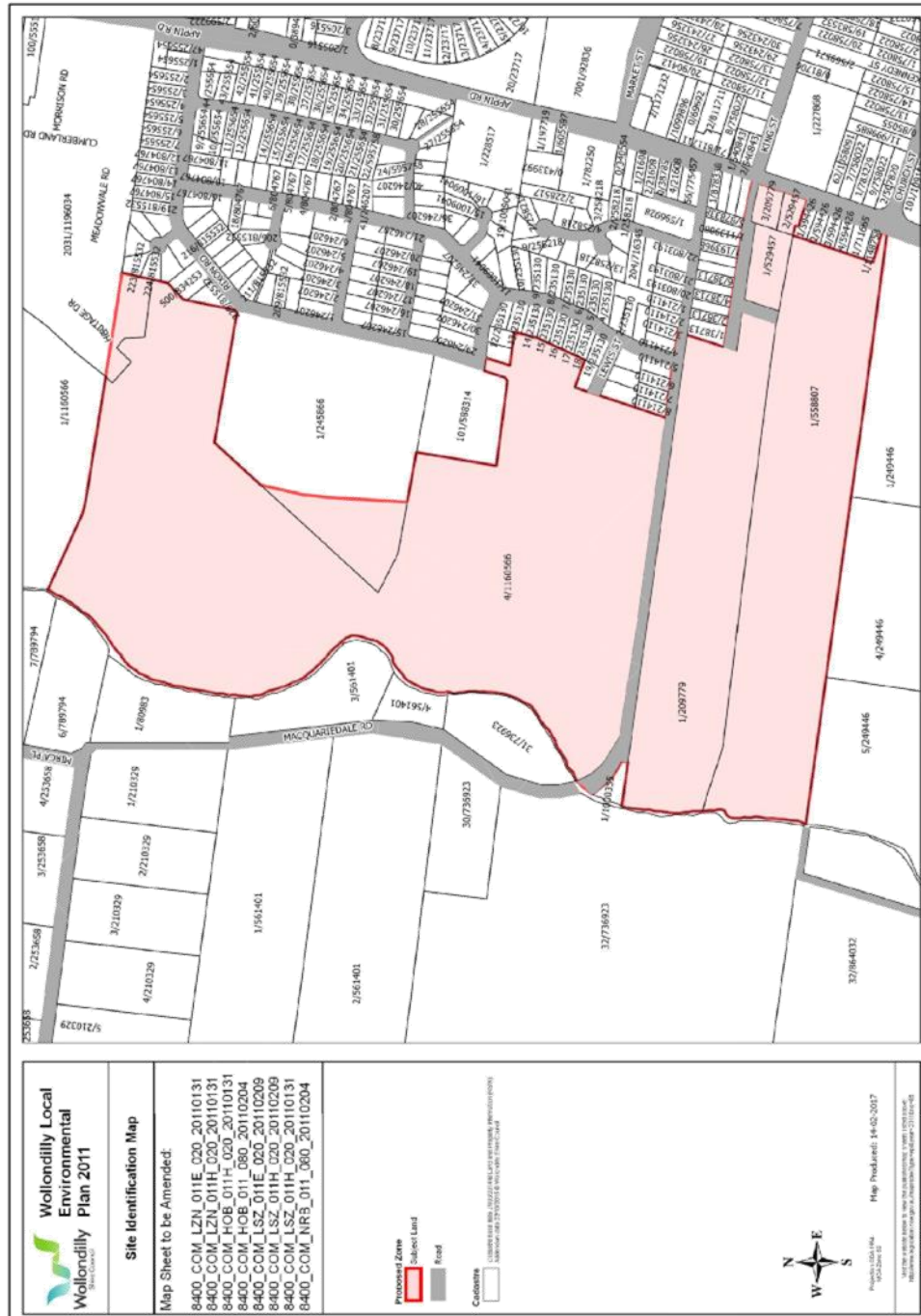


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48

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Sheet 7: Site Identification Plan

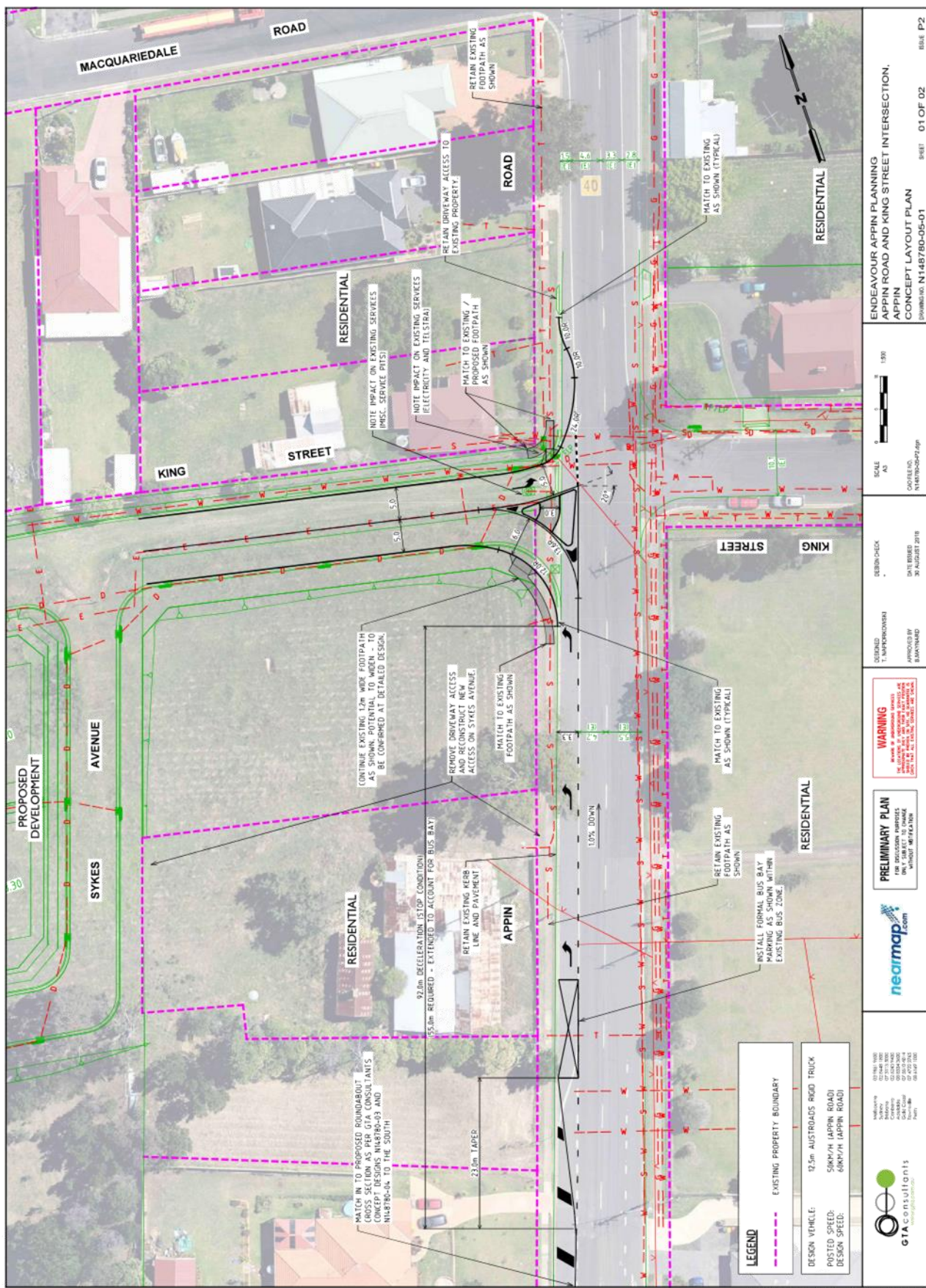


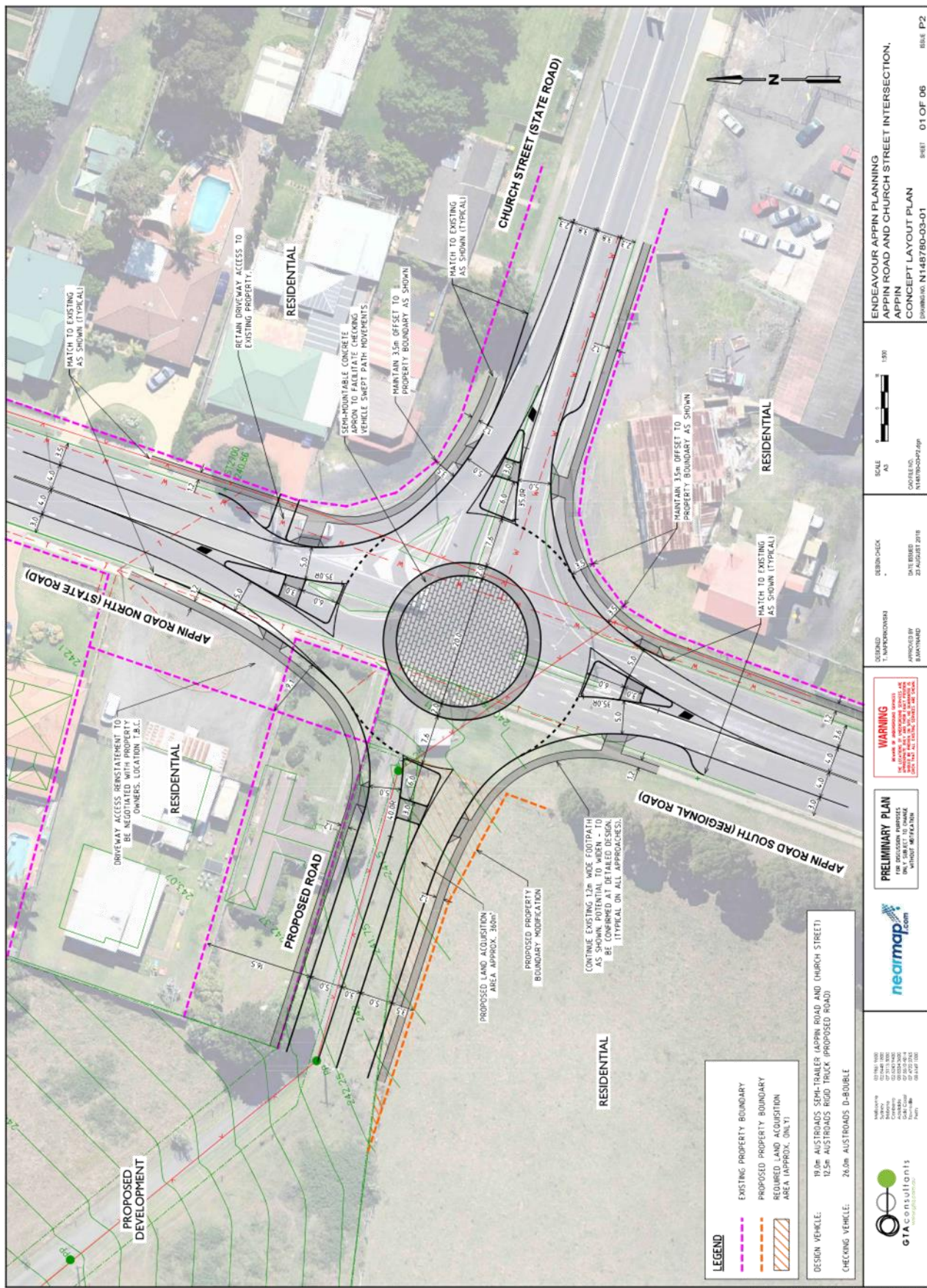
Sheet 8: Strategic designs for item 8

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Schedule 3 – Form of unconditional undertaking

(Clause 20.1)

At the request of
 ACN ABN (the *Applicant*) and in consideration of
 ACN ABN (the *Favouree*) accepting this undertaking
 in respect of the *Planning Agreement* for
 (the *Project*)
 ACN ABN (the *Surety*) unconditionally
 undertakes to pay on demand any sum or sums which may from time to time be demanded by the
Favouree to a maximum aggregate sum of
 (\$)

The undertaking is to continue until notification has been received from the *Favouree* that the sum is
 no longer required by the *Favouree* or until this undertaking is returned to the *Surety* or until
 payment to the *Favouree* by the *Surety* of the whole of the sum or such part as the *Favouree*
 may require.

Should the *Surety* be notified in writing, purporting to be signed by
 for and on behalf of the *Favouree* that the *Favouree* desires payment to be made of the whole or
 any part or parts of the sum, it is unconditionally agreed that the *Surety* will make the payment or
 payments to the *Favouree* forthwith without reference to the *Applicant* and notwithstanding any
 notice given by the *Applicant* not to pay same.

Provided always that the *Surety* may at any time without being required so to do pay to the
Favouree the sum of
 (\$)

less any amount or amounts it may previously have paid under this undertaking or such lesser sum
 as may be required and specified by the *Favouree* and thereupon the liability of the *Surety* hereunder
 shall immediately cease.

Dated at this day of 20.....

Executed as a deed.

Executed on behalf of **Wollondilly Shire Council**
by its General Manager pursuant to delegation
granted by resolution passed at a duly convened
meeting held on _____
in the presence of:

Witness

Print name

Print address

Mayor

Print name

Executed on behalf of **Walker Corporation Pty
Ltd** ACN 001 176 263 in accordance with s127(1)
of the *Corporations Act 2001* (Cth) by:

Secretary/Director

Print name

Director

Print name

Annexure A – Draft Deed of Novation

Deed of Novation

Wollondilly Shire Council

[Insert name of existing developer]

[Insert name of new developer]

Deed of Novation

Dated

Parties

1. **Wollondilly Shire Council** of 62-64 Menangle Street, Picton NSW 2571 (**the Council**)
2. **[Insert name of existing developer]** ACN [insert ACN] of [insert address] (**the Existing Developer**)
3. **[Insert name of new developer]** ACN [insert ACN] of [insert address] (**the New Developer**)

Background

- A. The Council and the Existing Developer have entered into the Agreement.
- B. The Existing Developer intends to transfer **[Insert title reference(s)]** to the New Developer.
[If, as a result of the transfer, the Existing Developer will no longer own any of the Planning Proposal Site Area:]
- C. The Existing Developer has agreed to transfer the Rights and Obligations to the New Developer.
- D. The Council has consented to the transfer of the Existing Developer's Rights and Obligations to the New Developer and the parties have agreed to enter into this Deed to give effect to their common intentions.

[If, as a result of the transfer, the Existing Developer will still own part of the Planning Proposal Site Area:]

- C. The New Developer has agreed to accept the Rights and Obligations as a Developer under the Agreement.
- D. The Council has consented to the transfer of the relevant land to the New Developer and the inclusion of the New Developer as a Developer party to the Agreement and the parties have agreed to enter into this Deed to give effect to their common intentions.

Operative provisions

1. Defined meanings

Words used in this document and the rules of interpretation that apply are set out and explained in the definitions and interpretation clause at the back of this document.

2. Novation

[If, as a result of the transfer, the Existing Developer will no longer own any of the Planning Proposal Site Area:]

With effect on and from the Effective Date:

- (a) The New Developer is substituted for the Existing Developer under the Agreement as if the New Developer had originally been a party to the Agreement instead of the Existing Developer and all references in the Agreement to the Existing Developer in any capacity must be read and construed as if they were references to the New Developer; and
- (b) The New Developer is bound by, and must comply with, the provisions of the Agreement and the obligations imposed on the Existing Developer by the Agreement and the New Developer enjoys all the rights and benefits of the Existing Developer under the Agreement (even if an obligation, right or benefit, arose or accrued before the Effective Date); and
- (c) The Existing Developer remains bound by and must comply with, the provisions of the Agreement in respect of any Liabilities arising or incurred before the Effective Date.

[If, as a result of the transfer, the Existing Developer will still own part of the Planning Proposal Site Area:]

With effect on and from the Effective Date:

- (a) The New Developer is taken to be a party to the Agreement and the definition of Developer in clause 20.1 of the Agreement is taken to include the New Developer; and
- (b) The New Developer is bound by, and must comply with, the provisions of the Agreement and the obligations imposed on the Developer by the Agreement and the New Developer enjoys all the rights and benefits of the Developer under the Agreement (even if an obligation, right or benefit, arose or accrued before the Effective Date); and
- (c) The Existing Developer remains bound by and must comply with, the provisions of the Agreement in respect of any Liabilities arising or incurred before the Effective Date.

3. Consent

[If, as a result of the transfer, the Existing Developer will no longer own any of the Planning Proposal Site Area:]

With effect on and from the Effective Date, the Council:

- (a) consents to the New Developer being substituted for Existing Developer on the terms outlined at clause 2 of this Deed;
- (b) accepts the assumptions by the New Developer of all the liabilities of the Existing Developer under the Agreement instead of those liabilities being liabilities of the Existing Developer; and
- (c) agrees to be bound by the terms of the Agreement in every way as if the New Developer were a party to the Agreement instead of the Existing Developer.

[If, as a result of the transfer, the Existing Developer will still own part of the Planning Proposal Site Area:]

With effect on and from the Effective Date, the Council:

- (d) consents to the New Developer becoming a Developer under the terms of the Agreement as outlined at clause 2 of this Deed;
- (e) agrees to be bound by the terms of the Agreement in every way as if the New Developer were a party to the Agreement.

4. Release and Indemnity

[If, as a result of the transfer, the Existing Developer will no longer own any of the Planning Proposal Site Area:]

4.1 Release and Discharge (the Council)

On and from the Effective Date, the Council releases the Existing Developer from all Rights and Obligations and from all Claims that it may have against the Existing Developer under or in respect of the Agreement, other than in respect of Liabilities arising or incurred before the Effective Date

4.2 Release and Discharge (the Existing Developer)

On and from the Effective Date, the Existing Developer releases the Council from all its obligations under the Agreement and from all Claims that it may have against the Council under or in respect of the Agreement.

4.3 Indemnity

On and from the Effective Date, the New Developer indemnifies the Existing Developer from and against all Liabilities and Claims that it may have against the Existing Developer in respect of the Agreement.

[Omit clause 4 if, as a result of the transfer, the Existing Developer will still own part of the Planning Proposal Site Area]

5. Representations and Warranties

5.1 Power

Both of the Existing Developer and the New Developer represent and warrant to the Council and to each other that:

- (a) it is an individual or corporation validly existing under the laws of Australia;
- (b) if it is a corporation – that it has the corporate power to enter into and perform its obligations under this Deed and has taken all necessary corporate action to authorise execution, delivery and performance of this Deed;
- (c) this Deed is valid and binding upon it and is enforceable against it in accordance with its terms; and
- (d) if it is a corporation – that no application or order has been made for the winding up or liquidation of it, no action has been taken to seize or take possession of any of its assets, there are no unsatisfied judgments against it and it is able to pay its debts as and when they come due and payable.

5.2 Reliance by the Council

The Existing Developer and the New Developer each acknowledge that the Council has entered into this Deed in reliance on the representations and warranties detailed in clause 5.1.

6. General provisions

6.1 Developer Costs

The Existing Developer and the New Developer must pay their own costs in relation to:

- (a) the negotiation, preparation, execution, performance, amendment or registration of, or any consent given or made; and
- (b) the performance of any action by that party in compliance with any liability arising,

under this Deed, or any agreement or document executed or effected under this Deed, unless this Deed provides otherwise.

6.2 The Council's Costs

The Existing Developer and the New Developer are jointly and severally responsible for Council's reasonable legal costs in relation to the negotiation, preparation and execution of this Deed, but are not otherwise liable for the Council's costs in relation to the:

- (a) performance, amendment or registration of, or any consent given or made; and
- (b) the performance of any action by that party in compliance with any liability arising,

under this Deed, or any agreement or document executed or effected under this Deed, unless this Deed provides otherwise.

6.3 GST

If any payment made by one party to any other party under or relating to this Deed constitutes consideration for a taxable supply for the purposes of GST or any similar tax, the amount to be paid for the supply will be increased so that the net amount retained by the supplier after payment of that GST is the same as if the supplier was not liable to pay GST in respect of that supply. This provision is subject to any other agreement regarding the payment of GST on specific supplies, and includes payments for supplies relating to the breach or termination of, and indemnities arising from, this Deed.

6.4 Duties

- (a) The New Developer must promptly, within the initial applicable period prescribed by law, pay any duty payable in relation to the execution, performance and registration of this Deed, or any agreement or document executed or effected under this Deed.
- (b) The New Developer indemnifies Council and the Existing Developer against any loss incurred by any other party in relation to any duty specified in this provision, whether through default by the New Developer under this provision or otherwise.

6.5 Assignment

A party must not transfer any right or liability under this Deed without the prior consent of each other party, except where this Deed provides otherwise.

6.6 Notices

- (a) Any notice may be served by delivery in person or by post or transmission by facsimile to the address or number of the recipient specified in this provision or most recently notified by the recipient to the sender.

[Insert address for notices for each of the parties]

- (b) Any notice to or by a party under this Deed must be in writing and signed by either:
- (i) the sender or, if a corporate party, an authorised officer of the sender; or
 - (ii) the party's solicitor.
- (c) Any notice is effective for the purposes of this Deed upon delivery to the recipient or production to the sender of a facsimile transmittal confirmation report before 4.00pm local time on a day in the place in or to which the written notice is delivered or sent or otherwise at 9.00am on the next day following delivery or receipt.

6.7 Governing law and jurisdiction

- (a) This Deed is governed by and construed under the law in the State of New South Wales.
- (b) Any legal action in relation to this Deed against any party or its property may be brought in any court of competent jurisdiction in the State of New South Wales.
- (c) Each party by execution of this Deed irrevocably, generally and unconditionally submits to the non-exclusive jurisdiction of any court specified in this provision in relation to both itself and its property.

6.8 Amendments

Any amendment to this Deed has no force or effect, unless effected by a document executed by the parties.

6.9 Third parties

This Deed confers rights only upon a person expressed to be a party, and not upon any other person.

6.10 Pre-contractual negotiation

This Deed:

- (a) expresses and incorporates the entire agreement between the parties in relation to its subject matter, and all the terms of that agreement; and
- (b) supersedes and excludes any prior or collateral negotiation, understanding, communication or agreement by or between the parties in relation to that subject matter or any term of that agreement.

6.11 Further assurance

Each party must execute any document and perform any action necessary to give full effect to this Deed, whether before or after performance of this Deed.

6.12 Continuing performance

- (a) The provisions of this Deed do not merge with any action performed or document executed by any party for the purposes of performance of this Deed.
- (b) Any representation in this Deed survives the execution of any document for the purposes of, and continues after, performance of this Deed.
- (c) Any indemnity agreed by any party under this Deed:
 - (i) constitutes a liability of that party separate and independent from any other liability of that party under this Deed or any other agreement; and
 - (ii) survives and continues after performance of this Deed,

6.13 Waivers

Any failure by any party to exercise any right under this Deed does not operate as a waiver and the single or partial exercise of any right by that party does not preclude any other or further exercise of that or any other right by that party.

6.14 Remedies

The rights of a party under this Deed are cumulative and not exclusive of any rights provided by law.

6.15 Severability

Any provision of this Deed which is invalid in any jurisdiction is invalid in that jurisdiction to that extent, without invalidating or affecting the remaining provisions of this Deed or the validity of that provision in any other jurisdiction.

6.16 Counterparts

This Deed may be executed in any number of counterparts, all of which taken together are deemed to constitute one and the same Deed.

6.17 Party acting as trustee

If a party enters into this Deed as trustee of a trust, that party and its successors as trustee of the trust will be liable under this Deed in its own right and as trustee of the trust. Nothing releases the party from any liability in its personal capacity. The party warrants that at the date of this Deed:

- (a) all the powers and discretions conferred by the deed establishing the trust are capable of being validly exercised by the party as trustee and have not been varied or revoked and the trust is a valid and subsisting trust;
- (b) the party is the sole trustee of the trust and has full and unfettered power under the terms of the deed establishing the trust to enter into and be bound by this Deed on behalf of the trust and that this Deed is being executed and entered into as part of the due and proper administration of the trust and for the benefit of the beneficiaries of the trust; and
- (c) no restriction on the party's right of indemnity out of or lien over the trust's assets exists or will be created or permitted to exist and that right will have priority over the right of the beneficiaries to the trust's assets.

7. Definitions and interpretation

7.1 Definitions

In this Deed unless the context otherwise requires:

Claims includes actions, proceedings, suits, causes of action, arbitration, verdicts and judgments either at law or in equity or arising under a statute, debts, dues, demands, claims of any nature, costs and expenses.

Agreement means the voluntary planning agreement between the Council and the Existing Developer dated [insert date], a copy of which is annexed to this Deed as Annexure **A**.

Deed means this Deed and includes any Annexures to this Deed.

Effective Date means the date upon which the Existing Developer provides the New Developer with an instrument, in registrable form, that (when registered) will effect the transfer of the title to the land from the Existing Developer to the New Developer.

GST means any tax, levy, charge or impost implemented under the *A New Tax System (Goods and Services Tax) Act (GST Act)* or an Act of the Parliament of the Commonwealth of Australia substantially in the form of, or which has a similar effect to, the GST Act;

Liabilities include all liabilities (whether actual, contingent or prospective), losses, damages, costs and expenses of whatever description.

Rights and Obligations means all of the rights, benefits and obligations imposed or conferred on the Existing Developer by the Agreement.

7.2 Interpretation

In this Deed unless the context otherwise requires:

- (a) clause and subclause headings are for reference purposes only;
- (b) the singular includes the plural and vice versa;
- (c) words denoting any gender include all genders;
- (d) reference to a person includes any other entity recognised by law and vice versa;
- (e) where a word or phrase is defined its other grammatical forms have a corresponding meaning;
- (f) any reference to a party to this Deed includes its successors and permitted assigns;
- (g) any reference to any agreement or document includes that agreement or document as amended at any time;
- (h) the use of the word **includes** or **including** is not to be taken as limiting the meaning of the words preceding it;
- (i) the expression **at any time** includes reference to past, present and future time and the performance of any action from time to time;
- (j) an agreement, representation or warranty on the part of two or more persons binds them jointly and severally;

- (k) an agreement, representation or warranty on the part of two or more persons is for the benefit of them jointly and severally;
- (l) any ambiguities in the interpretation of this Deed shall not be construed against the drafting party; and
- (m) reference to an exhibit, annexure, attachment or schedule is a reference to the corresponding exhibit, annexure, attachment or schedule in this Deed.

Executed as a deed.

[Insert relevant attestation clauses]

[Insert the executed planning agreement that is the subject of the novation as Annexure A]

3. Delivery of item 8 as part of stage 1

- 3.1 The entry for item 8 in the planning agreement's schedule 1 table already requires contribution item 8 to be completed prior to the issue of any subdivision certificate for a final lot in stage 1 (as per column 6 of the table and clause 4.1(a) of the planning agreement).
- 3.2 Accordingly, no further text needs to be added in this regard.

4. Strategic designs

- 4.1 Strategic designs for item 8 are now to be included in a new sheet 8. Sheet 8 is now referenced in the entry for item 8 in the planning agreement's schedule 1 table.
- 4.2 If the WAD between the developer and the RMS provides for works that are different from the strategic designs, those works will be taken to satisfy the requirements of item 8. This means that the developer and the RMS will have the capacity to agree on the delivery of item 8 in a manner that is different from the strategic designs.

Please do not hesitate to contact me on (02) 8035 7858 if you would like to discuss this letter.

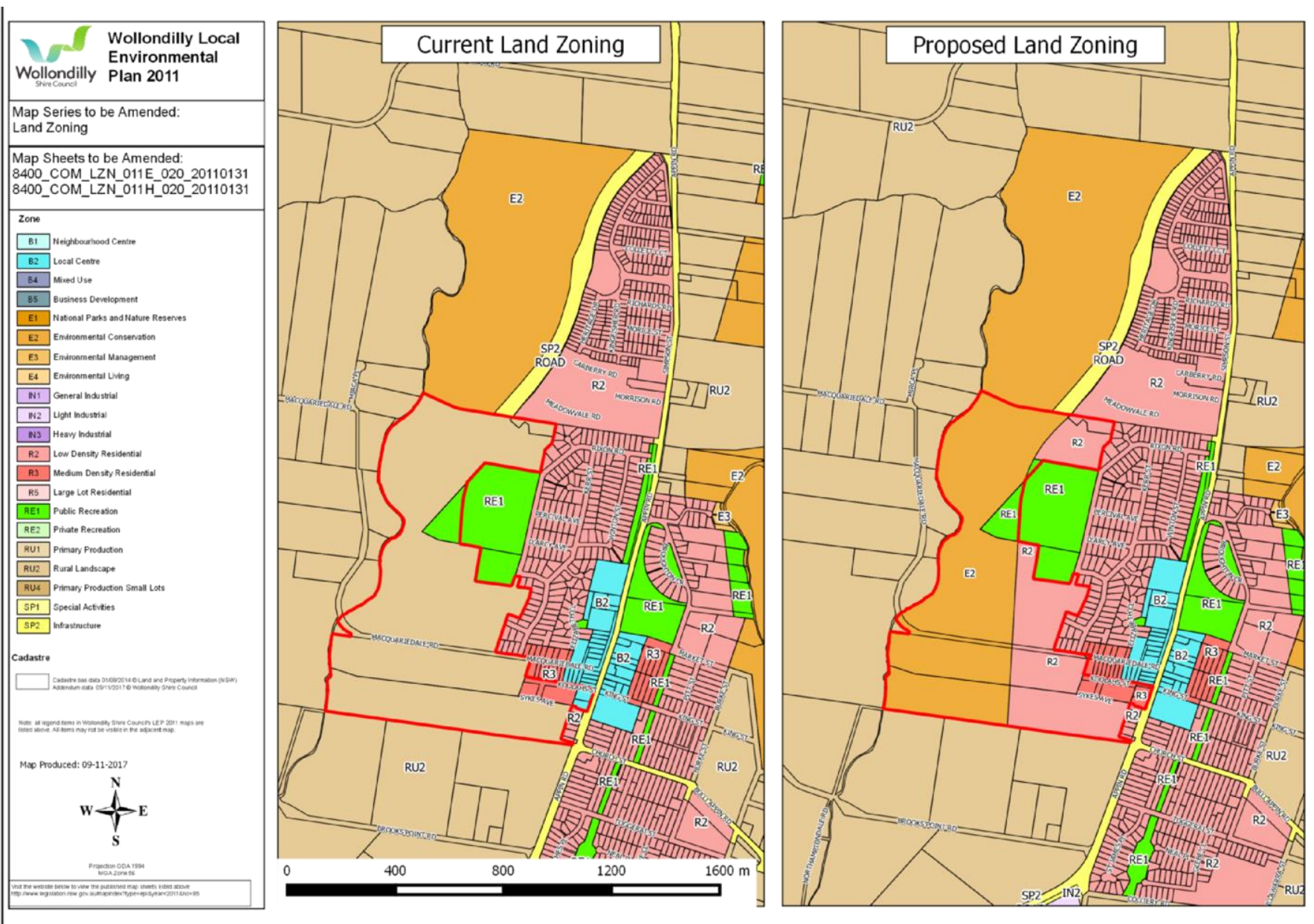
Yours sincerely

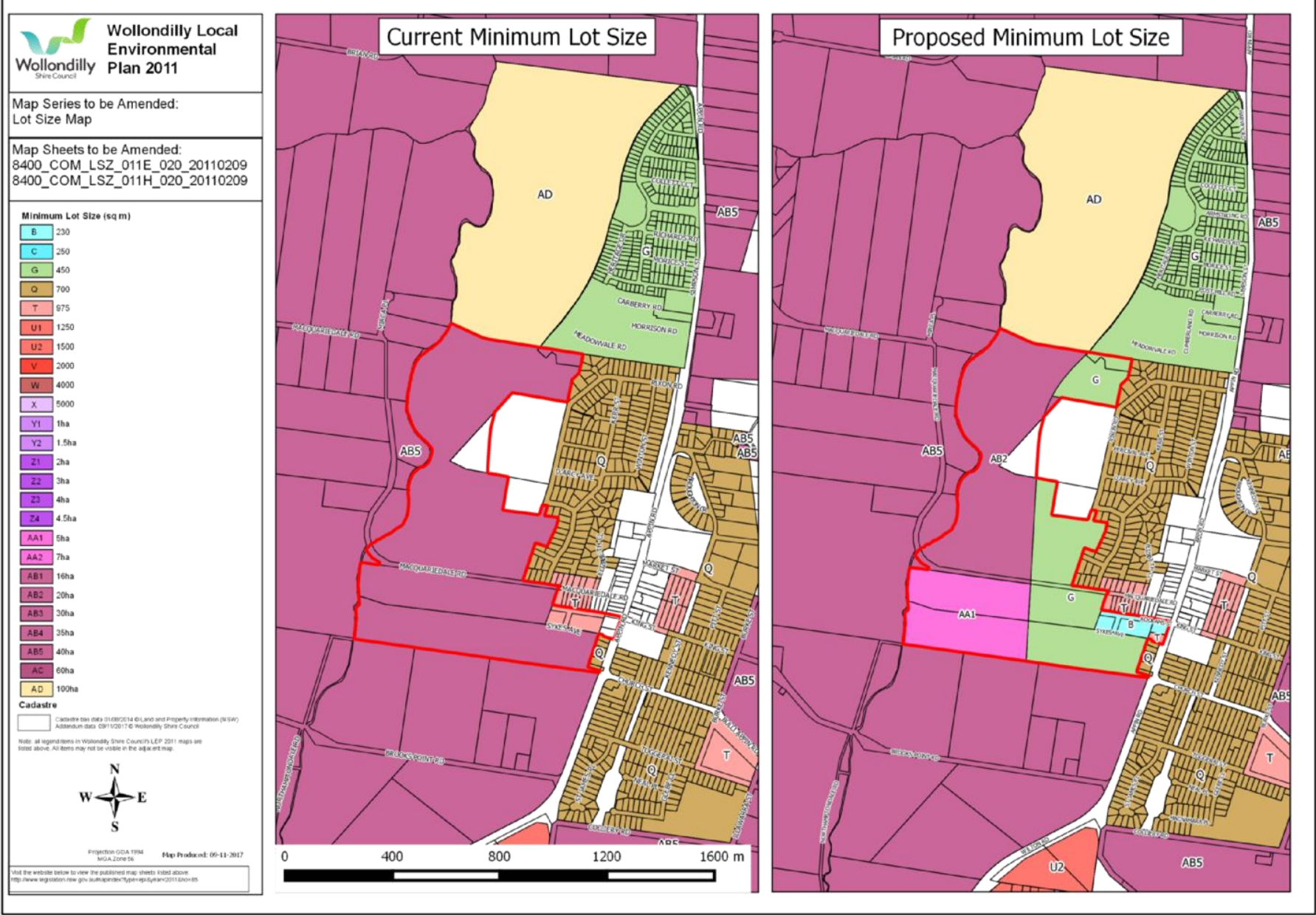


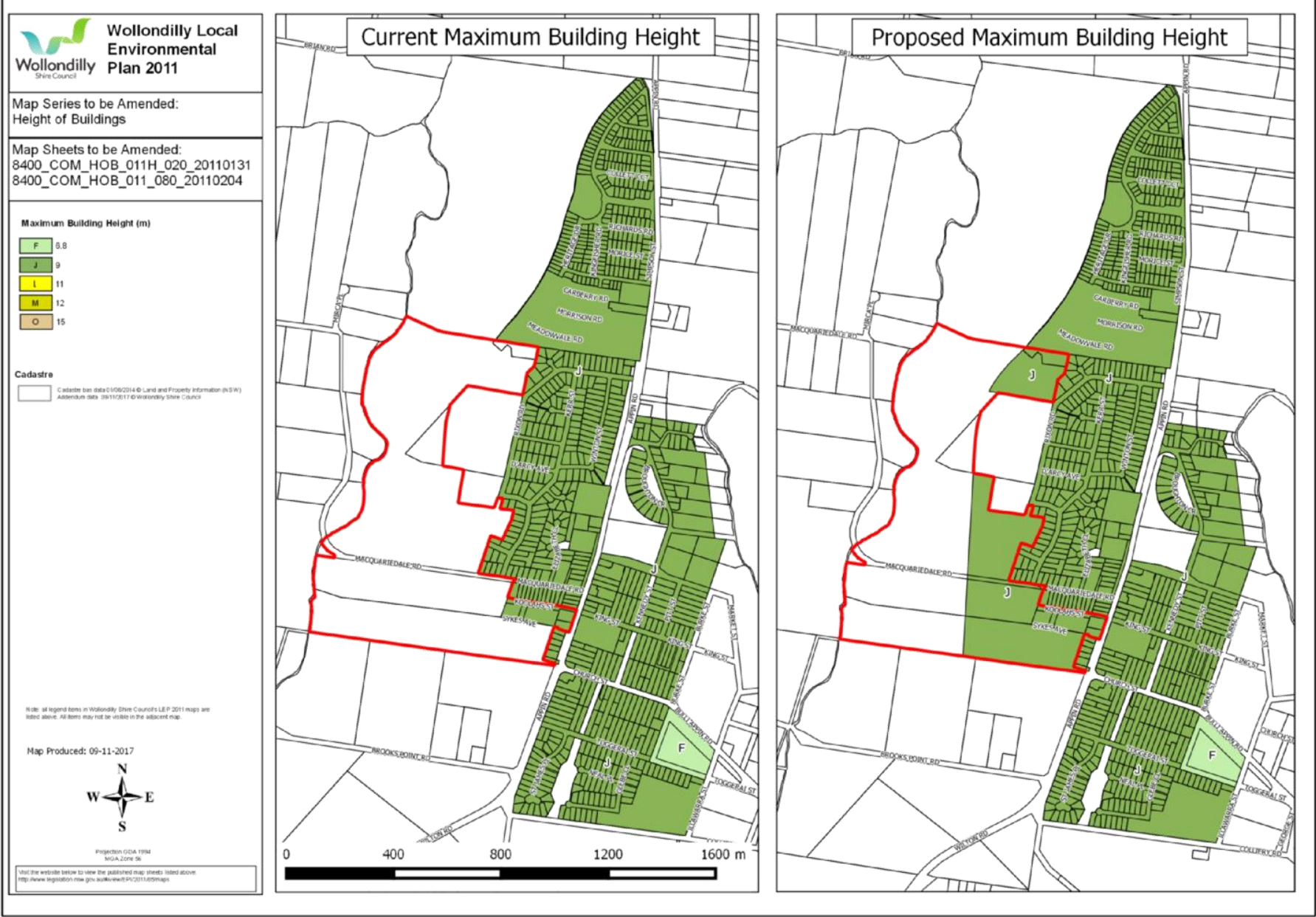
Aaron Gadiel
Partner

Accredited Specialist — Planning and Environment Law

Enc







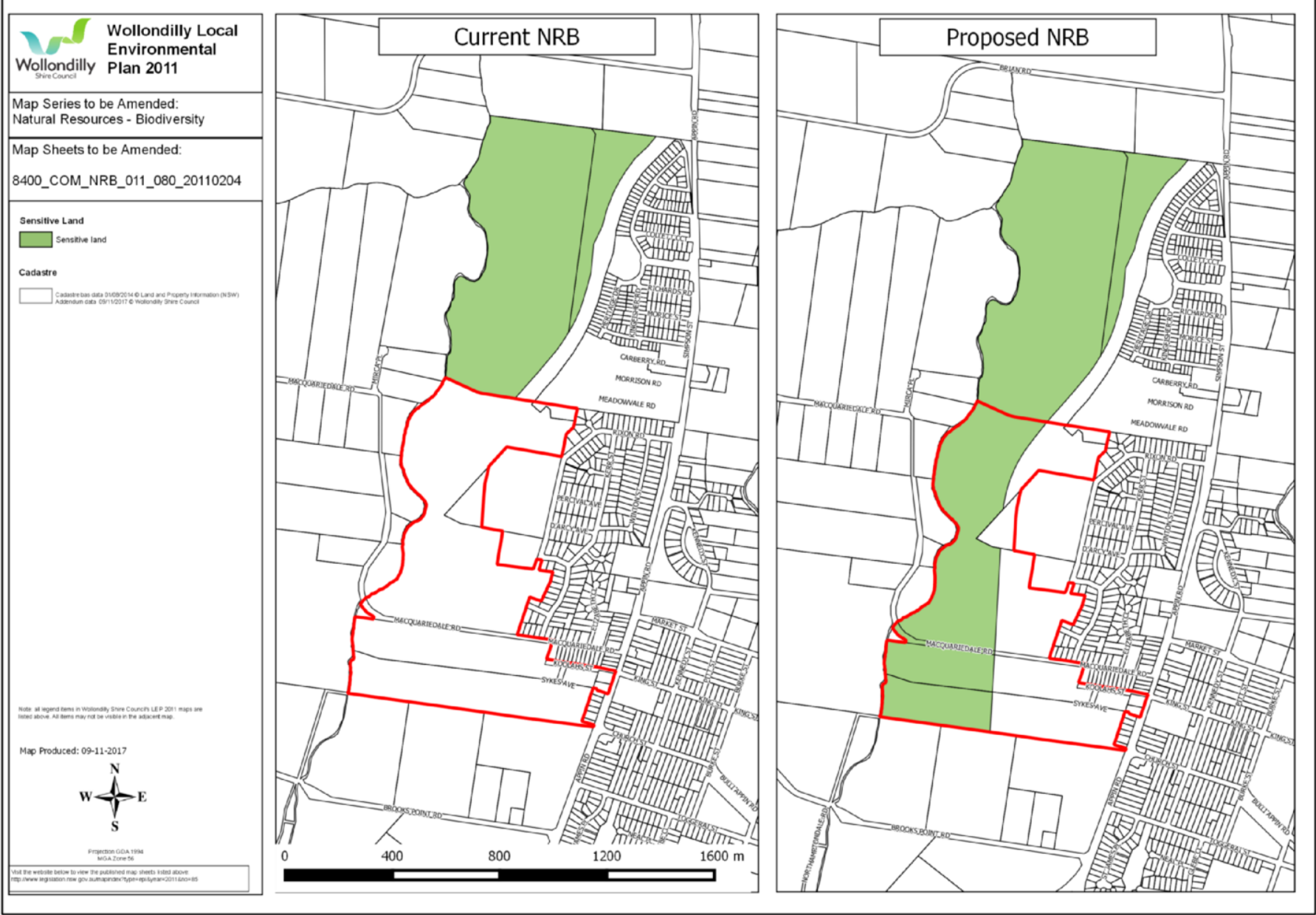




Figure 12: plan showing BAL thresholds – AS3959-2009

**Attachment : Matrix & Table Summarising Community Submissions to the Macquariedale Road Planning Proposal
Exhibition 2 (15/11/17 – 28/2/18)**

Matrix of Key Issues Raised In Submissions to the Macquariedale Road Planning Proposal

Submission No	Express Support?	Issue Raised							
		Traffic & Transport	Services & Infrastructure	Stormwater	Economic Impacts	Character	Heritage	Environment	Other
1	No	•	•	•				•	•
2	Yes				•				
3	Neutral							•	
4	No							•	
5	No	•	•			•		•	
6	No							•	
7	No							•	
8	No	•				•	•	•	
9	No							•	
10	No	•	•					•	
11	No	•			•	•	•	•	
12	No	•	•					•	
13	No		•					•	
14	No	•	•					•	
15	No	•						•	
16	No		•					•	
17	No	•	•			•		•	
18	No	•						•	
19	No	•						•	
20	No		•					•	
21	No							•	
22	No							•	
23	No							•	
24	No	•						•	
25	No	•	•				•	•	
26	No	•	•					•	
27	No	•						•	

28	No	•							
29	No							•	
30	No							•	
31	No		•					•	
32	No							•	
33	No							•	
34	No		•						
35	No	•	•			•			
36	No	•	•						
37	No	•	•					•	
Total		19	16	1	2	5	3	32	1

Table Summarising Community Submissions to the Macquariedale Road Planning Proposal

Issue Raised	Council Assessment Response	Recommended Action
Traffic & Transport		
<ul style="list-style-type: none"> Appin Road <ul style="list-style-type: none"> Cannot cope with increased traffic created by the Planning Proposal (PP). More than one connection to Appin Road is needed. Proposed right turn bay will not be safe due to the width of Appin Road Widening of Appin Road should have been started by now The 2 lane Appin road will not cope with the extra traffic that the Gilead development will provide, let alone adding more housing to feed onto it. In summer it will be particularly dangerous duplication of Appin Road is severely needed before any extra development Appin Bypass <ul style="list-style-type: none"> The bypass should have been started by now A southern link road needs to be installed to take traffic away from the Hume Highway exit at Campbelltown A land corridor for the Appin Bypass needs to be included and this must be zoned SP2 Special Infrastructure 	<p>An updated '<i>Transport Impact Assessment</i>' dated May 2018 has been submitted by the proponent in response to correspondence from RMS and Community submissions. The updated Traffic impact assessment noted the following conclusions:</p> <ol style="list-style-type: none"> <i>'The updated proposal for South Appin Stages 2 to 7 includes 220 residential lots (compared with the previous 300 lots assessed in 2013), noting that Stage 1 (26 lots) is currently being completed.'</i> <i>It is proposed that only 21 residential lots be accessed via Macquariedale Road. Access to the central precinct is proposed via Rixon Road (reducing the development traffic through the Appin township), while the southern precinct can be accessed via either King Street or a new access at the Appin Road/ Church Street intersection. Proposed access to the northern precinct is being retained via Armstrong Road.</i> <i>It is further proposed that the intersection of Appin Road with Church Street and the site access could be upgraded to a roundabout to accommodate a fourth</i> 	<p>No changes to the Planning Proposal (PP) required.</p> <p>Amendments to the WDCP 2016 will be prepared separately. Specific development controls relating to subdivision layouts, road network and typologies will set provisions for future development. Amendments to the WDCP 2016 for this site will be prepared, re-exhibited for comment and presented to Council separately.</p>

<ul style="list-style-type: none"> • Wilton Road <ul style="list-style-type: none"> - Inadequate as is and this situation would be exacerbated by further development. • Parking <ul style="list-style-type: none"> - Parking for visitors, let alone residents, within the street width on the current proposal would be inadequate. - There are current safety issues surrounding access to existing shops and the lack of parking spaces they provide • Road Widths <ul style="list-style-type: none"> - Road widths in new estates are too narrow • Rixon Road/Sportsground Parade <ul style="list-style-type: none"> - Increased traffic on Rixon Road and Sportsground Pde will be a serious safety concern for children and those in the community that also use Gordon Lewis Oval • Douglas Park Weir Road <ul style="list-style-type: none"> - How will Broughton Pass and Douglas Park Weir Road manage with increased traffic from development? 	<p>(western) leg and the associated development traffic. This would improve the safety and operation of the existing intersection.</p> <p>IV. The site is expected to generate up to 156 vehicle movements during the morning peak hour and 171 vehicle movements during the evening peak hour on a typical weekday.</p> <p>V. Against background traffic volumes in the vicinity of the site, the additional traffic generated by the proposed development accounts for some 10% to 15% of the future traffic along Appin Road.</p> <p>VI. There have been minor changes to peak period traffic volumes along Appin in the five year period between the 2013 and 2018 traffic surveys (less than one percent per annum). However, an assessment of traffic growth between 2007 and 2016 provided by Roads and Maritime suggests some 3.5 per cent per annum growth.</p> <p>VII. The current roundabout arrangements at Armstrong Road and Rixon Road would adequately accommodate the additional traffic generated by the proposed development in the future.</p> <p>VIII. The anticipated background traffic along Appin Road is expected to impact turning movements from Macquariedale Road and/ or King Street in 2028 with/ without the proposed development in their current priority-controlled arrangements.</p>	
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	<p>IX. <i>The proposed intersection arrangements would operate satisfactorily in 2028 based on a one per cent background traffic growth rate, with sensitivity testing of a 3.5 per cent growth rate suggesting development traffic would only have a minor impact on future traffic conditions.</i></p> <p>X. <i>The mid-block capacity assessment indicates Appin Road is anticipated to operate within the theoretical capacity limits in 10 years, based on a one per cent growth rate; and operate close to theoretical capacity if a 3.5 per cent growth rate is realised.</i></p> <p>XI. <i>Should this higher background traffic growth be realised, further detailed investigation of the Appin Road corridor would be required (with or without the proposed development), including the need for widening/ duplication, bypass opportunities and/or intersection upgrades.'</i></p> <p>The transport Impact assessment notes the Planning proposal is not expected to trigger the need for further intersection upgrades outside those already proposed under the Planning Agreement as part of this Planning Proposal and therefore considered acceptable.</p> <p>Revised Planning Agreement dated October 2018 includes a plan for described in works at the intersection of Koolahs/Appin Road and Appin Road and Church Street. RMS have provided comment and are now happy with the Planning Proposal in Principle.</p>	
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	<p>Appin Bypass being a state road is under the control of the RMS. This Planning proposal is unlikely to impact on the commencement date to this Road.</p> <p>Subdivision road widths and on street parking requirements will be required to comply with provisions prescribed in relevant DCP controls. Additionally, provisions will be considered in the DA process and would have to meet Council's specified standards.</p> <p>RMS have not raised concerns on potential increased traffic generation along Broughton Pass/Douglas Park Weir Road and increased traffic as a result of development in this Planning Proposal would be minimal.</p>	
Services & Infrastructure		
<ul style="list-style-type: none"> Community Services <ul style="list-style-type: none"> - Any plans for a Police Station? - Development will increase crime levels Public Transport <ul style="list-style-type: none"> - No public transport except a couple of busses passing through coming from/going to Wollongong - Bus services are inadequate at current and pleas for more runs go unanswered Water Pressure <ul style="list-style-type: none"> - Water pressure in Appin is substandard and there are no plans to fix this issue for the new estate - Water pressure issues creates many difficulties for residents performing 	<p><u>Community Services</u></p> <p>It is understood there are no proposals to locate a Police Station in Appin.</p> <p>The application was submitted to NSW Police Narellan for comment and no response received to date.</p> <p>Future development application will be subject to a Safer by Design Crime Risk Evaluation to ensure measures to mitigate opportunities for concealment are avoided.</p> <p><u>Public Transport</u></p> <p>In respect of bus services Transport for NSW have advised:</p> <p><i>The location is isolated and currently has limited public transport service. The proponent and any future residents should be advised that any</i></p>	<p>No changes to the Planning Proposal required.</p>

<p>normal everyday activities involving the use of appliances</p> <ul style="list-style-type: none"> • Infrastructure <ul style="list-style-type: none"> - There is no provision for infrastructure, roads, water etc. - A sewerage diagram is needed as part of the proposal • Schools/Childcare <ul style="list-style-type: none"> - Concerns regarding the lack of public high school, capacity of current public primary school and under-provision of child care facilities • Open Space <ul style="list-style-type: none"> - The development will lead to the loss of some of the Gordon Lewis Oval - Park areas need to be designated as part of this development • Planning Agreement (PA) <ul style="list-style-type: none"> - Experience suggests that the proponent won't fulfil VPA undertakings 	<p><i>increase in public transport services would be subject to increase in demand and services allocated on a priority basis across the State.'</i></p> <p>The proposed increase in population to the area would support the viability of any existing services. The increase reliance on public transport services may support the need to increase existing services.</p> <p><u>Water Pressure</u></p> <p>Sydney Water have provided the following comments:</p> <ul style="list-style-type: none"> • <i>Sydney Water is not aware of the low-pressure issue in the water system in Appin. There has been only one recorded customer complaint in the last five years. It was found to be related to onsite stormwater, not the drinking water supply.</i> • <i>Sydney Water has a permanent pressure gauge at Macquariedale Road, and this gauge has been consistently reading around 25-30 metres pressure in the last five years (generally, anything above 20 metres would be considered satisfying). Our Operating Licence requires us to provide 15 metres pressure at the point of connection to our system.</i> • <i>Additionally, a booster pumping station was constructed in 2013 to boost pressure to several properties near Appin Reservoir.</i> <p>Subdivision design including potable water supply would be assessed as part of the development application (DA) process in the future if the Planning Proposal is supported and relevant</p>	
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	<p>provisions in accordance with Sydney Water will be required to be carried out.</p> <p><u>Infrastructure</u></p> <p>A Planning Agreement has been proposed as part of this Planning Proposal that includes infrastructure upgrades to intersections and the like. Various roads, water and sewerage infrastructure required to support future residential development on the site will be proposed under a separate Development Application and lodged to Council for Assessment.</p> <p>In addition, future Development Applications on the subject site will be required to comply with the relevant clauses contained within the Wollondilly LEP 2011 that require the provision of utility infrastructure, refer to Clause 7.1 Essential Services.</p> <p><u>Schools/Childcare</u></p> <p>Increase in residential development within the Appin area will increase demand and create opportunities for private investment to cater to demand. It is understood approval has recently been granted for two (2) new child care centres at 17 Church Street (29 places) and 78 Appin Road (91 places). A further DA for an 80-place child care centre is currently being assessed by Council.</p> <p>The anticipated lot yield expected under this Planning Proposal equates to only 215 lots. 215 lots is not considered a substantial increase in demand on education services. NSW Department of Education will need to provide adequate provisos to cater for demands.</p>	
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	<p><u>Open Space</u></p> <p>Provisions within the Planning Agreement include embellishments to Gordan Lewis Oval and Engineers Ground and also proposed land dedication of at least 1,930m² to be dedicated to Council that can be used to expand the public reserve.</p> <p><u>Planning Agreement</u></p> <p>Planning Agreements are legally binding documents and are enforced by Council. Works under the Planning Agreement will be linked to staging of the proposed subdivision and release of Subdivision Certificates.</p>	
Stormwater		
<ul style="list-style-type: none"> Vegetation Removal <ul style="list-style-type: none"> Denuding of trees will increase stormwater runoff 	<p>Appropriate stormwater management controls would maintain water quality of the Upper Nepean River Catchment. Stormwater management details are dealt with at DA stage. A basic principle of stormwater management is that water leaving the site should not exceed that of pre-development levels.</p>	<p>No changes to the Planning Proposal required.</p> <p>Amendments to the WDCP 2016 will be prepared separately. Specific development controls relating to stormwater management will set provisions for future development and compliance with Council Policies and standards will need to be achieved. Amendments to the WDCP 2016 for this site will be prepared, re-exhibited for comment and presented to Council separately.</p>
Economic Impacts		
<ul style="list-style-type: none"> Affordable Housing <ul style="list-style-type: none"> An increased amount of affordable housing would occur Asset Management 	<p>It is noted, the Planning Proposal would see the sites ability to provide a range of housing typologies that will be able to provide a range of affordable housing options to the Appin and surrounding Community.</p>	<p>Planning Agreement includes intersection and road upgrades. Planning Agreement presented to Council separately.</p> <p>No changes to the Planning Proposal required.</p>

<ul style="list-style-type: none"> - Wollondilly Council is struggling with a maintenance backlog so progress should be made on this before accepting new streets to maintain 	<p>The proponent proposes privately funded intersection and road upgrades that will aid in alleviating maintenance 'backlogs' within Council's Asset management division.</p>	
Character		
<ul style="list-style-type: none"> • Rural Character <ul style="list-style-type: none"> - Lot sizes are too small and will lead to double storey houses, losing the rural character of Appin - Minimum lot size should be no less than 600 square metres. - This development would not ensure retention of the rural character of Appin - Changing the streetscape to accommodate a right turn land and two extra sets of traffic lights will have negative effects on the rural town character of Appin • Neighbourhood Character <ul style="list-style-type: none"> - Development would negatively impact surrounding existing properties - Proponent will not maintain the streetscape if Appin Valley area now 	<p>The Planning Proposal will allow future residential development to the site achieve a mix of housing typologies and lot sizes. Lot sizes ranging between 230m² to proposed R3 medium density zone which is located adjacent existing residential development and near the Appin Town Centre. The remaining residential lands will comprise of a lot size mix being 70% of lots to be 700m² or greater and a maximum of 30% of lots between 450m² and 699m².</p> <p>Amendments to the WDCP 2016 will be prepared separately. Specific development controls relating lot sizes, streetscape appearance, rural characteristics, minimum lot frontages and street and dwelling typologies will be prepared for future development to the site. Amendments to the WDCP 2016 for this site will be prepared, re-exhibited for comment and presented to Council separately.</p> <p>The proponent has proposed a green fund within the Planning Agreement for Environmental works and these funds can be used to ensure streetscapes are maintained until established.</p>	<p>No changes to the Planning Proposal required.</p>
Heritage		

<ul style="list-style-type: none"> • Historic Character <ul style="list-style-type: none"> - This development would not retain the historic character of Appin. - Appin is an historic village so consider its heritage and natural beauty before approving acres of housing lots • Aboriginal Heritage <ul style="list-style-type: none"> - Aboriginal environmental heritage would be endangered or lost. 	<p>Amendments to the WDCP 2016 will be prepared separately. Specific development controls relating lot sizes, streetscape appearance, rural characteristics, minimum lot frontages and street and dwelling typologies will be prepared for future development to the site. Amendments to the WDCP 2016 for this site will be prepared, re-exhibited for comment and presented to Council separately.</p> <p>Specialists reports have been prepared that provided an assessment of both European and Aboriginal heritage. Council's Heritage advisor has supported the position that further investigation is not considered necessary under this Planning Proposal and if required to be carried out under separate development application.</p>	<p>No changes to the Planning Proposal required.</p>
<p>Environment</p>		
<ul style="list-style-type: none"> • Flora and Fauna <ul style="list-style-type: none"> - Destruction of so many trees - This relatively small, but environmentally essential area of native trees and wildlife should remain untouched - Residents will lose access to local native bush land - Development will negatively impact on the koala population likely to be present in the proposal site - Development will destroy koala habitats - In late 2017 a koala mother and baby were sighted and confirmed by OEH south of Heritage Drive to the east of 	<p>The proponent is seeking to mitigate the impacts of the proposed rezoning via biodiversity certification under Part 7AA of the Threatened Species Conservation Act 1995.</p> <p>A Biodiversity certification report will be presented to Council separately and this report includes a Red flag variation request. Depending upon Council's resolution a 'Submissions Report', the final application would be submitted to the Minister for Environment for approval.</p> <p>If development on the site was to proceed as envisaged in the Planning Proposal, this would result in the loss of 13.5 hectares of moderate to good vegetation that has been classified as critically endangered. This loss is proposed to be</p>	<p>This Planning Proposal is subject to the Biodiversity certification report being endorsed by Council and the Department of OEH. The Biodiversity certification report will be presented to Council separately.</p>

<p>the development site within the areas proposed for clearing</p> <ul style="list-style-type: none"> - The development area should be recognised as Core Koala Habitat under SEPP 44 Koala Habitat Protection - Appin has one of the last disease free colonies left - Koalas will not easily be relocated to the new offsite biodiversity conservation area at Elladale Road - Development will impact upon the critically endangered Cumberland Plain Woodland trees and also will negatively affect the Cumberland Plain Land Snail - Loss of tree hollows reduces bird nesting habitat - Increase in cats, dogs and vehicles will further negatively affect native animal species - Develop around the bush but please keep our green spaces - Why is a designated conservation area being rezoned for housing? <ul style="list-style-type: none"> • Bio-certification <ul style="list-style-type: none"> - The offset policy has not proved effective as when the habitat is gone so are the koala colonies - Bio-certification under state and federal legislation should be refused - Concern that Walker Corporation could sell bio-bank sites and that future legislation could reduce perpetuity of protection • Wildlife Corridors 	<p>offset by the conservation, in perpetuity, under a Bio-Banking agreement, or 34 hectares along Ousedale Creek within the Planning Proposal site and 20 hectares offsite at nearby Elladale Road.</p> <p>Bio-Banking agreements are recognised as a 100% 'conservation' measure' under Section 126(i) of the TSC Act and will provide in perpetuity conservation protection and management on the land title.</p> <p>Council's Environmental Services Department have acknowledged the need to provide an updated Ecological Assessment Report regarding recent sightings within the vicinity of Appin that have occurred since 2014.</p>	
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<ul style="list-style-type: none"> - essential wildlife corridor between Georges and Nepean Rivers will be broken • Mine Subsidence <ul style="list-style-type: none"> - Further subsidence unlikely • Air Quality <ul style="list-style-type: none"> - Existing poor air quality due to mining and traffic would worsen with extra traffic 		
Other		
<ul style="list-style-type: none"> • Insurance <ul style="list-style-type: none"> - Inclusion in the Campbelltown Postcode increases insurance policy premiums for Appin residents. 	Not relevant Planning consideration for Planning Proposal.	No changes to the Planning Proposal required.



APPIN COMMUNITY FORUM

Summary outcomes

Report

April 2018



Straight Talk | 66a Dalhousie St Haberfield NSW 2045 | 02 9797 8004 | www.straight-talk.com.au

Contents

1. Introduction	2
2. Methodology	3
3. Outcomes	5
3.1. Initial views	5
3.2. Key considerations	6
3.3. Event evaluation	7
4. Conclusion	9
Appendix A Forum runsheet	10
Appendix B Presentation	11
Appendix C Participant location maps	12
Appendix D Initial views content	13
Appendix E Key considerations content	14
Appendix F Feedback form comments	15

Document

Appin community forum
outcomes summary report

Client

Wollondilly Shire Council

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Job number

J001295

Date

3 April 2018

Version

V2.00



1. INTRODUCTION

Straight Talk was engaged by Wollondilly Shire Council (Council) to design, facilitate and report on a community forum about a proposal by Walker Corporation Pty Ltd to rezone rural land on Macquariedale Road, Appin.

The proposal, which was on public exhibition Wednesday, 15 November 2017 until Wednesday, 28 February 2018, comprised of four separate but interrelated documents:

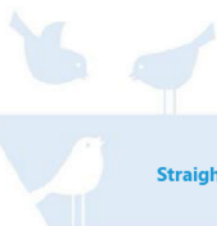
1. Planning proposal
2. Draft Development Control Plan
3. Draft Voluntary Planning Agreement
4. Biodiversity Certification Application.

Essentially, the proposal involves rezoning approximately 62.8 hectares of mostly rural land to permit low and medium density housing and to manage ecologically important land.

The community forum to discuss this planning proposal was held at the Appin Community Hall, Sportsground Parade Appin from 6.00pm to 8.00pm on Tuesday 20 February, 2018. The purpose of the forum was to:

- 🐦 Explain the proposed land rezoning, what it includes and what it means, in order to dispel any confusion or misinformation
- 🐦 Collect constructive feedback that provides clear guidance about the factors participants think Council needs to consider when assessing the proposal.

This report contains information about the forum and provides a summary of its outcomes.



2. METHODOLOGY

Straight Talk designed a forum structure to allow participants to have access to the information they needed in order to be able to give informed feedback about the proposal. The focus was then on ensuring all participants had an opportunity to share their views about the proposal, and for that feedback to be effectively captured.

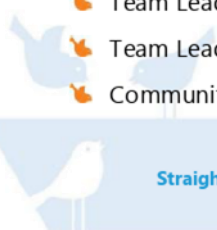
The two-hour forum included:

- 🐦 Participant sign-in process
- 🐦 Welcome and introduction
- 🐦 Presentation on the proposal (four interrelated documents on exhibition) and short Q&A session
- 🐦 Small group table discussions - initial impressions about the proposal
- 🐦 Plenary report back
- 🐦 Small group table discussions - key factors that Council needs to consider when making its decision about the proposal
- 🐦 Plenary report back
- 🐦 Session close.

A copy of the forum runsheet is attached at Appendix A, although it is important to note that the timing of some of the activities undertaken during the forum was not consistent with those anticipated in the runsheet. The presentation delivered to participants is available at Appendix B.

A number of Councillors and Council staff attended the forum. These included:

- 🐦 Mayor Councillor Judith Hannan
- 🐦 Councillor Michael Banasik
- 🐦 Councillor Matt Gould
- 🐦 Councillor Matt Smith
- 🐦 Councillor Noel Lowry
- 🐦 Councillor Matthew Deeth
- 🐦 Executive Director Community and Corporate Support Ally Dench
- 🐦 Director Planning Chris Stewart
- 🐦 Manager Sustainable Growth Stephen Gardiner
- 🐦 Manager Community Outcomes Peter Wright
- 🐦 Manager Environmental Outcomes Alex Stengl
- 🐦 Team Leader Strategic Planning Carolyn Whitten
- 🐦 Team Leader Community Planning and Engagement Tina Britton
- 🐦 Community Engagement Officer Karen Makins.

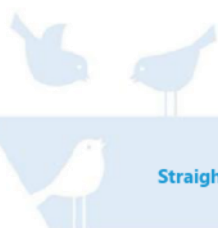


Aside from opening and closing remarks from the Mayor, Councillor Judith Hannan, Councillors attended the forum in a listening capacity. Gerry Beasley, a representative of the proponent Walker Corporation Pty Ltd, also attended the forum in a listening capacity.

Straight Talk's Principal Consultant, Nicola Wass, facilitated the forum, and Graduate Consultant Matthew Armstrong managed the sign-in process, with Council's Community Engagement Officer. Another consultant from Straight Talk attended to observe the forum as part of their professional development.

The Council staff in attendance acted as table scribes during forum discussions. Each table scribe 'checked-in' with the participants at their table to confirm the notes they had taken accurately recorded the key points that had been raised by participants during their table discussions. These notes form the basis of the outcomes summarised in this report.

At the end of the forum, Council made a commitment to raising the issue of water pressure in Appin with Sydney Water. Participants were invited to indicate their concern about water pressure by signing a statement stating "Water pressure is a concern for me". Council collected the signed statements to action.



3. OUTCOMES

In total, 50 people signed into the forum. Participants were asked to indicate where they lived within the local government area (LGA) by placing a 'sticky dot' onto one of three maps of the local area. Outcomes indicated that the majority of participants were from Appin and immediate surrounds, with a small number from other areas within the LGA, see maps at Appendix C.

3.1. Initial views

Following the presentation and Q&A session, participants were invited to discuss their initial thoughts of the proposal. The purpose of this session was to capture a 'snap shot' of participants' concerns and the range of matters participants considered to be important.

The topics discussed by table groups during their initial discussions included:

- 🦋 Roads and traffic infrastructure, relating to:
 - Proposed streetscape and the traffic and parking widths of roads
 - Existing traffic issues and road conditions, and the effect the development will have on these
 - How traffic will be managed
 - Need for improved or additional traffic infrastructure.
- 🦋 Environmental matters, relating to:
 - Support for having green spaces, the environmental zoning and the regeneration of land
 - Concern about the loss of endangered species, including trees, and the clearing of land and trees
- 🦋 Land zoning, relating to:
 - Inconsistent zoning across Appin
 - Concerns about small lot sizes and various effects this would have
- 🦋 Non-traffic infrastructure, relating to:
 - Need for infrastructure to be in place to meet increased demand, and maintained
 - Bushfire control and emergency access
 - Schools, park
- 🦋 Water pressure across Appin (which had also been raised as an issue during the Q&A session)
- 🦋 Other issues:
 - Lack of trust in Council process and the monitoring of compliance of the final outcome
 - Relevancy of previously provided feedback
 - Lack of detail provided.



Participants were then asked to identify the three issues that they believed were most important. The topics that were raised by the various table groups were:

- 👉 Streetscape and traffic management infrastructure
- 👉 Other infrastructure maintenance
- 👉 Inconsistency of zoning
- 👉 Lot sizing
- 👉 Water pressure
- 👉 Bush safety risk
- 👉 Development of schools and community facilities
- 👉 Biodiversity and environmental management
- 👉 Air quality
- 👉 Parks and playgrounds.

A more detailed listing of the initial views discussion content is attached at Appendix D.

3.2. Key considerations

After a short report back to the plenary of each table's top issues, participants were asked to identify why those issues were important and the specific factors that Council needs to take into consideration. During these discussions, the following matters were raised:

Zoning and lot sizes

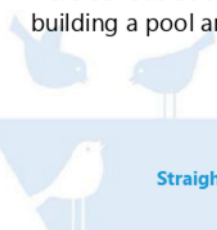
Zoning and lot sizes were raised by all but one table. Most participants were opposed to the proposal at face value. The biggest talking point was the minimum lot sizes being too small at 450m², and the 'slippery slope' that such sizes would affect the rural character of Appin and lead to smaller lot sizes becoming standard in the future. Some attendees believed the small lots, and hence higher numbers of new residents, would have a negative effect on traffic, parking, standard of living, and infrastructure.

Traffic and traffic management

Traffic and traffic management were discussed at six of the eight table groups. Attendees raised concerns regarding the roads in Appin, most notably the roundabout intersections along Appin Road: the intersections with Macquariedale Road and Church Street being most commonly mentioned. Participants were also highly concerned that additional housing developments would increase traffic that is already at unacceptable levels. There were several requests to widen Macquariedale Road, build the Appin Bypass that has been put on hold, and for pedestrian crossings to be implemented near the shops and school for the benefit of children.

Infrastructure

Three table groups identified that infrastructure was lacking in Appin, and had questions about what Council would do to address the impact of people moving into the proposed developments. Participants were curious about possible changes or upgrades that would benefit the Appin community and suggested building a pool and barbeque shelters.



Water pressure

Water pressure was also discussed by three table groups. There were concerns that if the supply was not adequate for the current population it would become worse with an increasing number of residents. There was also discussion about whether only the older houses suffered from poor water pressure. It was agreed that Council needs to advocate for the community about this issue.

Environmental issues

Two table groups raised questions and concerns regarding the environmental impacts of the residential zoning. They opposed the development taking place on environmentally protected land, regardless of any environmental offsets, and wanted to know what measures would be taken to protect the animals and habitats that would be impacted. Suggestions to improve environmental outcomes included establishing a wildlife corridor and restricting cat activity.

Cynicism about outcomes

Concern that what was proposed was not an accurate reflection of what the community will receive, and have to deal with, was raised by two table groups. Based on previous experience, these tables were worried Council would not follow the desires of Appin residents and that continually approving small development plans lead to existing infrastructure being insufficient for the growing population. There was also concern that the developer was already preparing for development without approval and that the proposal would have a negative impact on the community.

Streetscape

Two tables were concerned with issues related to streetscape in Appin. They asked for a similar design to the Appin Valley development, for additional safety measures to be implemented, and for recreation and parks.

The full listing of the points raised under each of these headings is provided at Appendix E.

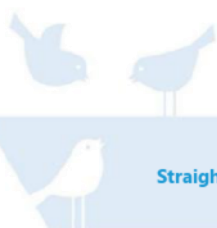
3.3. Event evaluation

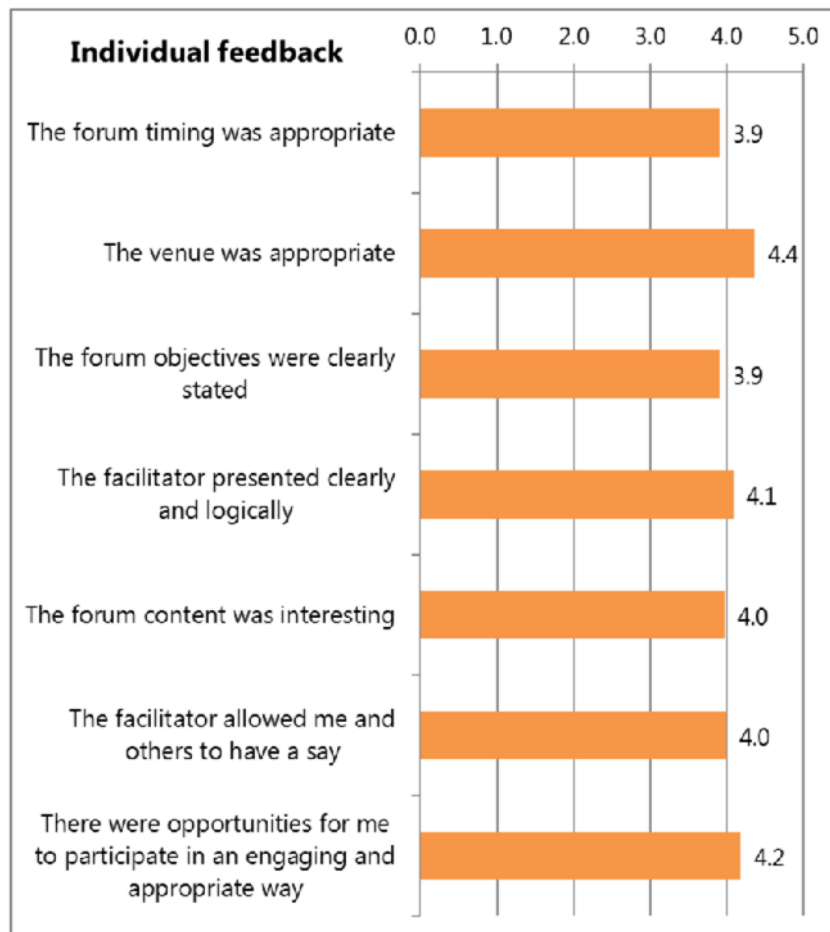
At the end of the Appin Community forum, individual feedback was obtained using a feedback form to explore participant satisfaction with the forum, including suggestions about how the session might be improved. A total of 33 of the 50 participants provided feedback at the end of the session.

Overall there was a high level of satisfaction with the forum process. This is demonstrated by the graph on the following page.

Participants were complimentary about all aspects of the forum but were particularly impressed by the engaging and appropriate participation opportunities the event provided. The forum venue was also highly rated.

The average ratings for the statements were all close to or above four in a five-point rating scale, where five equalled 'strongly agree' and one 'strongly disagree' and there was little deviation. The scores ranged from two to five, with the majority of scores being four and above.





Participant satisfaction ratings

Improvements

When asked whether they had any suggestions about how the forum could have been improved participants mentioned: the timing of the event, in terms of when the event was held and the amount of time the event ran for; the information that was provided and the forum content; and a number of other diverse comments. Two participants identified no improvements were needed.

Most valued

When asked what they valued most about the forum, participants most commonly mentioned: the opportunity to both hear from others and have their say; and getting information about the proposal. Two participants mentioned like-minded people, and another two praised their table scribes. There were also a few other diverse comments.

Additional comments

Finally, when asked if they had any additional comments to make about the project, some participants took the opportunity to reiterate issues that had been discussed during the session. These included comments relating to infrastructure, lot size, the environment, as well as a range of other diverse comments.

A listing of the comments provided are available at Appendix F.

4. CONCLUSION

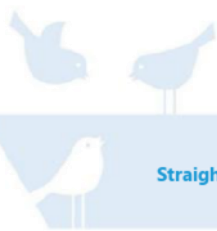
The Appin Community Forum provided an opportunity for participants to learn about the proposal, and provide their feedback into the matters Council needs to consider when determining the proposal. During discussions it became apparent that the majority of participants were not supportive of the proposal. This level of negative sentiment is consistent with that usually expressed through consultation processes about similar proposals as, generally speaking, opposition is a much stronger motivator to attend than support.

The factors that participants identified were important for Council to consider included:

- 🐦 Meeting the infrastructure needs of the community prior to development, particularly traffic infrastructure
- 🐦 How smaller lot sizes would affect the rural ambiance of Appin and allow an increased number of local residents which would, in turn, put pressure on community amenity
- 🐦 Need to take measures to protect the environment, threatened species and woodland, and a wildlife corridor.

For the few participants who indicated a more supportive attitude towards the proposal, addressing these factors prior to the development was also important.

Although some participants indicated some cynicism about Council responding to community concerns and ensuring a positive outcome for the existing community, participants did feel that the forum was valuable. In particular, participants appreciated having an opportunity to hear from others in their community and to having their views heard.



APPENDIX A FORUM RUNSHEET



Straight Talk Appin community forum outcomes summary report

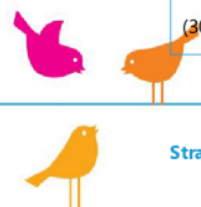


WORKSHOP RUNSHEET

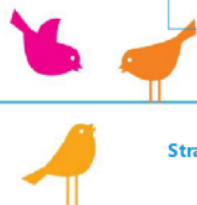
Project:	Proposed Land Rezoning - Macquariedale Road, Appin				
Workshop:	Appin Community Forum				
Details:					
Date:	Tuesday 20 February 2018	Time:	6.00 to 8.00pm	Duration:	2 hours
Venue:	Appin Community Hall - Sportsground Parade, Appin	Team Members:	Nicola Wass, Straight Talk (ST) Matthew Armstrong, Straight Talk Karen Makins, Wollondilly Shire Council (WSC) Carolyn Whitten, Wollondilly Shire Council		

Workshop purpose	The purpose of this community forum is to: <ul style="list-style-type: none"> • Explain the proposed land rezoning, what it includes and what it means, in order to dispel any confusion or misinformation • Collect constructive feedback that provides clear guidance about the factors participants think Council needs to consider when assessing the proposed land rezoning
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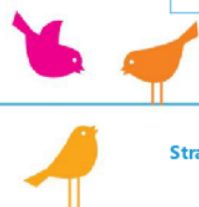
Time	Session	Activity	Content	Speaker	Equipment
5.00pm (30 mins)	Bump in	Prepare room and materials	Room set up; sign in and welcome desk; organise seating, sign-in materials etc	WSC/ST	Sign in sheets (ST) Privacy statement (ST)



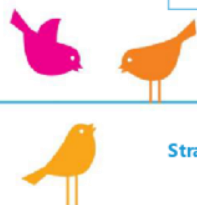
Time	Session	Activity	Content	Speaker	Equipment
					Name labels (ST) Agenda (ST) Pens (WSC) Markers (ST) Blutak (ST)
5.30pm (10 mins)	Team briefing	Address	Brief project team/table scribes on process, roles and responsibilities	ST	Table scribe kits (WSC)
5.40pm (20 mins)	Meet and greet	Sign-in and informal welcome	Reinforce value and importance of forum and thank participants Get participants to indicate where they live in Appin/the LGA on the map with sticky dot, or if they live outside the LGA, where they visit Invite participants to take a seat	WSC/ST	Catering/tea/coffee (WSC) Map of Appin (WSC) Map of LGA (WSC) Non-resident sheet (ST) Sticky dots (ST) Table numbering (ST) Post-it notes (ST) Pens (WSC) 'Parking lot' butchers paper (ST)
6.00pm (10 mins)	Welcome and introduction	Address	Mayor: <ul style="list-style-type: none"> Welcome and thanks for attending Acknowledgement of Country - Hand over to Facilitator Nicola Wass: <ul style="list-style-type: none"> Facilitator's role: <ul style="list-style-type: none"> Get the information you need to be able to give informed feedback 	Mayor ST	PowerPoint presentation (WSC) Data projector (WSC) Microphone (WSC)



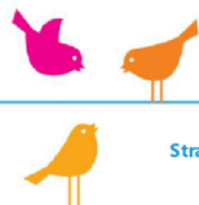
Time	Session	Activity	Content	Speaker	Equipment
			<ul style="list-style-type: none"> Ensure everyone attending gets to have a say, and feels comfortable being here and expressing their views (including Council staff) Achieve what we set out to do and finish on time (noting a few people may need to finish early because of bridge work being undertaken - get show of hands for how many will need to leave by 7.40pm) Ground rules: <ul style="list-style-type: none"> Be present - mobiles off/on silent Listen with curiosity and respect other views Actively participate and encourage others One person talking at a time Purpose of forum <ul style="list-style-type: none"> Collect informed community feedback to assist Council in its consideration of the planning proposal Recording feedback from participants throughout the evening, Straight Talk will collate and theme feedback and draft outcomes summary report to Council (which will be tabled at Council meeting when proposal is being considered - TBC) Agenda Introductions: <ul style="list-style-type: none"> Mayor/Councillors (here in a listening capacity), Council staff, ST staff, volunteer scribes Role of table scribes 		



Time	Session	Activity	Content	Speaker	Equipment
6.10pm (15 mins)	Planning proposal	Presentation	Presentation explaining planning proposal: <ul style="list-style-type: none"> Summary of process to-date (long history, influenced by community views) Note changes since last proposal Key characteristics of current proposal 	WSC	PowerPoint presentation (WSC) Data projector (WSC) Microphone (WSC) A3 or A2 Proposed land rezoning maps X4 copies per table
6.25pm (10 mins)	Planning proposal cont...	Q&A	Facilitated Q&A session to clarify any uncertainty about planning proposal	ST	PowerPoint presentation (WSC) Data projector (WSC) Microphone (WSC)
6.35pm (20 mins)	Initial views	Small group discussions - one	Each table invited to: <ul style="list-style-type: none"> Discuss their initial views about the planning proposal Identify the most important factors Council needs to take into consideration when making its decision Agree top three factors for consideration 	ST/table scribes	Feedback templates (ST) Pens (WSC) Markers (ST)
6.55pm (10 mins)	Report back	Plenary	Quick report back by table scribes - what they heard most strongly and top three factors	ST/table scribes	Microphone (WSC)
7.05pm (30 mins)	Key considerations	Small group discussions - two	Each table invited to discuss each of their top three factors in details and identify: <ul style="list-style-type: none"> Why those factors are important What specifically needs to be taken into consideration Location specific feedback to be indicated on map with numbered sticky-dot If table discussions finish early, discuss any other important points Provide time update - 10 mins per topic	ST/table scribes	Feedback templates (ST) Pens (WSC) Markers (ST) A3/A2 Appin map X1 per table (WSC) Sticky-dots (ST)



Time	Session	Activity	Content	Speaker	Equipment
7.35pm (15 min)	Report back	Plenary	Report back by table scribes - the key points raised during discussions (to manage time each table scribe will be asked to report back on one topic, each one different from the others, to ensure all different topics have been covered) [Note timing for early departures at 7.40pm]	ST/table scribes	Microphone (WSC)
7.50pm (10 mins)	Thanks and session close	Address	Next steps Submission process and public exhibition closing date Feedback form about forum process Thank table scribes and participants	ST Mayor	Microphone (WSC) Feedback forms (ST) Pens (WSC)
8.00pm 15 mins)	Debrief/Bump-out		Identify: <ul style="list-style-type: none"> • Key take-outs • Any actions that need to be undertaken and who is responsible Collect all materials Tidy room	All	Table scribe kits (WSC)



APPENDIX B PRESENTATION



Straight Talk Appin community forum outcomes summary report

Welcome



Agenda

- Welcome and introduction
- What is proposed
- Small table feedback discussions
- Report back
- Next steps
- Session close



What is proposed

Land at Macquariedale Road,
Appin



What's on Exhibition

Planning Proposal	Draft Development Control Plan
Draft Planning Agreement	Biodiversity Certification Application



What's on Exhibition

Planning Proposal

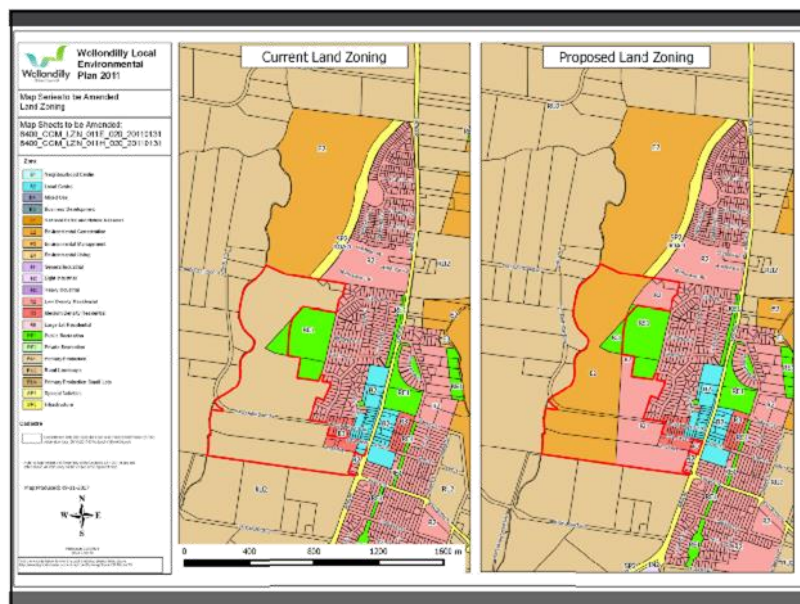
Draft Development Control Plan

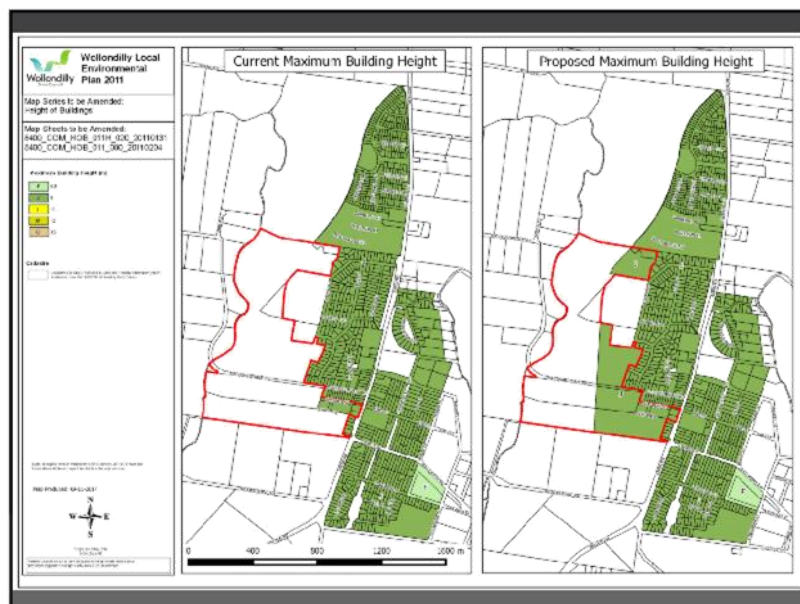
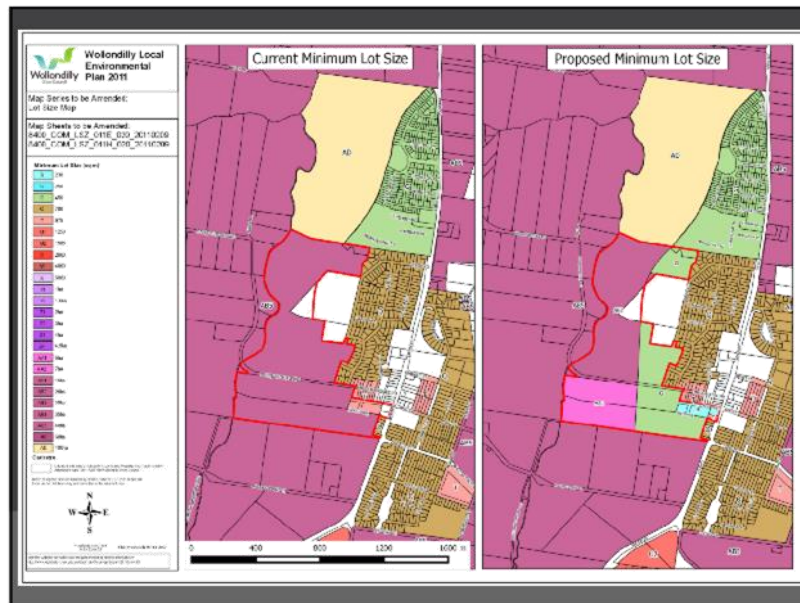
Draft Planning Agreement

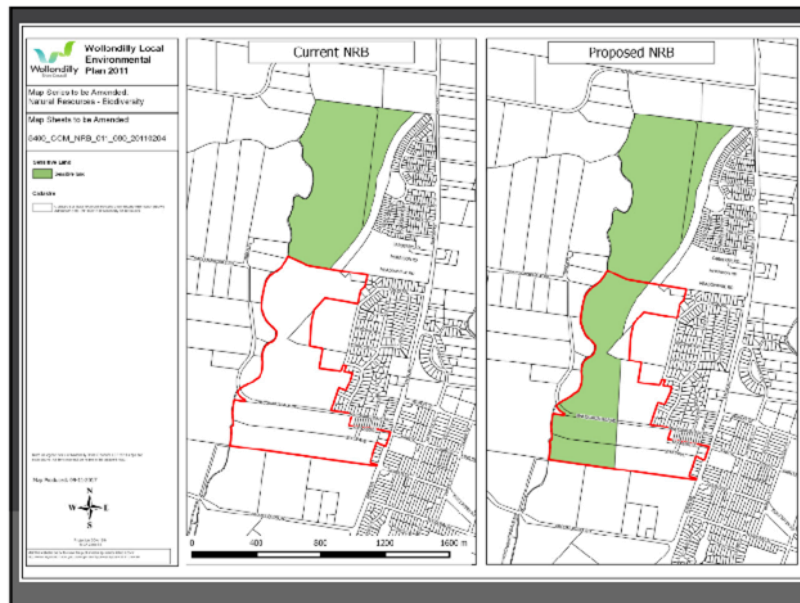
Biodiversity Certification Application



Wollondilly Shire Council







What's on Exhibition

Planning Proposal	Draft Development Control Plan
Draft Planning Agreement	Biodiversity Certification Application

 **Wollondilly**
Shire Council



Draft Planning Agreement

- Includes:
 - Physical Works
 - Land Dedication
 - Monetary Contributions
 - Conservation or preservation of the natural environment



What's on Exhibition

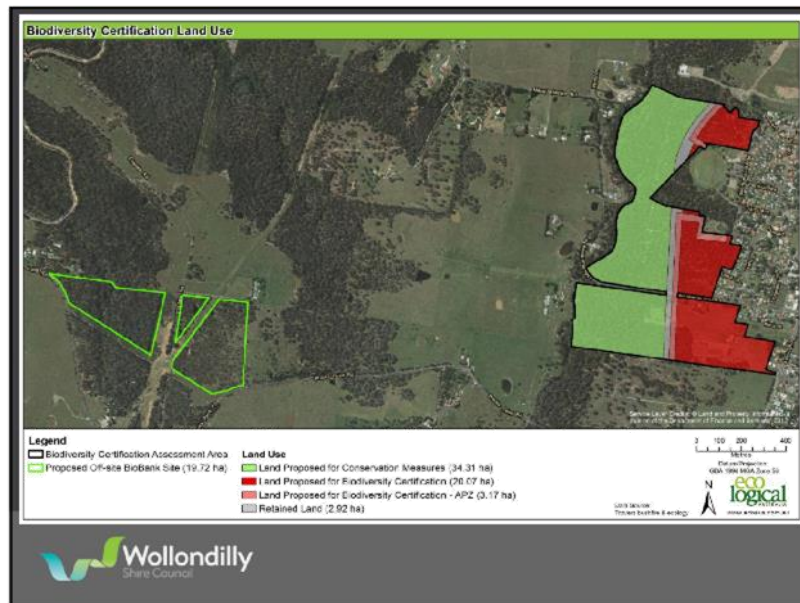
Planning
Proposal

Draft
Development
Control Plan

Draft
Planning
Agreement

Biodiversity
Certification
Application





Process so far

- Submitted to Council in April 2011
- Previously exhibited in 2014
- Developer initiated changes to Planning Proposal in response to community concerns

Have your say

Submissions must be received by 5pm
28 February 2018

- Submissions can be made:
 - Online
 - Email; council@Wollondilly.nsw.gov.au
 - Post



Thank you for your attendance



APPENDIX C PARTICIPANT LOCATION MAPS

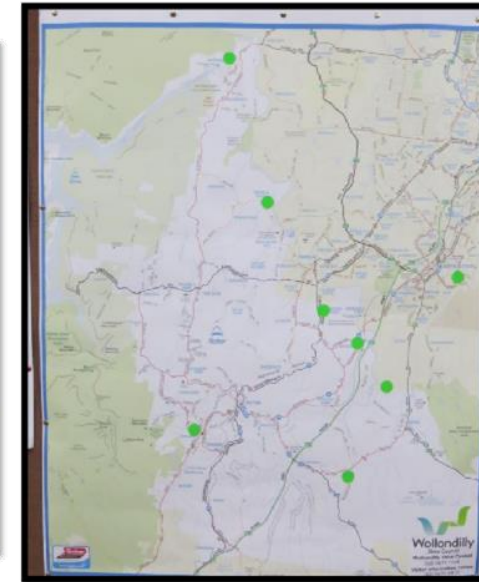




Participants from within Appin township



Participants from the Appin locality



Participants from the Wollondilly local government area

APPENDIX D INITIAL VIEWS CONTENT



Straight Talk Appin community forum outcomes summary report



Activity one outcomes

Initial thoughts

Roads and traffic infrastructure

- 👉 Streetscape
 - Distances for street width, footpaths, house set backs
 - Do not want narrow streets
 - Prefer dual lane plus parking width
 - Access to shops and parking
- 👉 Macquariedale road not wide enough currently
 - One pointed to its poor condition
 - Parking on the side causes safety concerns
 - When will the upgrade happen?
- 👉 Traffic is already challenging and needs to be considered, one participant was expecting 400 new cars
- 👉 Concerned there were no road layouts presented
 - Questions regarding exits and to where traffic will flow
 - What kind of traffic management? Roundabouts or lights?
 - Concern about traffic onto Rixon road roundabout
- 👉 Will this bring updates to Appin Road?
- 👉 Pedestrian crossing should be installed across Macquariedale Road to protect school children
- 👉 Appin Bypass needs to be built.
 - Saw the proposed future road reserve, and that the bypass is not continuing through development but it should. Why has it not been reserved for the future?

Environment

- 👉 Want the green space near Appin Inn to stay green
- 👉 Concern regarding losing endangered species and endangered Cumberland Forest
 - Propose koala-proof fencing and re-planting for the loss of Koala habitat
- 👉 Want the right type of trees planted to avoid asthma and blocking drains and pipes
- 👉 Find it hard to believe protected woodland can be cleared, even with the offset measures

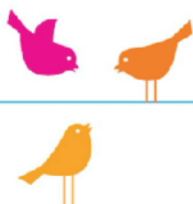
- Offset devalues the habitat as it's not attached
- Should allow land to regenerate towards town centre
- 🦉 Appin Valley/Appin Place was supposed to ensure existing land remain as green space
- 🦉 Happy that environmental zoning is extended
 - Will it be private or public ownership?
- 🦉 Believe clearing of land and trees is unnecessary
- 🦉 Water quality should be maintained to protect Kennedy Creek.

Zoning

- 🦉 Believe zoning to be inconsistent across Appin
 - Q area has same zoning as G zone (The map illustrating proposed minimum lot sizes colours zones according to minimum lot size. Areas that had different minimum lot sizes had the same zoning.
- 🦉 Small lot sizes
 - Alters the character of Appin and disregards "rural living"
 - Concern about the growing distinction between "New Appin" and "Old Appin"
 - Worried about urban heating
 - Prefer lot size to be over 700m²
 - Worried about slippery slope of allowing smaller sizes, the 250m² areas will expand.
 - Don't want duplexes and additional subdivision
- 🦉 Lack of details presented, no layouts or road configuration was cause for concern
- 🦉 Like the idea of downsizing without moving out of the area.

Non-traffic infrastructure

- 🦉 Infrastructure should be in place before excessive demand
 - Don't want the same situation as Oran Park
 - Suggest using VPA money
 - Small separate developments wont trigger required changes but still cause strain
- 🦉 Concern for maintenance of infrastructure, both current and new, to be maintained to a safe standard
- 🦉 Need a high school, primary school needs to be expanded to accommodate additional students



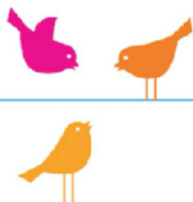
- 👉 Would like recreation facilities like a park
- 👉 Will there be a public housing requirement?
- 👉 What will happen to Lot 101 (Council owned land that "has historically been used for Council to dump/store stuff"
- 👉 Emergency access for houses backing onto bush shouldn't damage bushland
- 👉 Need a firebreak for bush houses, and it needs to be maintained
- 👉 Gas should be provided to all existing houses
- 👉 Lack of public transport.

Water

- 👉 Water pressure is poor
- 👉 Inconsistent across Appin
- 👉 One participant believes the issue became worse when the sewer came on
- 👉 What is involved in upgrading the water/sewer?
 - Treatment plant?
 - Benefits to wider community?
- 👉 Believe the big main down Macquariedale road is drawing water from the existing township.

Other issues

- 👉 Lack of trust
 - Concerns with probity, as they went against community wishes in previous development
 - Believe Council will give the developer what they want anyway
 - That what is presented is not what will be developed, changes won't be consulted on
 - Council won't check that what is promised is what is delivered, lack significant penalties for developers
- 👉 Concerns raised in 2014 still relevant
- 👉 Despite Sydney Water not having plans to amplify the system Council needs to address this with the developer and Sydney Water
- 👉 VPA commitment is needed to existing and new residents. Residents should know what it is being spent on
- 👉 What to know the context of this proposal for the broader area
- 👉 Maps were too confusing

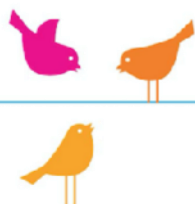


- 👉 Issues were not presented well and that this process was intended to divide and conquer.

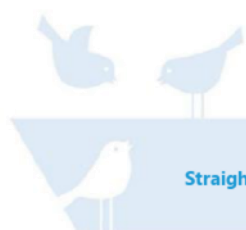
Top three issues

Self-selected top rated issues

- 👉 Streetscape and traffic management infrastructure
- 👉 Other infrastructure maintenance
- 👉 Inconsistency of zoning
- 👉 Lot sizing
- 👉 Water pressure
- 👉 Bush safety risk
- 👉 Development of schools and community facilities
- 👉 Biodiversity and environmental management
- 👉 Air quality
- 👉 Parks and playgrounds.



APPENDIX E KEY CONSIDERATIONS CONTENT



Straight Talk Appin community forum outcomes summary report



Activity two outcomes

Zoning and lot sizes

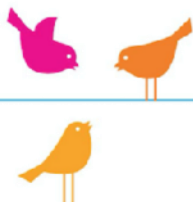
The full list of points made is as follows:

- 👉 Concerns that rubbery lines for zoning will change from E2 in time
- 👉 Suggest high density in CBD and then increasing block size moving away from there. Similar to Bingara Gorge and in keeping with village stylings.
- 👉 Ensure a 70/30 consistency in the proposal, e.g. 70% of blocks sized at 700m² with the other 30% different.
- 👉 Will older parts of Appin be rezoned?
- 👉 Concern that allowing 250m² lots will set a precedent for the older parts of Appin to be rezoned and cause equity issues
- 👉 Want increased lot sizes with space for backyards for kids, propose a minimum of 700m²
- 👉 For younger and older people, assuming they're downsizing, 450m² is ok
- 👉 Most of the blocks should be single dwelling and above 700m²
- 👉 While it is a rural area, request that no acreage estates be built to keep the rural feel
- 👉 Lack of value in rezoning this land as Appin is a historic town, and adding pressure to existing infrastructure
- 👉 Opposition to allowing development to happen as Wilton was supposed to be the main growth area. Perceive Councils position to be not to support growth in Appin, and suggest they preserve rural heritage
- 👉 Lots are too small, should have symmetry with the rest of Appin
- 👉 More people will lead to more traffic and require more infrastructure
 - One block is at least four cars
 - Teenagers and people in low twenties will be part of this car dependant community
- 👉 No notification of adjoining development proposals
- 👉 Consistent block sizes (700m²) for the 70% proposed needs to be locked in
- 👉 Do not want duplexes, want stricter controls like a minimum block width
- 👉 Want part of the discussion to focus on families and backyard space
- 👉 Character and rural living.

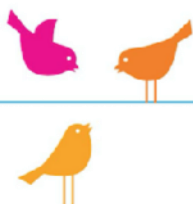
Traffic and traffic management

The full list of points raised is as follows:

- 🐦 Entry and exit points to new subdivision are a concern, as is the intersection of Church Street and Appin Road.
- 🐦 Major traffic concerns at the intersections of King Street and Appin Road, and Church Street and Appin Road. Believe it will create bottlenecks
- 🐦 Macquariedale Road isn't wide enough, leading to near misses as two vehicles pass
- 🐦 Asked if Macquariedale Road will be widened only near development or along the whole length
- 🐦 Concern regarding one-way traffic on Appin Road
- 🐦 Want the Appin Bypass built to ease traffic congestion
- 🐦 Warning that Gilead developments will affect traffic through Appin on the existing two lane road
- 🐦 Requests for ongoing maintenance of new roads due to Councils asset management backlog
- 🐦 Rixon Road and Macquariedale Road intersections onto Appin Road are a problem
- 🐦 Safety concerns around access to shops and turning into the carpark. A carpark at the back of the shops would solve this.
- 🐦 Access points in the commercial area during peak traffic period are chaos. Desire consideration for flow and access points
- 🐦 Believe the Bypass would alleviate the worst high traffic times
- 🐦 Wider roads are needed, especially Macquariedale Road. Do not want a rolling curb as cars will park on nature strip.
- 🐦 Unsure of where extra traffic will feed to
- 🐦 Suggest making Macquariedale Road one way in and one way out
- 🐦 Upgrade Appin Road by widening for extra lanes from Rosemeadow to the stop sign (intersection of Appin Road and Church Street)
- 🐦 Issues surrounding turning from Macquariedale Road onto Appin Road:
 - Difficult to turn out
 - People have had to resort to alternate options such as going through the shop car park instead



- Concerned that people leaving the petrol station opposite Macquariedale Road do not look for traffic turning from Macquariedale Road onto Appin Road
- 🔥 Other issues affecting Macquariedale Road
 - Too much traffic
 - Suggest widening the road
 - Need something to direct traffic at the intersection of Appin Road and Macquariedale Road
- 🔥 Need a safe crossing point for people at the south Appin (Toggerai Street), especially for children
- 🔥 Support Appin Bypass but want clarity for where, when, and request that it not go through the township or sports fields
- 🔥 Request that roads for the new estate not be too narrow
- 🔥 Concern that community cannot evaluate proposal while details of major road infrastructure are unclear
- 🔥 This development will only add to existing congestion
 - Particularly at the intersection of Macquariedale Road and Appin Road
 - Church Street and Appin road intersection is confusing already
- 🔥 There is currently a lack of parking
- 🔥 The previously proposed Appin Bypass should continue through development, the community wants reassurance that the Bypass land is reserved
- 🔥 Intersection of Kennedy Street and Appin Road is dangerous and difficult to navigate
- 🔥 Appin Bypass needs to be built due to existing congestion. Don't want traffic through town
- 🔥 Concerns for safety along Macquariedale road
- 🔥 Shop parking and general traffic flow
- 🔥 Believe lot sizes will lead to increase traffic and safety issues at Appin Road x Macquariedale
- 🔥 Want pathways and crossings implemented for children's safety, as the current safety status isn't good enough and it will get worse with more people and more kids.



Infrastructure

The full list of points made is as follows:

- 🐦 What upgrades will there be for community facilities?
- 🐦 Request a swimming pool
- 🐦 Concern about increased complaints regarding the motocross track after new residents move in.
- 🐦 Motocross track is an attraction for the town, want to avoid NIMBY ('Not In My Back Yard') syndrome
- 🐦 Communal space at Appin Oval needs improvement. Suggestions include copying Narellan Aquatic Centre, and adding barbeque shelters
- 🐦 Underground power should be delivered to existing houses

Water pressure

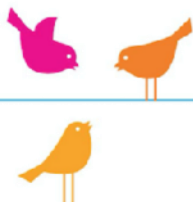
The full list of points made is as follows:

- 🐦 Water pressure is totally inadequate
- 🐦 Too low, not adequate, toilets don't flush properly
- 🐦 At the very least new developments need adequate water pressure
- 🐦 Wonder if it's different between older and newer developments
- 🐦 Want upgrades to benefit all of Appin
- 🐦 Appin Valley is ok while the Appin township is bad
- 🐦 Curious about functional differences between single storey and two storey housing
- 🐦 Existing issue, even before growth, that needs to be raised by Council to Sydney Water
- 🐦 Major concern for the community
- 🐦 Suggestion that Community needs support from Council to advocate on this issue. Sydney Water says it only received seven complaints from Appin.

Environmental issues

The full list of points made is as follows:

- 🐦 Endangered woodland should never be developed. Don't believe it makes sense even with the offset measures.
- 🐦 Takes issue with the lack of continuity between the offset location and the habitat



- 👉 The new development would be a barrier to establishing a wildlife corridor
- 👉 The land developed at Appin Valley intentionally left this space as open space
- 👉 Believe there to be a trade off to the community's detriment for recreational land. See it as being sold as recreation but it's a detention basin.
- 👉 How is vegetation loss offset?
- 👉 How will fire hazards be managed?
- 👉 Want to see the impact of population on environment resulting from this proposal compared to the old proposal
- 👉 Want to implement vegetation corridors and fauna traffic devices to allow animals to cross roads
- 👉 There are lots of animals that need to be protected. Lists animals seen in Appin: wallabies, koalas, platypuses, wombats, echidnas, and brown snakes
- 👉 Make sure protection facilities are in public ownership so that biodiversity is protected
- 👉 Restrict cats.

Cynicism about outcomes

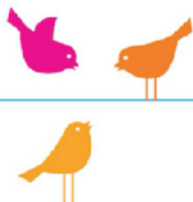
The full list of points made is as follows:

- 👉 Concerns over the probity of Councillors, as they went against community wishes previously
- 👉 Worried that what is seen in proposals doesn't match what is built and want to know why
- 👉 Concerns about incremental impacts of several small developments, with each not large enough to trigger major infrastructure improvements
- 👉 Concerns that Council will not check that what is promised is delivered, and the lack of penalties for not following through
- 👉 Believe Walker have a concept plan they aren't sharing
- 👉 Note that previous proposals showed layouts
- 👉 Walker won't show their concept because it will reveal Rixon Road and Sportsground Road to be a racetrack loop.

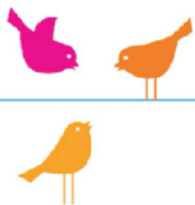
Streetscape

The full list of points made is as follows:

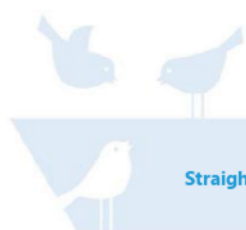
- 👉 Appin Valley is a good example of streetscape
- 👉 Would like cycleways connected to existing village and school



- 🐦 Safety measures implemented for pedestrians, footpaths and shared pathways
- 🐦 Asks for recreation and parks built
- 🐦 Better street lighting required
- 🐦 Suggest building shared pathways and cycleways



APPENDIX F FEEDBACK FORM COMMENTS





Individual feedback comments

Improvements

When asked whether they had any suggestions about how the forum could have been improved participants mentioned the following:

Event timing

- 🐦 'Longer time frame, particularly to ask councillors questions'
- 🐦 'Maybe start a little later, coming from the city was tight'
- 🐦 'Longer'
- 🐦 'Longer time to discuss development'
- 🐦 'Not enough time. Need longer time to discuss the subjects raised'
- 🐦 'Time - Need one on a weekend also 6-8 tough for families. Advertising other than Facebook; signs around town'
- 🐦 'Longer time a lot more to be said and discussed'.

Information and forum content

- 🐦 'More specific details'
- 🐦 'More detailed plans, regarding lot size, roads'
- 🐦 'Show some actual aerial photos of proposed development especially areas to be removed'
- 🐦 'Clearer written information relating to the proposal. More community discussion, Q&A - more time'
- 🐦 'More info for future developments and info regarding future planning only current info available'
- 🐦 'Updated maps that match'.

Other comments

- 🐦 'The forum structure limited feedback from the whole group'
- 🐦 'People unable to raise questions due to time restraints. Only minimal questions were heard'
- 🐦 'Great to have council members but would have liked a representative from the water board and RMS'
- 🐦 'Our local councillor representative needs to engage with each table and listen to the community that he is supposed to be representing. Next forum - he needs to be present with his people'
- 🐦 'More clarification about how tonight's feedback will be collated/used'

- 🐦 'Use your parking lot'
- 🐦 'No'
- 🐦 'No, was run smoothly'.

Most valued

When asked what they valued most about the forum participants mentioned the following:

Hearing from others and having a say

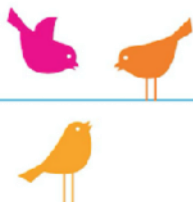
- 🐦 'The chance to voice concerns'
- 🐦 'That someone listened'
- 🐦 'Residents feedback'
- 🐦 'I had a chance to have my say'
- 🐦 'Opportunities to talk in groups and hear lots of different ideas/objectives etc.'
- 🐦 'Tables. Conversation'
- 🐦 'The fact that we get to have a say'
- 🐦 'That is was a good forum with the opportunity to make comment and interact with other local residents and compare concerns/issues'
- 🐦 'Hearing the community have their say'.

Getting information

- 🐦 'Chance to hear "straight from horses mouth" about proposal as opposed to hearsay"
- 🐦 'Understanding the proposal. Being able to put opinions across without fear of bullying'
- 🐦 'Understanding future development areas'
- 🐦 'Initial information relating to the proposal. Community view on the information'
- 🐦 'Further information'.

Other comments

- 🐦 'That the percentage of rate payers agreed that Council should have infrastructure in place before allowing developers to have their way'
- 🐦 'So many like-minded people'
- 🐦 'Our table facilitator, Ally, was fantastic!!! Her ability to engage and guide the conversations, allowing each table member to participate in the conversation and have their say'
- 🐦 'Our scribe did an excellent job. I enjoyed hearing the range of views'
- 🐦 'Good to see meeting no hijacked'



- 🐦 'Scribing people's opinions'.

Additional comments

When asked if they had any additional comments about the project, participants mentioned the following:

Traffic and other infrastructure

- 🐦 'Main roads/infrastructure needs to be in place and advised before clear and reasonable decisions can be made'
- 🐦 'No development to take place until infrastructure updates are completed e.g. water and roads. I know the H2O board has the say on H2O pressure but it is the Councils job to not pass anything until then'
- 🐦 'Ease traffic issues FIRST. Ease water pressure issues FIRST'
- 🐦 'A bypass is required - West of Appin & Down Colliery rd - TRUE BYPASS NOT DISECT TOWN'
- 🐦 'The streets need to be upgraded to handle the new residents and cars feeding onto Macquarie road'
- 🐦 'Road infrastructure a top priority before development'
- 🐦 'Parks and picnic facilities for families'

Lot size

- 🐦 'No land in Appin should not be less than 700 sq metres'
- 🐦 '+700m2 blocks sizes, Appin needs a bypass to ease local traffic, Commitment from

Environment

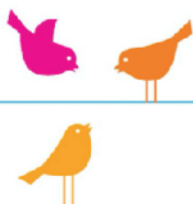
- 🐦 'Don't want any vegetation/forest area to be cut down. We have loads of cleared farmland in Appin so this should be used instead'
- 🐦 'What impact on the local Flora & Fauna'

Supportive comments

- 🐦 'I am happy for the rezoning & future development provided the issues raised are addressed'
- 🐦 'Variety is good but please try and keep it rural. Infrastructure needs to be implemented first'

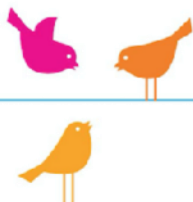
More to be done

- 🐦 'Further information needs to be detailed regarding the proposal'
- 🐦 'Lot of work to be done to appease local community'



Other comments

- 👤 'Adds no value to the current community'
- 👤 'Is this just stage 2 of stage 10'
- 👤 'Don't do it. We don't need expansion in Appin'
- 👤 'Walkers only interest in the area is to make money then leave. Council need to be the voice of Appin to protect its residents and their mental health. Increased housing and green space and yard size is a recipe for disaster'
- 👤 'Commitment from Council to spend Walkers money in Appin only'
- 👤 'Why is council considering rezoning at all'
- 👤 'It needs to be visual'
- 👤 'It needs to be seen in the light of other huge developments at Gilead & Wilton'
- 👤 'Just to be respectful of historic, Town Appin'
- 👤 'Thank you for giving us this opportunity to be heard and part of the process'.





ATTACHMENT 1 – TABLE OF CHANGES TO SCHEDULE 5

Item Number *	Suburb	Item Name	Correct/Current Property Address(es) of Item	Type of Change(s)	Changes Proposed	Amendment to Schedule 5	Amendments to Heritage Map	Why?
Amendments to Part 1 Heritage Items								
I1	Appin	Appin Hotel	84 Appin Road	Amendment to property description	To correct the listed Schedule 5 property description to show item as being located on 'Lot 1 DP 1171232' rather than 'Lot 101 DP 1112297'.	•		To correct the listed property description
I6	Appin	Shop (former)	70 Appin Road	Amendment to property description and Heritage Map	Amend Schedule 5 property description to include Lot 9 Sec 1 DP 758022. Amend Heritage Map HER_011H to include Lot 9 Sec 1 DP 758022	•	•	To include an additional property that the item is located on
I9	Appin	St Mark's Anglican Church and Graveyard	1–3 Church Street	Amendment to property description	Amend Schedule 5 property description to delete Lot 20, retain Lot 19 Sec 3 DP758022 and add Lot 51 DP1155075	•		To correct the listed property description
I13	Appin	Northampton Dale Group-House, Trees, Slab Farm, Outbuilding, Stables	80 Northamptondale Road West	Amendment to property description, address and Heritage Map	Amend Schedule 5 property address from '60-80 Northampton-dale Road West' to '80 Northamptondale Road West'. Amend Schedule 5 property description to remove Lot 203, DP 758022 from the property description. Amend Heritage Map HER_011E to show item located on Lot 201 DP 758022 only.	•	•	To remove properties that the item is not located on
I15	Appin	Upper Nepean Scheme-Broughton Pass Weir	Wilton Road	Amendment to property address	Amend Schedule 5 property address from 'Wilton Road West' to 'Wilton Road'.	•		To correct the listed property address
I16	Appin	Upper Nepean Scheme—Upper Canal	None available	Amendment to property description and Heritage Map	Amend Schedule 5 property description from 'Lots 1 and 2 DP 625921 and Lots 1-3 DP 719962' to 'Lots 1 and 2 DP 625921, Lots 1-3 DP 719962, Lots 1 and 2 DP 732571, Lot 1 DP 913122, Lot 1 DP 744563, Lot 1 DP 1183806, Lot 1 DP 986715, Lot 1 DP 1186333, Lot 1 DP 744620, Lot 1 DP 1185627, Lot 1 DP 744834, Lot 1 DP 744927, Lot 1 DP 376017, Lot 11 DP 1095183 and Lot 2 DP 732649'. Amend Heritage Maps HER_011E, HER_011F and HER_011C to include these additional properties.	•	•	To include additional properties that the item is located on
I32	Bargo	Bargo Railway Station toilet block	Railside Avenue (Main Southern Railway)	Amendment to property description	Amend Schedule 5 property description from 'Nil' to 'Part Lot 3928 DP 1217239'.	•		To correct the listed property description
I33	Bargo	Bargo Railway Viaduct (96.265 km)	East of Bargo River Road and Remembrance Driveway (Main Southern Railway)	Amendment to property description and Heritage Map	Amend Schedule 5 property description from 'Nil' to 'Lot 3932 DP 1217468 and Part Lot 3932 DP 1217466'. Amend Heritage Map HER_008D to highlight the entirety of the bridge.	•	•	To show the whole item instead of some
I34	Bargo	Old Stock Route Railway Bridge	Lupton Road (Main Southern Railway)	Amendment to property description	Amend Schedule 5 property description from 'Nil' to 'Part Lot 3927 DP 1216859'.	•		To correct the listed property description
I37	Bargo	Cottage	121 Railside Avenue (on railway curtilage)	Amendment to property description	Amend Schedule 5 property description from 'Nil' to 'Part Lot 3928 DP 1217239'.	•		To correct the listed property description

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ATTACHMENT 1 – TABLE OF CHANGES TO SCHEDULE 5

Item Number *	Suburb	Item Name	Correct/Current Property Address(es) of Item	Type of Change(s)	Changes Proposed	Amendment to Schedule 5	Amendments to Heritage Map	Why?
I39	Bargo	Bargo Railway Bridge (South)	Remembrance Driveway (South of Railway Station)	Amendment to property description and address	Amend Schedule 5 property description from 'Nil' to 'Part Lot 3928 DP 1217239'. Amend Schedule 5 property address from 'Tylers Road' to 'Remembrance Driveway'.	•		To correct the listed property description and address
I40	Bargo	Bargo Railway Bridge (North)	Wellers Road (north of railway station)	Amendment to property description	Amend Schedule 5 property description from 'Nil' to 'Part Lot 3929 DP 1217416'.	•		To correct the listed property description
I44	Buxton	Cottage	7-9 Erith Road	Amendment to property description and Heritage Map	Amend Schedule 5 property description from 'Lots 77-79 Sec 2 DP 2444' to 'Lots 78 and 79 Sec 2 DP 2444'. Amend Heritage Map HER_008D to remove Lot 77 Sec 2 DP 2444	•	•	To remove a property that the item is not located on
I47	Buxton	Buxton School of Arts	24 West Parade	Amendment to property address	Amend Schedule 5 property address from '22 West Parade' to '24 West Parade'.	•		To correct the listed property address
I49	Brownlow Hill	Brownlow Hill Estate—homestead, aviary, roundhouse, garden and trees, stables and Glendon	135 Brownlow Hill Loop Road (Brownlow Hill, NSW), 455 Werombi Road (Orangeville, NSW) and 275 Monks Lane (Mount Hunter, NSW)	Amendment to property description and address	Amend the Schedule 5 property description from 'Lot 1 DP 34265, Lot 1 DP 614348' to 'Lot 1 DP 614348 and Part Lot 101 and Part Lot 102 DP 1174065'. Amend Schedule 5 property address from 'Brownlow Hill Loop Road and Monks Road' to '135 Brownlow Hill Loop Road (Brownlow Hill, NSW), 455 Werombi Road (Orangeville, NSW) and 275 Monks Lane (Mount Hunter, NSW)'.	•		To correct the listed property descriptions and addresses
I51	Brownlow Hill	Aston dairy cottage and barn	455 Werombi Road (Orangeville, NSW)	Amendment to property description, address and Heritage Map	Amend Schedule 5 property description from 'Part Lot 3 DP 863591' to 'Part Lot 3 DP 863591 and Part Lot 102 DP 1174065'. Amend Schedule 5 property address from '615 Werombi Road' to '455 Werombi Road (Orangeville, NSW)'. Amend Heritage Map HER_0071 to show item located on Part Lot 102 DP 1174065 and not on Lot 203 DP 1191378	•	•	To remove a property that the item is not located on and to correct the listed property address
I54	Camden Park	Camden Park Estate—Dairy No 8, cottages and orchard sites	445 Remembrance Driveway	Amendment to property heritage significance	Amend Schedule 5 to change the heritage significance of the item from 'local' to 'state'.	•		To correct the listed heritage significance
I284	Camden Park	Aboriginal scarred trees	Young Avenue and Public Reserves—Park Way (Bridgewater Estate) and between 35 and 37 Macarthur Circuit	Amendment to property description and address	Amend Schedule 5 property description from 'Lot 714 DP 1075905 and Lot 1100 DP 1150160' to show item as being located on only 'Lot 1100 DP 1150160'. Amend Schedule 5 property address from 'Young Avenue and Public Reserves—Park Way (Bridgewater Estate)' to 'Young Avenue, Public Reserves—Park Way (Bridgewater Estate) and between 35 and 37 Macarthur Circuit'. Amend Heritage Map HER_010A to show additional Scar Tree located between 35 and 37 Macarthur Circuit	•		To include an additional property that the item is located on

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ATTACHMENT 1 – TABLE OF CHANGES TO SCHEDULE 5

Item Number *	Suburb	Item Name	Correct/Current Property Address(es) of Item	Type of Change(s)	Changes Proposed	Amendment to Schedule 5	Amendments to Heritage Map	Why?
I55	Cataract	Cataract Dam	Cataract Dam Road	Amendment to property description	Amend Schedule 5 property description to show item as being located on 'Part Lot 1 DP 1186788' rather than 'Part Lot 1 DP 830607'.	•		To correct the listed property description
I56	Cataract	Cordeaux Dam	Cordeaux River	Amendment to property description	Amend Schedule 5 property description to show item as being located on 'Part Lot 1 DP 1186788' rather than 'Part Lot 1 DP 830607'.	•		To correct the listed property description
I59	Cawdor	Cawdor Village Group: Church, house and slab shed, trees, school and school residence	675 and 685 Cawdor Road	Amendment to property address	Amend Schedule 5 property address from '675-685 Cawdor Road' to '675 and 685 Cawdor Road'.	•		To correct the listed property address
I66	Couridjah	Couridjah Railway Station and Stationmaster's house	310 West Parade (Main Southern Railway)	Amendment to property description	Amend Schedule 5 property description from 'Lot 1 DP 798105' to 'Lot 1 DP 798105 and Lot 5001 DP1214266'.	•		To correct the listed property description
I67	Couridjah	Thirlmere Pumping Station	314 West Parade (Thirlmere Lakes National Park)	Amendment to property description	Amend Schedule 5 property description to show item as being located on Lot 3330 DP 1186083 rather than 'Lot 333 DP 751270'.	•		To correct the listed property description
I68	Couridjah	Stone Culvert under former Loop Line	Station Street and West Parade	Amendment to property description and address	Amend Schedule 5 property description from 'Nil' to 'Lot 5001 DP 1214266'. Amend Schedule 5 property address from 'Matong Street' to 'Station Street and West Parade'.	•		To correct the listed property description and address
I72	Douglas Park	Mountbatten Group-house, chapel and garden building	2B and 2C Duggan Street	Amendment to property address	Amend Schedule 5 property address from '655 Menangle Road and off Duggan Street' to '2B and 2C Duggan Street'.	•		To correct the listed property address
I77	Maldon	Maldon Weir	Nepean River	Amendment to Heritage Map	Amend Schedule 5 property description from 'Lot 119 DP 751297' to 'Lot 119 DP 751297 and Part Lot 1 DP 234883'. Amend Heritage Map HER_008G to include the entirety of the weir.		•	To show the whole item instead of some
I78	Maldon	Suspension Bridge over the Nepean River	Maldon Bridge Road and Wilton Park Drive	Amendment to Heritage Map	Amend Heritage Map HER_008G to include the entirety of the bridge.		•	To show the whole item instead of some
I79	Menangle	Slab Hut	40-60 Carrolls Road	Amendment to property address	Amend Schedule 5 property address from '40 Carrolls Road' to '40-60 Carrolls Road'.	•		To correct the listed property address
I80	Menangle	Menangle Rail Bridge over Nepean River	Menangle Road (Main Southern Railway)	Amendment to property description and Heritage Map	Amend Schedule 5 property description from 'Nil' to 'Part Lot 3001 DP 1211521'. Amend Heritage Map HER_010B to include the entirety of the rail bridge.	•	•	To correct the listed property description and show the whole item instead of some
I81	Menangle	Menangle Railway Station Group	Station Street (Main Southern Railway)	Amendment to property description	Amend Schedule 5 property description from 'Nil' to 'Part Lot 3001 DP 1211521'.	•		To correct the listed property description

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I88	Menangle	House	98 and 100 Menangle Road	Amendment to property description, address and Heritage Map	Amend Schedule 5 property address from '100 Menangle Road' to '98 and 100 Menangle Road'. Amend Schedule 5 property description from 'Lot 1 DP587187' to 'Lot 1 and 2 DP 587187'. Amend Heritage Map HER_010B to show item located on both Lot 1 and 2 DP 587187.	•	•	To include an additional property that the item is located on
I89	Menangle	Cottage	102-104 Menangle Road	Amendment to property address	Amend Schedule 5 property address from '102 Menangle Road' to '102-104 Menangle Road'.	•		To correct the listed property address
I99	Menangle	Menangle Gate Lodge (former)	60 Woodbridge Road	Amendment to significance	Amend Schedule 5 Heritage significance from 'Local' to 'State'.	•		To correct the listed heritage significance
I101	Menangle	Menangle Weir	13 Menangle Road	Amendment to property address	Amend Schedule 5 property address from 'Station Street' to '13 Menangle Road'.	•		To correct the listed property address
I103	Mount Hunter	Mount Hunter Anglican Church	155 Burrarorang Road	Amendment to property description	Amend Schedule 5 property description from 'Lot 1 DP 999649' to 'Lot 50 DP 1226755'.	•		To correct the listed property description
I107	Mount Hunter	Mount Hunter Creamery	179 Burrarorang Road	Amendment to property address and Heritage Map	Amend Schedule 5 property address to show item located at '179 Burrarorang Road' rather than '175 Burrarorang Road'. Amend Heritage Map HER_007J to remove Lots 102 and 103 DP 1187951	•	•	To correct the listed property description
I108	Mount Hunter	Farmhouse and dairy (Ellensville)	340 Burrarorang Road 360 Burrarorang Road 15 Monks Lane	Amendment to property description and property address	Amend Schedule 5 property description from 'Lot 340 DP 1106306 and Lot 10 DP 777108' to 'Lot 10 DP 777108, Lot 6 DP 1147002, Lot 71 DP 1173390 and Lot 70 DP 1173390'. Amend Schedule 5 Property address from '340 Burrarorang Road (corner Monks Lane)' to 'Burrarorang Road, 360 Burrarorang Road, 340 Burrarorang Road and 15 Monks Lane'.	•		To correct the listed property descriptions and addresses
I112	Mount Hunter	Dairy Cottage	280 Spring Creek Road	Amendment to property description and Heritage Map	Amend Schedule 5 property description from 'Lot 2 DP 733896' to 'Lot 101 DP 1174152'. Amend Heritage Map HER_007K to show item located on Lot 101 DP 1174152.	•	•	To remove a property that the item is not located on
I113	Mount Hunter	Farmhouse and slab shed, landscape (Milliam)	515 Spring Creek Road	Amendment to property description and Heritage Map	Amend Schedule 5 property description from 'Lot 1001 DP 863596' to 'Lot 101 DP 1222673'. Amend Heritage Map HER_007K to show item is located on Lot 101 DP 1222673.	•	•	To remove properties that the item is not located on due to a land subdivision
I115	Mowbray Park	Picton Stud	45 Rays Lane	Amendment to item description	Amend Schedule 5 item description to correct spelling mistake from 'Pictona' to 'Picton'	•		To correct a spelling error on the listing
I117	Oakdale	Oakdale Winery Cottage	1355 Burrarorang Road	Amendment to property description	Amend Schedule 5 property description from 'Lot 10 DP 264139' to 'Part Lot 1 DP 557570'.	•		To correct the listed property description
I118	Oakdale	Oakdale Uniting Church	1442-1450 Burrarorang Road	Amendment to property address	Amend Schedule 5 property address from 'Burrarorang Road' to '1442-1450 Burrarorang Road'	•		To correct the listed property address
I122	Orangeville	Farm Manager's Cottage	153 Bobs Range Road	Amendment to property description	Amend Schedule 5 property description from 'Lot 201 DP 1133065' to 'Lot 20 DP 1133065'.	•		To correct the listed property description

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I128	Pheasants Nest	Farm Cottage	294 - 296 Pheasants Nest Road	Amendment to property description and address	Amend Schedule 5 property description from 'Part Lot 2 DP 220981' to 'Part Lot 5 DP 1214896'. Amend Schedule 5 property address to show item as being located at '294 - 296 Pheasants Nest Road' rather than '280 Pheasants Nest Road'	•		To correct the listed property description and address
I130	Picton	Industry housing group	15-23 Anthill Street	Amendment to property description and Heritage Map	Amend Schedule 5 property description from 'Lot 15 DP 1093393 and Lots 6-8 DP 36147' to 'Lots 5-8 DP 36147 and Lot 50 DP 1168144'. Amend Heritage Map HER_008G to include Lot 5 DP36147.	•	•	To include an additional property that the item is located on
I135	Picton	Macquarie House	55 Argyle Street	Amendment to property description and Heritage Map	Amend Schedule 5 property description from 'Lots 1 and 2 DP 196539' to 'Lot 913 DP 1216048'. Amend Heritage Map HER_008F to show item located only on Lot 913 DP 1216048	•	•	To remove properties that the item is not located on due to a land subdivision
I136	Picton	Commercial Building	85-87 Argyle Street	Amendment to Heritage Map	Amend Heritage Map HER_008F to remove item from the empty part of the lot split by a newly formed road.	•	•	To remove a property that the item is not located on due to a newly formed road
I140	Picton	Stonequarry Creek Bridge Piers	167 Argyle Street (adjacent to)	Amendment to Heritage Map	Amend Heritage Map HER_008F to include the entirety of the bridge	•	•	To include all of the item
I146	Picton	Redbank Uniting Church	385 Argyle Street (corner Thirlmere Way)	Amendment to property description	Amend Schedule 5 property description from 'Lots 11 and 12 DP 871248' to 'Lot 11 DP 871248 and Lot 1502 DP 1139007'.	•		To correct the listed property description
I147	Picton	James Cottage	404 Argyle Street	Amendment to property description and Heritage Map	Amend Schedule 5 property description from 'Lot 2 DP 809401' to 'Lot 21 DP 59872/2003 (PPN)'. Amend Heritage Map HER_008F to show item located on Lot 21 DP 59872/2003 (PPN) only	•	•	To remove a property that the item is not located on due to a land subdivision
I149	Picton	Railway Bridge (hole in the wall)	285 Argyle Street	Amendment to property address	Amend Schedule 5 property address from 'Argyle Street' to '285 Argyle Street'.	•		To correct the listed property address
I150	Picton	Cottage	2 Campbell Street	Amendment to property description	Amend Schedule 5 property description from 'Lot 4 Sec 4 DP 192895' to 'Lot 342 DP 1212722'.	•		To correct the listed property description
I170	Picton	Industry Housing Group	14, 16, 18 and 20 Cowper Street; 4, 6, 8, 10 and 18 Dunlop Place; 360 Argyle Street	Amendment to property address	Amend Schedule 5 property address from '14, 16, 18 and 20 Cowper Street; 4, 6, 8, 10, 16 and 18 Dunlop Place' to '14, 16, 18 and 20 Cowper Street; 4, 6, 8, 10 and 18 Dunlop Place and 360 Argyle Street'	•		To correct the listed property address
I173	Picton	Larkin Cottage and Outbuilding	5 Elizabeth Street	Amendment to property description	Amend Schedule 5 property description from 'Lot 100 DP 1026533' to 'Lot 101 DP 1213562'.	•		To correct the listed property description

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I176	Picton	Picton Uniting Church	2-4 Lumsdaine Street	Amendment to property description and Heritage Map	Amend Schedule 5 property description from 'Lots 1 and 2 DP 227093' to 'Lot 1 DP 227093'. Amend Heritage Map HER_008G to reflect this.	•	•	To remove a property that the item is not located on
I180	Picton	Picton Railway Viaduct over Stonequarry Creek	Main Southern Railway	Amendment to property description and Heritage Map	Amend Schedule 5 property description to show the item also being located on 'Part Lot 3937 DP 1218207' rather than 'nil'. Amend Heritage Map HER_008G to include the entirety of the railway viaduct.	•	•	To show the whole item instead of some
I181	Picton	Picton Railway Station Group, including stationmaster's residence	1 and 5 Station Street	Amendment to property description and address	Amend Schedule 5 property description from 'Lot 1 DP 1120336' to 'Part Lot 3938 DP 1218307, Lot 1 DP1120336 and Lot 146 DP 1218544'. Amend Schedule 5 property address from 'Menangle Street and Station Street (off Main Southern Railway)' to '1 and 5 Station Street'.	•		To correct the listed property description and address
I183	Picton	Victorian House	4-6 Elizabeth Street	Amendment to property address	Amend Schedule 5 property address from '2-6 Menangle Street West' to '4-6 Elizabeth Street'.	•		To correct the listed property address
I184	Picton	St Mark's Anglican Church, Cemetery and Gardens	5 and 7 Menangle Street West	Amendment to property description, address and Heritage Map	Amend Schedule 5 property address from '7-9 Menangle Street West' to '5 and 7 Menangle Street West'. Amend Schedule 5 property description to identify item as being located on 'Lots 1 & 2 DP 1225820' rather than 'Lot 1 DP 1023843'. Amend Heritage Map HER_008F to show items located on both lots	•	•	To include an additional property that the item is located on
I187	Picton	St Anthony's Catholic Church and school hall (former church)	63 Menangle Street	Amendment to property description and Heritage Map	Amend Schedule 5 property description from 'Part Lot 1 DP 1121970' to 'Part Lot 2 DP 1168426'. Amend Heritage Map HER_008F to reduce the buffer around the item to land surrounding the Church and School Hall only.	•	•	To correct the listed property description and reduce the boundary of the item
I188	Picton	Wollondilly Shire Hall (former)	42 Menangle Street	Amendment to property description and address	Amend Schedule 5 property description from 'Lot 2 DP 580175' to 'Part Lot 100 DP 1184637'. Amend Schedule 5 property address from '48-60 Menangle Street' to '42 Menangle Street'.	•		To correct the listed property description and address
I191	Picton	Duplex	76A Menangle Street	Amendment to property address	Amend Schedule 5 property address from '76 Menangle Street' to '76A Menangle Street'.	•		To correct the listed property address
I192	Picton	Wendover House	83 Menangle Street	Amendment to property description	Amend Schedule 5 property description to show that item is located on 'Lot 13 DP 1188967' rather than 'Lot B DP 154331'.	•		To correct the listed property description due to a land subdivision
I197	Picton	House (brick)	190 Menangle Street	Amendment to item name	Amend Schedule 5 item name from 'house (brick)' to 'house (weatherboard)' to correctly identify that the building is constructed with weatherboard and a corrugated tin roof.	•		To correct the item name
I200	Picton	Jarvisfield Store	207 Menangle Street	Amendment to property description	Amend Schedule 5 property description from 'Lot 1 DP 799043' to 'Lot 1 & 2 SP 92620'.	•		To correct the listed property description
I206	Picton	Victoria Bridge over Stonequarry Creek	Prince Street	Amendment to property description and Heritage Map	Amend Schedule 5 property description from 'Nil' to 'Lot 1 DP 917455'. Amend Heritage Map HER_008G to include the entirety of the bridge	•	•	To include all of the item

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I211	Picton	Cottage (weatherboard)	796 Thirlmere Way	Amendment to property address	Amend Schedule 5 property address from '796-800 Thirlmere Way' to '796 Thirlmere Way'.	•		To correct the listed property address
I212	Picton	Old Picton Creamery	15 Prince Street	Amendment to property address	Amend Schedule 5 property address from '1 Victoria Street' to '15 Prince Street'.	•		To correct the listed property address
I213	Picton	Cottage Group	6, 8, 10, 12 and 18 Webster Street	Amendment to property description	Amend Schedule 5 property description to remove 'Lot 6, Sec 6, DP 109941' and add 'Lot 6 DP 1110152'. Amend property address from 'Webster Street' to '6, 8, 10, 12 and 18 Webster Street'.	•		To correct the listed property descriptions and addresses
I217	Picton	Cottage	12 Webster Street	Amendment to property description	Amend Schedule 5 property description to show item located on 'Lot 6 DP 1110152' rather than 'Lot 6 Sec 6 DP 109941'.	•		To correct the listed property description
I219	Picton	Cottage	30 Wild Street	Amendment to property description	Amend Schedule 5 property description to identify the item as being located on 'Lot 1 DP 1169218' rather than 'Lot 1 DP 1001820'.	•		To correct the property description
I221	Picton	Cottage	38 Wild Street	Amendment to property description, address and Heritage Map	Amend Schedule 5 property description to identify that the item is now only located on 'Lot 11 DP 1173138' rather than 'Lot 1 DP 1069975'. Amend Heritage Map HER_008G to show item located on 38 Wild Street and not on new lot 38A Wild Street.	•	•	To remove a property that the item is not located on due to a land subdivision
I222	Picton	Picton General Cemetery	Dunlop Place and Wild Street	Amendment to property description and Heritage Map	Amend Schedule 5 property description from 'Lot 2 Sec 9 DP 758843' to 'Lot 7304 DP 1161615 and Lot 1 DP 1241339'. Amend Heritage Map HER_008G to include Lot 1 DP 1241339.	•	•	To include an additional property that the item is located on
I223	Razorback	Mount Hercules Homestead-garden, trees and slab barns	340-350 Mount Hercules Road	Amendment to property address	Amend Schedule 5 property address from '340 Mount Hercules Road' to '340-350 Mount Hercules Road'.	•		To correct the property address
I228	Tahmoor	House	13 Larkin Street	Amendment to item and property description and Heritage Map	Amend Schedule 5 to remove Item 228 due to its demolition. Amend Heritage Map HER_008H to entirely remove this item from the map.	•	•	To remove the item following its demolition
I229	Tahmoor	Tahmoor Railway Station Group	Main Southern Railway	Amendment to property description	Amend Schedule 5 property description from 'Nil' to 'Part Lot 3933 DP 1217468'.	•		To correct the property description
I231	Tahmoor	Bellefield	33 Pitt Street	Amendment to property description, address and Heritage Map	Amend Schedule 5 property description from 'Lots 137 and 138 DP 8982' to 'Lot 137 DP 8982'. Amend Schedule 5 property address from '31-33 Pitt Street' to '33 Pitt Street'. Amend Heritage Map HER_008H to show item located on Lot 137 DP 8982	•	•	To remove a property that the item is not located on due to a land subdivision
I233	Tahmoor	Cottage	59 Remembrance Driveway	Amendment to property description and Heritage Map	Amend Schedule 5 property description from 'Lots 141 and 142 DP 864238' to 'Lot 142 DP 864238'. Amend Schedule 5 property address from '55-59 Remembrance Driveway' to '55 Remembrance Driveway'. Amend Heritage Map HER_008G to show item located on Lot 142 DP 864238 only	•	•	To remove a property that the item is not located on due to a land subdivision

* The 'I' prefix before the numbers denotes 'Item'

ATTACHMENT 1 – TABLE OF CHANGES TO SCHEDULE 5

Item Number *	Suburb	Item Name	Correct/Current Property Address(es) of Item	Type of Change(s)	Changes Proposed	Amendment to Schedule 5	Amendments to Heritage Map	Why?
I288	Tahmoor	Bunya Pine (Tahmoor Village Shopping Centre)	165–173 Remembrance Driveway	Amendment to property description and Heritage Map	Amend Schedule 5 property description from 'Part Lot 1 DP 1130397' to 'Lot 1012 DP 1198906'. Amend Heritage Map HER_008H to reduce the curtilage of the item to only the eastern side of Lot 1012 DP 1198906 and remove it from the car park also situated on the lot. The curtilage should encircle the item and be large enough to ensure that the tree's roots are included.	•	•	To remove properties that the item is not located on
I236	The Oaks	Principal's House (former)	Burraborang Street	Amendment to Heritage Map	Amend Heritage Map HER_007F to identify I236 as being co-located with I237 on Lot 1 DP 795174		•	To improve the Heritage Map's usability
I243	The Oaks	St Luke's Anglican Church	26–30 Merlin Street	Amendment to property description	Amend Schedule 5 property description to show item located on 'Lot 60 DP 1227328' rather than 'Lot DP 999552'.	•		To correct the property description
I248	The Oaks	Craigend Farm	115 Craigend Road	Amendment to property address	Amend Schedule 5 property address from '105 Craigend Road' to '115 Craigend Road'.	•		To correct the property address
I52	Theresa Park	Brownlow Hill Sunday School	680 Werombi Road (Brownlow Hill, NSW)	Amendment to property address	Amend Schedule 5 property address to show the suburb as 'Theresa Park' instead of 'Brownlow Hill'.	•		To correct the property address
I250	Theresa Park	Theresa Park Church, Schoolmaster's residence and school	20 & 30 Taylor Place	Amendment to property address	Amend Schedule 5 property address from '30 Taylor Place' to '20 & 30 Taylor Place'.	•		To correct the property address
I257	Thirlmere	House	3 North Street	Amendment to property description, address and Heritage Map	Amend Schedule 5 property address from '1-3 North Street' to '3 North Street'. Amend Schedule 5 property description from 'Lot 3 DP 1154053' to 'Lot 13 DP 1186072'. Amend Heritage Map HER_008C to only include Lot 13 DP 1186072.	•	•	To remove a property that the item is not located on due to a land subdivision
I260	Thirlmere	Kungla supermarket sign	37-43 Oaks Street	Amendment to property address	Amend Schedule 5 property address from '39 Oaks Road' to '37-43 Oaks Street'.	•		To correct the property address
I262	Thirlmere	Thirlmere Cemetery, including Estonian Cemetery	90 Station Street	Amendment to property address	Amend Schedule 5 property address from 'Station Street' to '90 Station Street'.	•		To correct the property address
I265	Thirlmere	Queen Victoria Hospital	615 Thirlmere Way	Amendment to property description	Amend Schedule 5 property description to identify item as being located on 'Part Lot 32 DP 1022462' rather than 'Lot 32 DP 1022462'.	•		To correct the property description
I267	Wallacia	Charleville	258-260 Bents Basin Road	Amendment to property address	Amend Schedule 5 property address from '260 Bents Basin Road' to '258-260 Bents Basin Road'.	•		To correct the property address
I268	Wallacia	Ravenswood	543 Bents Basin Road	Amendment to property address	Amend Schedule 5 property address to show item located at '543 Bents Basin Road' rather than '551 Bents Basin Road'.	•		To correct the property address
I269	Wallacia	Blaxland's Farm	2595 Silverdale Road	Amendment to property description	Amend Schedule 5 property description from 'PT D DP 339526' to 'Lot 1 DP 1154130'.	•		To correct the property description

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ATTACHMENT 1 – TABLE OF CHANGES TO SCHEDULE 5

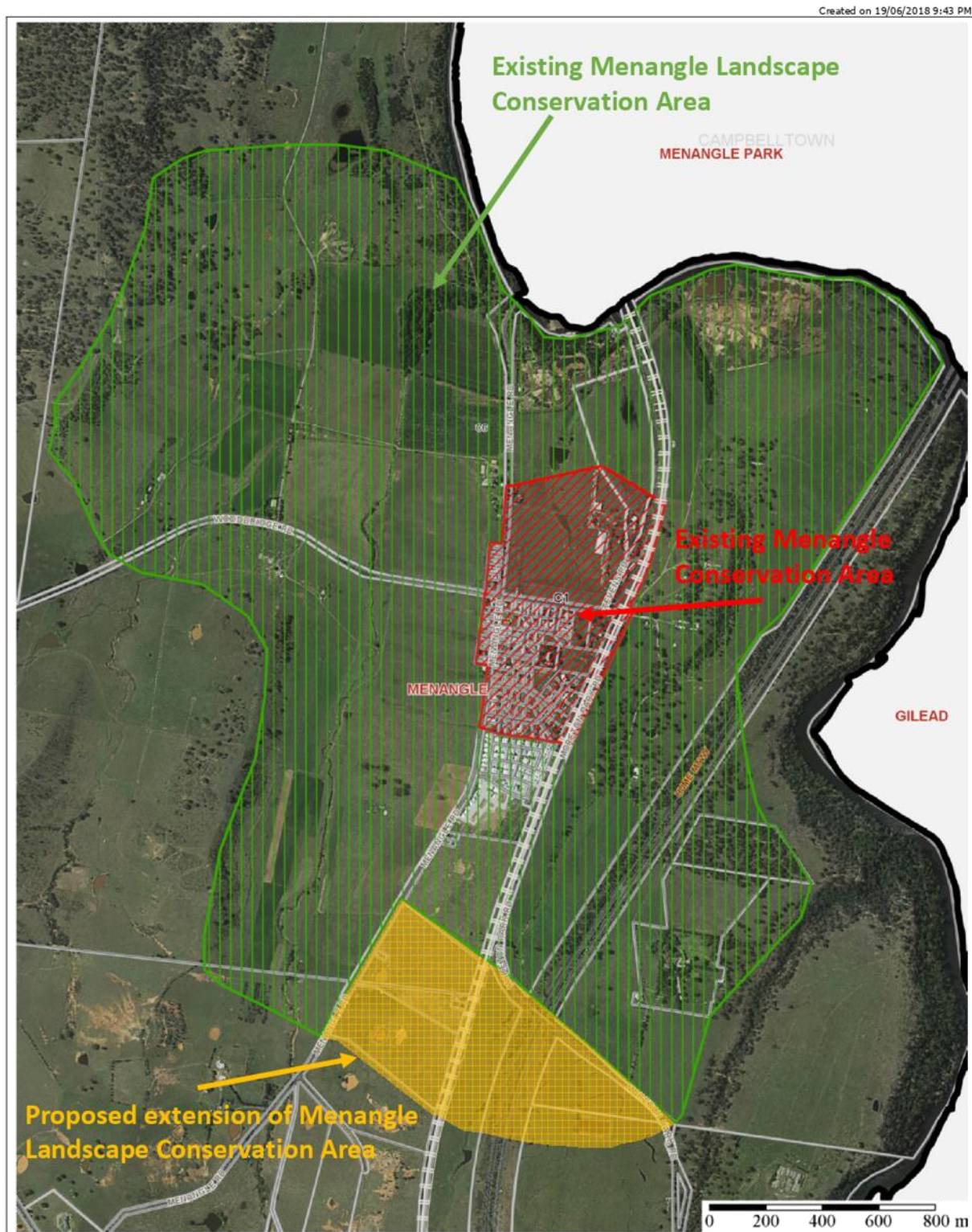
Item Number *	Suburb	Item Name	Correct/Current Property Address(es) of Item	Type of Change(s)	Changes Proposed	Amendment to Schedule 5	Amendments to Heritage Map	Why?
I271	Werombi	Werombi Cemetery	19 Hayters Lane	Amendment to property description and address	Amend Schedule 5 property description from 'PT 93 DP 751295' to 'Lot 1 DP 1142651'. Amend Schedule 5 property address to show item located at '19 Hayters Lane' rather than 'Hayters Road'.	•		To correct the property description
I274	Werombi	St Barnabas Anglican Church and Hall	1505-1515 Werombi Road	Amendment to property address	Amend Schedule 5 property address from '1505 Werombi Road' to '1505-1515 Werombi Road'.	•		To correct the property address
I276	Wilton	St Luke's Anglican Church	1095 Argyle Street	Amendment to property description, property address and Heritage Map	Amend Schedule 5 property description from 'Lots 4-7, Sec 1, DP 759094' to 'Lot 1 DP 1236516'. Amend Schedule 5 property address from '1096-1099 Argyle Street' to '1095 Argyle Street'. Amend Heritage Map HER_011C to remove 1099 Argyle Street.	•	•	To remove a property that the item is not located on due to a land subdivision and to correct the property descriptions and addresses
I278	Wilton	Upper Nepean Scheme-Pheasants Nest Weir	Nepean River	Amendment to property description, Heritage Map and heritage significance	Amend Schedule 5 property description from 'Nil' to 'Part Lot 15 DP 1092321'. Amend Schedule 5 heritage significance from 'Local' to 'State'. Amend Heritage Map HER_011C to include the entirety of weir.	•	•	To show the whole item instead of some
I285	Wilton	Aboriginal shelter sites	Fairway Drive	Amendment to property description and address	Amend Schedule 5 property description from 'Part Lot 1 DP 270536' to 'Lot 1 DP 270536'. Amend Schedule 5 property address to show item located on 'Fairway Drive' rather than '80 Condell Park Road (Wilton Park)'.	•		To correct the property descriptions and addresses
Amendments to Part 3 Archaeological Sites								
A1	Appin	Darcy's House Site	53 Appin Road	Amendment to property description, address and Heritage Map	Amend Schedule 5 property description to show item is located on 'Lot 1 DP 594426' rather than 'Lot 2 DP 594426'. Amend Schedule 5 property address from '51 Appin Road' to '53 Appin Road'. Amend Heritage Map HER_011H to identify item is located on Lot 1 DP 594426	•	•	To correct the property descriptions and addresses due to the item being located on an adjacent lot
A2	Cawdor	Cawdor Creamery Site	505 Remembrance Driveway	Amendment to property address	Amend Schedule 5 property address from '505 Cawdor Road' to '505 Remembrance Driveway'.	•		To correct the property address
A5	Mowbray Park	Wellington Park Iceworks—ruin, silos and tank	45 and 49 Rays Lane	Amendment to property address	Amend Schedule 5 property address from '45 Rays Lane' to '45 and 49 Rays Lane'.	•		To correct the property address
A6	Picton	Stonequarry Creek Quarry Site	6 Victoria Street	Amendment to property address	Amend Schedule 5 property address from '1 Victoria Street' to '6 Victoria Street'.	•		To correct the property address
A8	Picton	Remnant sandstone kerbs, gutters and culverts	Adjacent to: 53, 55 and 181 Argyle Street, 9 and 14 Campbell Street,	Amendment to property description, address and Heritage Map	Amend Schedule 5 property address from '53, 55 and 181 Argyle Street, 9 and 14 Campbell Street, 48-60, 55-67, 77-105, 94-98, 108-114, 113-213, 136-154, 188-192, 199 and 213-217 Menangle Street and 8-14 and 38 Picton Avenue' to the following: 'Adjacent to: 53, 55 and 181 Argyle Street, 9 and 14 Campbell Street, 42, 55-57, 63,	•	•	To correctly identify the location of all kerbs and gutters

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ATTACHMENT 1 – TABLE OF CHANGES TO SCHEDULE 5

Item Number *	Suburb	Item Name	Correct/Current Property Address(es) of Item	Type of Change(s)	Changes Proposed	Amendment to Schedule 5	Amendments to Heritage Map	Why?
			42, 55-57, 63, 65, 67, 77, 83, 87, 91, 93, 94, 95, 96, 97, 98, 99, 101, 103, 105, 108-114, 115, 188, 190, 192, 199, 213 and 215 Menangle Street and 8, 10, 12, 14 and 38 Picton Avenue		65, 67, 77, 83, 87, 91, 93, 94, 95, 96, 97, 98, 99, 101, 103, 105, 108-114, 115, 188, 190, 192, 199, 213 and 215 Menangle Street and 8, 10, 12, 14 and 38 Picton Avenue'. Amend Schedule 5 property description from 'Lot 2 DP 229679' to 'Argyle Street, Campbell Street, Menangle Street and Picton Avenue'. Amend Heritage Maps HER_008F and HER_008G to include a heritage culvert situated adjacent to Lot 0 SP 85583 and Lot 2 DP 229679 on Menangle Street.			
A11	Razorback	Old Razorback Road (relics of Great South Road)	39 and 50 Old Razorback Road, 1220 Remembrance Driveway, and 157 and 159 Mount Hercules Road	Amendment to property description and address	Amend Schedule 5 property description from 'Lot 102 DP 804424' to 'Lot 9 DP 112301, Part Lot 41 DP 777560 and Part Lot 1301 DP 1034807'. Amend Schedule 5 property address from 'Razorback Road' to '39 Old Razorback Road, 157 Mount Hercules Road and 159 Mount Hercules Road'. Amend Heritage Map HER_011A to identify item as being located on Lot 9 DP112301, Part Lot 1301 DP1034807 and Part Lot 41 DP 777560.	•		To correct the item's property addresses and descriptions as location of item is on adjacent lots
A12	Razorback	Mt Hercules Homestead-ruin, well, trees and slab garage	100 Mount Hercules Road	Amendment to property address	Amend Schedule 5 property address from '40 Mount Hercules Road' to '100 Mount Hercules Road'.	•		To correct the item's property address
Urban Release Area Map Amendment		Urban Release Area Map Sheet URA_011	N/A	Amendment to urban release area map	Amend Urban Release Area Map Sheet URA_011 to remove the reference to 'Razorback' as the location and replace with 'Douglas Park'.	N/A	N/A	To correct the listed suburb located on a map
Land Zoning Map Amendment		St Mark's Anglican Church, Cemetery and Gardens	7-9 Menangle Street West	Amendment to land zoning map	Update Land Zoning Map Sheet LZN_008F to show the Land Zone description as 'SP2 Place of Public Worship' rather than 'SP2 Cemetery'.	N/A	N/A	To amend the listed zone description on the land zoning map
Land Zoning Map Amendment		St Luke's Anglican Church	1096-1099 Argyle Street	Amendment to land zoning map	Update Land Zoning Map Sheet LZN_011C to show the Land Zone description as 'SP2 Place of Public Worship' rather than 'SP2 Cemetery'.	N/A	N/A	To amend the listed zone description on the land zoning map

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<p>Wollindilly Shire Council PO Box 23 PICKTON NSW 2571 Ph: (02) 4677 1100 Fax: (02) 4677 2339 Web: www.wollindilly.nsw.gov.au</p>	<p>Projection: GDA94 / MGA zone 56</p>	<p>Date: 19/06/2018 9:43 PM</p>

WOLLONDILLY SHIRE COUNCIL

Minutes of the Wollondilly Local Planning Panel held in the
Council Chamber, 62-64 Menangle Street, Picton, on Thursday 26 July 2018

Sustainable and Balanced GROWTH Reports

LOCAL PLANNING PANEL REPORTS - SUSTAINABLE AND BALANCED GROWTH

1. **Draft Planning Proposal – Heritage Housekeeping Amendments****DEVELOPMENT INFORMATION**

Reason for LLP referral	To comply with the Local Planning Panels Direction for Planning Proposals
DA No:	TRIM 8738
Subject Site	Various
Proposal	Draft Planning Proposal to correct inaccuracies in Schedule 5 and the associated Heritage Map in the Wollondilly Local Environment Plan 2011
Zoning	Various
Permissibility	Various
Cost of Development	N/A
Applicant	Wollondilly Shire Council
Owner	Various
Notification	June 2017 & February 2018
Submissions	1
Variations	N/A
Site Inspection	N/A
Recommendation	Referred for advice

EXECUTIVE SUMMARY

- The purpose of this report is to seek the Panel's advice on a proposed Council initiated planning proposal for housekeeping amendments to *Wollondilly Local Environmental Plan 2011* to correct and/or update provisions as they apply to individual heritage.
- The changes are necessary to ensure adequate protection of heritage items and landscapes and also to remove unnecessary statutory burdens where there are no heritage items.
- This matter has been referred to the Panel for advice in accordance with Section 2.19 of the *Environmental Planning & Assessment Act 1979*.
- It is requested that the Local Planning Panel provide advice on the proposed Heritage Housekeeping Planning Proposal for various sites to amend the *Wollondilly Local Environmental Plan 2011* ahead of a report to Council.

WOLLONDILLY SHIRE COUNCIL

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Sustainable and Balanced GROWTH Reports

Public Submissions

There were no submitters for this item.

Panel Commentary

- The Panel did not undertake site inspections due to the number of items in the planning proposal and the general 'housekeeping' nature of the proposal.
- The Panel was addressed by Council's Acting Director Planning, Manager Sustainable Growth and Strategic Planning Team Leader.
- In reviewing the Draft Planning Proposal, the Panel noted:
 - That the matter had not yet been reported to Council and that formal community consultation has not yet been undertaken.
 - That with the exception of landowners within the proposed extension of the Menangle Landscape Conservation Area (MLCA), all affected landowners had been contacted by Council during the preparation of the Draft Planning Proposal.
 - That only one written submission had been received which was in support of the Draft Planning Proposal
 - That with the exception of the MLCA and two items relating to amendments to the land zoning map, as it affected St Mark's Anglican Church, Picton and St Luke's Anglican Church, Wilton, the proposed amendments are all minor changes to correct weaknesses in the Local Environmental Plan.
 - That no new heritage items are proposed under this Draft Planning Proposal and that to date, no specialists studies have been undertaken.
- The Panel was advised that Council considered this Planning Proposal appropriate to address current deficiencies as a comprehensive review of the Local Environmental Plan is to be undertaken within the next two years.
- The Panel was satisfied that the previously refused Planning Proposal referred to in the report was pre-emptive of the release of the Macarthur growth area and was therefore not relevant to the matter before the Panel.
- The Panel noted that its role in providing this advice was in accordance with the Local Planning Panels Direction – Planning Proposals under Section 9.1 of the *Environmental Planning & Assessment Act 1979*.

WOLLONDILLY SHIRE COUNCIL

Minutes of the Wollondilly Local Planning Panel held in the
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Sustainable and Balanced GROWTH Reports

Decision

That the Wollondilly Shire Local Planning Panel supports the progression of the Draft Planning Proposal to the Gateway Determination, in accordance with the NSW Department of Planning and Environment Guidelines, subject to Council approval and with the following recommendations:

1. That the landowners in the Menangle Landscape Conservation Area (MLCA) extension area be advised of the preparation of the planning proposal prior to the reporting of the matter to Council, to ensure all landowners are given the same opportunity to comment.
2. That all landowners of land proposed to be included in the Draft Planning Proposal be notified and invited to attend when this item is listed at a Council Community Forum prior to being reported to Council.
3. That the Table of Changes to Schedule 5 (Attachment 1 in Report) be reviewed to ensure:
 - a. Where the places of public worship listed in this table have a special use zone, the correct land use description has been used.
 - b. The reference to curtilage in Item 187 be removed and replaced with a more descriptive reference.

Voting

The Panel voted 4/0

Advisory Notes

In addition, the Panel in discussion recognises the importance of the protection of Aboriginal Cultural Heritage and provides the following advisory note:

- That during the preparation of Council's next comprehensive Local Environmental Plan review, it explores the opportunity to work with senior members of its First Nations people to further its understanding of the Aboriginal Cultural Heritage of Wollondilly Shire and how to protect it.

WOLLONDILLY SHIRE COUNCIL

Minutes of the Wollondilly Local Planning Panel held in the
Council Chamber, 62-64 Menangle Street, Picton, on Thursday 26 July 2018

Closing

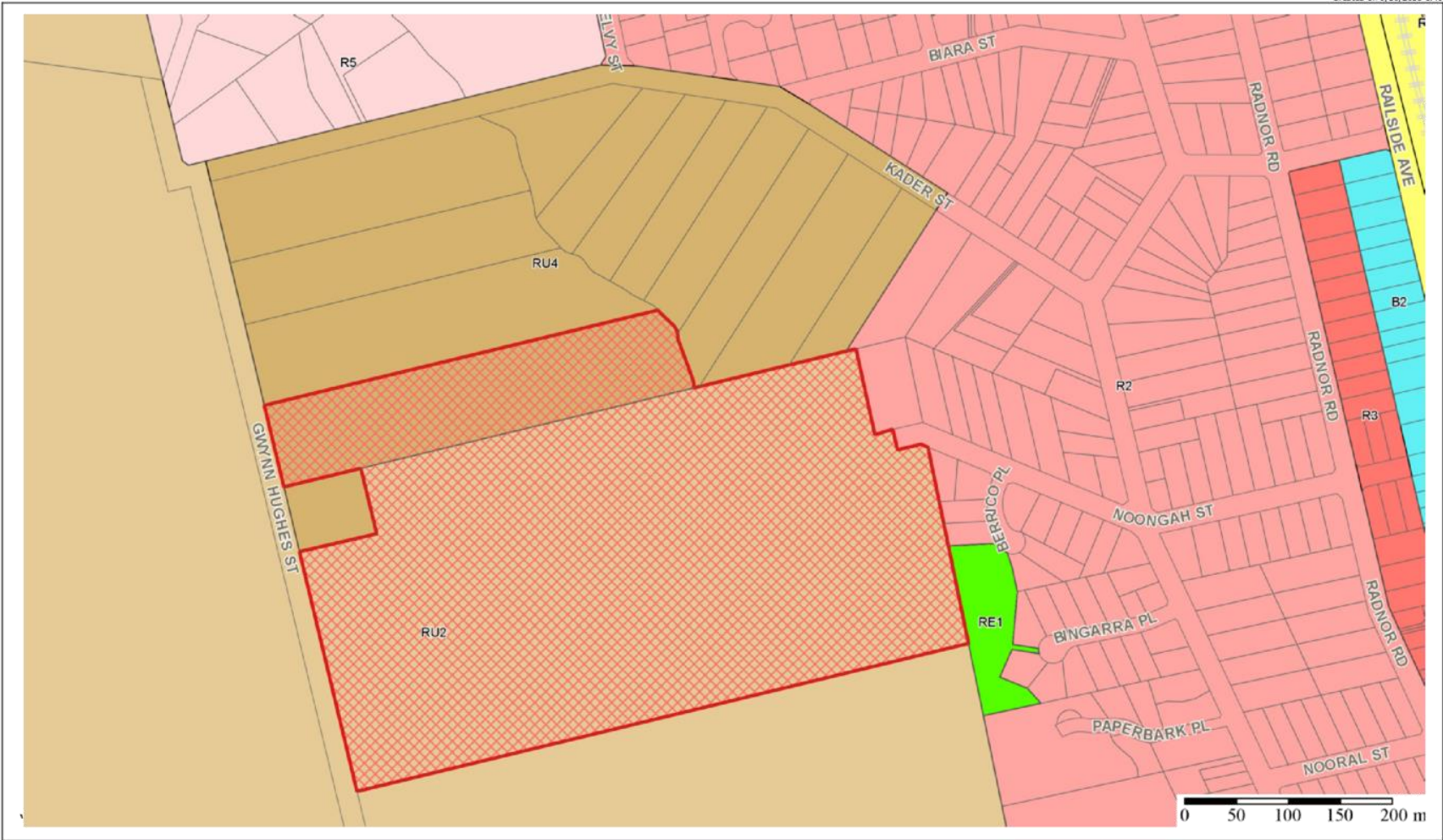
CLOSING


There being no further business, the Chair declared the Wollondilly Shire Local Planning Panel Meeting closed at 6.12 pm.

This and the preceding seven pages are the Minutes of the Wollondilly Shire Local Planning Panel Meeting held on Thursday 26 July 2018 and were confirmed in the subsequent meeting held on Thursday 30 August 2018.

.....
Chair

Closing





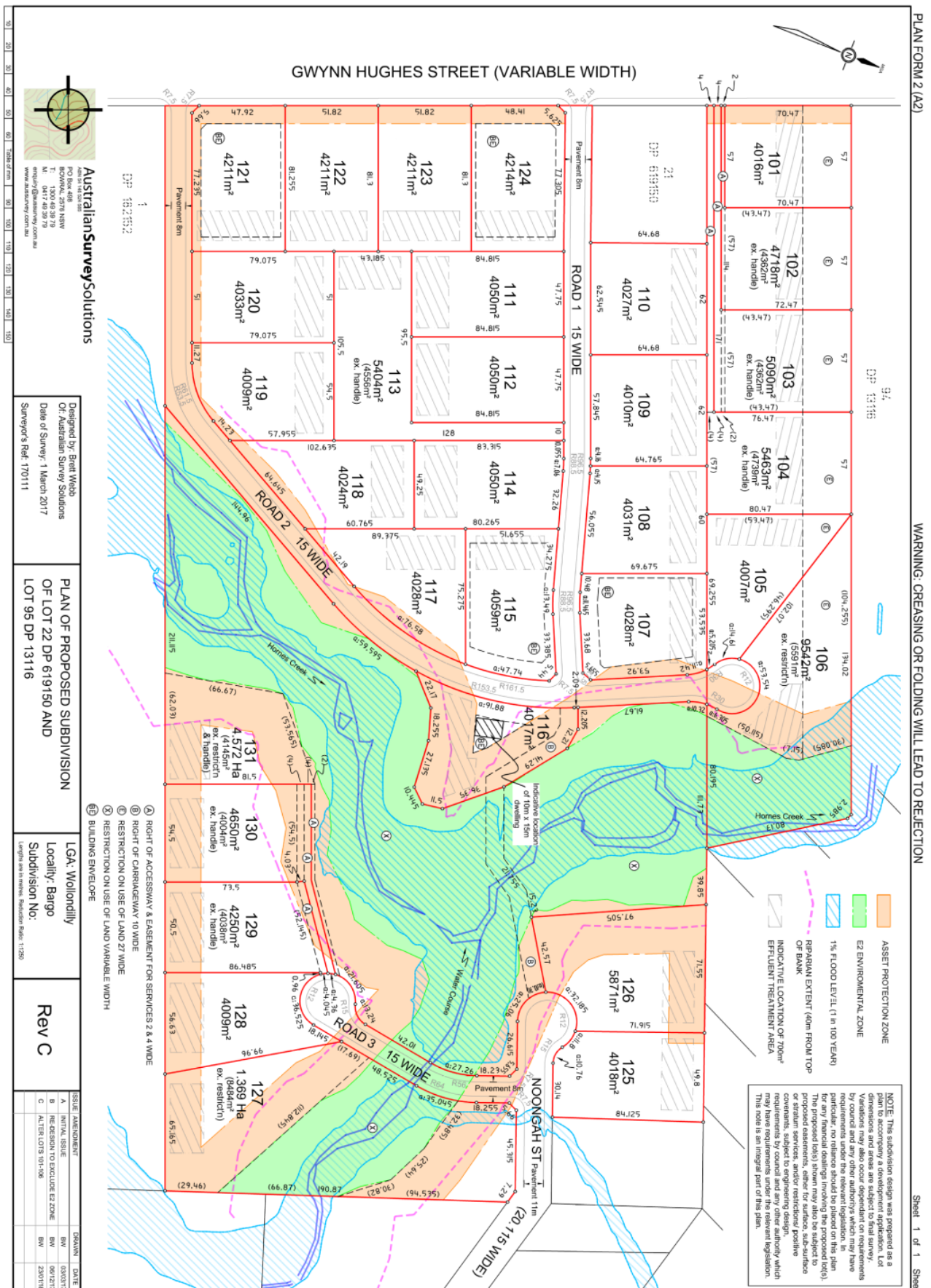
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Projection: GDA94 / MGA zone 56

Date: 9/10/2018

Created By: Brittany Madeley



Council's Position on Growth	
Key Principles & Objectives	Assessment
<p>1. Rural Protection</p> <p>Council is committed to managing growth so as to:</p> <ul style="list-style-type: none"> • Protect our rural lands, rural landscapes and their surrounding environments; • Protect the natural resources and systems upon which agriculture depends; • Support and maintain a viable agricultural industry and encourage further agricultural investment in the Shire; • Minimise the fragmentation of rural lands; • Minimise rural land use conflict. 	<p>The site is currently not used for any agricultural land uses. The proposal would allow residential development adjacent to an existing low density area on the urban fringe of Bargo.</p> <p>It is acknowledged that the lot itself has limited ability for large scale rural uses, however, given the constraints of the site it is more appropriate for the lot to be used for other compatible uses.</p> <p>In view of this, the proposal is considered inconsistent.</p>
<p>2. Growth in and around our existing centres</p> <p>Council will only support appropriately scaled growth within and around its existing towns and villages that:</p> <ul style="list-style-type: none"> • Respects the character, setting and heritage of those towns and villages; • Supports the economic and social sustainability of those towns and villages; • Mitigates or minimises adverse environmental impacts; • Retains green space/rural lands separation between towns and villages; • Incorporates appropriate and timely infrastructure provision to meet the needs of the existing and incoming population; • Addresses the cumulative impacts and infrastructure requirements when considered in conjunction with other proposals; • Does not compromise or conflict with the concept and vision of rural living (as defined in the following section of this CSP); 	<p>The subject site is on the existing urban fringe of Bargo and will not impact on the separation between towns and villages.</p> <p>The planning proposal raises environmental concerns regarding flooding and the impact of development on the riparian corridor.</p> <p>Council would be unable to support the development of the south eastern area of the site due to flood constraints, and this would result in an isolated segment of rural zoned land being retained between the existing village and the proposed R5 zoned land to the west of Hornes Creek. This type of resulting development would be inconsistent with the desired pattern of development in the locality.</p>

<ul style="list-style-type: none"> Has incorporated, and has been informed by extensive community engagement. 	
<p>3. Wilton New Town</p> <p>Council's priority focus for growth will be the development of a new town at Wilton and Council will not support the development of new towns or villages in other areas of the Shire. The vision for Wilton is to create a major new town over the next 20-30 years which will incorporate 16,600 homes for a population of approximately 50,000 people.</p>	<p>The proposal is not considered to be a new town or village.</p> <p>It is consistent in this regard.</p>
<p>4. No other major growth areas</p> <p>Council will not be supporting major urban development or the development of new towns or villages within its rural areas including those parts of Wollondilly that are in the 'Greater Macarthur Land Release Investigation Area' (other than its commitment to the development of a major new town at Wilton). Council will therefore not be supporting major urban developments in the West Appin area.</p>	<p>Development is proposed next to existing residential land in Bargo and is considered consistent with this policy direction.</p>

Council's Position on Growth	
Outcome/Strategy; What do we want?	Assessment
<p>Strategy GR1 – Growth</p> <ul style="list-style-type: none"> Manage growth to ensure it is consistent with Council's Position on Growth and achieves positive social, economic, and environmental outcome for Wollondilly's towns and villages. 	<p>Wollondilly's Growth Management Strategy 2011 (GMS 2011) outlines how growth should occur throughout the shire's towns and villages.</p> <p>The subject site is not identified as a location for future growth, but it is generally consistent with the GMS 2011</p>

Key Policy Direction	Comment
General Policies	
P1 All land use proposals need to be consistent with the key Policy Directions and Assessment Criteria contained within the GMS in order to be supported by Council.	The site has not been identified on the Structure Plan for Bargo in the GMS as accommodation future growth or a change in land use.
P2 All land use proposals need to be compatible with the concept and vision of "Rural Living" (defined in Chapter 2 of the GMS).	The existing lot size is considered to be more consistent with the rural living requirements of the GMS as a larger lot size on the site would act as a suitable transition between rural and residential lands.
P3 All Council decisions on land use proposals shall consider the outcomes of community engagement.	<p>A total of seven (7) submissions were received during the initial consultation for the original Planning Proposal between 29 April and 27 May 2014.</p> <p>A total of eight (8) submissions were received during the consultation for the revised Planning Proposal between 28 May and 25 June 2014.</p> <p>The Planning Proposal has not progressed to public exhibition and consultation post-gateway determination.</p>
P4 The personal financial circumstances of landowners are not relevant planning considerations for Council in making decisions on land use proposals.	The financial circumstances of the landowners have not been considered in the assessment of the Planning Proposal.
P5 Council is committed to the principle of appropriate growth for each of our towns and villages. Each of our settlements has differing characteristics and differing capacities to accommodate different levels and types of growth (due to locational attributes, infrastructure limitations, geophysical constraints, market forces etc.).	<p>The proposal is not identified within the Structure Plan for Bargo in the GMS. However, in regard to locality the site is considered suitable for residential development as it is located in close proximity to the existing Bargo urban centre, and adjacent to an existing residential area.</p> <p>It is noted that other constraints may impact on the viability of the subject site for development including flooding, bushfire threat, lack of availability of reticulated sewer, and ecological value.</p>
Housing Policies	
P6 Council will plan for adequate housing to accommodate the Shire's natural growth forecast.	The proposal would provide scope for the provision of an additional 30-35 lots toward Council's target for Bargo outlined in the GMS.
P8 Council will support the delivery of a mix of housing types to assist housing diversity and affordability so that Wollondilly can better accommodate the housing needs of its	The proposed minimum allotment size of 4,000 square metres will add to the variety of lot sizes in Bargo, given that there are smaller lots closer to the existing town centre and some larger rural residential lots on the urban fringe.

different community members and household types.	
P9 Dwelling densities, where possible and environmentally acceptable, should be higher in proximity to centres and lower on the edges of towns (on the "rural fringe").	Should Council proceed with this proposal, it would extend the existing residential area of the village. The proposed lot size of 4,000 square metre would act as a transitional lot size between the existing residential area and the rural zone.
P10 Council will focus on the majority of new housing being located within or immediately adjacent to its existing towns and villages.	<p>The subject site is located on the fringe of the existing Bargo urban area.</p> <p>The eastern boundary of the site is considered to be appropriate in terms of walkability to the town centre.</p> <p>Due to geographic constraints within the site, namely Hornes Creek, the western portion of the site is considered to be inappropriate in terms of walkability to the town centre for future residents, and therefore may become reliant of vehicular access.</p>
Macarthur South Policies	
Key Policy Directions P11, P12, P13 and P14 are not applicable to this planning proposal. The subject land is not with the Macarthur South area.	Not applicable.
Employment Policies	
P15 Council will plan for new employment lands and other employment generating initiatives in order to deliver positive local and regional employment outcomes.	Not applicable
P16 Council will plan for different types of employment lands to be in different locations in recognition of the need to create employment opportunities in different sectors of the economy in appropriate areas.	Not applicable.
Integrating Growth and Infrastructure	
P17 Council will not support residential and employment lands growth unless increased infrastructure and servicing demands can be clearly demonstrated as being able to be delivered in a timely manner without imposing unsustainable burdens on Council or the Shire's existing and future community.	<p>The subject site is unable to be serviced by reticulated sewer, as such on-site disposal systems within each lot would be required. Reticulated water is available, but would be subject to amplification to service future development.</p> <p>If the proposal were to proceed, upgrades to Kader Street Bridge may be required due to downstream amplification resulting from the proposed creek crossing within the subject site.</p>
P18 Council will encourage sustainable growth which supports our	The planning proposal would support the growth of the existing Bargo Village as the site is located

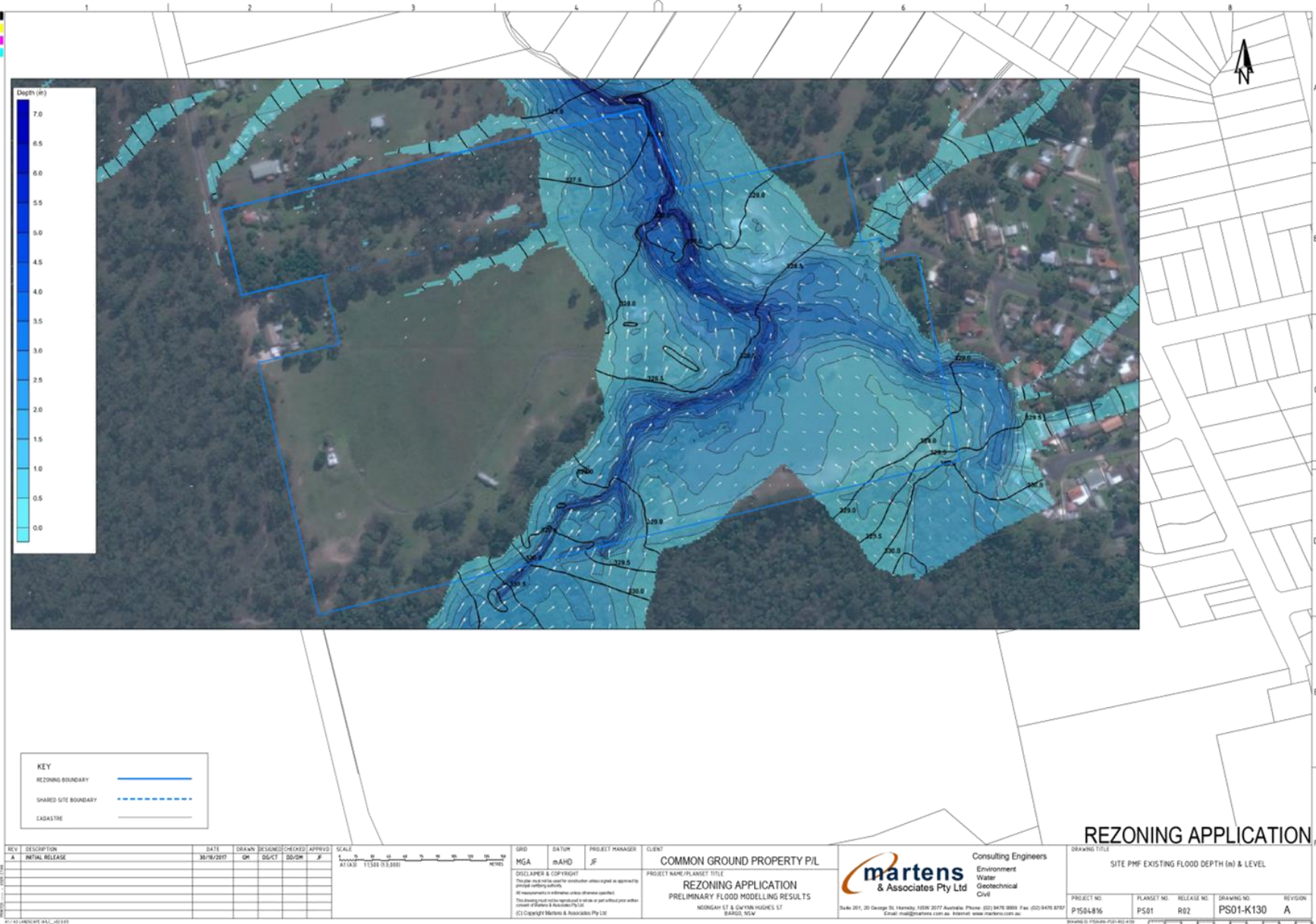
existing towns and villages, and makes the provision of services and infrastructure more efficient and viable – this means a greater emphasis on concentrating new housing in and around our existing population centres.	adjacent to the existing urban fringe. The proposal would be located in an area that could be serviced by buses, trains, and the existing Bargo Primary School
P19 Dispersed population growth will be discouraged in favour of growth in, or adjacent to, existing population centres.	The subject site is adjacent to the existing Bargo Town centre, and therefore is considered appropriate in this regard.
P20 The focus for population growth will be in two key growth centres, being the Picton/Thirlmere/Tahmoor Area (PTT) area and the Bargo Area. Appropriate smaller growth opportunities are identified for other towns.	The planning proposal relates to land adjacent to the existing Bargo urban area.
Rural and Resource Lands	
P21 Council acknowledges and seeks to protect the special economic, environmental and cultural values of the Shire's lands which comprise waterways, drinking water catchments, biodiversity, mineral resources, agricultural lands, aboriginal heritage and European rural landscapes.	Further consultation is required to establish compliance with this policy direction.
P22 Council does not support incremental growth involving increased dwelling entitlements and/or rural lands fragmentation in dispersed rural areas. Council is however committed to maintaining where possible practicable, existing dwelling and subdivision entitlements in rural areas.	The subject site is currently zoned RU2 Rural Landscape and RU4 Primary Production Small Lots. The proposal would involve the fragmentation of a rural lot, and would allow incremental growth the existing township of Bargo. The planning proposal would result in increased subdivision entitlements and dwelling entitlement as the subject site is proposed to be zoned R5 Large Lot Residential with a minimum lot size of 4,000 square metres.

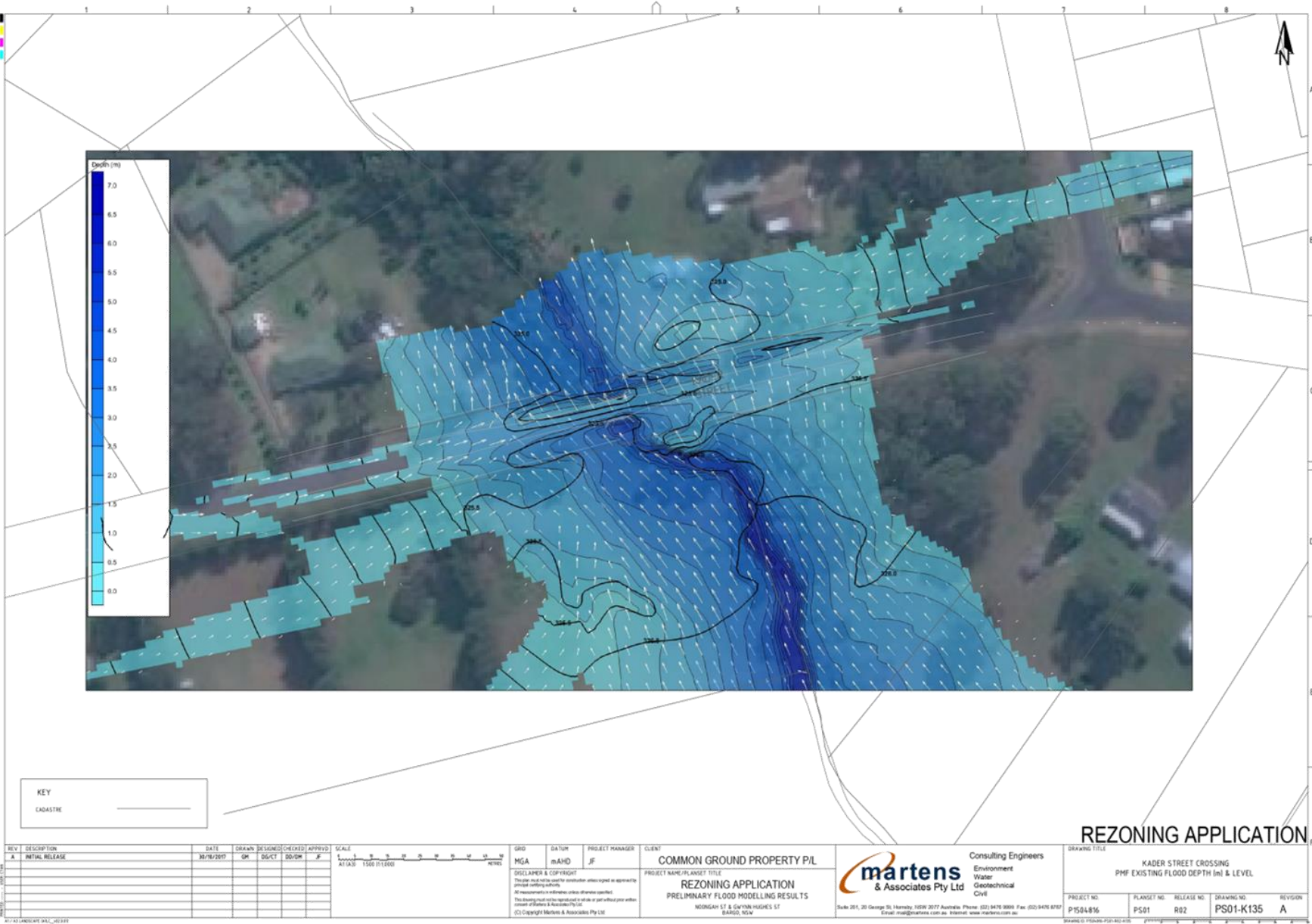
Note: Comments in red have been included after the Gateway Determination was received.

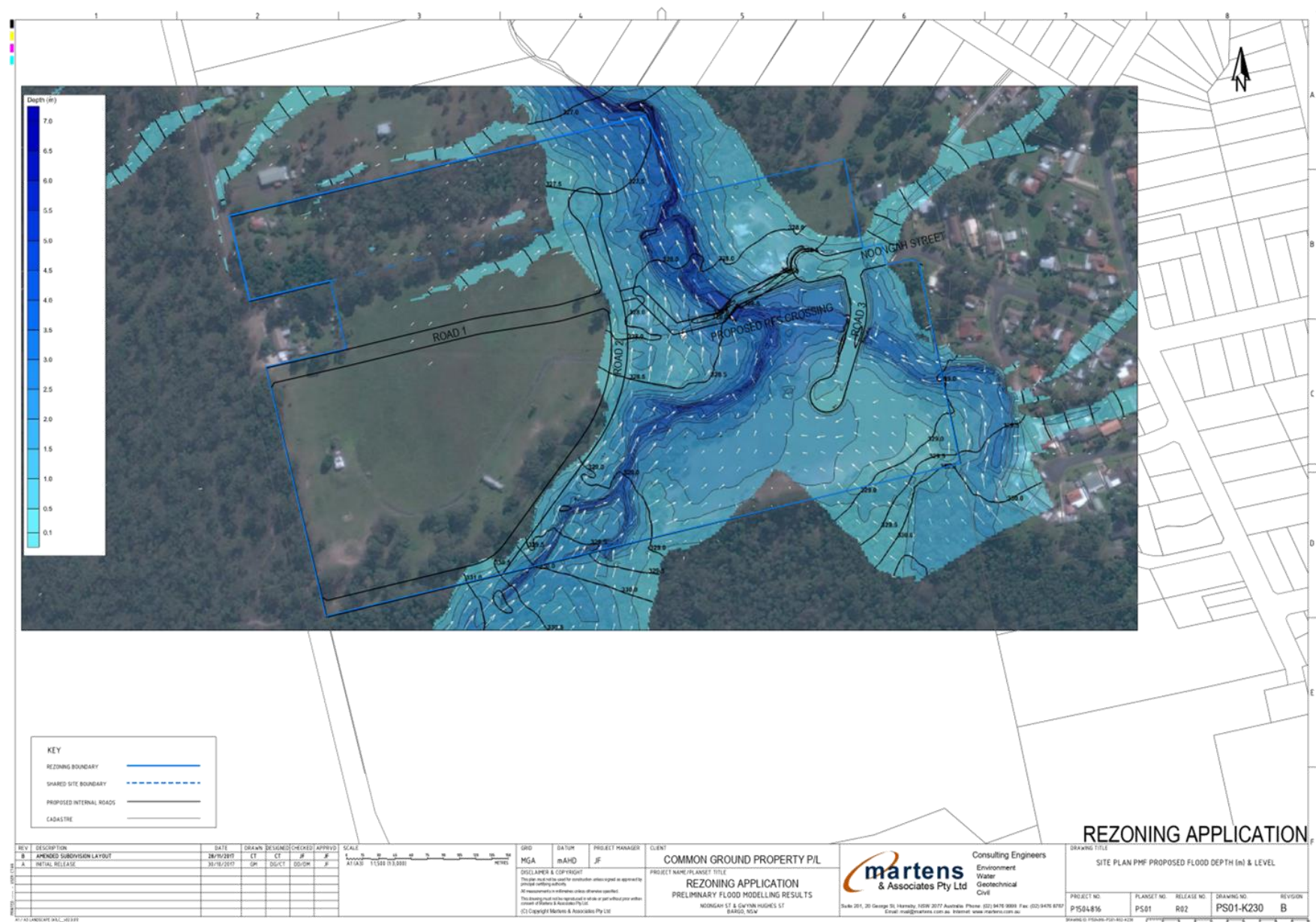
Issue Raised	Assessment Comment
No objection is raised to this Planning Proposal. Request for 145 Kader St (three blocks and approximately 150m to the north of the subject site), Bargo to be considered for rezoning.	It is the opinion of Council staff that this would need to be lodged as a separate Planning Proposal. Any Planning Proposal for this area would be considered by Council on its merits.
In support of the Planning Proposal and requests that 11 Gwynn Hughes Street (two blocks to the north), Bargo be considered for rezoning.	It is the opinion of Council staff that this would need to be lodged as a separate Planning Proposal. Any Planning Proposal for this area would be considered by Council on its merits.
Loss of agricultural land	Whilst it is acknowledged that rezoning to residential would remove the ability for the land to be used for agriculture, the subject site is not presently being used for agricultural purposes and therefore it is not considered that the proposal would result in a loss of current agricultural land. Having said this, it is noted that the E3 Environmental Management zone permits some forms of extensive agriculture without consent.
The proposed lot size is too small and should be 4,000m ² . This would impact adversely on rural living.	The proposed lot size is considered appropriate, given the proximity of the site to the existing urban centre. An assessment has been undertaken against Council's GMS, which includes consideration of rural living, in the table in section 4.5 of this report. Planning proposal now includes a minimum lot size of 4,000 square metres.
Concerns with the ability of the road network to cope with additional traffic.	The site currently has access to Noongah Street. Traffic impacts and access would need to be further investigated by a specialist study that would likely be required as part of a Gateway Determination. Potential upgrading and widening of roads could also consider the need for new footpaths and cycle paths.
The significance of the land to the Tharawal people	This would need to be further investigated by an Aboriginal Heritage Study that would likely be required as part of a Gateway Determination Aboriginal Heritage Study was submitted to Council in 2017.
The proposed development will be unable to use the soon to be completed sewerage system and would therefore have to construct its own sewage treatment plant.	It has been determined that there is not capacity in the Bargo Priority Sewerage Program to cater for the proposed development. It is not proposed to construct a sewage treatment plant for the subject site, rather, disposal of wastewater will be on-site. A preliminary wastewater disposal assessment has been prepared that supports the proposed minimum lot size of 1,500m ² . This issue may need further investigation as part of the gateway process. A minimum lot size of 4,000 square meters provides capacity for on-site waste water management

An inadequate number of residents were notified.	<p>After requests following the 2013 consultation period, a greater number of residents were notified in the 2014 consultation period for this Planning Proposal, including those in Kader, Noongah, Radnor and Nooral Streets. Additionally, the proposal was made available on Council's website and in Council's offices and an advertisement was placed in the local newspapers. The submissions received during this period have been addressed in this table.</p> <p>If this proposal receives a Gateway Determination, further community consultation will be required, before which the relevant government agencies will also be contact, such as the Mine Subsidence Board.</p>
Bushfire Impacts	<p>As previously stated, the land is identified as being bushfire prone. A preliminary bushfire hazard assessment has been submitted that supports the proposal.</p> <p>This would need to be further investigated by a more detailed Bushfire Impact Assessment that would likely be required as part of a Gateway Determination.</p> <p>Consultation with the Rural Fire Service has occurred</p>
Environmental impact / degradation to Hornes Creek / Stormwater management / Drainage and infrastructure provision	<p>The potential for impact to the riparian corridor and Hornes Creek is an important issue and would be subject to a detailed investigation of all aspects should Council proceed to preparing a Planning Proposal for the site.</p> <p>In addition to this, it is recognised that some parts of the subject site are of ecological significance and this will need to be further investigated as part of the gateway process. In addition to the proposed E3 Environmental Management zone that is proposed along the riparian corridors, clause 7.3 (Water Protection) of WLEP 2011 will be used as a planning control to assess development in the riparian zone at the Development Application stage. Hornes Creek is shown on the "Natural Resources – Water Map" as well as having a 30m buffer for the riparian corridor. It is acknowledged that this clause relates primarily to water protection within the riparian zone, however Clause 7.3(4)(a) states that development consent must not be granted unless the development is designed, sited and managed to avoid adverse environmental impact. Furthermore, Section 79(C) of the EP&A Act states that environmental impact is a key consideration in evaluating the merit of development applications.</p> <p>Furthermore, it is anticipated that specialist investigations would be required by the Gateway Determination to be prepared to assess the</p>

	<p>potential for impact regarding aspects such as Flora & Fauna and flooding.</p> <p>Extensive consultation with the Office of Environment and Heritage, and Councils Environmental Outcomes Team has occurred</p>
Time taken in assessing the application (raised by the applicant / proponent).	<p>In response to the submission, Council noted that the application had taken some time to assess given staffing resources. However, it is a consideration to assess preliminary applications in an expedient manner and accordingly, as previously discussed in section 1.2, a consultant was engaged to assist Council staff with this process. This report has now been prepared by Council staff.</p>







**Office of
Environment
& Heritage**

DOC18/56401
7325

Mr Mark Ruddiman
Senior Strategic Planner
Wollondilly Shire Council
PO Box 21
PICTON NSW 2571

WOLLONDILLY SHIRE COUNCIL	
TRIM NO.	7325
PROP. No.	
20 MAR 2018	
AUTH. No.	
ASSIGNED TO:	M. Ruddiman

Dear Mr Ruddiman

OEH comments on Planning Proposal – 45 Noongah Street and 25 Gwynne Hughes Street, Bargo – revised planning proposal

Thank you for your letter of 4 January 2018, requesting further advice from Office of Environment and Heritage (OEH) on the revised Planning Proposal for 45 Noongah Street and 25 Gwynne Hughes Street, Bargo in relation to the flood affectation of the site and impacts on vegetation.

OEH has reviewed the following documents:

- Plan of Proposed Subdivision – Revision B (6 December 2017)
- Specialist Study Bushfire Hazard Risk Assessment (4 December 2017)
- Preliminary Flood Study (Martens, 2015)
- Additional Information 1252 - Flood Modelling and preliminary regrading report – Revision B (Martens, 2017)
- Your email of 6 February 2018 with comments from Council's flood engineer

and provides comments in Attachment A.

Should you have any queries regarding this matter, please contact Janne Grose on t:8837 6017 or e: janne.grose@environment.nsw.gov.au

Yours sincerely

S. Harrison 13/03/18

SUSAN HARRISON
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Attachment A**OEH comments on Planning Proposal – 45 Noongah Street and 25 Gwynne Hughes Street, Bargo – revised planning proposal**

Reference is made to the Office of Environment and Heritage (OEH) previous submissions of 14 December 2016 and 20 April 2017 on the Planning Proposal for this site. OEH has reviewed the following documentation:

- Plan of Proposed Subdivision – Revision B (6 December 2017)
- Specialist Study Bushfire Hazard Risk Assessment (4 December 2017)
- Preliminary Flood Study (Martens, 2015)
- Additional Information 1252 - Flood Modelling and preliminary regrading report – Revision B (Martens, 2017)
- Your email of 6 February 2018 with comments from Council's flood engineer

and provides the following comments.

Biodiversity

OEH notes the Flora and Fauna Assessment report (FFAR) provided with the revised planning proposal is the same version of the report (dated 7 March 2017) that was reviewed previously by OEH. The following comments are in addition to advice previously provided by OEH on native vegetation at the site.

Plan of Proposed Subdivision

OEH supports the Plan of Proposed Subdivision (PPS) zoning the high ecological constraint land along Hornes Creek as E2 Environmental Conservation zone (rather than E3 Environmental Management zone). This is consistent with advice previously provided by OEH that areas of high ecological value are most appropriately protected by the application of an E2 zone (rather than an E3 zone).

Comparing the PPS with Figure 3.19 in the FFAR, OEH notes the rectangular area of land identified as high ecological constraint on the northern boundary has not been zoned E2 and is still proposed to be subdivided as R5 large lot Residential. It is noted this area of land has a 'restriction on use of land variable width'. Details need to be provided on what this means. OEH recommends the PPS is amended to apply an E2 zoning to this area.

OEH seeks clarification on who will own and manage the E2 zoned land at the site in the long term. OEH previously recommended the areas of high ecological value are managed in perpetuity under a biobanking agreement or via a community title. Details are required on this.

Some of the proposed lots, the perimeter road and Asset Protection Zone (APZ) would impact vegetation that has been identified as moderate ecological constraint in the FFAR. A scaled plan which overlays the PPS and the ecological constraint vegetation would be useful. The proposed location of perimeter road 2 and APZ would result in the clearing of moderate ecological constraint vegetation. OEH recommends the planning proposal is in accordance with the *OEH Principles for the Use of Biodiversity Offsets in NSW* which can be found at the following link: <http://www.environment.nsw.gov.au/biodivoffsets/oehoffsetprincip.htm>. The first principle outlines that impacts to native vegetation are avoided first by using prevention and mitigation measures. If impacts are unavoidable, offsets then must be used to address any remaining impacts to native vegetation that is proposed to be removed. The perimeter road/APZs should be located to protect and avoid clearing the moderate ecological constraint vegetation.

The PPS shows the perimeter road 2/APZ are located within the riparian extent of Hornes Creek. OEH recommends DoI Water is consulted on this to ensure the planning proposal complies with the DPI Office of Water (2012) guidelines for controlled activities. OEH understands encroachment of APZs/roads into the outer vegetated riparian zone needs to be offset by an equivalent area adjoining the riparian corridor along the creek. Encroachment into the riparian corridor does not appear to have been offset.

The PPS shows APZs are to be located adjacent to the E2 zone and that lots 106, 116 and 126-131 adjoin the APZ. The Bushfire Hazard Risk Assessment (BHRA) notes the APZs would be conditioned within the development consent to be managed as fuel free/fuel reduced areas for the life of the project (page 22). It indicates the general maintenance requirements (APZ vegetation management) would be conducted by the building owners/tenants in due course (section 2.7, page 22). It is unclear what measures will be used on the site to ensure that future residents will not clear beyond the 25m wide APZ and potentially clear/disturb/degrade the high ecological constraint vegetation. It is important the residents can distinguish on the ground between the APZ and the adjoining E2 zoned land so that it is not cleared. OEH preference is for perimeter roads to be provided between the development lots and native vegetation that is to be protected on the site.

The PPS shows the location of the building envelope on some lots but not all. It unclear why this detail is not provided for all lots and clarification is required on this.

It is noted for lot 116 the indicative location of the dwelling is immediately adjacent to the APZ. Comparing the PPS with Figure 3.19 in the FFAR, the building envelope appears to impact moderate ecological constraint vegetation. It is recommended the location of the building envelopes avoid the need to clear moderate ecological constraint vegetation

Floodplain Risk Management

The primary objective of the NSW Government's Flood Prone Land Policy is to reduce the impact of flooding and flood liability on individual owners and occupiers of flood prone property, and to reduce private and public losses resulting from floods. The most appropriate method to assess the development of flood prone land is through the floodplain risk management process, which is a risk based assessment detailed in the NSW Floodplain Development Manual (2005).

Section 117 Direction 4.3 'Flood Prone Land' of the Environmental Planning and Assessment Act 1979, applies to the subject site. A primary objective of this Direction is to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005.

The Preliminary Flood Study (Martens, 2015) provides brief discussion on the hydrologic and hydraulic model set up, though it includes no discussion about the flooding characteristics near the site, the impacts of flooding on the proposed development or the impacts of the development on flooding and on adjacent properties.

The Additional Info 1252 – Flood modelling and preliminary regrading report (Martens, 2017) provides maps that show the flooding characteristics for the 20% AEP, 5% AEP, 1% AEP and the Probable Maximum Flood (PMF) for existing and developed scenarios.

Comments on the above provided information:

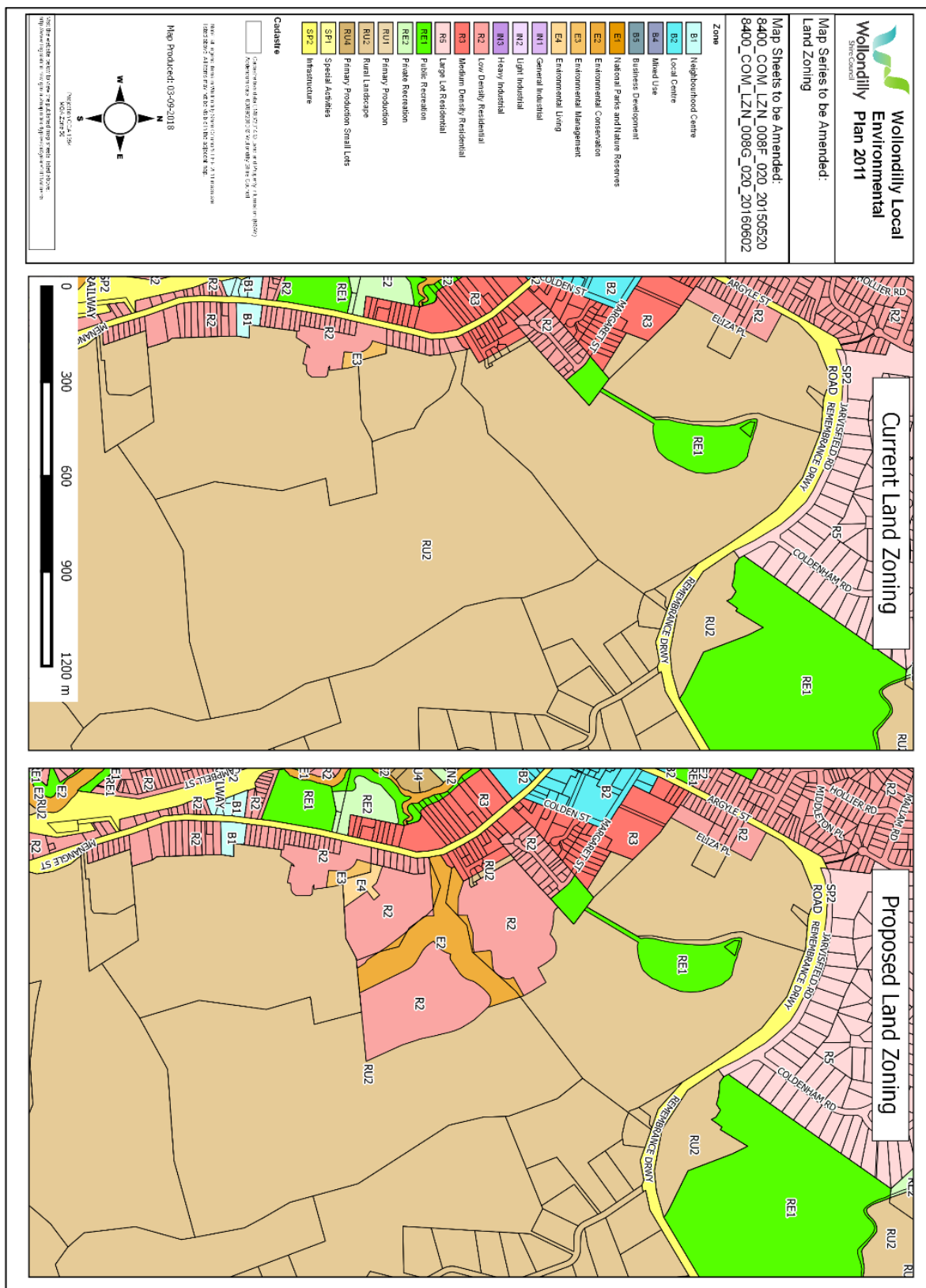
- The 1% developed scenario maps show that the proposed rezoned area on the north-east side (along Road 3 and Noongah Street) becomes isolated in the 1% AEP flood event which indicates no safe evacuation route is available. The south-east side along Road 3 has its access through Noongah Street cut off at 5% AEP which indicates that to ensure safe evacuation residents in the south-east areas would evacuate in every flood event equal or larger than the 5% AEP. The PMF developed scenario map shows this area fully inundated in the PMF. Accordingly, OEH supports the recommendation made by Wollondilly Shire Council not to rezone the south-east area along Road 3 i.e. lots marked 127 to 131 in the proposed subdivision Plan.
- The flood immunity at the end of Noongah Street should be investigated as it appears to be cut in a 1% AEP event. The depth of water over Noongah Street is unclear in drawing "Site 1% AEP Proposed Flood Depth (m) and Level" and should be clarified.

- The flood immunity of the existing Kader Street bridge and the proposed river crossing at the end of Noongah Street has not been assessed. OEH agrees with Council that only the Gwynne Hughes Street access is necessary. The Kader Street bridge should have at least a 1% AEP immunity for evacuation purposes. The current immunity of the bridge is unclear from the information provided. Discussion on evacuation and a suitable evacuation plan should be provided.
- The proposed Subdivision Plan shows the 1% AEP extent encroached or is close to some proposed lots. New development should be allocated in areas above the 1% AEP plus 0.5m freeboard. The 1% AEP event plus 0.5m freeboard planning level should be mapped and levels adhered to as the minimum floor level for the properties.
- An Emergency Response Plan (ERP) should be prepared for the proposed development in consultation with the State Emergency Service to ensure safe evacuation. Available information on the proposed RFS crossing and on evacuation routes cut-off time is prudent in the preparation of the ERP for the site.

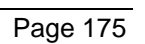
Relevant Policies and Guidelines

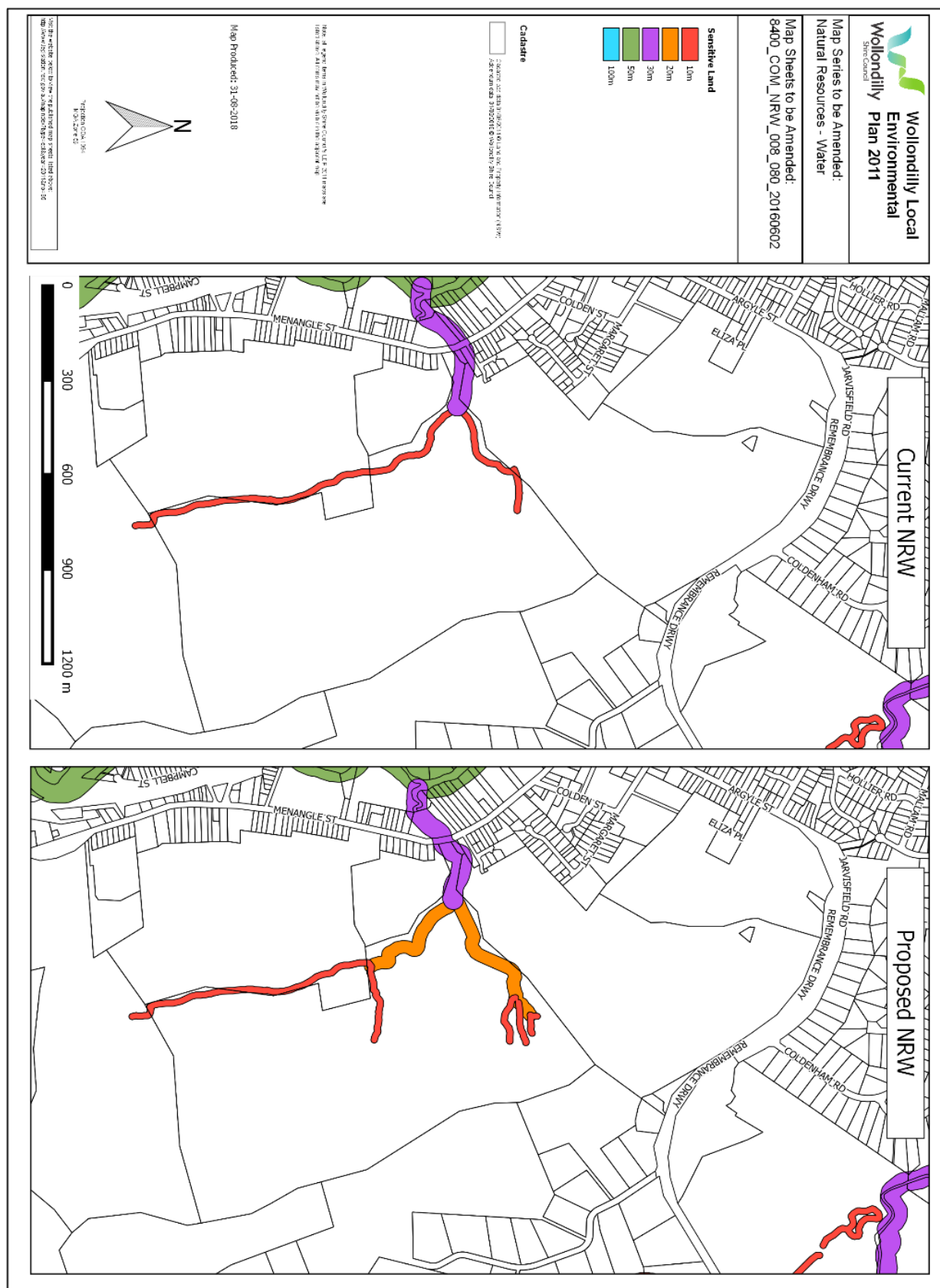
- NSW Government Flood Prone Land Policy (1984) as set out in the Floodplain Development Manual (2005)
- Section 117(2) Local Planning Direction 4.3 "Flood Prone Land"

(END OF SUBMISSION)

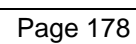














Our ref: STH12/00085/60
Contact: Andrew Lissenden 4221 2769
Your ref: TRIM 6482

28 September 2018

Mark Ruddiman
Wollondilly Shire Council
BY EMAIL: council@wollondilly.nsw.gov.au

PICTON EAST PLANNING PROPOSAL – PUBLIC EXHIBITION OF PLANNING DOCUMENTS

Dear Mark

Roads and Maritime Services (RMS) refers to Council's letter dated 11 September 2018 regarding the public exhibition of the above planning documents.

RMS has reviewed the information provided focusing on the impact to the state/classified road network. RMS as a result of its assessment notes the following:

- For this planning proposal (PP) the key classified roads are Menangle Street which is identified as a state classified road and Argyle Street/Remembrance Drive which are identified as a regional classified road managed by Wollondilly Council; and
- Since previously providing comments the PP has been amended. The amended proposal allowing the subdivision of land to enable a yield of approximately 250 dwellings (a reduction from 400 dwellings as originally proposed).

Having regard for the above RMS advises that it has concerns with the PP as currently provided for comment. Specifically these concerns relate to the need for:

- A strategic/concept design for the new intersection at the Menangle Street access point; and
- Connectivity within/through the land affected by the PP and when it will be provided.

Attachment 1 to this letter provides further details on the above as well as some other general comments on the PP.

RMS requests that the finalisation of the PP be placed on hold until additional information that adequately addresses the issues above has been provided. This ensuring that the PP, if approved, has minimal impacts on the state classified road network and correctly reflects the works required to be provided by the developer as part of any future development applications lodged.

If you have any questions please contact Andrew Lissenden on 4221 2769.

rms.nsw.gov.au

1

Please ensure that any further email correspondence is sent to 'development.southern@rms.nsw.gov.au'.

Yours faithfully



Chris Millet
Manager Land Use
Southern Region

Cc: *mark.ruddiman@wollondilly.nsw.gov.au*

Attachment 1

- **Intersection Strategic/Concept Design:** RMS from reviewing the traffic reports submitted (Traffic Impact Assessment (TIA) prepared by Cardno - Job Ref: NA50613047 R01 Ver C, dated 19/05/2015 and Addendum Technical Memorandum prepared by Cardno - Ref: NA50613407:CA, dated 26 July 2018) notes that minimal detail has been provided as part of the PP on the proposed intersection upgrade works at the sites access to Menangle Street/the state classified road. While RMS notes that both the above documents detail that the sites access via Menangle Street (identified as the primary site access) will require an upgrade to a priority controlled access with auxiliary /deceleration left turn lane and channelised right turn, RMS requires a greater level of detail in relation to the design of the proposed intersection upgrade works. This information is required so as to demonstrate that a compliant design can be constructed within land available/within the legally defined road reserve boundaries noting the location of the proposed intersection appears to have a number of constraints (i.e. existing infrastructure such as power poles, culverts, guardrail, etc) and to allow RMS to undertake a preliminary assessment of the works proposed. As such the strategic/concept design plans provided must address the following:

- **Level of Detail:** The concept design plans provided must be to scale and should include, but not be limited to, legal property boundaries (including the existing road reserve boundaries), existing and proposed lane configurations, existing and proposed lane widths at a number of locations along the length of the proposed works, lane lengths for the new works, details on new signage and line marking, identification of existing infrastructure (e.g. power poles), measures to ensure pedestrian connectivity along and across Menangle Street, etc.

The concept design provided must demonstrate:

- compliance with the applicable requirements in the *Austroads Guide to Road Design* and its associated supplements/technical directions; and
- that the works can be contained within the legally defined road reserve boundaries. The designs provided must be for a design speed of 70km/h (i.e. the posted speed limit + 10km/h). If the concept design shows works are required in adjoining land under separate ownership (excluding land within the legally defined road reserve), then owners consent from that property owner will be required;
- **Sight Distance:** Details are required that clearly demonstrate, that based on the concept design above, any new access to/from the Menangle Street would have safe intersection sight distance in accordance with *Austroads Guide to Road Design – Part 4A: Unsignalised and Signalised Intersection* for both cars and trucks. To demonstrate that appropriate sight distance is available, RMS requires a scaled concept plan showing the sight distance at the access. The plan needs to identify the proposed location of the access and the extent of any works proposed/required to achieve the required sight distance (i.e. 151m for cars based on a reaction time of 2.0 seconds and a design speed of 70km/h); and
- **Swept Path Analysis:** A Swept Path Analysis in accordance with Austroads turning templates to demonstrate that the largest vehicle likely to utilise the access can enter and exit in a forward direction without crossing the centre line of the road/impacting upon any proposed infrastructure into which it is accessing.
- **Connectivity:** RMS notes that the indicative road layout displayed in the PP documentation shows an internal road hierarchy that provides connectivity through the development site and ensures that all vehicles can enter and exit either through the Margret Street access or the Menangle Street access

Attachment 1

(refer to Figure 3.2 of the Cardno TIA dated 19/05/2015). Limited details have however been provided as part of the PP on when the connectivity within/through the development site will be provided.

RMS believes, from a network perspective, that this connectivity for vehicles (cars, buses, etc) as well as for pedestrians and cyclists as part of any future development is important and must be provided as part of the first stage of any future land subdivision. Without this link/connectivity RMS has concerns that a number of local trips will need to be made via the Menangle Street and its associated intersections with Argyle Street which is considered inappropriate. The provision of internal connectivity also providing for a connected neighbourhood which is desirable and which it is noted the PP seeks to provide. As such, given that the submitted PP has not at this time provided any details on how the future subdivision of land will be staged, RMS believes that the internal collector road connection between Menangle Street and Margret Street is vital to minimise trips on the classified road network and as such must be provided as part of the first stage of future development.

- Other General Comments: RMS notes that that the PP seeks to identify the area to which it applies as an Urban Release Area (URA) under the *Wollondilly Local Environmental Plan 2011* (WLEP 2011). RMS supports the inclusion of the land as a URA and the need for any future development to address the provisions of Clause 6.1 (Arrangements for designated State Public infrastructure) of WLEP 2011.

Matrix & Table Summarising Stakeholder submissions to the Picton East Planning Proposal

MATRIX OF KEY ISSUES RAISED IN SUBMISSION

Submission No.	Does the submission support the development?	Traffic and transportation	Rural living and local character	Lot Size and density	Storm water and flooding	Inadequate infrastructure and services	Landslide risk	Flora and Fauna	Employment, business and tourism	other
1	No					•				
2	No	•	•	•	•	•		•		•
3	No	•	•				•	•		
4	No		•	•			•		•	
5	No		•	•						
6	No	•		•	•	•				
7	No	•	•	•	•	•		•		
8	Neutral				•					
9	No	•			•					
10	No		•	•		•	•		•	•
11	Yes								•	•
12	Yes	•	•						•	
13	No	•	•					•		
		7	8	6	5	5	3	4	4	3

TABLE SUMMARISING SUBMISSIONS AND COUNCIL'S RESPONSE

Issue Raised	Council Assessment Response
Traffic, roads and public transport	
<ul style="list-style-type: none"> Roads are inadequate at present; <ul style="list-style-type: none"> Local roads are often not maintained very well at present The proposed development will lead to more congestion in surrounding streets and the local area The streets in the vicinity of the proposal are too narrow for the number of extra car movements proposed Intersection of Margaret and Argyle Street will be significantly impacted Upgrades to local roads will need to occur first in order to fix current traffic issues Streets surrounding the proposal site are often congested in the peak period No space for propose road upgrades for entry/exit onto Menangle street. Picton Bypass needs to be built Margaret street inappropriate for site access during construction phase Site will provide an alternate route through Picton, avoiding the main street 	<p>The Planning Proposal is expected to generate approximately 250 additional dwellings, which is considered to have a significant impact on the road network.</p> <p>It is noted that the development will lead to more congestion and subsequently impact the condition of surrounding roads.</p> <p>A Transport Plan known as The Picton Town Centre Transport Plan 2026 is currently in draft format. The Transport Plan assumed that the Picton East Planning Proposal consisted of 400 dwellings. The Transport Plan includes recommendations for upgrading the infrastructure at existing intersections to help maintain and improve safe traffic movements.</p> <p>The Picton East Planning Proposal has been reduced to approximately 250 dwellings, and therefore extends the life of the upgrades recommended in the Transport Plan. As such, the local road network, subject to the upgrading of existing intersections, can accommodate the traffic movements generated by future development.</p>

Attachment 2; Matrix & Table Summarising Stakeholder submissions to the Picton East Planning Proposal

Issue Raised	Council Assessment Response
	Local and State contributions levied by the development will contribute to the maintenance and upgrade to the local and wider road network
<ul style="list-style-type: none"> • Public transport is limited and unreliable; <ul style="list-style-type: none"> - Train services on the Southern Highlands Line are not frequent enough for the existing population let alone further population growth - Train services take too long to arrive at their destinations - Current train services will not be able to accommodate for further growth and are already crowded - Public transport will not provide easy or reliable access to jobs for new residents - Additional parking is required at the station. 	Noted - Council acknowledges the limited public transport options available to residents in the area, particularly in reference to rail links.
Rural living and local character	
<ul style="list-style-type: none"> • Inconsistency with rural living and local character. <ul style="list-style-type: none"> - This proposal does not fit/compliment Wollondilly Shire Council's 'Rural Living' image. - This development does not fit within the rural landscape of Picton and Wollondilly - Inconsistent with the GMS and wider strategic plans 	The location of the proposal is considered to limit impact on the rural character of the area. The proposal is generally consistent with the GMS and wider strategic plans
<ul style="list-style-type: none"> • Impact on scenic and landscape value; <ul style="list-style-type: none"> - This development will have an impact on the scenic and landscape value of Picton and the surrounding areas - Current height limits are attractive to people living in more built up areas who prefer rural lifestyles - This will have an impact on tourism due to its visibility from a large surrounding area 	<p>The proposed height limits are consistent with current height limits in Picton and across Wollondilly more generally.</p> <p>The proposal is located at the base of the hill and is not expected to significantly impact on the scenic value of the area.</p>
Inadequate infrastructure and services	
<ul style="list-style-type: none"> • Educational and Childcare services and infrastructure <ul style="list-style-type: none"> - Already constrained service - Picton schools insufficient for the proposed growth • Medical services and infrastructure <ul style="list-style-type: none"> - Already constrained service • Police and fire brigades <ul style="list-style-type: none"> - Already constrained service • Community services and infrastructure <ul style="list-style-type: none"> - Local social community services would be inadequate for any increase in population in the area at present 	<p>The Planning Proposal was accompanied by a Services Assessment Report which concluded that there are multiple potential connection strategies for the essential utilities (i.e. potable water, waste water, power and telecommunications) to service future development</p> <p>Local and State contributions levied by the development will contribute to the acquiring of land and provision of new offsite infrastructure (such as public transport, medical, police and education services) as well as maintenance and upgrading to the existing services.</p>

Attachment 2; Matrix & Table Summarising Stakeholder submissions to the Picton East Planning Proposal

Issue Raised	Council Assessment Response
Lot size and density	
<ul style="list-style-type: none"> • Lot size and density <ul style="list-style-type: none"> - Ensure it is in keeping with the surround - Inappropriate for Picton, more suited for high density inner city areas. - No need in Wollondilly for the proposed density - Proposal will create more affordable housing • Building design and considerations; <ul style="list-style-type: none"> - Controls to ensure dwelling types are in keeping with the surrounds 	<p>The proposal will provide a variety of lot sizes and densities – this will help diversify Pictons housing stock, and provide more housing options for residents.</p> <p>The layout of the varying lot size is considered appropriate for the location and aligns, with the surrounding housing typologies, access to open space, and the indicative layout.</p> <p>A site specific controls will be applicable to the site, and will be included in the Wollondilly Development Control Plan 2016 – the exact format is subject to future reporting.</p>
Commercial, tourism and local employment	
<ul style="list-style-type: none"> • Impact on tourism due to its visibility from a large surrounding area • Increased population will boost local business and create more local jobs 	Noted.
Flooding and stormwater	
Stormwater <ul style="list-style-type: none"> - Concerns raised about excessive runoff into the lower parts of Picton - Existing infrastructure such as drainage swales to be maintained. - Management of existing and exacerbated overland flow - Water quality concerns 	<p>The Stormwater Management Report undertaken with the Planning Proposal includes sufficient measures to ensure that the amount of stormwater run-off from the site and the rate at which it leaves the site would not significantly increase as a result of future development.</p> <p>Five onsite detention basins are proposed in order to limit the post development stormwater run-off to match existing peak flows for all storm events up to and including 1% AEP events</p>
Flooding <ul style="list-style-type: none"> - Increase risk of inundation of Picton township - Ability of the Bridge (Menangle Street over Reeves Creek) to cope with stormwater or flood events. - Downstream flooding impacts. - Flash flooding concerns along Emmett Close and Colden Street. 	<p>The Planning Proposal was accompanied by a Flood Impact Assessment and Hydrology Report which concluded that future development would not result in a change to the current flood behaviour. Within the site, the main changes to the flood behaviour are the introduction of a series of basins to retard the additional surface runoff from development. The Flood Impact Assessment and Hydrology Report demonstrates the basins are adequately sized and the changes to the flood conditions are minor with the site.</p>
Geotechnical stability / landslide risk	
<ul style="list-style-type: none"> - Stability of the site - Risk of landslide 	<p>The Planning Proposal includes the introduction of a Landslide Risk map and clause in the WLEP 2011 to ensure areas of the site that may be prone to instability are engineered satisfactorily for new residential development.</p>

Attachment 2; Matrix & Table Summarising Stakeholder submissions to the Picton East Planning Proposal

Issue Raised	Council Assessment Response
Flora and Fauna	
<ul style="list-style-type: none"> Advanced trees located on site 	<p>Areas of native vegetation are proposed to be retained through the provision of an E2 Environmental Conservation Zone. This will be applied to the watercourse and associated riparian areas which run though the site.</p>
Access	
<ul style="list-style-type: none"> Access is not to occur through Baxter Lane Legal access from Margaret Street not confirmed. 	<p>An Indicative Layout Plan (ILP) was provided with the Planning Proposal, which indicates that the primary vehicular access points to the site will be from a proposed connection to Menangle Street and a proposed connection to Margaret Street. These roads are identified as collector roads and will accommodate future bus services.</p> <p>Baxter Lane is also intended to facilitate access to the site, however this will be designated as a 'local road', which is not intended to accommodate a significant amount of vehicles.</p> <p>Council has requested from the proponent confirmation of access arrangements from Margaret Street.</p>

Areas of high and low Conservation Value

Reeves Creek Rezoning Investigation – Biodiversity and Riparian Land

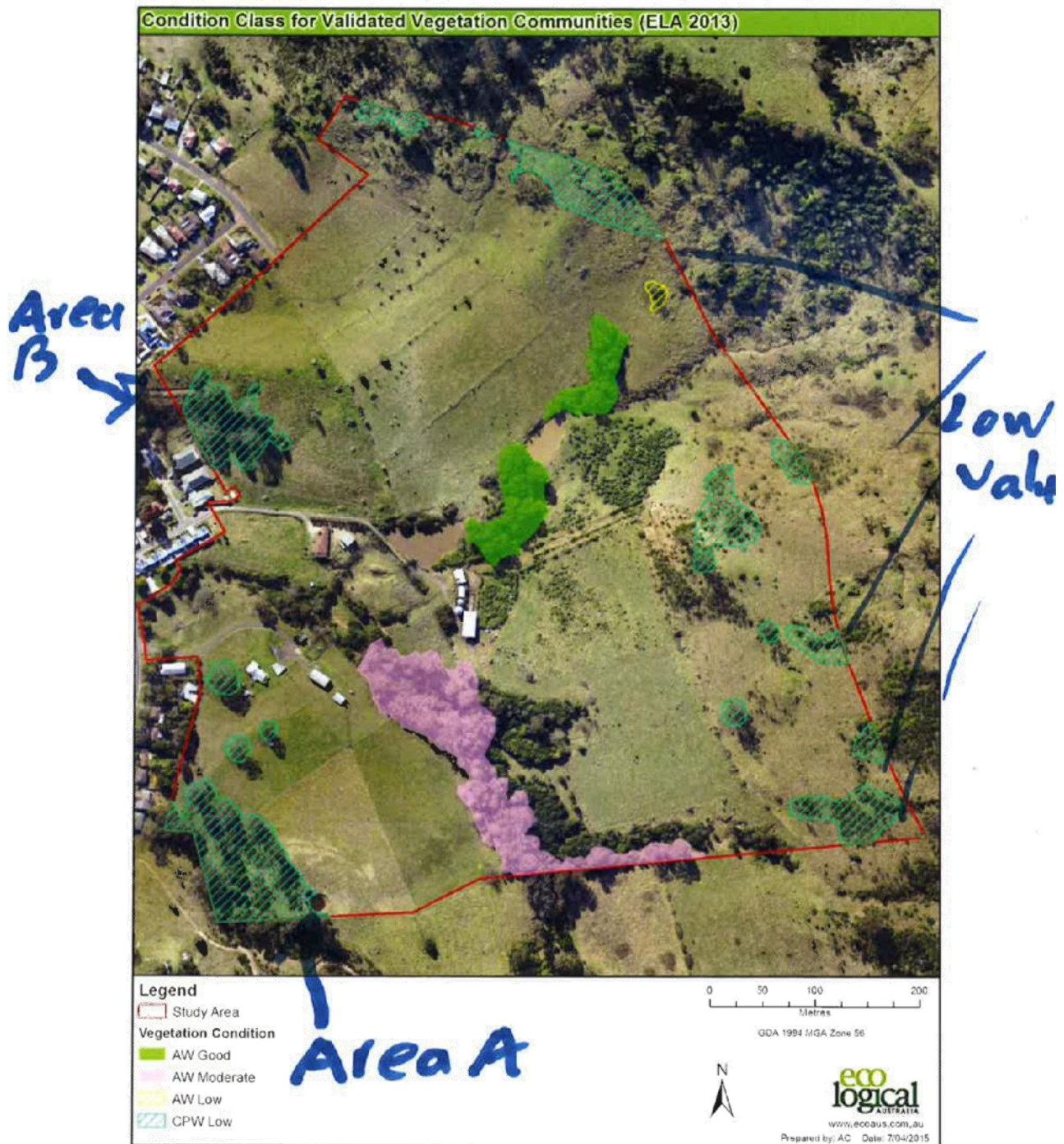


Figure 7: Vegetation condition for validated vegetation communities



Draft development control plan

To Amend Wollondilly Development Control Plan 2016

Site specific planning controls for Abbotsford (Subdivision)

Prepared by Wollondilly Shire Council

These controls are proposed to be included under "Part 3 – Controls for Specific Locations" in
"Volume 3 – Subdivision of Land" of the development control plan

October 2018

Draft Planning Controls for Abbotsford; Volume 3 – Subdivision of Land

Background

In June 2018 Council voted to support the Abbotsford Planning Proposal to amend the Wollondilly Local Environmental Plan 2011.

The amendments involve rezoning land from its current rural zone to enable rural residential style development, to safeguard items of historical interest across the site and to facilitate the environmental management of sensitive land.

The amendments seek to do this by amending provisions within the local environmental plan relating to land zoning, height of buildings, lot size, biodiversity and heritage as they apply to the site.

Council has requested the NSW Government to make the changes to the Wollondilly Local Environmental Plan 2011. This process is progressing but at present the land has not been rezoned. Once rezoned it will be Amendment No.32 to the local environmental plan.

Council has also endorsed a voluntary Planning Agreement between Wollondilly Shire Council and a number of parties to accompany the planning proposal to rezone the land. The planning proposal includes a number of community benefits including realignment of Abbotsford Road, stabilisation works to the state significant heritage listed Abbotsford homestead and a contribution towards the implementation of works associated with the Picton Town Centre Transport Master Plan when finalised.

A need has been identified for site specific planning controls to guide future development on this site. These planning controls are to be included in the Wollondilly Development Control Plan 2016 (Wollondilly DCP) and will guide the future subdivision of the site and the subsequent construction of houses and other structures on future lots.

This document includes the draft planning controls to be included in *Volume 3 – Subdivision of Land*. These controls will apply to any development application for subdivision both to establish super lots and subsequent stages.

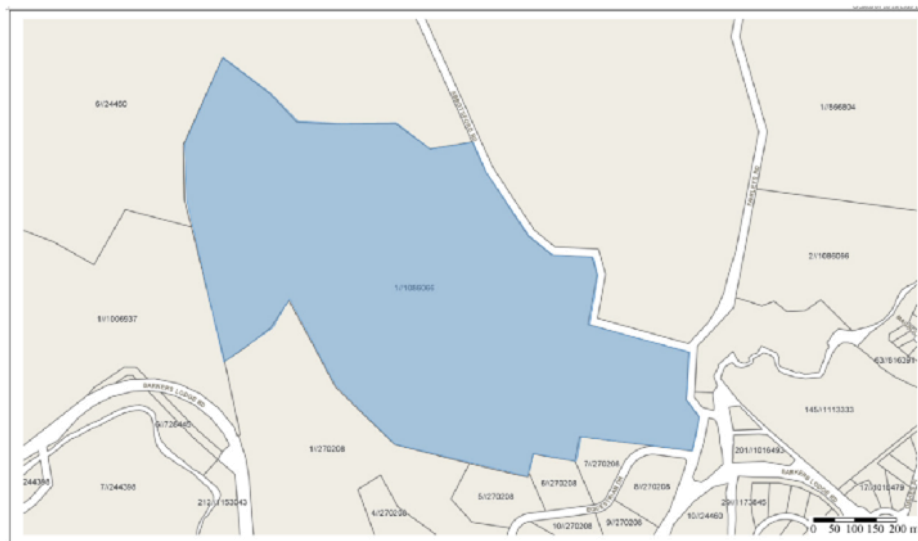
Development would be required to be consistent with the planning controls provided in this document in addition to the requirements within other relevant sections of the Wollondilly DCP.

Planning controls to guide the design and development of houses are proposed for inclusion in *Volume 4 – Residential Development* of the Wollondilly DCP and are addressed in a separate document – *Site specific planning controls for Abbotsford (Residential Development)*.

Proposed Planning Controls

3.13 Abbotsford

1. This section applies to land at Abbotsford Road identified on the map below:



1. Facilitate the development of the site to achieve a high quality built form.
2. Encourage adaptive reuse of heritage items.
3. To ensure that new development is designed and located so they do not have an adverse impact on heritage.
4. To ensure hazards such as flooding are managed effectively to reduce the risk of damage to property and human life.
5. To protect and improve environmentally sensitive land identified on the site.
6. To protect scenic landscapes.

Draft Planning Controls for Abbotsford; Volume 3 – Subdivision of Land

Controls**General**

1. Council will not grant consent to the carrying out of development unless the development application is accompanied by a site analysis prepared for the land upon which the development is proposed, that addresses the following matters to Council's satisfaction:
 - a) The slope and contours of the land,
 - b) The location of any watercourses and associated flooding or drainage characteristics,
 - c) The location of any trees and vegetation,
 - d) The location and key views associated with any heritage items,
 - e) Views to and from the land,
 - f) The location of visually prominent ridgelines and landscapes, and
 - g) A written statement and/or drawings explaining how the design of the proposed subdivision has taken the site analysis into account.

Building Envelopes

2. Council will not grant consent to the carrying out of development unless the development application is accompanied by a concept plan showing the location of building envelopes and indicative dwelling locations to demonstrate that:
 - a) Development will be within a landscaped setting,
 - b) The scale and footprint of the built form is secondary to the Abbotsford Homestead,
 - c) Key views to Abbotsford Homestead, Byrnes Exhibition Dairy and Abbotsford Silos are not obstructed,
 - d) All habitable buildings shall be constructed above the PMF level, and
 - e) All habitable buildings will not be located on visually prominent ridgelines.
3. This control applies to the area of the site mapped as 4000 sq.m on the Minimum Lot Size Map which forms part of the *Wollondilly Local Environmental Plan 2011*.

Building envelopes shall be detailed on plans lodged as part of any development application for subdivision to protect sight lines.

Details of this building restriction shall be included within a Section 88B instrument to accompany any application for a subdivision certificate and shall be registered on the title of all lots.

The wastewater irrigation may be located outside the building envelope.

Draft Planning Controls for Abbotsford; Volume 3 – Subdivision of Land

4. This control applies to the area of the site mapped as 20 hectares on the Minimum Lot Size Map which forms part of the *Wollondilly Local Environmental Plan 2011*.

A geotechnical assessment is required to establish a suitable building envelope for the residential lot with regard to slope stability.

Details of this building restriction shall be included within a Section 88B instrument to accompany any application for a subdivision certificate and shall be registered on the title of the lot.

The building envelope must include an area to accommodate the necessary wastewater irrigation.

Heritage

5. Council will not grant consent to the carrying out of development unless the development application is accompanied by a Heritage Impact Statement.

The Heritage Impact Statement should include consideration of:

- a) The Abbotsford Homestead, Byrnes Exhibition Dairy and Abbotsford Silos,
 - b) The impacts of the development on a significant colonial farm,
 - c) The impact of the development and how and if this impact can be mitigated,
 - d) How the opportunity to interpret an early pastoral property and its rural setting can be retained, and
 - e) Graphical representations of the proposed development on the proposed lots in the vicinity of heritage structures within the site, including the visual connections of 'Abbotsford' to the Vault Hill
6. Council will not grant consent to the carrying out of development unless the development application is accompanied by an Archaeological Management Plan.
 7. The following landscape elements are to be protected by a restriction on the relevant lots:
 - a) The western-most araucaria tree on the hill top
 - b) Apparent thorn hedging on the northern side of the existing main driveway for the Abbotsford Homestead

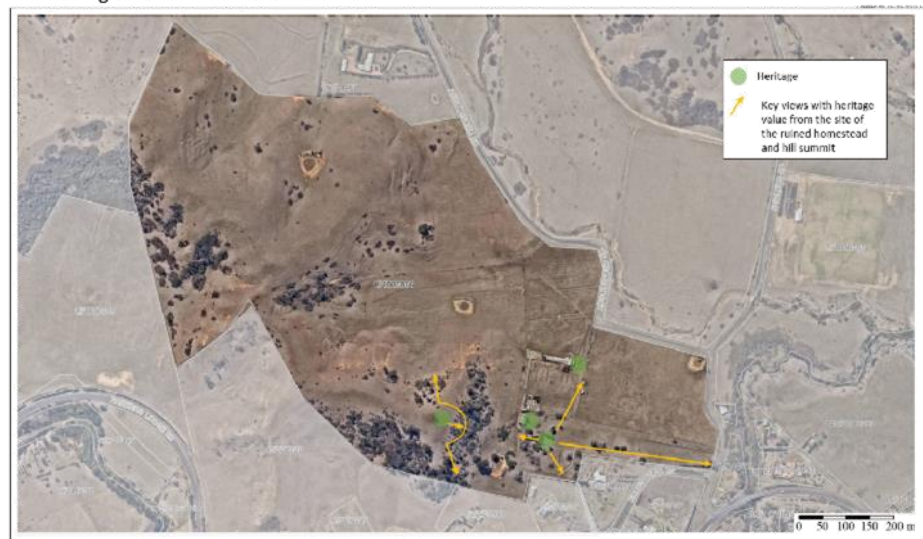
Details of this restriction shall be included within a Section 88B instrument to accompany any application for a subdivision certificate and shall be registered on the title of all affected lots.

Draft Planning Controls for Abbotsford; Volume 3 – Subdivision of Land

8. The subdivision shall be designed to retain and enhance key view lines associated with Abbotsford Homestead, Byrnes Exhibition Dairy and Abbotsford Silos.

Note: Key views with heritage value from the Abbotsford Homestead site have been identified and are illustrated in Figure 3.13.1. Further work is required to identify key views associated with the Byrnes Exhibition Dairy and Abbotsford Silos.

Figure 3.13.1 Key views with heritage value from the Abbotsford Homestead archaeological and from the hill summit



Boundary Treatments, Fences & Gates

9. Boundary fencing must be see-through rural style fencing (post and rail/ post and wire with chicken wire mesh detail) with cherry laurel hedging to a maximum height of 1200mm.
10. Entrance gates must be constructed from timber and traditional in style.
11. An interpretative sign/entrance feature is required near an entry road to the development to provide a link to the Abbotsford Homestead and the site's heritage.

It should include a few lines of text about the history of the place including key dates, use and importance.

Contamination

12. Council will not grant consent to the carrying out of development unless the development application is accompanied by a Phase 2 Contaminated Site

Draft Planning Controls for Abbotsford; Volume 3 – Subdivision of Land

Assessment in order to satisfy the requirements of Clause 7(1) of State Environmental Planning Policy 55 – Remediation of Land.

Flood Risk

13. For the purposes of Volume 1 of this plan, the site is to be regarded as being at risk of flood.
14. Flood free access is to be provided from all new lots to Barkers Lodge Road.

Connectivity

15. A shared pathway shall be constructed to provide access from new development to and connect with Picton Sportsground to link with the existing path network.

Biodiversity

16. Council will not grant consent to the carrying out of development unless the development application is accompanied by a flora and fauna report to determine the impact of the development on the biodiversity values of the site.

In addition to the standard scope for such a report, it should specifically include:

- a) a map that identifies the presence and boundaries of vegetation communities on the site,
- b) A map that identifies areas of native and exotic grasses including those areas satisfying the definition of 'derived' native grassland under the scientific determination for Cumberland Plain Woodland under NSW legislation,
- c) Details of methodology and outcomes of surveys within quadrats in the area of Cumberland Plain Woodland on the site using best practice involving the identification of coverage of each identified native species within each coverage, and
- d) Methodology and outcomes of targeted surveys of threatened fauna species particularly Flying Foxes given the close proximity of the site to the Grey-Headed Flying Fox Camp occupying Stonequarry Creek.

Draft Planning Controls for Abbotsford; Volume 3 – Subdivision of Land

Notes

For further information please refer to the following specialist studies prepared to inform the Abbotsford Planning Proposal:

1. For further detail on the location of flood prone land refer to the Flood Assessment Report prepared by FloodMit (February 2013).
2. For further detail on the location of constrained land in terms of slope and slip features refer to the Geotechnical Study prepared by Harvest Scientific Services Pty Ltd (January 2013).
3. For further detail on biodiversity refer to the Biodiversity Study prepared by ACS Environmental Pty Ltd (June 2013).
4. For further detail on heritage matters related to the Abbotsford Homestead refer to the:
 - a) Curtilage Study prepared by NBRS + Partners (June 2013), and
 - b) Statement of Heritage Impact prepared by NBRS + Partners (October 2017).



Draft development control plan

To Amend Wollondilly Development Control Plan 2016

Site specific planning controls for Abbotsford (Residential Development)

Prepared by Wollondilly Shire Council

These controls are proposed to be included under "Part 4 – Controls for Specific Locations" in "Volume 4 – Residential Development" of the development control plan

October 2018

Draft Planning Controls for Abbotsford; Volume 4 – Residential Development

Background

In June 2018 Council voted to support the Abbotsford Planning Proposal to amend the Wollondilly Local Environmental Plan 2011.

The amendments involve rezoning land from its current rural zone to enable rural residential style development, to safeguard items of historical interest across the site and to facilitate the environmental management of sensitive land.

The amendments seek to do this by amending provisions within the local environmental plan relating to land zoning, height of buildings, lot size, biodiversity and heritage as they apply to the site.

Council has requested the NSW Government to make the changes to the Wollondilly Local Environmental Plan 2011. This process is progressing but at present the land has not been rezoned. Once rezoned it will be Amendment No.32 to the local environmental plan.

Council has also endorsed a voluntary Planning Agreement between Wollondilly Shire Council and a number of parties to accompany the planning proposal to rezone the land. The planning proposal includes a number of community benefits including realignment of Abbotsford Road, stabilisation works to the state significant heritage listed Abbotsford homestead and a contribution towards the implementation of works associated with the Picton Town Centre Transport Master Plan when finalised. A need has been identified for site specific planning controls to guide future development on this site. These planning controls are to be included in the Wollondilly Development Control Plan 2016 (Wollondilly DCP) and will guide the future subdivision of the site and the subsequent construction of houses and other structures on future lots.

This document includes the draft planning controls to be included in *Volume 4 – Residential Development*. These controls will apply to a development application for a house or other structure.

Development would be required to be consistent with the planning controls provided in this document in addition to the requirements within other relevant sections of the Wollondilly DCP.

Planning controls to guide the subdivision of the site are proposed for inclusion in *Volume 3 – Subdivision of Land* of the Wollondilly DCP and are addressed in a separate document – *Site specific planning controls for Abbotsford (Subdivision)*.

Draft Planning Controls for Abbotsford; Volume 4 – Residential Development

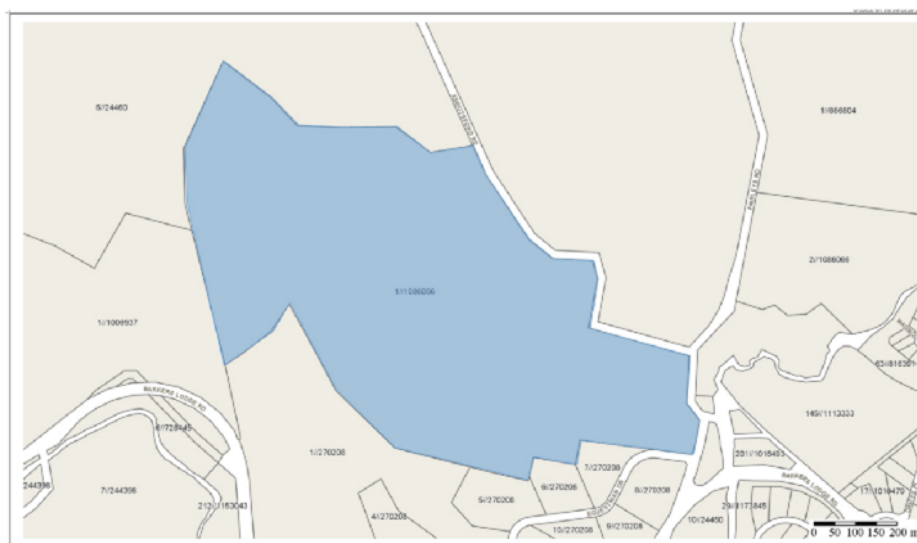
Proposed Planning Controls

PART 4 – CONTROLS FOR SITE SPECIFIC LOCATIONS

4.6 Abbotsford

Application

1. This section applies to land at Abbotsford Road identified on the map below:



2. These controls apply to all new dwellings and outbuildings.

Objectives

1. To manage visual impact of new development.
2. To ensure development gives due consideration to the placement of development on the site to ensure that any views and vistas are protected
3. To ensure that new development is designed and located so they do not have an adverse impact on heritage.
4. To provide housing in a rural setting.
5. To protect scenic landscapes.
6. To facilitate opportunities for appropriate new uses for heritage buildings.

Draft Planning Controls for Abbotsford; Volume 4 – Residential Development

Controls

Views and Vistas

1. No development should intrude on the vista between the ruined homestead and the gate to the east on Abbotsford Road as indicatively shown on Figure 3.13.1, section 3.13, in Volume 3 of this plan.
2. The location of any development needs to consider site lines associated with the Abbotsford Homestead, Byrnes Exhibition Dairy and Abbotsford Silos.
3. New development is to be sited to allow views to and from heritage listed buildings
4. View from Abbotsford homestead towards the north and north-east should be conserved.
5. No development should be located on visually prominent ridgelines.

Landscape & Planting

6. No existing trees or shrubs are to be removed.

Architectural style and form

7. New buildings are to be located so that they are not visually intrusive.
8. New dwellings and outbuildings must have a roof pitch with a minimum 40 degree angle.
9. Roofs should incorporate gable elements within the 40 degree roof pitch.
10. Roof may only be slate or reconstituted slate tiles in colour: Slate Grey.
11. The minimum floor to ceiling height for the ground floor of new buildings shall be 2,700mm. This is to avoid an odd proportion between the steeply pitched roof and the ground floor,
12. Windows much be vertically proportioned on all elevations.
13. Windows shall be time framed, or aluminium framed with profiling to approximate timber framing;
14. Decorative elements such as timber trim detailing to gables to be used to provide relief and articulation to facades

Draft Planning Controls for Abbotsford; Volume 4 – Residential Development

15. Walls are to be sandstock bricks. Areas of horizontal weather board wall may be used to provide relief and articulation to elevations. Weatherboard walls to be muted non-reflective colours grey, red or terracotta in Colorbond colours woodland Grey, Jasper, Manor Red and Headland.
16. New buildings must be single storey in appearance. However a first floor can included within the roof pitch area.

Boundary Treatments, Fences and Gates

17. Fencing visible from public areas must be see-through rural style fencing (post and rail/ post and wire with chicken wire mesh detail) to a maximum height of 1200mm.
18. Entrance gates must be constructed from timber and traditional in style.

Adaptive re-use of Abbotsford Silos and Byrne's Exhibition Dairy

19. Adaptive reuse of the silos, feed lot and associated sheds is to be encouraged. Development should retain the form and rural character of these structures.
20. Before granting consent for development of the adaptive reuse of existing structures with heritage value, Council must take into consideration the following matters as are relevant to the proposed development:
 - a) The impact of any changes to the existing structure on the surrounding locality,
 - b) The impact of any noise from activities on surrounding residential amenity,
 - c) The building's suitability for conversion, including potential sources of contamination from the previous uses.



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ABN: 93 723 245 808

RURAL LIVING

Our Reference: AG:LJ 7601

The Hon. Andrew Constance MP
NSW Minister for Transport and Infrastructure
GPO Box 5431
Sydney NSW 2001

21 August 2017

Dear Mr Constance,

INFRASTRUCTURE AUSTRALIA REPORT - HIGH SPEED RAIL CORRIDOR

At its recent Council meeting of July 17, 2017 Council resolved to support the recommendations outlined in the Infrastructure Australia report 'Corridor Protection – Planning and investing for the long term, July 2017'. Council supports the investigations being undertaken by the Commonwealth Government and private operators for High Speed Rail.

Council has written to the Minister for Planning and requested the deferral of any rezoning exhibition for the South East quadrant of Wilton Priority Growth Area and the Mt Gilead site which the current proposed High Speed Rail Corridor cuts through, until the Federal Government responds to the Infrastructure Australia Report and that response is considered by Council.

The protection of this corridor for a high speed rail link at this time could provide substantial savings to tax payers and the NSW Government and request urgent action on key findings in the Infrastructure Australia report.

It is also requested that this proposed corridor be incorporated into the Greater Macarthur Priority Growth Area and the Land Use and Infrastructure Implementation Plans.

A copy of Council's minute on this item is attached for your information.

Further to this Council will be hosting a Rail Symposium in early October to discuss the various rail proposals in the region with State, Federal and local authorities, as well as representatives of Academic and Special interest groups, and the community. We will be in touch with your office further to extend an invite.

If you have any questions or would like further information please contact Council's Growth Centres Coordinator, Mr Adam Gray on 02 4677 9650.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'Luke Johnson', is written over a light blue horizontal line.

Luke Johnson
GENERAL MANAGER




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ABN: 93 723 245 808

RURAL LIVING

Our Reference: AG:LJ 7601

The Hon. Angus Taylor MP
Federal Member for Hume
PO Box 700
Goulburn NSW 2580

21 August 2017

Dear Mr Taylor, 

Infrastructure Australia Report - High Speed Rail Corridor

At its recent Council meeting of July 17, 2017 Council resolved to support the recommendations outlined in the Infrastructure Australia report 'Corridor Protection – Planning and investing for the long term, July 2017'. Council supports the investigations being undertaken by the Commonwealth Government and private operators for High Speed Rail.

Council has written to the NSW Minister for Planning requesting the deferral of any rezoning exhibition for the South East quadrant of Wilton Priority Growth Area and the Mt Gilead site which the current proposed High Speed Rail Corridor cuts through, until the Federal Government responds to the Infrastructure Australia Report and that response is considered by Council.

The protection of this corridor for a high speed rail link at this time could provide substantial savings to tax payers and the NSW Government and Council requests urgent action on key findings in the Infrastructure Australia report be undertaken.

It is also requested that this proposed corridor be incorporated into the Greater Macarthur Priority Growth Area and the Land Use and Infrastructure Implementation Plans.

In addition letters have been sent to the NSW Treasurer and the NSW Minister for Transport and Infrastructure.

Council is requesting your support in this matter. A copy of Council's minute on this item is attached for your information.

Further to this Council will be hosting a Rail Symposium in early October to discuss the various rail proposals in the region with State, Federal and local authorities, as well as representatives of Academic and Special interest groups, and the community. We will be in touch with your office further to extend an invite.

If you have any questions or would like further information please contact Council's Growth Centres Coordinator, Mr Adam Gray on 02 4677 9650.

Yours faithfully



Luke Johnson
General Manager



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RURAL LIVING

Our Reference: AG:LJ 7601

The Hon. Lou Amato MLC
Parliament House
Macquarie Street
SYDNEY NSW 2000

21 August 2017

Dear Mr Amato,

INFRASTRUCTURE AUSTRALIA REPORT - HIGH SPEED RAIL CORRIDOR

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Yours faithfully

Luke Johnson
GENERAL MANAGER



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RURAL LIVING

Our Reference: AG:LJ 7601

The Hon. Jai Rowell MP
State Member for Wollondilly
GPO Box 5431
Sydney NSW 2001

21 August 2017

Dear Mr Rowell, *Jai*

INFRASTRUCTURE AUSTRALIA REPORT - HIGH SPEED RAIL CORRIDOR

At its recent Council meeting of July 17, 2017 Council resolved to support the recommendations outlined in the Infrastructure Australia report 'Corridor Protection – Planning and investing for the long term, July 2017'. Council supports the investigations being undertaken by the Commonwealth Government and private operators for High Speed Rail.

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Yours faithfully

Luke Johnson
Luke Johnson
GENERAL MANAGER



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RURAL LIVING

Our Reference: AG:LJ 7601

Ms Lindy Deitz
General Manager Campbelltown Council
PO Box 57,
Campbelltown NSW 2560

21 August 2017

Dear Ms Deitz,

INFRASTRUCTURE AUSTRALIA REPORT - HIGH SPEED RAIL CORRIDOR

At its recent Council meeting of July 17, 2017 Council resolved to support the recommendations outlined in the Infrastructure Australia report 'Corridor Protection – Planning and investing for the long term, July 2017'. Council supports the investigations being undertaken by the Commonwealth Government and private operators for High Speed Rail.

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Luke Johnson
GENERAL MANAGER



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RURAL LIVING

Our Reference: AG:LJ 7601

The Hon. Dominic Perrottet MP
NSW Treasurer
GPO Box 5431
Sydney NSW 2001

21 August 2017

Dear Mr Perrottet,

INFRASTRUCTURE AUSTRALIA REPORT - HIGH SPEED RAIL CORRIDOR

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Yours faithfully

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Luke Johnson
GENERAL MANAGER



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RURAL LIVING

Our Reference: AG:LJ 7601

The Hon. Anthony Roberts MP
NSW Minister for Planning
GPO Box 5431
Sydney NSW 2001

21 August 2017

Dear Mr Roberts,

INFRASTRUCTURE AUSTRALIA REPORT - HIGH SPEED RAIL CORRIDOR

At its recent Council meeting of July 17, 2017 Council resolved to support the recommendations outlined in the Infrastructure Australia report 'Corridor Protection – Planning and investing for the long term, July 2017'. Council supports the investigations being undertaken by the Commonwealth Government and private operators for High Speed Rail.

Further to this, Council requests the deferral of any rezoning exhibition for the South East quadrant of Wilton Priority Growth Area and Mt Gilead to protect the proposed High Speed Rail Corridor, until the Federal Government responds to the Infrastructure Australia Report and that response is considered by Council. This is to ensure that potential savings for the NSW Government are not lost.

It is also requested that this proposed corridor be incorporated into the Greater Macarthur Priority Growth Area and Land Use and Infrastructure Implementation Plan.

A copy of Council's minute on this item is attached for your information.

Further to this Council will be hosting a Rail Symposium in early October to discuss the various rail proposals in the region with State, Federal and local authorities, as well as representatives of Academic and Special interest groups, and the community. We will be in touch with your office further to extend an invite.

If you have any questions or would like further information please contact Council's Growth Centres Coordinator, Mr Adam Gray on 02 4677 9650.

Yours faithfully

A handwritten signature in blue ink, appearing to read "Luke Johnson", followed by a horizontal line.

Luke Johnson
GENERAL MANAGER

WOLLONDILLY SHIRE COUNCIL

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 17 July 2017, commencing at 6.31pm

Notice of Motion

TRIM 6416-7

NOM 4 Notice of Motion No. 4 submitted by Cr Banasik and Cr Deeth on 12 July 2017 regarding supporting the investigations being undertaken by the Commonwealth Government and private operators for High Speed Rail

Mayor left the meeting at 7.36pm and Deputy Mayor took the Chair.

Mayor returned to the meeting at 7.38pm and resumed the Chair.

147/2017 Resolved on the Motion of Crs Deeth and M Banasik:

That Council in principle support the recommendations outlined in the Infrastructure Australia report 'Corridor Protection - Planning and investing for the long term, July 2017' and support the investigations being undertaken by the Commonwealth Government and private operators for High Speed Rail.

Further, that:

1. Council write to the Department of Planning and Environment and the Minister for Planning Anthony Roberts requesting *deferral any rezoning exhibition*, for the South East quadrant of Wilton Priority Growth Area and Mt Gilead to protect the proposed High Speed Rail Corridor, *until the Federal Government responds to the Infrastructure Australia Report and that the response is considered by Council* to ensure opportunities for potential savings for the NSW Government are not lost. Further, that this letter request protection of this corridor be incorporated into the Greater Macarthur Priority Growth Area and Land Use and Implementation Plan.
2. Council write to the NSW Minister for Transport and Infrastructure; Andrew Constance and Treasurer; Dominic Perrottet, outlining corridor protection for a high speed rail link could provide substantial savings for tax payers and request urgent action on key findings in the Infrastructure Australia report.
3. Council liaise with Infrastructure Australia to understand the Casula to Douglas Park and Douglas Park to Yerrinbool segments identifying the key challenges within the identified growth corridor.
4. A report come to Council outlining the strategic benefits to Wilton and Wollondilly by the inclusion of a high speed rail corridor and potential station located at Wilton. This report should identify the strategic location of Wilton New Town and benefits of being at the junction of key infrastructure (including the Hume Hwy, Picton Rd, possible rail link to second Sydney airport, M9).

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6. Council write to the Member for Wollondilly; Jai Rowel, and Lou Amato MLC, Member for Hume; Angus Taylor advising them of Councils position and requesting their support.
7. *An advocacy paper be developed to support this position.*

Cr Law left the meeting at 7.43pm and returned at 7.45pm.

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On being put to the meeting the motion was declared CARRIED.

Vote For: Crs Banasik, Khan, Deeth, Law, Lowry, Landow, Hannan and Gould

Vote Against: Cr Briggs

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Notice of Motion

**Planning &
Environment**

Your ref: AG:LJ 7601
Our ref: 17/12396

Mr Luke Johnson
General Manager
Wollondilly Shire Council
PO Box 21
PICTON NSW 2571

Dear Mr Johnson **LUKE**

Thank you for your correspondence to the Hon Anthony Roberts MP, Minister for Planning, about a high-speed rail corridor. The Minister has asked me to respond on his behalf.

I appreciate Wollondilly Shire Council's desire to assist the Federal and State governments in progressing plans for a potential high-speed rail corridor. I acknowledge the potential benefits of such a transport infrastructure project for your community.

The Department of Planning and Environment agrees that planning for transport and rail is a priority, and will be guided by Transport for NSW's updated plan for metropolitan Sydney, which is under review.

Planning for future infrastructure corridors, as devised from transport agencies' advice, will be incorporated into the Greater Macarthur Land Use and Infrastructure Implementation Plan. I encourage Council to make a submission when the plan is publicly exhibited, which will likely be in early 2018.

In regard to your request to defer rezoning, the Mt Gilead rezoning is complete. The public exhibition of the Wilton South East Draft Precinct Plan concluded on 20 September 2017, and the Department is now considering the submissions. The Department will carefully consider advice from Transport for NSW and the Federal Government in progressing plans for Wilton and Greater Macarthur.

If you have any more questions, please contact Mr Bruce Colman, Director, Land Release, at the Department on 9860 1529.

Yours sincerely

Brendan Nelson 11/10/17
Deputy Secretary
Growth, Design and Programs

WOLLONDILLY SHIRE COUNCIL	
TRIM NO.	7601
PROP. No.	
16 OCT 2017	
AUTH. No.	
ASSIGNED TO:	D. Smith



Mark Coure MP
Parliamentary Secretary for Transport and Infrastructure
Member for Oatley

Our Ref: 00389368
Your Ref: AG:LJ 7601

Mr Luke Johnson
General Manager
Wollondilly Shire Council
PO Box 21
PICTON NSW 2571

Dear Mr Johnson

Thank you for your correspondence to the Minister for Transport and Infrastructure about the proposed high speed rail (HSR) corridor. The Minister asked me to respond on his behalf.

The NSW Government will continue working with and supporting the Commonwealth Government's plan to establish a future HSR link along the east coast, connecting Melbourne to Brisbane via Sydney, Canberra and other regional centres. Future work on the HSR will need an integrated approach to land use, transport planning and funding commitment from the Commonwealth Government.

You may be interested to know the NSW Government's *Future Transport Strategy* will consider opportunities for transport improvements across NSW, including rail corridors. This strategy is a new approach to transport and infrastructure planning to meet the demands of the predicted population growth in NSW.

The NSW Government is now consulting with communities and industry for input into the regional component of the strategy. Feedback can be provided by visiting the *Future Transport Strategy* website at future.transport.nsw.gov.au.

Transport for NSW would be glad to attend Wollondilly Shire Council's Rail Symposium and looks forward to your invitation.

Thank you for taking the time to write to the Minister.

Yours sincerely

5/10/2017

Mark Coure MP
Parliamentary Secretary for Transport and Infrastructure

GPO Box 5341, Sydney NSW 2001
Phone: (61 2) 8574 5807 Fax: (61 2) 9939 5512



Australian Government
Department of Infrastructure,
Regional Development and Cities

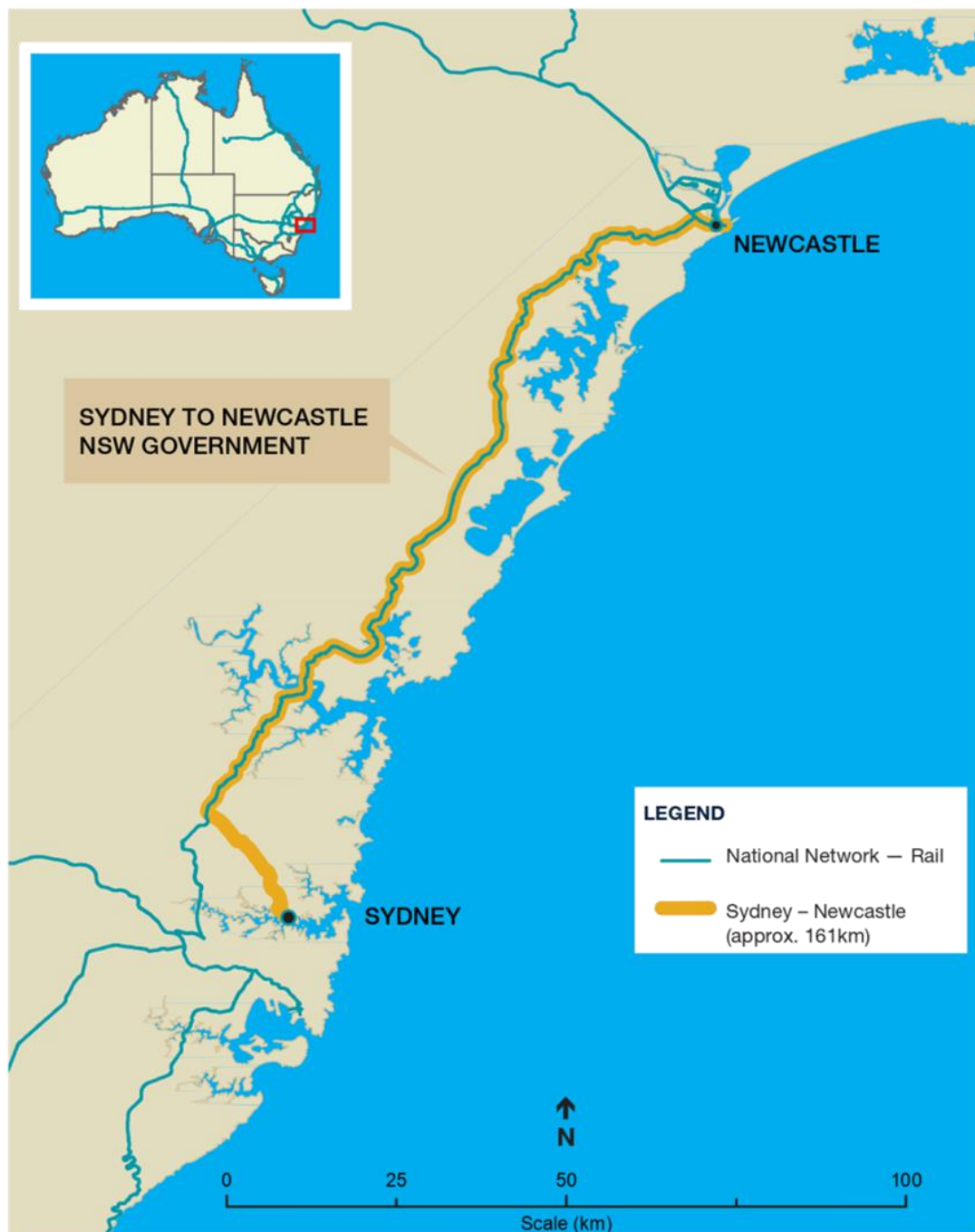
FASTER RAIL PROSPECTUS — CONSOLIDATED LAND AND RAIL AUSTRALIA





Australian Government
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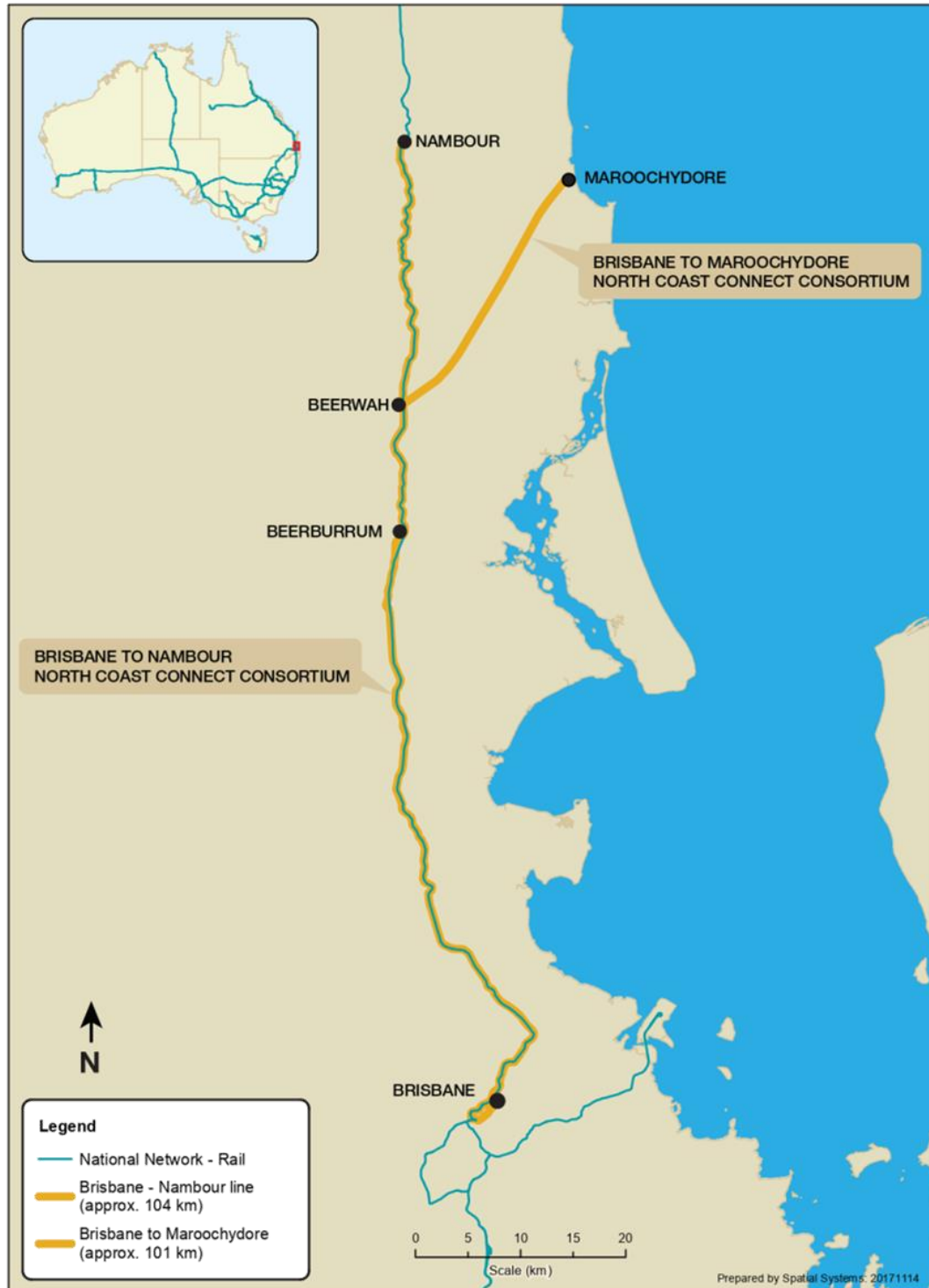
FASTER RAIL PROSPECTUS — NSW GOVERNMENT





Australian Government
Department of Infrastructure,
Regional Development and Cities

FASTER RAIL PROSPECTUS - NORTH COAST CONNECT CONSORTIUM



Trax to the Future



Judith Hannan
Mayor
Wollondilly Shire
Council

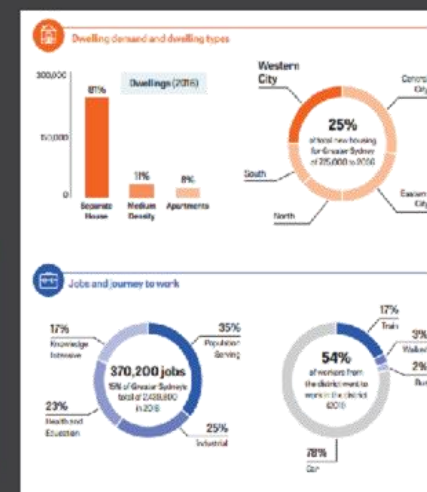
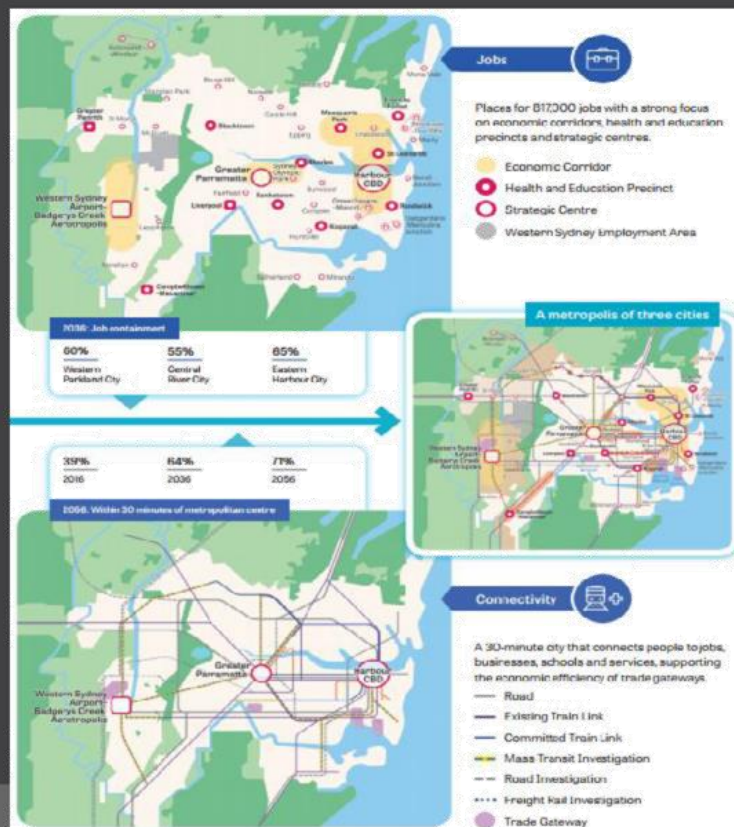
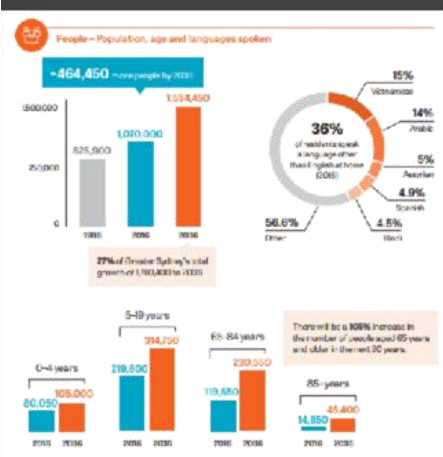
Regional Context



The Growing Case for Connectivity

Greater Sydney Regional Plan

Future Transport 2056



The Growing Case for Connectivity

In 2016 rail's total economic contribution was:

\$26 Billion

Over 140,000
workers



But rail has wider reaching benefits:



Rail generates over
40% less carbon
pollution than road



Road travel causes
almost 8x more
accident costs per
kilometre travelled



Moving one person from
road to rail can create
congestion cost
savings of up to \$9

The Growing Case for Connectivity

- A master planned new town, a 'Major Centre', in the far south of the Macarthur Region
- 2480 hectares of land centred at the junction of Hume Highway and Picton Road
- 16,600 dwellings / 50,000 people 30+ years
- Est. \$10b in value

The Growing Case for Connectivity

- Supports '30 Minute City' objective:
 - Within approx. 35 km of Wollongong, Campbelltown, Camden and Mittagong
 - 45km to Liverpool, Western Sydney Airport and WSEH
 - 80km to Sydney CBD
- Supports the 'Game Changers':
 - Sydney's Second Airport at Badgery's Creek
 - M9 Orbital Road and Railway
 - Potential passenger rail extension to Wilton via MDRL

Health, Jobs and Livability

- Council's Vision for Wilton New Town:
 - An integrated new community at Wilton
 - A broad mix of housing choices
 - Deliver a jobs / housing ratio 1:1
 - Quality infrastructure
 - Quality public domain, spaces and places
 - Sustainable, healthy and livable

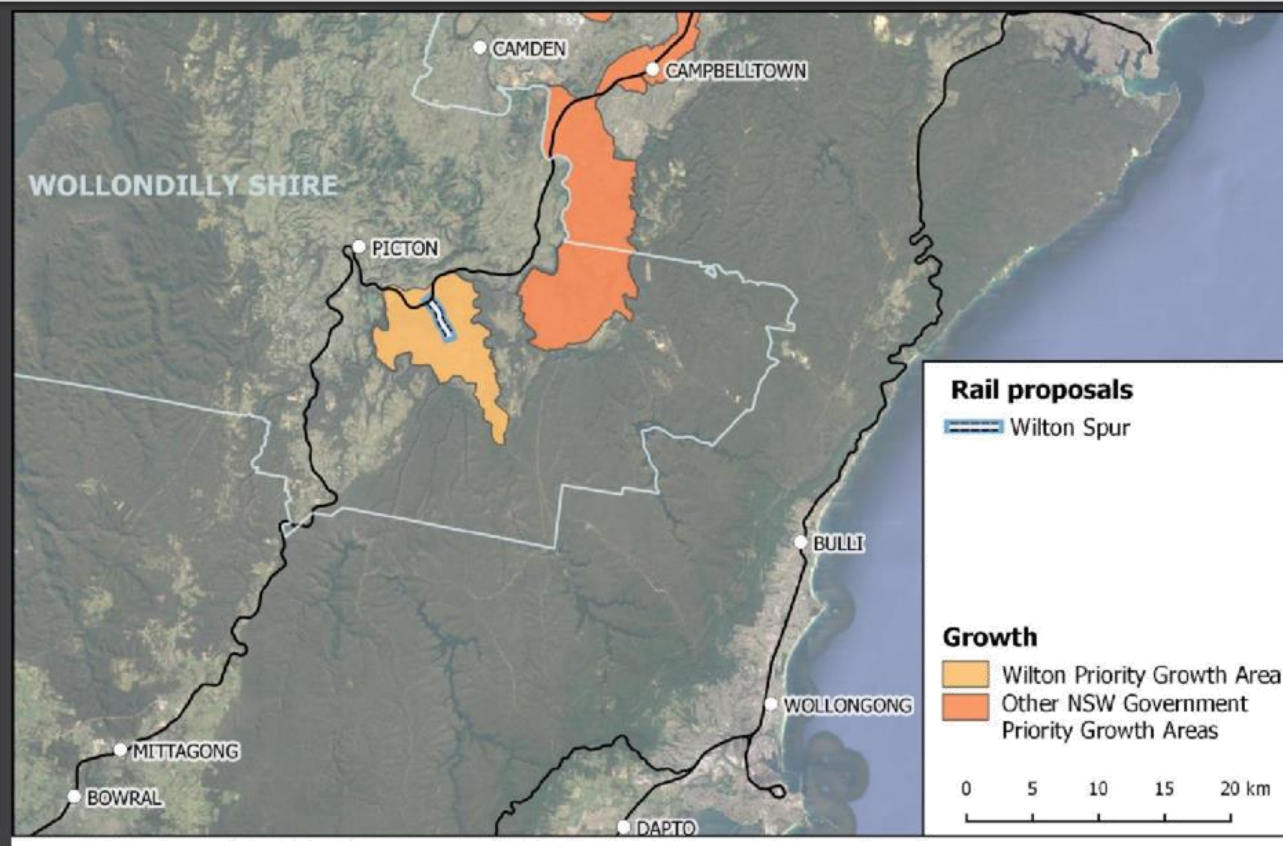
Health, Jobs and Livability

- Commuting from home to a place of work:
 - Australia's average 15.6 km
 - Sydney's average 15.0 km
 - Coastal country regions average 25.8 km
 - Remote regions average 31.2 km
 - Actual distance Wilton to Campbelltown 28.5 km
 - Actual distance Wilton to Camden 29.4 km
 - Actual Distance Wilton to Wollongong 32.8km

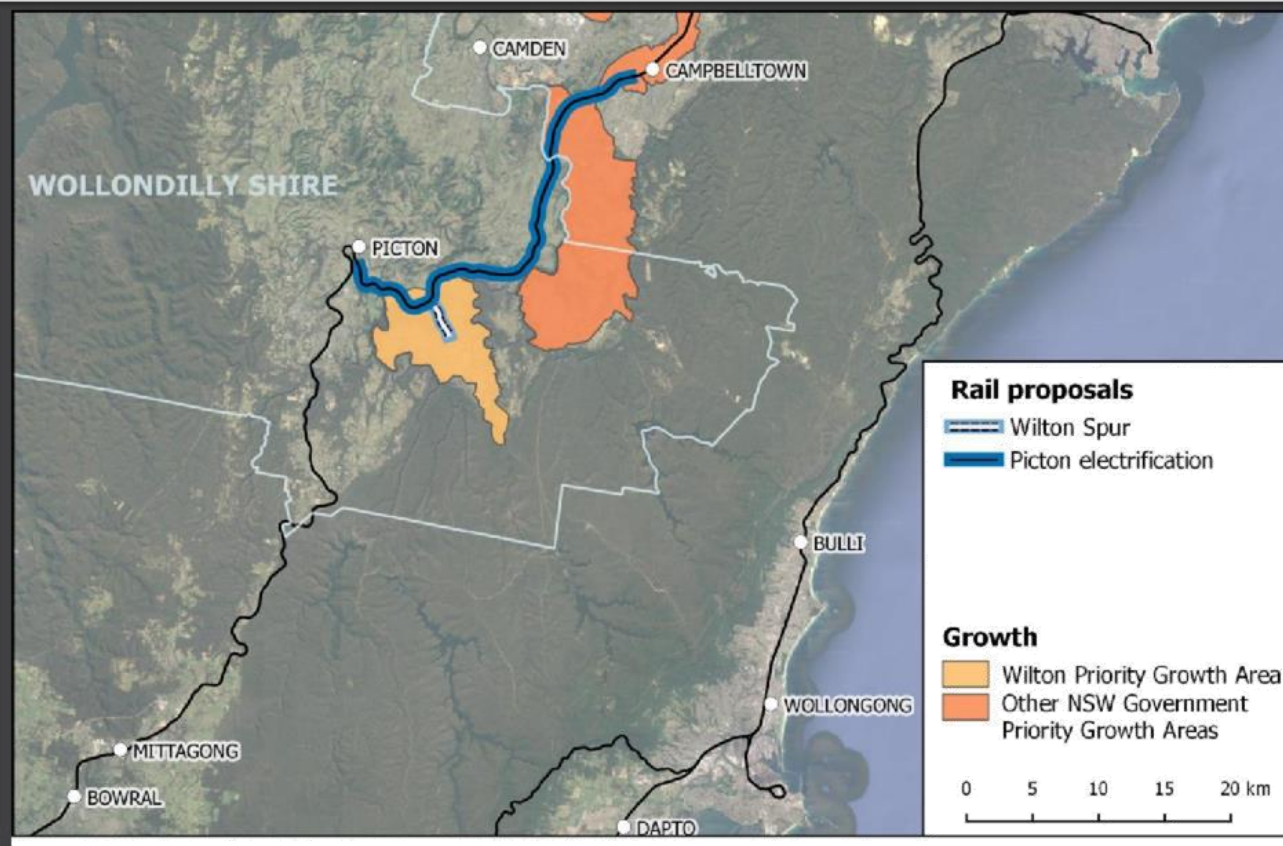
Health, Jobs and Livability

- Automobile dependency linked to:
 - Environmental degradation
 - Social exclusion
 - Reduced public health
 - Economic inefficiency
- Is this sustainable, healthy or livable?
- How can we build resilient new communities?

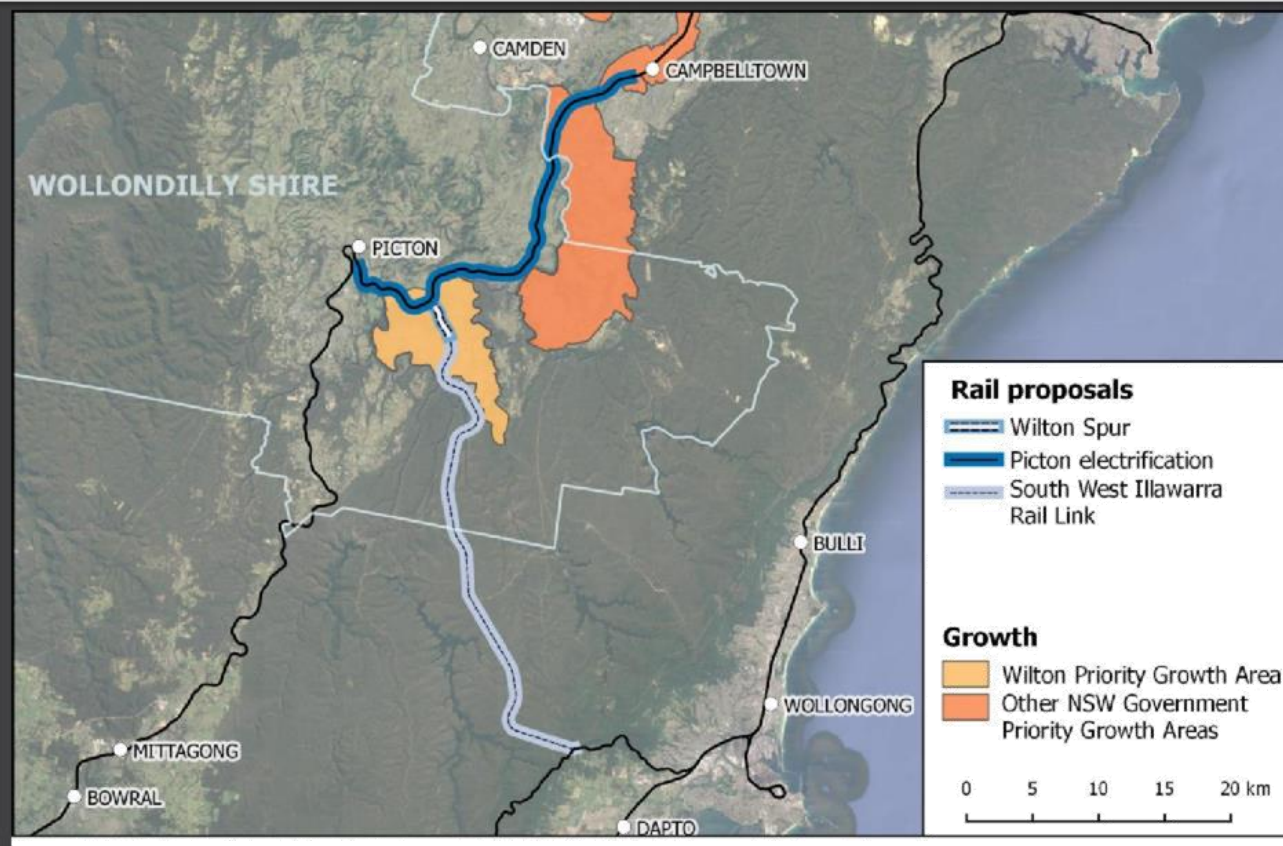
Rail to Wilton New Town



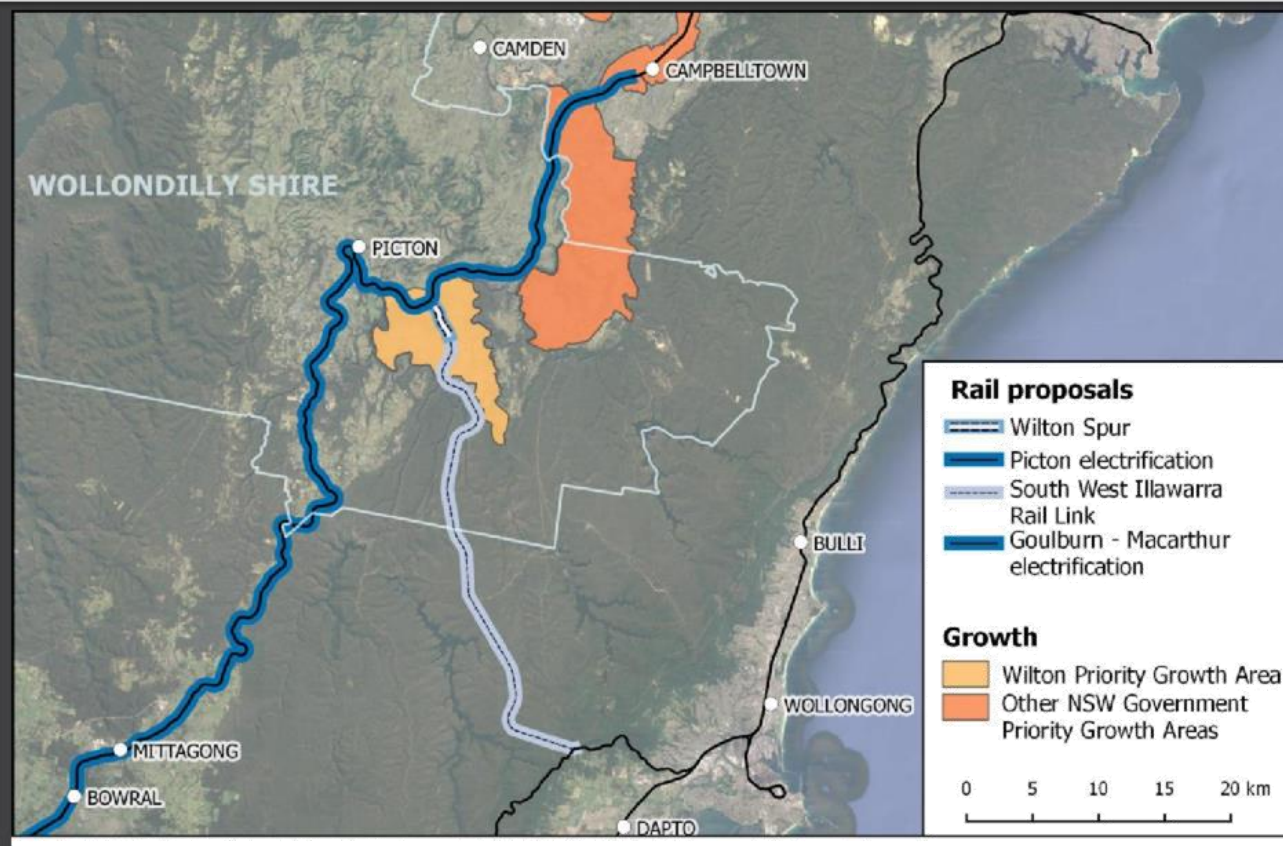
Electrification Macarthur to Picton



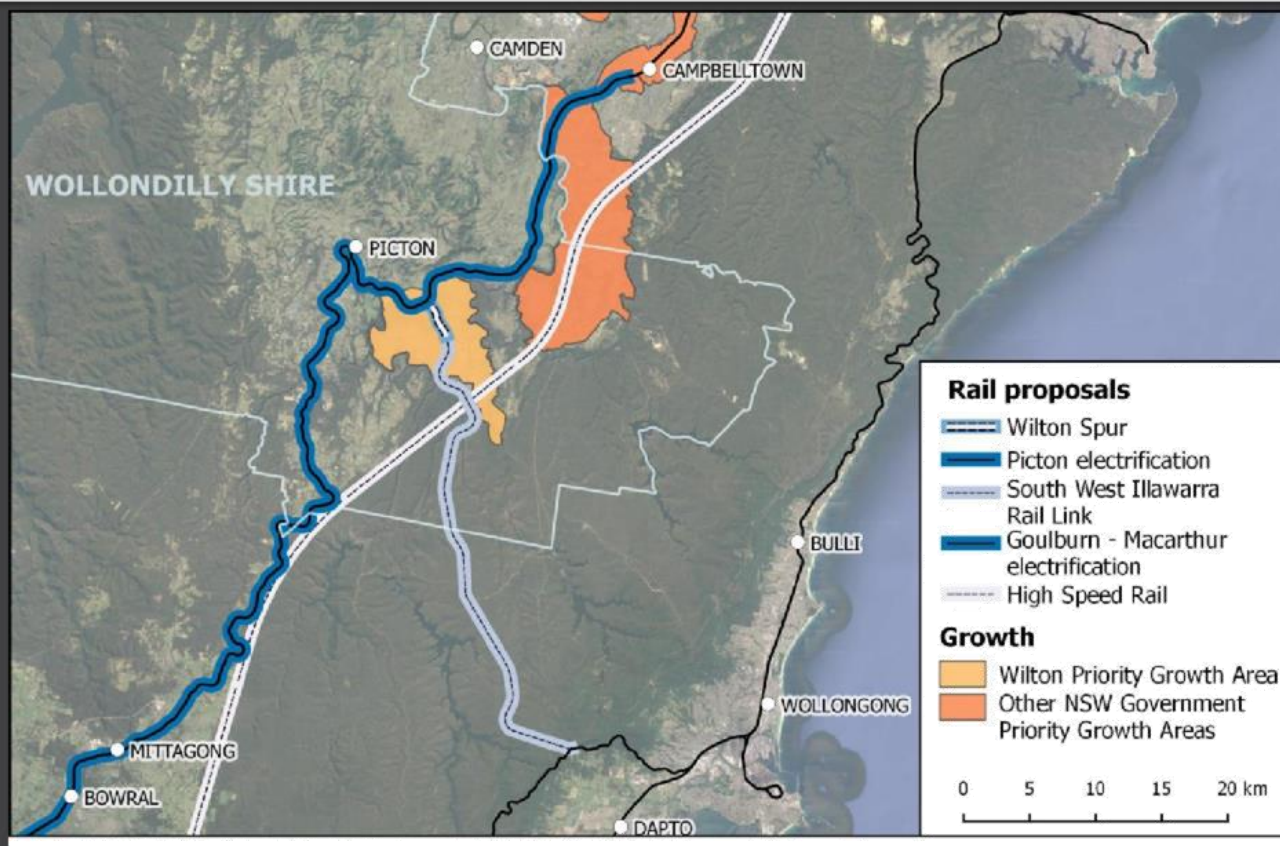
Campbelltown to Wollongong



Macarthur to Goulburn



Sydney to Melbourne - HSR



Sydney to Melbourne - HSR

Travel Times



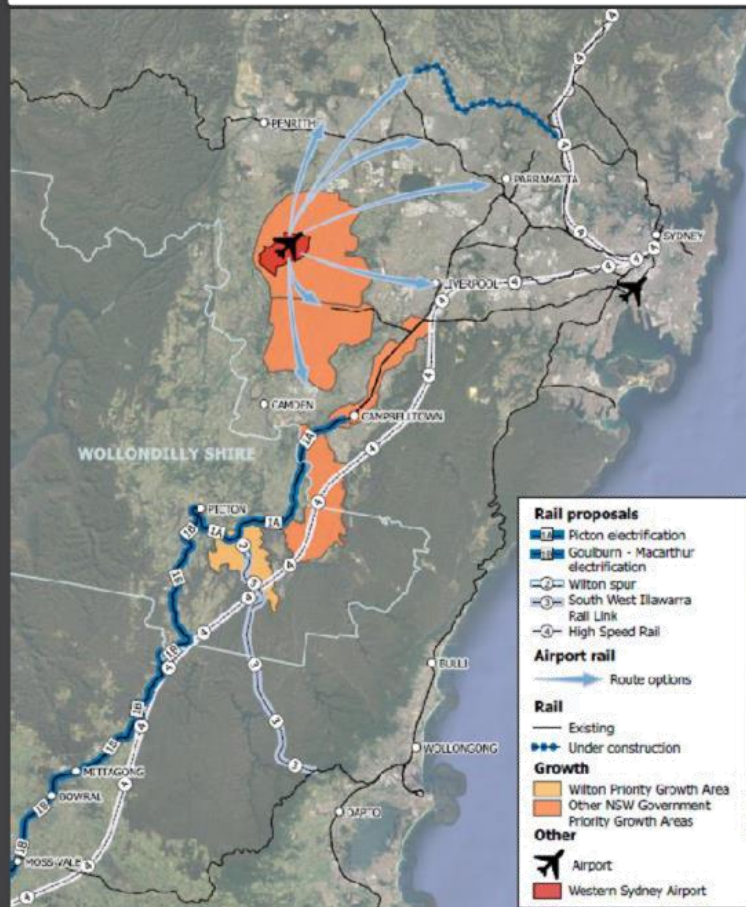
Benefits of HSR

- Greater access to employment markets
- Catalyst for Regional Development
- Create affordable housing opportunities

Summary

- Government planning for 572,500 additional dwellings in western Sydney by 2036
- But only 221,500 jobs to be delivered at higher target or 0.4 jobs / dwelling by 2036
- Access to employment clusters required
- Passenger rail will provide access to jobs **and** help grow local jobs

Rail Possibilities and Options



Join us in calling on the NSW Government to build our Trax to the Future.

Let's help the NSW Government

- ✓ Creating jobs
- ✓ Delivering Infrastructure
- ✓ Making housing more affordable



Proposed Special Infrastructure Contribution

Wilton

September 2018

2018



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Department of Planning and Environment
Printed September 2018

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01

Introduction

Planning for growth means planning to deliver new homes, jobs, open space, transport, infrastructure and services in time with growing demand.

A Special Infrastructure Contribution (SIC) is a charge paid by developers within Special Contribution Areas (SCAs) to ensure funding for key infrastructure required to support growing communities.

Special Infrastructure Contributions allow priority infrastructure to be funded and delivered at the same time development is occurring, ensuring new and growing communities have access to the infrastructure and services they need in a timely manner.

By identifying priority infrastructure items to be funded by SIC before rezoning and collecting contributions from developers at the time of development application, the Department can coordinate the delivery of roads, schools, health facilities, open space, emergency services, transport, and pedestrian and cycling connections before existing infrastructure can no longer keep up.



Proposed Special Infrastructure Contribution for Wilton

A draft Special Infrastructure Contribution (SIC) scheme is proposed to help fund the costs of new and upgraded state and regional infrastructure required to support growth in Wilton. The SIC ensures developers will contribute to the cost of delivering infrastructure to support new homes and jobs across the growth area, estimated to be \$771 million over the next 30 years, including:

- + Roads, intersections, bridges and cycleway improvements - \$655 million;
- + Biodiversity conservation and regional open space - \$65 million;
- + Education - \$31.25 million;
- + Public transport facilities - \$5 million;
- + Health and emergency service facilities - \$1.375 million and
- + Planning and delivery - \$14 million.

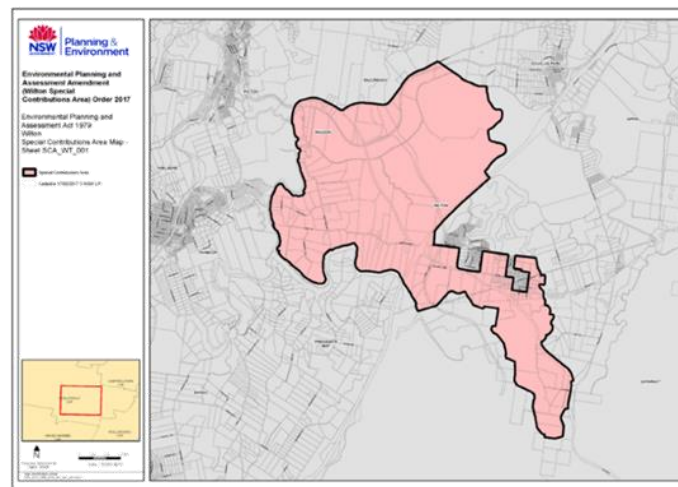
What are the benefits of the SIC framework?

The SIC framework has many benefits for the community, landowners, developers and councils:

- provides certainty to the community that the infrastructure identified in a Precinct Plan or Land Use Infrastructure and Implementation Plan will be funded and delivered;
- offers transparency about the collection and distribution of funds for required infrastructure;
- streamlines the planning process by reducing the number of individual planning agreements Councils and the Department of Planning and Environment have to negotiate;
- ensures the timely delivery of infrastructure in line with community expectations and rate of growth;
- provides certainty for business, councils and community that infrastructure is funded and will be provided alongside or soon after new developments;
- enables industry to contribute funding towards infrastructure that provides a direct benefit to the community and adds value to the development.

03

Proposed Special Contribution Area and Rate



The proposed Special Contribution Area (SCA) for the Wilton SIC is shaded in pink on the map.

The proposed contribution rate is \$59,274 per additional residential dwelling within the SCA.

04

Frequently asked questions

What is a SIC?

A Special Infrastructure Contribution (SIC) is paid by developers to share the cost of delivering the infrastructure required to support growing communities in time with demand. Special Infrastructure Contributions can be used to fund schools, regional space and biodiversity certification, health and emergency services, State and regional road upgrades, some public transport infrastructure and regional pedestrian and cycling links. The Department will work with other state government agencies and Council to determine the timing of project delivery, considering current and forecast development rates and infrastructure capacity.

Who is required to pay a SIC?

Anyone creating additional demand for infrastructure by delivering additional homes within the Wilton SCAs will be required to pay a SIC. If you are building a home on land that has already been subdivided, you will not be required to pay a SIC.

Collecting SICs at the development application stage will ensure key infrastructure is funded and delivered in time with development.

Developers may dedicate land for or build a piece of required infrastructure, instead of making a financial contribution. The delivery

of infrastructure instead of a financial payment is known as a Works-in-Kind agreement.

What will the SIC deliver in Wilton?

The SIC levies by developers will contribute to the cost of delivering infrastructure to support new homes in Wilton estimated to be \$771 million over the next 20-30 years, including:

- + Regional roads and cycling improvements
- + Land for schools, health and emergency service facilities
- + Regional open space, and biodiversity certification; and
- + Bus infrastructure
- + Planning and delivery costs.

A more detailed list and map of proposed infrastructure funded by the SIC can be found on pages 11 and 12.

SIC rates and projects will be reviewed regularly to ensure that the most appropriate infrastructure solutions are delivered to support growing communities into the future.

The SIC rates have been calculated based on:

- + the anticipated demand for new infrastructure that will be created by development;
- + the cost of infrastructure identified;

- + the impact of other contribution levies applied in the area;
- + the forecast number of additional residential dwellings to be delivered within the Special Contribution Area; and
- + ensuring adequate funding for infrastructure, while ensuring the rates applied do not impact development feasibility and housing supply.

SICs and other infrastructure contributions

Local contribution plans (such as Section 7.11 and 7.12) will still apply. Local contributions fund local infrastructure and are the responsibility of councils, while the SICs fund state and regional infrastructure and are the responsibility of the Department to administer. Items in local contribution plans are different to those included in a SIC plan so there is no double-up of funding.

Where a voluntary planning agreement (VPA) has been previously negotiated with a landowner or developer for the provision of state infrastructure, the Department will take this into account and developers will not be charged under both mechanisms (i.e. will not be double-charged).

To ensure development feasibility and housing supply are not impacted by the SIC, other development costs, fees and charges are taken into account when setting the SIC rate.

How will infrastructure be delivered in Wilton?

The Department will coordinate with infrastructure agencies and Council to best prioritise funds collected from the Wilton SIC towards the infrastructure projects identified.

The early development of Wilton will be through developers entering into voluntary planning agreements with the Department. A key component of these agreements will be the delivery of infrastructure as works in kind. The works in kind agreements define the regional infrastructure to be funded and delivered by the developer in line with approvals for a specific number of dwellings. This means that infrastructure will be delivered in line with or in advance of the delivery of housing.

What happens if development begins before the SIC for Wilton is in place?

Before the proposed SIC for Wilton is in place, planning proposals will require satisfactory arrangements to be in place to ensure required regional infrastructure is provided. This is negotiated with the Department through a voluntary planning agreement (VPA), which can be made by a cash payment or works-in-kind to deliver the infrastructure. Any development application that is already approved will not be subject to a SIC charge.



SIC and the plan for Wilton 2040

Special Infrastructure Contributions will be applied to all Planned Precincts and Growth Areas across Sydney.

This means that infrastructure funding and delivery is coordinated at the same time development is occurring in high-growth areas.

The Wilton SIC will be essential to bringing the Wilton 2040 plan to life, funding infrastructure to support a growing and thriving community over the coming decades.



The proposed SIC forms part of the strategic planning framework that will support the growing community in Wilton over the coming decades:

1. Wilton 2040

Provides strategic direction for Wilton Growth Area to achieve the Plan's vision, objectives and its implementation over the next 20 years as the area grows. Development will need to be consistent with this plan.

2. Draft Precinct Plans

The Department leads development of Precinct Plans and Indicative Layout Plans in collaboration with landowners, Wollondilly Shire Council and other stakeholders. Development must give consideration to the Plan and its key principles.

3. Special Infrastructure Contribution Scheme

The Special Infrastructure Contribution (SIC) Scheme ensures that development which relies on improvements to state and regional infrastructure financially contributes to the delivery of the infrastructure.

4. The Wilton Green Plan

The Green Plan guides planning and design of open space and tree canopy in Wilton Growth Area. The Green Plan considers existing open space, accessibility of open space, tree canopy and projected open space demand and establishes guiding principles for future open space provision in the Growth Area.

Wilton 2040 identifies seven key actions towards implementing the strategic plan:

- + **Rezoning** of Wilton Growth Area precincts for urban development following public exhibition
- + **Finalisation of draft Wilton Special Infrastructure Contribution (SIC)**
- + **Strategic** bio-certification of the Wilton Growth Area through the preparation of the Cumberland Plain Conservation Plan
- + **Finalisation** of the Wilton Growth Area Development Control Plan to guide approval of neighbourhood plans within the precincts
- + **Finalisation** of an Infrastructure Phasing Plan for the Wilton Growth Area
- + **preparation** of a jobs creation strategy for employment areas in the Wilton Growth Area
- + **Collaboration** with Transport for NSW on business case for public transport improvements.

Progressing the Plan Wilton 2040

The Department has now finalised strategic planning work for the Wilton Growth Area. The proposed Special Infrastructure Contribution will provide funding to support the delivery of the plans.





How does a Special Infrastructure Contribution work for Planned Precincts and Growth Areas?

1. Planning

-  **Planned Precinct identified**
An area that has planned population and job growth, and land development potential.
-  **Consultation**
Community, landowners, councils, developers, government agencies and other stakeholders are consulted to develop the Precinct Plan and land is reserved to allow for development.
-  **SIC is drafted**
The Department of Planning and Environment, in consultation with councils and government agencies, identifies the infrastructure schedule - the planned infrastructure that can be funded by SIC, and the rate - how the cost will be shared across new developments.
-  **Consultation**
The draft SIC is put on public exhibition, during which time community, landowners, councils, developers, government agencies and other stakeholders can provide feedback and submissions through the Department website.

2. Contribution

-  **SIC is determined**
Once feedback is considered, the Minister makes the determination and the SIC will now apply to new developments in the contribution area.
-  **Development application to council**
Local councils consider the development application and direct the proponent to pay the SIC to the Department.
-  **Contribution is made**
Developers may pay the SIC to the Department or build a piece of infrastructure identified in the infrastructure schedule.

3. Delivery

-  **New homes**
Newly developed homes are sold to buyers at market value. The cost of the SIC should not be passed on to buyers.
-  **New infrastructure**
The Department coordinates councils, government agencies including Transport for NSW, Roads and Maritime Services, Education, and Health, to deliver SIC-funded infrastructure and regional open space.
-  **Community revitalised**
New homes, jobs and facilities for a growing community.

Special Infrastructure Contributions pay for:

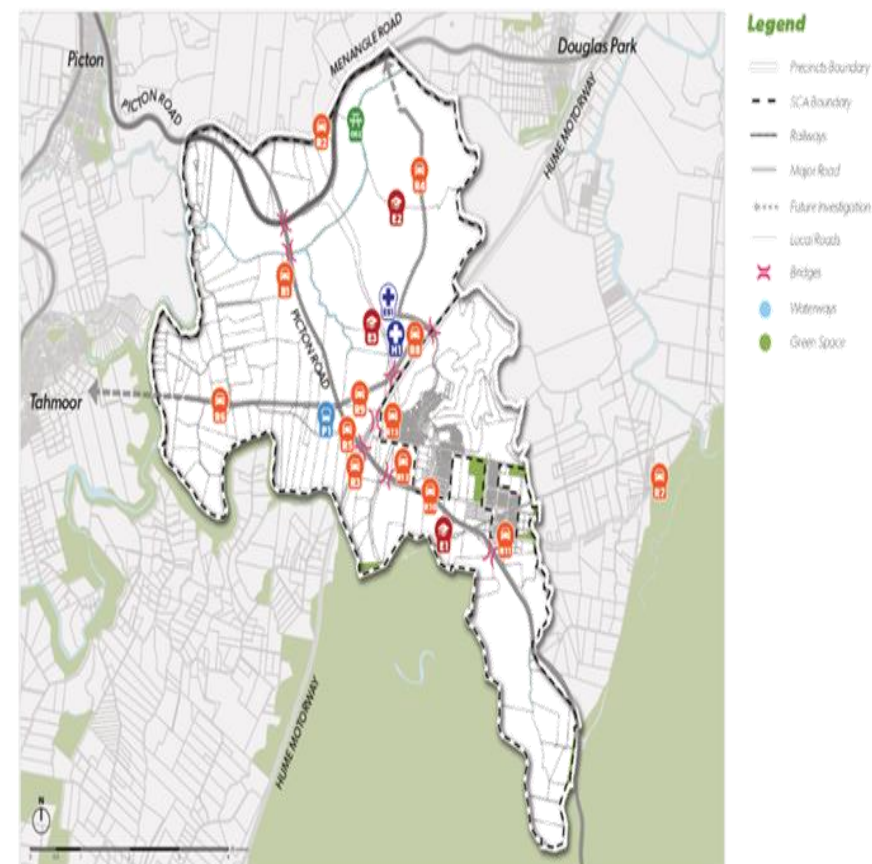
-  Schools
-  Emergency services
-  Regional pedestrian paths
-  Regional Roads
-  Bus infrastructure
-  Health facilities
-  Regional open space
-  Regional cycleways

Proposed Infrastructure Schedule and Map

The Department will work with other state government agencies and Wollondilly Shire Council to determine the timing of project delivery, considering current and forecast development rates and infrastructure capacity. Other state infrastructure identified in the plan and not funded by the SIC will be the responsibility of the relevant agency to fund and deliver.

Special Infrastructure Contributions

Roads	\$654,936,429	Public transport	\$5,000,000
Picton Rd Upgrade - widening to 4 lanes	\$219,547,268	Bus depot	\$5,000,000
Menangle Rd Upgrade - widening to 4 lanes	\$36,932,927	Education	\$71,250,000
Hume Motorway/Picton Rd Interchange Upgrade	\$35,904,621	Land dedicated for Primary School - Wilton South East	\$7,500,000
Wilton North Sub-arterial with potential future bridge links to Menangle Rd	\$64,549,482	Land dedicated for Primary School - Wilton North	\$7,500,000
Picton Rd east and west of interchange - widening to 6 lanes	\$30,673,280	Land Dedicated for K-12 School - Wilton Town Centre	\$16,250,000
West Wilton Sub-arterial with potential future Tahmoor Link	\$70,000,000	Health	\$750,000
Investigation of Wilton Rd including Beaugreen Pass Capacity Improvement	\$2,400,000	Community Health Facility - Land	\$750,000
Sub-arterial from Nilax Bridge Link to MDB Crossing including North Wilton Hume Motorway ramp access	\$32,699,130	Emergency services	\$625,000
Sub-Arterial from MDB Crossing to Picton Rd	\$26,279,721	Fire & Rescue Service Station - Land	\$625,000
Pembroke Rd and Picton Rd intersection - Signalised upgrade	\$4,750,000	Biodiversity Conservation and Regional Open Space	\$65,032,199
Almond Sewer overbridge and connection to Picton Rd	\$15,400,000	Biodiversity certification	\$60,540,300
Picton Parade West Grade Separation	\$15,400,000	Regional open space	\$4,491,899
Wilton Town Centre access bridge over Hume Highway	\$41,000,000	Planning and delivery	\$13,863,904
		Precinct planning	\$2,575,836
		Precinct delivery	\$1,787,968
		Wilton business development director	\$2,500,000



Operation of the Wilton SIC

A SIC will be payable for all additional residential dwellings built within the contribution area. This includes:

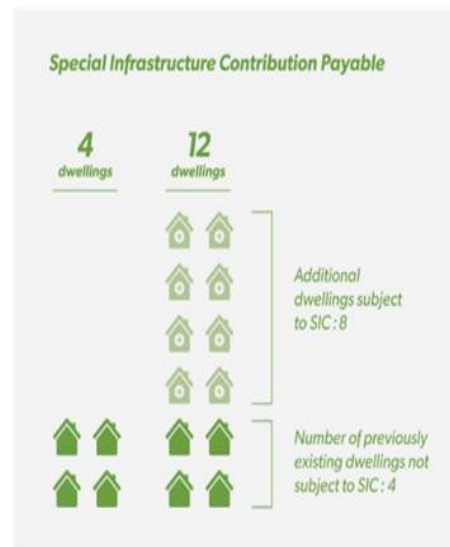
- + attached dwellings;
- + dual occupancy;
- + dwelling houses;
- + multi-dwelling housing;
- + residential flat buildings;
- + semi-detached dwellings;
- + a group of self-contained dwellings that is for seniors housing; and
- + shop top housing.

Public housing, seniors housing or affordable housing carried out by or on behalf of a social housing provider will not be subject to a SIC.

The SIC may be made either as a monetary contribution (developer pays the SIC rate) or by delivering works-in-kind (developer provides land or works based on the infrastructure schedule instead of paying the SIC rate).

For any new residential development, the number of existing dwellings will be deducted from the total number of dwellings proposed to calculate the number of additional dwellings and therefore the amount to be paid via the SIC.

For example, on a site with a block of four existing dwellings that will be developed into a block of 12 residential dwellings, the SIC will only be payable on the 8 additional dwellings.



13

Calculating the SIC rate

The SIC rate is based on a range of factors, including the cost of infrastructure needed to support growth in the precinct, the anticipated number of additional dwellings and development feasibility.

The Department has been working closely with other Government agencies, Wollondilly Shire Council, external consultants and industry representatives to ensure that the proposed SIC for Wilton will not impact housing supply in the area.

The proposed SIC rates have been informed by a **feasibility assessment**. This means the cost of other developer contributions, construction and developer margins are considered when setting the rates for each charge area.

Once the SIC for Wilton has been determined by the Minister for Planning, the Department will be responsible for periodic reviews of the SIC rates, SCA boundaries, infrastructure projects and costs and adjust as required.

This will allow the Special Infrastructure Contribution framework to stay up-to-date with changes to land value and rezoning, key infrastructure projects and any other significant changes to the area.

To ensure the SIC remains up-to-date with the changing costs of land and construction services over time, the infrastructure costs and contribution rates will be updated each year. More information about the indexation process can be found on the Department's website.

An annual reporting framework is proposed to identify the contributions collected and the level of funding allocated in each Special Contribution Area to ensure transparency about the collection of funds and delivery of infrastructure.

Before the SIC has been Determined by the Minister, no SIC charge will be applied to development that is consistent with the Local Environmental Plan (LEP). Where a planning proposal is lodged and the SIC charge has not been Determined by the Minister, satisfactory arrangements will be made for the provision of state infrastructure.

The Department will continue to work with Wollondilly Shire Council and other government agencies to ensure the most appropriate project solutions are delivered to support growth and development in the precinct over time.

14

Have your say on the draft Wilton SIC

You are welcome to provide feedback on the proposed Special Infrastructure Contribution for Wilton, including the rate, special contribution area and infrastructure schedule until 9th November 2018.

You can have your say on the Department's website at:

planning.nsw.gov.au/wiltonsic

Or write to:

Director, Planned Precinct Infrastructure Delivery
Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

Stay up-to-date on the progress of the Wilton Special Infrastructure Contribution by subscribing for notifications through the Department's website.

More information



Visit planning.nsw.gov.au/wiltonsic



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Phone 1300 305 695



EPS



SPECIAL INFRASTRUCTURE CONTRIBUTION FEASIBILITY STUDY – WILTON SPECIAL CONTRIBUTION AREA

*Prepared for NSW Department of Planning and Environment
Prepared by EPS*

EPS
Reference No. 11330
May 2018



Quality Assurance & Version Control Table				
Project: Wilton SIC Levy Feasibility Study				
Client:	NSW Department of Planning and Environment			
Rev No.	Date	Our Reference	Author	Reviewer
Draft V.01	27.02.2018	20180227_11330_SIC Levy_Wilton_Draft_V.01	D. Carruthers	L. Bryson
Draft V.02	02.03.2018	20180302_11330_SIC Levy_Wilton_Draft_V.02	D. Carruthers	L. Bryson
Draft V.03	10.05.2018	20180510_11330_SIC Levy_Wilton_Draft_V.03	D. Carruthers	L. Bryson
Final	22.05.2018	20180522_11330_SIC Levy_Wilton_Final	D. Carruthers	L. Bryson
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EXECUTIVE SUMMARY

The Department of Planning & Environment (DP&E) is implementing an infrastructure funding mechanism to support projections of significant growth within the Wilton Growth Area. The release of the land at Wilton for development was endorsed by cabinet on the provision that the infrastructure to support development growth is at no additional cost to government.

This report tests the economic capability of land, identified by DP&E to facilitate Wilton's future residential growth, to accommodate a Special Infrastructure Contribution (SIC) under various planning control amendments and development scenarios.

Broadly, the various scenarios tested demonstrate an ability for a SIC to be levied on lands benefiting from a zoning uplift from Rural to Low Density Residential within the Wilton Special Contribution Area (SCA).

EPS' feasibility modelling indicates the underlying property economics within the SCA could support a contribution rate of up to \$60,000 per additional residential lot through increased permissible development density as a result of re-zoning.

Importantly we note that this feasibility analysis demonstrates high-level, generic outcomes and does not consider the individual nuances, opportunities, constraints and conditions of specific development sites, which is beyond the scope of this report.



Table of Contents

Executive Summary.....	iii
1 Background.....	1
1.1 Scope and Objectives.....	2
2 Wilton Special Contributions Area.....	3
3 Method and Approach.....	4
4 Feasibility Testing	6
4.1 Key Inputs.....	6
4.1.1 Profit and Risk	8
4.2 Financial Outcomes.....	8
4.2.1 Feasibility Approach.....	9
5 Limitations	10
6 Conclusion	12

List of Tables

Table 4-1: Key Input Table	7
Table 4-2: Potential Affordability of SIC Contributions – Feasibility Method (Wilton SCA)	9

Appendices

- Appendix 1 – Generic Feasibility Inputs
- Appendix 2 – Wilton Special Contributions Area Map Sheet SCA_WT_001
- Appendix 3 – Land Value Research

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EPS

May 2018 - Page v



1 BACKGROUND

The Department of Planning & Environment (DP&E) is considering the viability of implementing an infrastructure funding mechanism amid expectations of significant growth within the Wilton Growth Area.

The various methods of publicly funding infrastructure in NSW, are collectively known as the Development Contributions System, broadly including mechanisms such as Section 7.11 and 7.12 levies (formerly known as Section 94 and Section 94A development contributions), affordable housing contributions and voluntary planning agreements.

These methods of funding have seen public-private partnerships shifting the burden away from tax-payer funded government budgets being solely responsible for the delivery of public infrastructure; an increasing pressure exacerbated by significant urban growth in recent years.

A Special Infrastructure Contribution (SIC) is a levy paid by developers to share the cost of delivering the infrastructure required to support growing communities. The SIC funds infrastructure such as schools, state and regional roads, regional open space, emergency and health facilities, and some public transport infrastructure.

A SIC is based on the Precinct Plan for the relevant Special Contribution Area (SCA). An infrastructure schedule identifies the key pieces of infrastructure that can be delivered by SIC funding within the contribution area, and the levy is the per-dwelling or per-lot portion of the total infrastructure cost that must be paid by developers.

EPS has been engaged by DP&E to undertake high-level feasibility testing to assist in quantifying the impact of an additional SIC infrastructure funding mechanism on development feasibility within the Wilton SCA.

The feasibility testing outcomes will assist DP&E to broadly understand the economic ability of the development industry to accommodate a SIC where land is proposed to be up-zoned, within the SCA.

EPS

May 2018 - Page 1



1.1 Scope and Objectives

DP&E understands the importance of ensuring that any mechanism introduced to fund infrastructure does not adversely impact the delivery of housing supply and provides certainty to the development industry relating to the cost of development in a given area.

Both the quantum and mechanism for a proposed SIC are equally important to facilitate effective and feasible development. This in turn underpins the SIC rate applied and hence the delivery of vital infrastructure to unlock urban land release areas.

In order to address the requirements of the brief, this report addresses the following issues:

1. What zoning scenarios are likely to occur in the study area?
2. Can development that benefits from up-zoning in the study area afford to pay a levy? And if so,
3. How much can feasibly be levied on new land release following the adoption of new planning controls in the study area (up-zoning)?



2 WILTON SPECIAL CONTRIBUTIONS AREA

The Interim Land Use and Infrastructure Implementation Plan for Wilton establishes a strategic planning framework to guide future development and infrastructure delivery within Wilton over the next 20-30 years.

The plan envisions growth in residential and commercial development, leveraging the town's proximity to Wollongong and the new Western Sydney Airport.

There are six (6) distinct precincts within the Wilton Priority Growth Area, comprising:

- Bingara Gorge;
- Wilton South East;
- Wilton Town Centre;
- Wilton North;
- West Wilton; and
- Wilton Rural Residential.

The Wilton area is currently typified by large rural residential holdings, with the exception of smaller residential allotments in the town centre. Recent residential subdivision and development is currently underway in the Bingara Gorge precinct. The remaining land within the Growth Area is predominantly rural zoned land. A small number of large-area landowners account for a substantial proportion of the remaining land contained within the Growth Area.

DP&E has identified Wilton as a Growth Area, wherein planning controls are proposed to be adjusted and a SIC applied. The Growth Area boundary defines the land subject to this study. The Special Contributions Area Map for Wilton is shown in Appendix 2 of this report.

DP&E expect that residential growth in this area will be delivered through further land release or 'up-zoning' of land across the Wilton region. Key infrastructure is required to facilitate the orderly development of the Wilton Growth Area (roads, schools, emergency services etc.), as well as an appropriate mechanism for funding this infrastructure.

The Government is investigating the creation of a SIC scheme to support the Growth Area which includes a framework for developers to share in the cost of delivering critical infrastructure within nominated Growth Areas and Planned Precincts.



3 METHOD AND APPROACH

DP&E recognises that in considering if and how a SIC could be implemented, the assembly of an evidence base is necessary. This is firstly to understand the scenarios under which land-release could occur, and secondly the extent to which a SIC levy could be imposed without undermining the development feasibility in these scenarios.

Simply put, the introduction of a SIC will need to leverage the land value gain resulting from a change in development planning controls, without rendering a development scenario unfeasible.

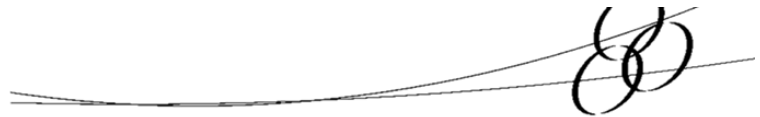
To understand if there is potential to levy a contribution on new development, high-level feasibility testing has been undertaken to understand the commercial realities of large-scale land subdivision development, and in particular the impact a new SIC could have on the feasibility of such development.

Provided below is a summary of the methodology used to assess the hypothetical development of the study area.

- 1) Undertake research and report on a range of land values by location and by zoning status. Including the following assumed development scenarios:
 - a) Proximate Rural zoned land with no future residential uplift potential flagged by DP&E;
 - b) Proximate Rural land with low density residential re-zoning potential (as identified in the Special Contribution Map Area); and
 - c) Proximate Land currently zoned R2 (Low Density Residential).
- 2) Identify and outline all key inputs going into the feasibility analysis including:
 - a) Sales revenues, net of selling costs;
 - b) Land values;
 - c) Development costs;
 - d) Statutory costs excluding SIC levies;
 - e) Development profit (Internal Rate of Return (IRR)); and
 - f) Assumed timeframes for development and lot sales.
- 3) Vary modelled SIC levies such that the IRR is within reasonable market expectations.

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Simplistically, if feasibility modelling results meet or exceed the required hurdle rates for profitability accepted by the development industry, the development scenario can be considered feasible. A suitable SIC rate can then be applied to leverage the value up lift resulting from the change in planning controls.



4 FEASIBILITY TESTING

Feasibility testing has been undertaken on the assumption that the up-zoning for the Wilton SCA broadly represents a transition from Rural land to land with Low Density Residential development potential. EPS has not been furnished with specific development scenarios from DP&E. EPS has instead assessed scenarios considered to represent the most realistic up-zoning scenarios for the study area, to examine the resilience of a proposed SIC levy.

The following feasibility testing has been developed to test the impact of proposed SIC levies under the assumed following three (3) scenarios:

1. Rural land, with no anticipated residential potential;
2. Rural land, with anticipated low density residential rezoning; and
3. Existing low density residential land, with the impost of a SIC.

While there is the potential for some landholdings proximate to Wilton town centre to be up-zoned to enable medium density residential or mixed-use development, this scenario has not specifically been tested. A lack of demonstrated depth of market demand for medium density residential product within the Wilton growth area suggests that there would be limited additional uplift in SIC feasibility beyond that assessed for rezoning to low density residential.

4.1 Key Inputs

In undertaking high level feasibility testing, EPS has used a series of high-level modelling inputs. These assumptions have been based on:

- Market evidence where available;
- EPS' broad development project and advisory experience; and
- Accepted development industry standards.

Provided in Appendix 1 are full details of all key assumptions, however a summary of the key inputs is provided below.



Table 4-1: Key Input Table

'As Is' Value Assumptions	
Rural land, with no anticipated residential potential	\$160,000 per hectare
Rural land, with anticipated residential rezoning potential	\$450,000 per hectare
Existing low density residential land	\$1,600,000 per hectare
Development Yield (Hypothetical Scenario)	
Site Area (ha)	50
Residential Lots	900
Average Lot Size (m ²)	450
Residual Land Value Feasibility Inputs	
Land Acquisition Costs	As per 'As Is' values above, depending on current zoning status of land
Revenues per Developed Residential Lot (\$/Lot)	\$380,000
Development Costs (Per Lot)	
Construction Cost	\$88,000
Plus, Professional Fees	8%
Plus, Construction Contingency	10%
Market Expected Profitability (IRR)	
Rural land, with no anticipated residential potential	22.5%
Rural land, with anticipated residential rezoning potential	20.0%
Existing low density residential land	17.5%
Timing (Years Until First Lot Sales)	
Rural land, with no anticipated residential potential	4.5 years
Rural land, with anticipated residential rezoning potential	4.5 years
Existing low density residential land	2.0 years



4.1.1 Profit and Risk

Profit and risk factors are one of the most subjective elements in feasibility calculations. Effectively these factors quantify the minimum level of profitability a developer is willing to accept, considering the risk associated with a particular development project.

For larger development projects, which occur over multiple years, such as the hypothetical scenario that forms the basis for our feasibility modelling, internal rate of return (IRR) is the metric most commonly adopted by the development industry to objectively measure the expected profitability of a project.

Industry standards are typically benchmarked to rates outlined below, with adjustments made for the perceived risk of a project and depending greatly on the risk appetite of specific developers.

Therefore, in determining an acceptable IRR to utilise as a feasibility assumption, EPS has considered typical thresholds generally accepted within the development industry.

The following bands provide a guide only for different scenarios when determining a hurdle rate for the profit and risk (IRR):

- 15% - 17.5%: Usually short-term development considered to be relatively risk free;
- 17.5% - 20%: Generally medium-term development with some associated risks such as prolonged development periods; and
- 20% - 25%: Longer-term larger development with more risk such as the requirement of approvals.

In undertaking this feasibility modelling, EPS has allowed for IRR's in the range of 17.5% to 22.5% dependent on the risk profile of each modelled development scenario.

4.2 Financial Outcomes

The assessments of value have been undertaken primarily through a Feasibility Approach (Discounted Cashflow method), utilising Estate Master Software.

4.2.1 Feasibility Approach

For a feasibility approach, the key performance indicator is project IRR. The objective is to assess if, after assumed land purchase cost and payment of a SIC, development feasibility still meets the minimum profitability hurdle rate (project IRR). In order to test this, a hypothetical SIC is applied to test tolerance following development feasibility analysis.

This is an iterative process, applying an increasing SIC rate per lot to identify the point at which the development feasibility falls below the minimum hurdle rate – the impositions of the levy thereby amounting to 100% capture of any development upside. This provides an indication of the available uplift created under the development feasibility assumptions adopted and therefore provide a guide of the potential SIC that could be applied.

Provided below is a summary of the financial outcomes for the scenarios tested under the feasibility methodology. A full list of inputs is provided at Appendix 1.

Table 4-2: Potential Affordability of SIC Contributions – Feasibility Method (Wilton SCA)

	Potential SIC (per residential lot)
	Potential SIC (100%)
Rural land, with no anticipated residential potential	\$103,700 – say \$100,000
Rural land, with anticipated residential rezoning potential	\$62,110 – say \$60,000
Existing low density residential land	\$0



5 LIMITATIONS

The purpose of this report has been to undertake a high-level examination of the tolerance for new development that benefits from up-zoning, to afford a proposed SIC levy.

EPS note the following key limitations of the high-level analysis provided within:

Sensitivity to Key Inputs

The hypothetical and high-level approach to examining a SIC tolerance has been undertaken utilising a set of development assumptions. EPS has based these inputs on market evidence where available, industry standards and professional experience, a full set of assumptions used for feasibility testing are disclosed at Appendix 1.

EPS note that a change in any of these assumptions may significantly change the outcomes of this study. The following assumptions are highlighted as being fundamental to the conclusions of this report:

1. Section 7.11 Local Development Contributions.

Local Development Contributions have been allowed at \$20,000/ developed residential lot, based on the Wollondilly Development Control Plan 2011 (current at the time of this study). Any increase in this contribution or the introduction of additional development contributions would have a corresponding decrease in the supportable level of SIC.

2. Landholding size.

A nominal landholding size of 50ha has been adopted based on a review of the typical range of lot sizes across the study area. Generally smaller landholdings would be expected to support a lower level of SIC.

3. Developable dwellings per ha following rezoning.

The development of 18 residential lots / ha of englobo land has been adopted based on typical patterns of development in low density residential areas. If a greater density of development is permitted in the future this would likely support a higher level of SIC.

4. Construction costs.

An allowance for \$80,000+GST construction cost per developable residential lot has been adopted. The actual cost of construction will vary substantially for any individual development site based on a number of factors including topography, geology, servicing and other constraints. An increase in expected construction costs would be expected to support a lower level of SIC.



5. Market value of land.

The market value of both undeveloped and developed land is fundamental to the conclusions of this study. Market values can change rapidly and have a material impact on the supportable level of SIC. EPS recommend a refresh of sales evidence and assumption inputs be undertaken in the event that the relevance of this report should lapse.

Sensitivity to Future Costs and Revenues

The analysis assumes revenues and costs that are relevant as at the date of this report. These have the potential to change materially in the future. EPS recommend a refresh of sales evidence and assumption inputs be undertaken in the event that the relevance of this report should lapse.

Hypothetical Scenarios

The analysis undertaken within is based on hypothetical scenarios. While EPS has attempted to provide scenarios that are based on the most likely planning uplift scenarios, EPS has been unable to verify that these scenarios will reflect the future planning provisions and development controls to be implemented by DP&E across Wilton SCA.



6 CONCLUSION

Provided above is a range of scenarios, used to provide an indication of 'affordability' for the development industry to contribute to the delivery of key infrastructure via the introduction of a SIC within Wilton SCA.

Based on the methodology and set of assumptions outlined, EPS analysis demonstrates the following:

Rural land, with no anticipated residential potential

This scenario demonstrates an upper limit SIC in the order of \$100,000 per residential lot generated through increased permissible development density as a result of re-zoning. The tolerance for a relatively high SIC reflects the underlying lower land value in this scenario, as a result of currently having no future up-zoning expectations.

Rural land, with anticipated residential rezoning potential

This scenario demonstrates an upper limit SIC in the order of \$60,000 per residential lot generated through increased permissible development density as a result of re-zoning. This scenario encapsulates the market expectation for up-zoning to occur in the SCA.

Existing low density residential land

The outcome of feasibility testing for development in this scenario demonstrates no tolerance for the imposition of a SIC. This outcome reflects the underlying land value of existing development sites that, when tested, and in the current market conditions, demonstrate a profitability for developers that is reasonably within market expectations.

This is a common-sense outcome given that this scenario has not benefited from any re-zoning value uplift and is therefore unable to afford additional project costs.



Broadly EPS concludes that, within the scope and limitations of this study, it is broadly feasible for infrastructure to be funded by a SIC, to be levied on land that experiences a zone uplift from Rural to Residential, within the Wilton SCA.

Yours sincerely,



Dean Carruthers CPV, AAPI
Director



Jeff Burns CPV, AAPI
Principal



Appendix 1
Feasibility Inputs

EPS

May 2018

Wilton - Special Infrastructure Contribution Feasibility Study

EPS

Financial Input Sheet

Development Yield Base Assumptions		Scenario Descriptions	
Land area (ha)	50	Scenario 1	Rural land, with no anticipated residential potential;
Lots	900	Scenario 2	Rural land, with anticipated residential rezoning potential
Average lot size - Gross (m ²)	556	Scenario 3	Existing low density residential land, with the impost of a SIC
Infrastructure contingency	20%		
Average lot size - Net (m ²)	450		

Feasibility Approach (Costs inclusive of GST where relevant)

Input Assumptions	Scenario 1	Scenario 2	Scenario 3
Acquisition costs	\$8,000,000	\$21,250,000	\$80,000,000
Legals	\$20,000	\$20,000	\$20,000
Revenue (per lot)	\$380,000	\$380,000	\$380,000
Construction costs (per lot)	\$88,000	\$88,000	\$88,000
Construction contingency (% construction costs)	10%	10%	10%
Statutory costs (total per lot)	\$23,500	\$23,500	\$23,500
Professional Fees (% construction costs)	8%	8%	8%
Land holding costs (Year 1)	\$1,925,000	\$1,925,000	\$1,550,000
Timing (years until first lot sale)	4.5	4.5	2.0
Sales rate (per quarter)	45	45	45
Selling costs (% gross revenue)	2.25%	2.25%	2.25%
Marketing (% gross revenue)	3.25%	3.25%	3.25%
Interest rate (pa)	6.25%	6.25%	6.25%
IRR	22.5%	20.0%	17.5%
Cost escalations	Nil	Nil	Nil
GST	General Tax Rule	General Tax Rule	General Tax Rule

Feasibility Approach

Outputs	Scenario 1	Scenario 2	Scenario 3
Affordable SIC	\$103,700	\$62,110	\$0
Rounded	\$100,000	\$60,000	\$0

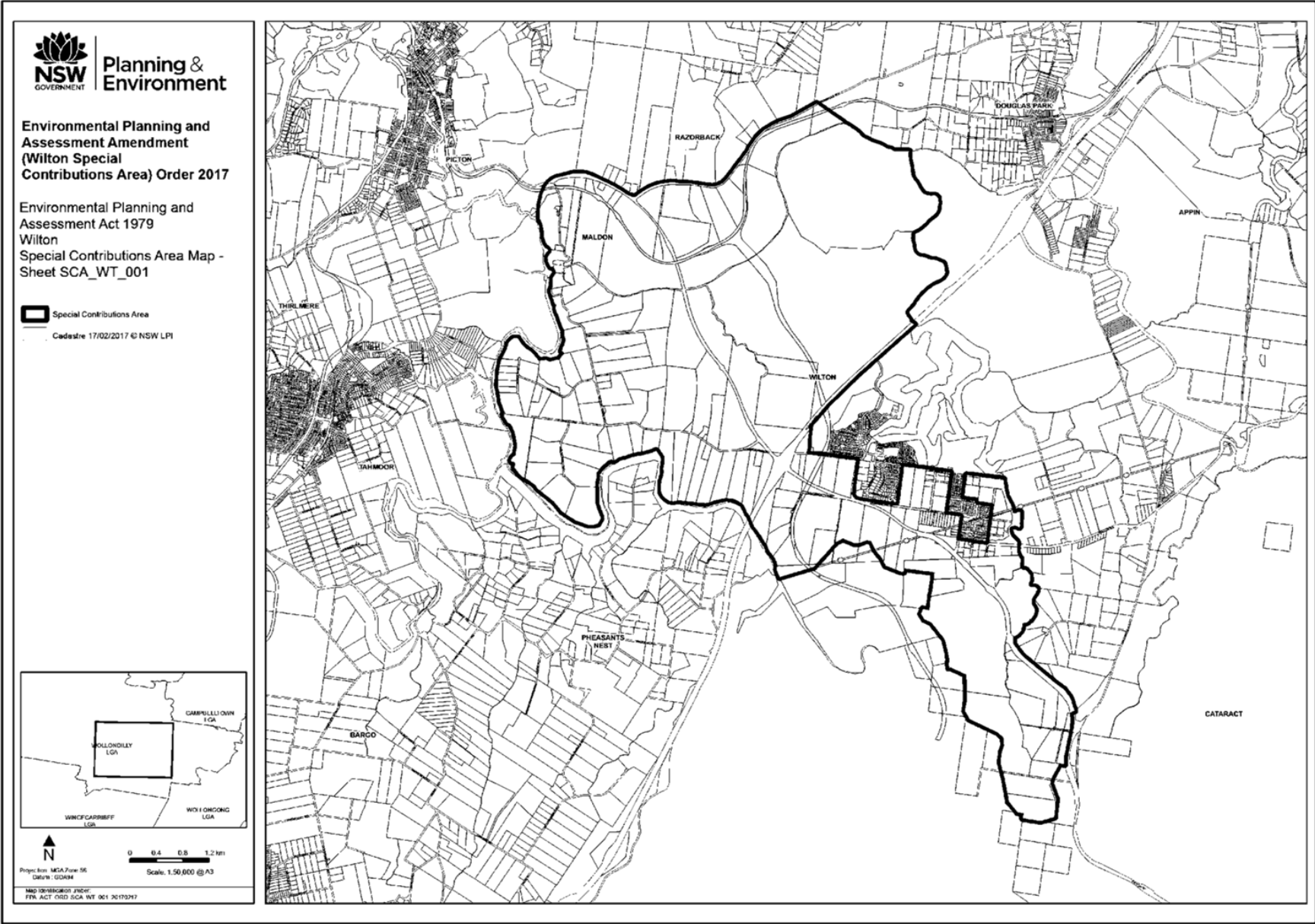


Appendix 2

Wilton Special Contributions Area Map

EPS

May 2018





Appendix 3

Land Value Research

EPS

May 2018

Wilton Land Value Research

EPS

Wilton RU2 no R2 Potential

Sale	Suburb	Land Size (ha)	Sale Price	\$/ha
1	Wilton	21	\$1,430,000	\$69,000
2	Wilton	22	\$1,750,000	\$79,000
3	Wilton	10	\$1,100,000	\$109,000
4	Wilton	9	\$1,800,000	\$191,000
5	Wilton	10	\$1,600,000	\$159,000
6	Wilton	10	\$2,450,000	\$245,000
7	Wilton	9	\$1,431,000	\$160,000

Wilton RU2 with R2 Potential

Sale	Suburb	Land Size (ha)	Sale Price	\$/ha
8	Wilton	44	\$17,340,000	\$390,000
9	Wilton	14	\$7,400,000	\$540,000
10	Wilton	10	\$3,150,000	\$306,000
11	Wilton	11	\$2,295,000	\$207,000
12	Wilton	6	\$1,975,000	\$353,000

Existing R2

Sale	Suburb	Land Size (ha)	Sale Price	\$/ha
13	Marsden Park	10	\$20,000,000	\$1,976,000
14	Marsden Park	10	\$16,900,000	\$1,667,000
15	Schofields	55	\$103,500,000	\$1,892,000
16	Edmondson Park	90	\$228,069,000	\$2,534,000
17	Marsden Park	215	\$138,750,000	\$2,576,000
18	Marsden Park	95	\$290,000,000	\$2,657,000
19	Bardia	52	\$148,244,850	\$2,864,000
20	Leppington	6	\$10,520,000	\$1,913,000
21	Barden Ridge	19	\$52,500,000	\$2,763,000

Individual Lot Sales

Sale	Suburb	Land Size (m ²)	Sale Price	\$/m ²
22	Wilton	326	\$300,000	\$920
23	Wilton	372	\$300,000	\$810
24	Wilton	450	\$405,000	\$900
25	Wilton	450	\$350,000	\$780
26	Wilton	450	\$430,000	\$960
27	Wilton	450	\$385,000	\$860
28	Wilton	480	\$365,000	\$760
29	Wilton	480	\$410,000	\$850
30	Wilton	377	\$300,000	\$800
31	Wilton	450	\$442,000	\$980
32	Wilton	581	\$470,000	\$810



Compliance Wildlife Protection Areas Policy

1. POLICY OBJECTIVES

- 1.1 The purpose of this policy is to establish the grounds for the declaration of a public place, or part thereof, as a Wildlife Protection Area and the process by which Council can make such a declaration.
- 1.2 The Wildlife Protection Area Policy has the following objectives:
- * To provide a transparent, community supported process to enable Council to declare a public place, or part thereof, as a Wildlife Protection Area;
 - * To protect native wildlife in Council managed reserves;
 - * To reduce the area of land subject to impacts associated with companion animals; and
- 1.3 To further communicate the responsibility of companion animal ownership.

2. BACKGROUND

- 2.1 The NSW Companion Animals Act 1998 enables Council to prohibit dogs and/or cats from public places, or part thereof, where they have been set aside by the local authority (Council) for the protection of wildlife. The Act refers to these lands as Wildlife Protection Areas.
- 2.2 Council can declare a Wildlife Protection Area in any public place, which may include a pathway, road, bridge, reserve, park, garden or any other area declared by Council, where the declaration may protect wildlife.

3. APPLICABILITY

Proposed Declarations

The General Manager will submit to Council for consideration a proposal to declare land a Wildlife Protection Area.

Wildlife Protection Areas will be declared as one of two categories:

- Category 1 lands will prohibit both cats and dogs as per S.30 c.1(b) and S.14 c. 1(h) of the NSW Companion Animals Act 1998.
- Category 2 lands will prohibit cats as per S.30 c.1(b) of the NSW Companion Animals Act 1998. Dogs that are on a leash will be permitted on formed tracks, pathways or roads in Category 2 lands.

4. GUIDELINES

- 4.1 The report to Council will include the following details:
- 4.2 Following resolution by Council of support of Wildlife Protection Areas being established that:
- The list of selected Reserves be publically exhibited for 28 days;

562-2



Compliance Wildlife Protection Areas Policy

- That adjoining owners be notified; and
- Council's Reference Committees be consulted

4.3 A report on submissions received and a recommendation to proceed with a declaration or otherwise will be prepared for Council's consideration.

4.4 A Wildlife Protection Area, if formally adopted by Council will not come into effect for 90 days from the date of adoption.

4.5 Declared Wildlife Protection Areas will be listed, including a map, on Council's website as pending and as declared following the 90 day period.

4.6 Council is to produce and erect conspicuous signage at regular intervals on the boundary which provide notification of the Wildlife Protection Area. This should include at prominent entry points signs providing a map of the declared area.

4.7 This policy should be reviewed periodically after its adoption

- A map showing the area of land to be declared;
- The proposed monitoring and compliance regime to be applied; and
- The anticipated cost of implementing the declaration, including those associated with exhibition, education, monitoring, signage and compliance.

4.8 This policy relies upon the provisions of the NSW Companion Animals Act 1998 to permit the declaration of an area of Council's owned or managed estate as a Wildlife Protection Area.

Extracts relating to Wildlife Protection Areas from the NSW Companion Act 1998

14 Dogs prohibited in some public places

(1) Dogs are prohibited in the following places (whether or not they are leashed or otherwise controlled):

(h) Wildlife protection areas (meaning any public place or any part of a public place set apart by the local authority for the protection of wildlife and in which the local authority has ordered that dogs are prohibited for the purpose of the protection of wildlife and in which, or near the boundaries of which, there are conspicuously exhibited by the local authority at reasonable intervals notices to the effect that dogs are prohibited in or on that public place).

22 Action to protect persons and property against dogs

(4) An authorised officer who finds a dog attacking or harassing an animal (other than vermin) within a wildlife protection area (as defined in section 14 c.1(h)) can lawfully injure or destroy the dog if there is no other reasonably practicable way of protecting the animal.

30 Cats prohibited in some public places

(1) Cats are prohibited in the following places:

(b) Wildlife protection areas (meaning any public place or any part of a public place set apart by the local authority for the protection of wildlife and in which the local authority has ordered that cats are prohibited for the purpose of the protection of wildlife and in which, or near the boundaries of which, there are conspicuously exhibited by the local authority at reasonable intervals notices to



Compliance Wildlife Protection Areas Policy

the effect that cats are prohibited in or on that public place).

32 Action to protect persons and animals against cats

(4) An authorised officer who finds a cat attacking or harassing an animal (other than vermin) within a wildlife protection area (as defined in section 30 c.1(b)) can lawfully injure or destroy the cat if there is no other reasonably practicable way of protecting the animal.

5. RESPONSIBILITY/ACCOUNTABILITY

- 5.1 Manager of Compliance and Manager of Environmental Services

6. RELATED POLICIES/PROTOCOLS

- 6.1 Wollondilly Compliance Policies

7. RELATED PROCEDURES

- 7.1 Cat Ownership communication strategy
- 7.2 Standard Operating Procedure

8. RELATED LEGISLATION

- 8.1 Companion Animals Act 1998
- 8.2 Threatened Species Conservation Act 1995
- 8.3 National Parks and Wildlife Act 1974
- 8.4 Impounding Act 1993
- 8.5 Local Government Act 1993
- 8.6 Environmental Planning and Assessment Act 1979



Compliance Wildlife Protection Areas Policy

9. ATTACHMENTS

9. Nil

10. RESOURCES

10.1 Recourses include signage, mail outs of the cat brochure and media releases in accordance with the Communication Strategy.

11. IMPLEMENTATION STATEMENT

11.1 To ensure this policy is implemented effectively, Council will employ a variety of strategies involving awareness, education and training. These strategies will be aimed at Councillors, staff, Council Advisory Committees and Council representatives and will involve:

- 11.1.1 Signage and graphics at prominent points eg., entry and boundaries of the designated Protection Area;
- 11.1.2 Implementation of Communication Plan including distribution of Responsible Cat Care/ Ownership Brochures and liaison with target groups
- 11.1.3 Notification to adjoining owners of establishment of Wildlife Protection Areas.

12. POLICY HISTORY

12.1 Date First Adopted	10/17
12.2 Most Recent Adoption	N/A
12.3 Next Review Date	## / 10/ 17
12.4 Responsible Officer	Manager of Compliance and Manager of Environmental Service

Wollondilly Shire Council

562-2



Compliance Wildlife Protection Areas Policy

PO Box 21 Picton NSW 2571
62-64 Menangle St Picton NSW 2571
Tel: 02 4677 1100 Fax: 02 4677 2339
Email: council@wollondilly.nsw.gov.au
Rural Living www.wollondilly.nsw.gov.au

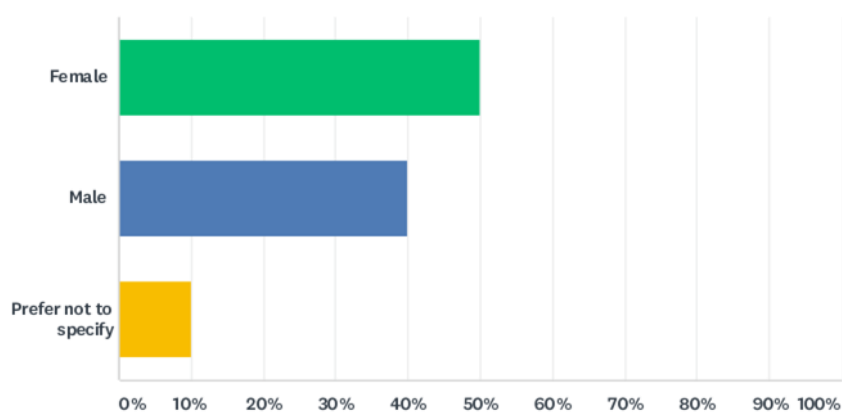
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Wildlife Protection Policy Feedback

Q1 What is your gender?

Answered: 10 Skipped: 0

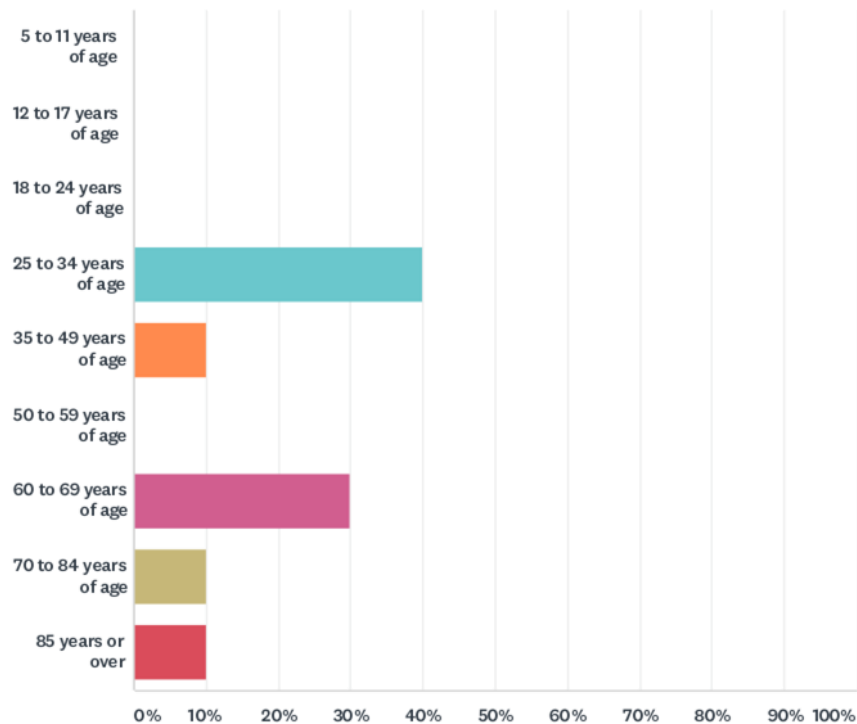


ANSWER CHOICES	RESPONSES	
Female	50.00%	5
Male	40.00%	4
Prefer not to specify	10.00%	1
TOTAL		10

Wildlife Protection Policy Feedback

Q2 What is your age?

Answered: 10 Skipped: 0

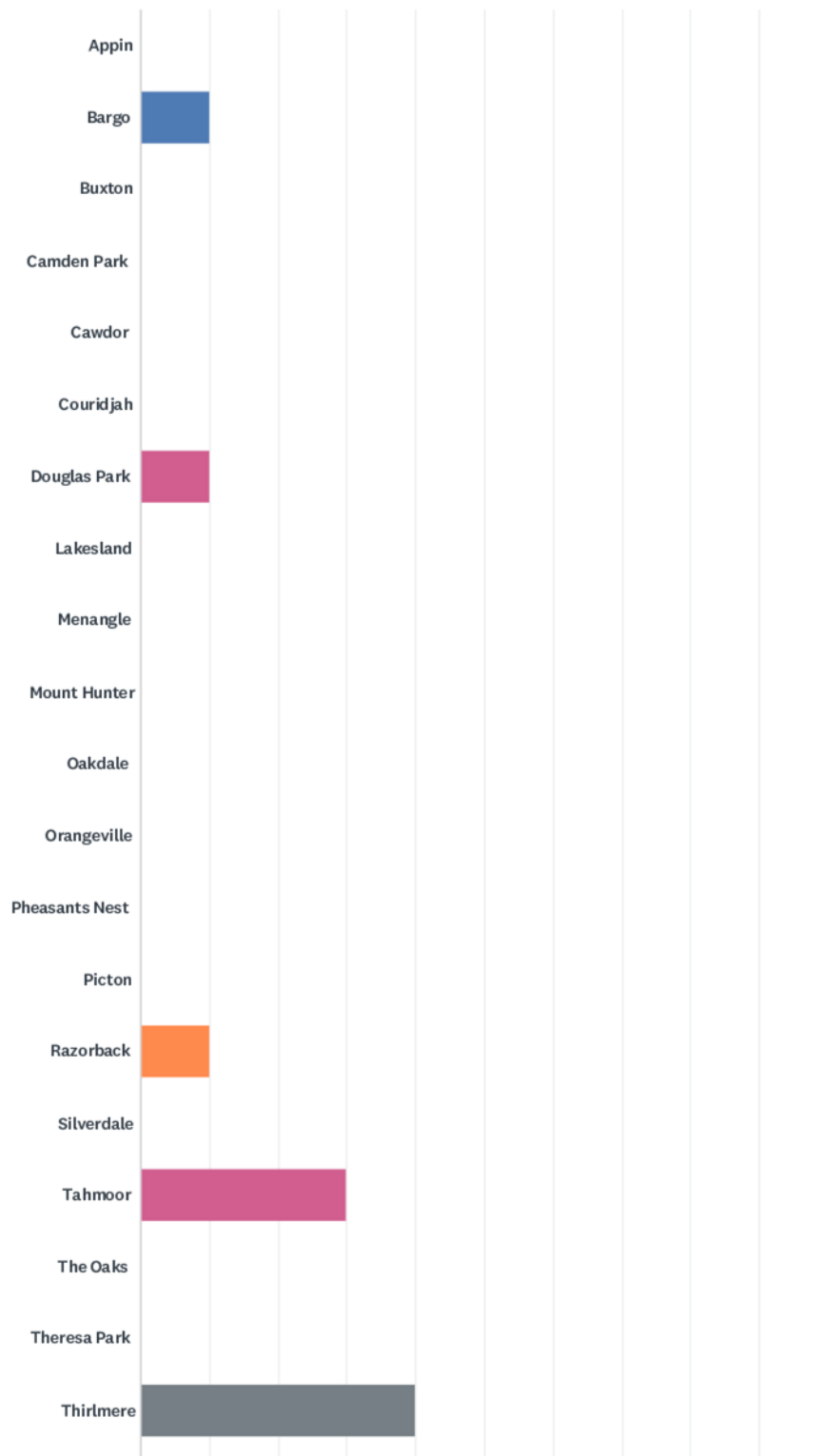


ANSWER CHOICES	RESPONSES	
5 to 11 years of age	0.00%	0
12 to 17 years of age	0.00%	0
18 to 24 years of age	0.00%	0
25 to 34 years of age	40.00%	4
35 to 49 years of age	10.00%	1
50 to 59 years of age	0.00%	0
60 to 69 years of age	30.00%	3
70 to 84 years of age	10.00%	1
85 years or over	10.00%	1
TOTAL		10

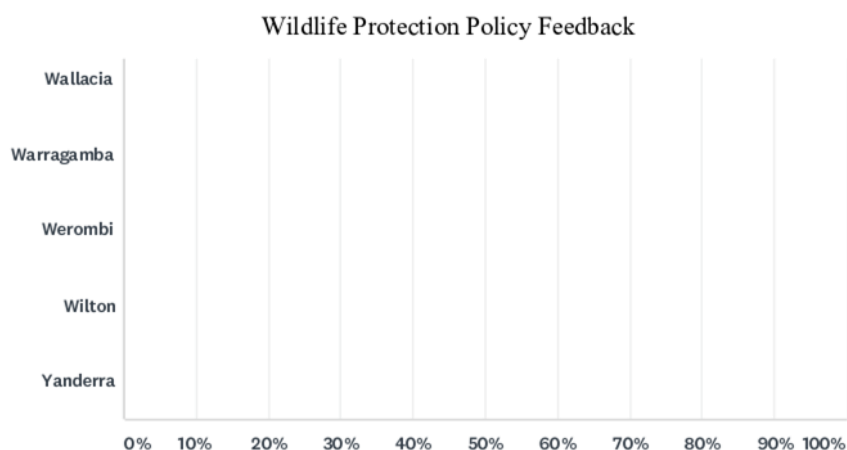
Wildlife Protection Policy Feedback

Q3 Which town or village do you live in?

Answered: 10 Skipped: 0



3 / 13



ANSWER CHOICES	RESPONSES
Appin	0.00% 0
Bargo	10.00% 1
Buxton	0.00% 0
Camden Park	0.00% 0
Cawdor	0.00% 0
Couridjah	0.00% 0
Douglas Park	10.00% 1
Lakesland	0.00% 0
Menangle	0.00% 0
Mount Hunter	0.00% 0
Oakdale	0.00% 0
Orangeville	0.00% 0
Pheasants Nest	0.00% 0
Picton	0.00% 0
Razorback	10.00% 1
Silverdale	0.00% 0
Tahmoor	30.00% 3
The Oaks	0.00% 0
Theresa Park	0.00% 0
Thirlmere	40.00% 4
Wallacia	0.00% 0
Warragamba	0.00% 0
Werombi	0.00% 0
Wilton	0.00% 0
Yanderra	0.00% 0
TOTAL	10

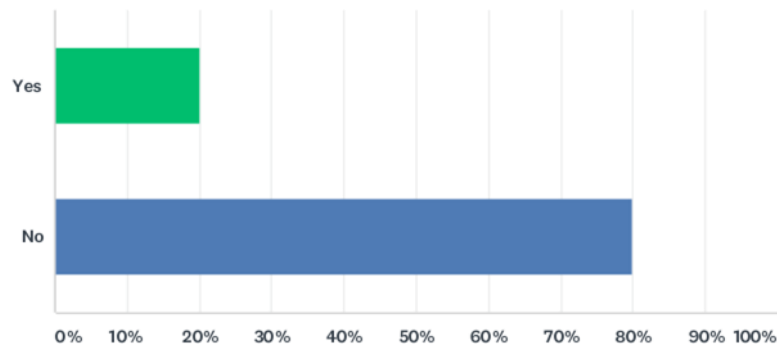
Wildlife Protection Policy Feedback

#	OTHER (PLEASE SPECIFY)	DATE
	There are no responses.	

Wildlife Protection Policy Feedback

Q4 Do you own a cat?

Answered: 10 Skipped: 0

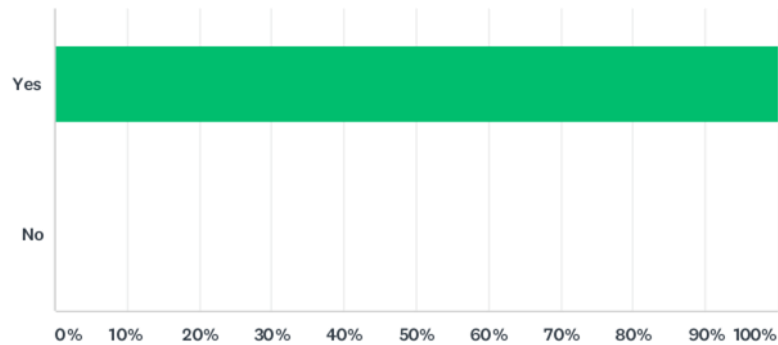


ANSWER CHOICES	RESPONSES	
Yes	20.00%	2
No	80.00%	8
TOTAL		10

Wildlife Protection Policy Feedback

Q5 If your cat is registered, did you find the process easy to register your cat on the State Government Companion Animals Register?

Answered: 1 Skipped: 9



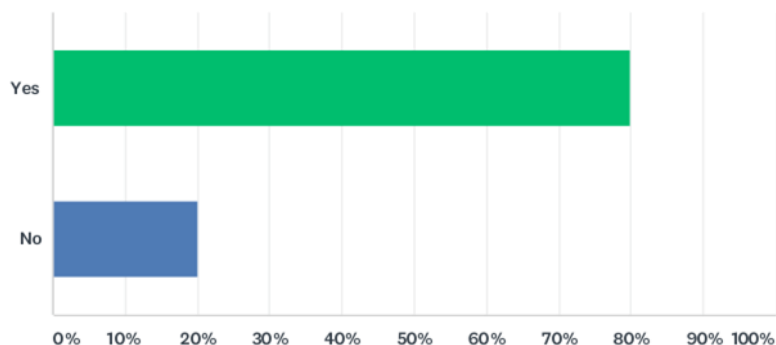
ANSWER CHOICES		RESPONSES	
Yes		100.00%	1
No		0.00%	0
TOTAL			1

#	COMMENTS	DATE
	There are no responses.	

Wildlife Protection Policy Feedback

Q6 Do you believe there should be a restriction on the number of cats per household in Wollondilly?

Answered: 10 Skipped: 0



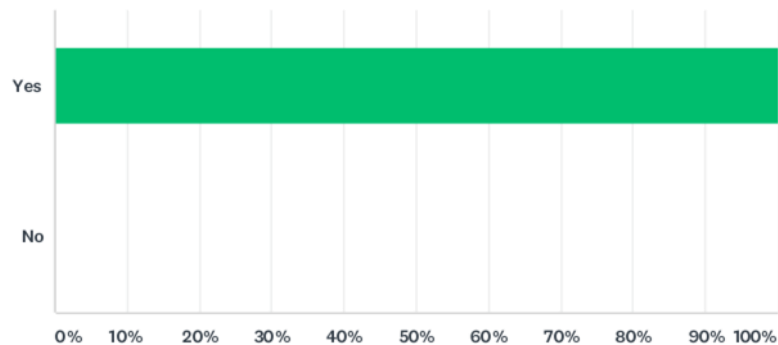
ANSWER CHOICES	RESPONSES	
Yes	80.00%	8
No	20.00%	2
TOTAL		10

#	COMMENTS	DATE
1	Zero, preferably	8/30/2018 2:26 PM
2	I don't mind as long as owners are responsible and do not allow free roaming of their cats as this is the cause wildlife predation. I know from experience, whereby I have established 1000m2 of native plants which is now utilised by a number of neighbourhood cats - this is very frustrating as it took a lot of effort, time and money to establish. The cats also fight during all hours of the night and are quite load which disrupts our sleep.	8/27/2018 12:43 PM
3	1 at most, preferably 0. Cats too are vermin and anyone having them should keep them indoors.	8/2/2018 6:07 PM

Wildlife Protection Policy Feedback

Q7 Do you support Council's Draft Wildlife Protection Policy?

Answered: 10 Skipped: 0



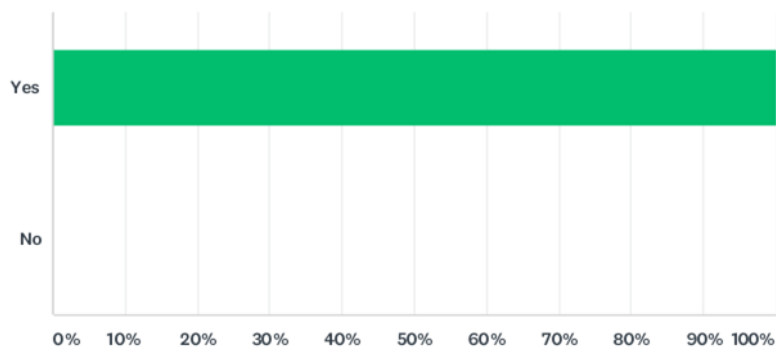
ANSWER CHOICES	RESPONSES	
Yes	100.00%	10
No	0.00%	0
TOTAL		10

#	COMMENTS	DATE
1	I think it is a good step in the right direction. However, there needs to be a blanket ban on roaming cats off the owners property as it impacts on wildlife and other residents. Council need to be strong and lead by example. Most improvement measures mean things sometimes get worse before they get better, therefore, even though there may be some dispute from emotional cat lovers (not based on science), it would be insignificant compared to the environmental and community improvement long term from enforcing such a policy. Regarding the current draft, the part in brackets (Section 32) that exempts cats harassing vermin needs to be removed. The cat won't be able to tell the difference between a mouse and a feathertailed glider or antechinus, nor will any community member of council officer greater than 2m away. Therefore, it needs to be removed to give the policy more credibility and reduce the complexity/confusion around this clause. This will improve the chances of successful implementation.	8/27/2018 1:21 PM
2	But it should go further, with consequences if policy is ignored.	8/2/2018 6:11 PM

Wildlife Protection Policy Feedback

Q8 Current legislation does not prohibit cats straying. Would you support the State Government seeking amendments to this legislation that would involve implementing penalties for straying cats similar to the current dog legislation?

Answered: 10 Skipped: 0



ANSWER CHOICES	RESPONSES
Yes	100.00% 10
No	0.00% 0
TOTAL	10

#	COMMENTS	DATE
1	Owners must be responsible for their animals, regardless of what sort of animal they are.	8/30/2018 2:39 PM
2	Yes definitely! Cats kill so many native birds	8/27/2018 1:59 PM
3	Needs to be undertaken as soon as possible to reduce the impact on wildlife and other residents.	8/27/2018 1:21 PM

Wildlife Protection Policy Feedback

Q9 Do you have any other ideas on how Council could protect our native wildlife?

Answered: 7 Skipped: 3

#	RESPONSES	DATE
1	Traps might be a solution as there are a lot of feral cats and the domestic cats could be released to the owners that have been micro chipped	8/31/2018 4:44 PM
2	- Acquisition of more land for conservation purposes - Better management of existing council land for conservation purposes - Maintain opposition to sprawling suburbanisation of the shire - Heavily encourage and/or assist large landowners to manage land for conservation - Identify critical wildlife corridors and place them in the biodiversity constraints map in the LEP - Document ALL endangered/critically endangered ecological communities in the biodiversity map in the LEP, as the state government seems to have abandoned their conservation - Heavily limit native vegetation clearing for development through strict controls in the LEP, in addition to state legislation requirements - Improve environmental education e.g. a council office to visit every school in the shire once a year for environmental education purposes - Improve support for the community nursery and potentially expand into a hub of environmental education within the shire - Continue efforts to eliminate illegal dumping and uncontrolled access by motor vehicles into council reserves (motorbikes and 4WDs) - Enforce stricter development controls on water quality from new development - Better enforce existing controls on stormwater and water quality - Lobby for the state government to replace the Biodiversity Conservation Act with something that actually conserves wildlife	8/30/2018 2:39 PM
3	1) Strongly discourage roaming cats off the owner's premises. 2) Promote better uses of greenspaces that would improve quality of life long term for all residents (not just the rate paying ones). This would also save maintenance costs in using council resource's to tend to lawn that is not required. Emphasis for planting can be around providing more habitat/food trees for native wildlife. 3) All median strips should be planted with a native street tree. Needs to be a mandatory planning condition in all new developments approved. 4) Get the local men's shed to make nest boxes to sell at the community nursery to supplement the number of tree hollows present. 5) Education! Continually provide residents with information regarding how they can better manage their properties and aid in environmental improvement within Council zone.	8/27/2018 1:21 PM
4	I think the Wildlife Protection Policy is a great initiative for the Shire. I'm concerned though, about what happens when an unleashed dog or cat is found in one of the 2 areas that are protected. There only seems to be an action allowed when (6) An authorised officer who finds a cat attacking or harassing an animal (other than vermin) within a wildlife protection area (as defined in section 30 c.1(b)) can lawfully injure or destroy the cat if there is no other reasonably practicable way of protecting. The same applies to dogs. It seems likely that a cat, for instance, would most likely roam at night and cause damage to wildlife which would not be seen by an "authorised officer". So although it sounds like a fine policy, without greater powers for authorised officers to capture any cats and unleashed dogs found in the reserves, whether they are attacking a native animal or not, then it will not be enforceable	8/24/2018 10:49 AM
5	Eliminate foxes roaming the area. I have seen several that I have posted online at feralscan.org.au	8/2/2018 6:11 PM
6	trap / control / manage cat and fox	7/27/2018 2:16 PM
7	Enforce strict regulations the same as dog owners	7/25/2018 9:32 AM

Wildlife Protection Policy Feedback

Q10 Do you have any other ideas on how Council can encourage responsible cat ownership in Wollondilly?

Answered: 6 Skipped: 4

#	RESPONSES	DATE
1	- Ban cat ownership in all new developments - Require cat enclosures for all cat ownership, particularly for properties near bushland areas - Increase penalties for unregistered cats found straying - Mandatory neutering for all domestic cats as part of registration - Effective bells on all cats (do they exist?) - Ongoing education on their huge environmental impact. I recommend you see the great work Australian Wildlife Conservancy is doing to control cat predation in the bush	8/30/2018 2:39 PM
2	Ensure they are kept indoors at all times.	8/27/2018 1:59 PM
3	Education for all cat owners. Also, information for residents that are being impacted on by roaming cats - preying on wildlife within their property, cat feces in veggie patches and noise from fighting cats at all hours of the night disturbing sleep.	8/27/2018 1:21 PM
4	Impound stray cats Make ID chips mandatory like in dogs. Register cats like they do dogs.	8/2/2018 6:11 PM
5	modify current Council Policy on Stray Cats.	7/27/2018 2:16 PM
6	make cat owners responsible the same as dog owners	7/25/2018 9:32 AM

Wildlife Protection Policy Feedback

Q11 Please enter your details below if you would like to be kept informed about the Wildlife Protection Policy

Answered: 2 Skipped: 8

ANSWER CHOICES	RESPONSES	
Name	100.00%	2
Company	0.00%	0
Address	100.00%	2
Address 2	0.00%	0
City/Town	100.00%	2
State/Province	0.00%	0
ZIP/Postal Code	100.00%	2
Country	0.00%	0
Email Address	100.00%	2
Phone Number	100.00%	2

#	NAME	DATE
1	Julie Sheppard	8/24/2018 10:50 AM
2	Dennis Ashton	7/27/2018 2:18 PM

#	COMPANY	DATE
	There are no responses.	

#	ADDRESS	DATE
1	55 Eagles Rd	8/24/2018 10:50 AM
2	5 Victoria Road	7/27/2018 2:18 PM

#	ADDRESS 2	DATE
	There are no responses.	

#	CITY/TOWN	DATE
1	Razorback	8/24/2018 10:50 AM
2	Thirlmere	7/27/2018 2:18 PM

#	STATE/PROVINCE	DATE
	There are no responses.	

#	ZIP/POSTAL CODE	DATE
1	2571	8/24/2018 10:50 AM
2	2572	7/27/2018 2:18 PM

#	COUNTRY	DATE
	There are no responses.	

#	EMAIL ADDRESS	DATE
1	jashep50@gmail.com	8/24/2018 10:50 AM
2	dash3505@tpg.net.au	7/27/2018 2:18 PM

#	PHONE NUMBER	DATE
1	0418278753	8/24/2018 10:50 AM
2	46810076	7/27/2018 2:18 PM



Infrastructure Strategy & Planning

Bonds Policy – Policy IN#

1. POLICY OBJECTIVES

1. The intent of the Bonds Policy is to establish clear guidelines for consideration for the acceptance of a financial Bond as security, for certain works on Public Land by parties other than council

These works are typically, but not necessarily limited to, roads and other public works such as community infrastructure including footpaths, drainage facilities, recreational equipment etc that are required to be constructed in association with a Development Consent, or other planning approval.

2. BACKGROUND

- 2.1 The Policy applies to works being undertaken by parties other than by Council:
 - Roadworks on a Public Road - in accordance with a permit for carrying out works or structures on a Public Road (Section 138 of Roads Act) that is considered long term or have high impact (significant disruption) to the normal operation of the road. Such a permit would normally be submitted to carry out road works that require traffic management such as lane or road closures, or
 - Incomplete works on Public Land or Road - that has been conditioned to be constructed as part of a Development Consent and/or Construction Certificate where those works are required to be dedicated to Council and later become Council's asset, when completed, including any relevant defects liability period.
- 2.2 The provisions of the Environmental Planning and Assessment Act 1979 (EP&A Act) enables a consent authority (e.g. Council) to enter into an agreement with an applicant/developer to accept security for certain incomplete public works (e.g. road works, kerb and guttering, drainage works etc.), in order to enable the issue of the Subdivision Certificate or Interim Occupation Certificate, prior to the completion of certain works.

Additionally, the EP&A Act enables Council to issue a subdivision certificate that involves work where agreement has been reached between the applicant and Council, concerning the security to be given by the applicant to Council with respect to the work to be completed, and when it will be completed.
- 2.3 The security will generally take the form of an unconditional bank guarantee (without termination date) or cash.

3. APPLICABILITY

- 3.1 This policy has been developed in order to enable Council to request a applicant/developer provide a Bond for certain works (e.g. road works, kerb and guttering, drainage works, etc) on Public Land or Road, or in order to consider the request to issue a Subdivision Certificate or Interim Occupation Certificate.
 - 3.1.1 Some Development Consents require works on public infrastructure and the process to fulfil the condition could require lengthy disruption to normal operation and presents a risk to the community if not able to be completed as intended or scheduled. A Bond



Infrastructure Strategy & Planning

Bonds Policy – Policy IN#

shall be submitted to Council prior to the approval to occupy the road to enable Council to make good the site if necessary.

Some works may be able to be completed without significant disruption to normal operation (e.g. no lane or road closure) and as such can be treated as a medium term or medium impact application and do not require a Bond to be lodged with Council.

In the event that works can be staged with differing impacts to normal operations, a Bond will only be required to those works that present high impact or significant disruption to the community.

3.1.2 Council may consider a request to bond incomplete works, where the following criteria are met:

- a) The works do not adversely affect the efficiency and/or operation of the development or a vital element of the development.
- b) The incomplete works do not present a safety issue that cannot be satisfactorily managed.
- c) The completion of the incomplete works can be carried out without significant impact on the operation of the development site and/or will not inhibit the commencement of building development on the development site.
- d) The nature and value of the incomplete works can be accurately estimated and validated.
- e) The developer can retain sufficient control of the site to satisfactorily carry out the incomplete works.

3.2 Council reserves its rights to refuse to accept a Bond, based on its own risk assessment.

4. GUIDELINES

- 4.1 The Policy applies to works on public land or road that have been conditioned to be constructed as part of a Development Consent and/or Construction Certificate where those works are a Council's asset or are required to be dedicated to Council.
- 4.2 There is no legal basis for Council to request or accept a security for works proposed entirely on private land where such works will not be dedicated to Council in the future.
- 4.3 Council will not enter into a Bond for the completion of non-Council infrastructure such as water and sewerage infrastructure or other essential services.
- 4.4 If Council accepts a security Bond, the following requirements shall be met or complied with:
 - a) A timeframe and schedule for the carrying out of the bonded works (by the developer) acceptable to Council. For works yet to be completed this is to be no more than 6 months after the date of the Subdivision Certificate being issued.
 - b) Suitable security is to be provided to Council to cover the future cost of the work including administrative costs to Council, and increases in construction costs due to the timing of works and contingency costs. For large scale projects, where works and subdivision certificates may be staged, Council may consider the use of a bond ledger with the developer.



Infrastructure Strategy & Planning

Bonds Policy – Policy IN#

- c) For an application for carrying out works or structures within a road reserve (Under Section 138 of the Roads Act 1993), the unconditional bank guarantee shall be generally \$50,000.00 or 20% of the estimated value of works subject to the S138 permit, whichever is the greater amount
- d) For incomplete works under a development consent, the unconditional bank guarantee shall be generally 200% of the estimated costs of constructing the incomplete works.
- f) The Bond will be released by Council at the acceptance of the works by Council.
- g) Any variance to the above will be at the discretion and approval of the Director Infrastructure & Environment

5. RESPONSIBILITY/ACCOUNTABILITY

- 5.1 Manager Infrastructure Strategy & Planning

6. RELATED POLICIES/PROTOCOLS

- 6.1 Nil

7. RELATED PROCEDURES

- 7.1 Nil

8. RELATED LEGISLATION

- 8.1 Environmental Planning and Assessment Act 1979 (EP&A Act)
- 8.2 Roads Act 1993

9. ATTACHMENTS

- 9.1 Nil

10. RESOURCES

- 10.1 Internal Audit Development Engineering - 2017

11. IMPLEMENTATION STATEMENT

- 11.1 To ensure this policy is implemented effectively, Council will employ a variety of strategies involving awareness, education and training. These strategies will be aimed at Councillors, staff and the development industry and will involve:
 - 11.1.1 Inclusion in Fees and Charges as adopted in the Operational Plan
 - 11.1.2 Information sessions will be conducted with the staff on the implementation of the draft policy.
 - 11.1.3 Reference to the Policy in the Conditions of Consent

12. POLICY HISTORY

- 12.1 Date First Adopted TBC ## / ## / ##



Infrastructure Strategy & Planning

Bonds Policy – Policy IN#

12.2 Most Recent Adoption	TBC ## / ## / ##
12.3 Next Review Date	TBC ## / ## / ##
12.4 Responsible Officer	Manager Infrastructure Strategy & Planning

Wollondilly Shire Council
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 62-64 Menangle St Picton NSW 2571
 Tel: 02 4677 1100 Fax: 02 4677 2339
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 Rural Living www.wollondilly.nsw.gov.au

DRAFT



**Investment Summary Report
September 2018**



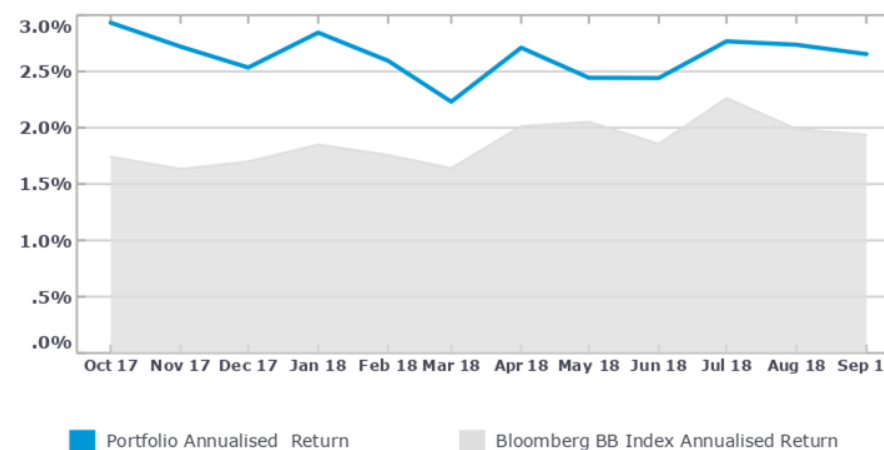
Wollondilly Shire Council
Executive Summary - September 2018



Investment Holdings

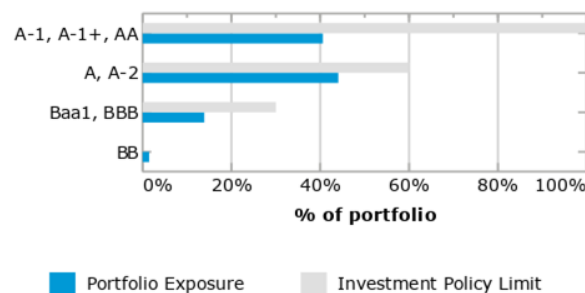
By Product	Face Value (\$)	Current Value (\$)	Current Yield (%)
Cash	4,793,403.83	4,793,403.83	1.5500
Floating Rate Note	19,700,000.00	19,863,801.69	3.0866
Mortgage Backed Security	1,592,763.49	1,074,747.82	2.4875
Term Deposit	42,000,000.00	42,389,252.88	2.7671
	68,086,167.32	68,121,206.22	2.7673

Investment Performance

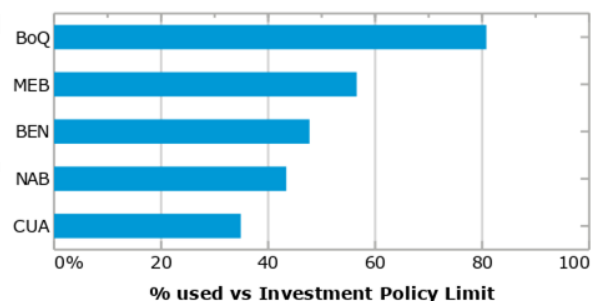


Investment Policy Compliance

Total Credit Exposure



Highest Individual Exposures



Term to Maturities

Maturity Profile	Face Value (\$)	Policy Max
Less than 1yr	47,543,404	70% 100% ✓
Greater than 1yr	20,542,763	30% 60% ✓
a. Between 3 and 5yrs	3,092,763	5% 30% ✓
b. Greater than 5yrs	1,000,000	1% 0% ✗
	68,086,167	



Wollondilly Shire Council
Investment Holdings Report



Cash Accounts

Face Value (\$)	Current Yield	Institution	Credit Rating	Current Value (\$)	Deal No.	Reference
4,793,403.83	1.5500%	National Australia Bank	A-1+	4,793,403.83	211819	
4,793,403.83	1.5500%			4,793,403.83		

Term Deposits

Maturity Date	Face Value (\$)	Rate	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
10-Oct-18	1,000,000.00	2.6000%	Bank of Queensland	A-2	1,000,000.00	13-Dec-17	1,020,800.00	536082	20,800.00	At Maturity	
10-Oct-18	1,000,000.00	2.7200%	National Australia Bank	A-1+	1,000,000.00	6-Jun-18	1,008,718.90	536714	8,718.90	At Maturity	
31-Oct-18	1,000,000.00	2.6300%	Rural Bank	A-2	1,000,000.00	1-Nov-17	1,024,066.30	535908	24,066.30	At Maturity	
7-Nov-18	1,000,000.00	2.7700%	ME Bank	A-2	1,000,000.00	16-May-18	1,010,472.88	536640	10,472.88	At Maturity	
14-Nov-18	1,000,000.00	2.6000%	Bank of Queensland	A-2	1,000,000.00	15-Nov-17	1,022,794.52	535959	22,794.52	At Maturity	
5-Dec-18	2,000,000.00	2.6500%	Credit Union Australia	A-2	2,000,000.00	6-Dec-17	2,043,416.44	536065	43,416.44	At Maturity	
12-Dec-18	1,000,000.00	2.6000%	ME Bank	A-2	1,000,000.00	13-Dec-17	1,020,800.00	536081	20,800.00	At Maturity	
8-Jan-19	1,000,000.00	2.6000%	Commonwealth Bank of Australia	A-1+	1,000,000.00	6-Mar-18	1,014,887.67	536351	14,887.67	At Maturity	
8-Jan-19	1,000,000.00	2.6000%	Commonwealth Bank of Australia	A-1+	1,000,000.00	7-Mar-18	1,014,816.44	536364	14,816.44	At Maturity	
23-Jan-19	1,000,000.00	2.8000%	Credit Union Australia	A-2	1,000,000.00	23-May-18	1,010,049.32	536657	10,049.32	At Maturity	
13-Feb-19	1,000,000.00	2.6000%	Bank of Queensland	A-2	1,000,000.00	14-Feb-18	1,016,312.33	536236	16,312.33	At Maturity	
27-Feb-19	1,000,000.00	2.6300%	Commonwealth Bank of Australia	A-1+	1,000,000.00	28-Feb-18	1,015,491.78	536318	15,491.78	At Maturity	
5-Mar-19	1,000,000.00	2.6100%	Westpac Group	A-1+	1,000,000.00	5-Mar-18	1,001,859.18	536347	1,859.18	Quarterly	
13-Mar-19	1,000,000.00	2.6800%	Westpac Group	A-1+	1,000,000.00	14-Mar-18	1,001,248.22	536429	1,248.22	Quarterly	
19-Mar-19	1,000,000.00	2.6400%	Westpac Group	A-1+	1,000,000.00	7-Mar-18	1,001,735.89	536365	1,735.89	Quarterly	
10-Apr-19	1,000,000.00	2.8500%	ME Bank	A-2	1,000,000.00	10-Jul-18	1,006,480.82	536836	6,480.82	At Maturity	
24-Apr-19	1,500,000.00	2.8000%	National Australia Bank	A-1+	1,500,000.00	27-Jun-18	1,511,046.58	536799	11,046.58	At Maturity	
15-May-19	2,000,000.00	2.9000%	Bendigo and Adelaide Bank	A-2	2,000,000.00	17-May-17	2,021,769.86	535244	21,769.86	Annually	
29-May-19	1,000,000.00	2.8200%	Bendigo and Adelaide Bank	A-2	1,000,000.00	30-May-18	1,009,580.27	536673	9,580.27	At Maturity	
5-Jun-19	1,000,000.00	2.8300%	Rural Bank	A-2	1,000,000.00	6-Jun-18	1,009,071.51	536713	9,071.51	At Maturity	



Wollondilly Shire Council
Investment Holdings Report



Term Deposits										
Maturity Date	Face Value (\$)	Rate	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency Reference
5-Jun-19	1,000,000.00	2.7500%	Bank of Queensland	A-2	1,000,000.00	4-Sep-18	1,002,034.25	537061	2,034.25	At Maturity
5-Jun-19	1,000,000.00	2.7500%	Bank of Queensland	A-2	1,000,000.00	5-Sep-18	1,001,958.90	537074	1,958.90	At Maturity
26-Jun-19	1,000,000.00	2.9300%	Rural Bank	A-2	1,000,000.00	27-Jun-18	1,007,706.30	536800	7,706.30	At Maturity
3-Jul-19	2,000,000.00	2.8500%	ME Bank	A-2	2,000,000.00	4-Jul-18	2,013,898.63	536821	13,898.63	At Maturity
10-Jul-19	1,000,000.00	2.8000%	National Australia Bank	A-1+	1,000,000.00	10-Jul-18	1,006,367.12	536835	6,367.12	At Maturity
10-Jul-19	1,000,000.00	2.8000%	National Australia Bank	A-1+	1,000,000.00	11-Jul-18	1,006,290.41	536840	6,290.41	At Maturity
31-Jul-19	1,000,000.00	2.8500%	ME Bank	A-2	1,000,000.00	1-Aug-18	1,004,763.01	536909	4,763.01	At Maturity
9-Aug-19	1,000,000.00	3.2000%	Westpac Group	A-1+	1,000,000.00	9-Aug-16	1,004,646.58	534113	4,646.58	Annually
27-Aug-19	1,000,000.00	2.7500%	Bank of Queensland	A-2	1,000,000.00	27-Aug-18	1,002,636.99	537012	2,636.99	At Maturity
27-Aug-19	1,000,000.00	2.7500%	Bank of Queensland	A-2	1,000,000.00	28-Aug-18	1,002,561.64	537015	2,561.64	At Maturity
4-Sep-19	1,000,000.00	2.7500%	Bank of Queensland	A-2	1,000,000.00	4-Sep-18	1,002,034.25	537062	2,034.25	At Maturity
4-Sep-19	1,000,000.00	2.7500%	National Australia Bank	A-1+	1,000,000.00	5-Sep-18	1,001,958.90	537075	1,958.90	At Maturity
10-Sep-19	1,000,000.00	2.7500%	National Australia Bank	A-1+	1,000,000.00	10-Sep-18	1,001,582.19	537086	1,582.19	At Maturity
10-Sep-19	1,000,000.00	2.7800%	National Australia Bank	A-1+	1,000,000.00	13-Sep-18	1,001,370.96	537106	1,370.96	At Maturity
25-Sep-19	1,000,000.00	2.7500%	National Australia Bank	A-1+	1,000,000.00	26-Sep-18	1,000,376.71	537163	376.71	At Maturity
11-Nov-19	500,000.00	2.8000%	Bendigo and Adelaide Bank	BBB+	500,000.00	8-Nov-17	512,542.47	535949	12,542.47	Annually
20-Nov-19	1,000,000.00	2.8800%	Rural Bank	BBB+	1,000,000.00	21-Nov-17	1,024,775.89	535974	24,775.89	Annually
19-Aug-20	1,000,000.00	3.0000%	Bank of Queensland	BBB+	1,000,000.00	23-Aug-18	1,003,205.48	537004	3,205.48	Annually
9-Sep-20	1,000,000.00	3.0000%	Bank of Queensland	BBB+	1,000,000.00	24-Aug-18	1,003,123.29	537007	3,123.29	Annually
42,000,000.00		2.7671%			42,000,000.00		42,389,252.88		389,252.88	

Floating Rate Notes										
Maturity Date	Face Value (\$)	Current Coupon	Security Name	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Coupon Date Reference
1-Apr-19	500,000.00	3.7000%	CUA Snr FRN (Apr19) BBSW+1.60%	A-2	500,000.00	1-Apr-16	506,507.33	533363	4,612.33	2-Oct-18
10-May-19	1,000,000.00	2.9600%	WBC Snr FRN (May19) BBSW+1.00%	A-1+	1,000,000.00	11-Mar-16	1,008,056.99	533330	4,216.99	12-Nov-18



Wollondilly Shire Council
Investment Holdings Report



Floating Rate Notes

Maturity Date	Face Value (\$)	Current Coupon	Security Name	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Coupon Reference Date
11-Jun-19	750,000.00	3.0305%	AMP Snr FRN (Jun19) BBSW+1.10%	A-1	750,000.00	11-Dec-15	753,551.86	512050	1,245.41	11-Dec-18
18-Jul-19	1,000,000.00	3.4500%	ME Bank Snr FRN (Jul19) BBSW+1.45%	A-2	1,000,000.00	18-Jul-16	1,011,639.04	534040	7,089.04	18-Oct-18
17-Sep-19	1,000,000.00	2.8534%	BEN Snr FRN (Sep19) BBSW+0.93%	A-2	1,000,000.00	17-Sep-14	1,003,314.45	491128	1,094.45	17-Dec-18
11-Nov-19	1,000,000.00	2.8100%	ANZ Snr FRN (Nov19) BBSW+0.85%	AA-	1,000,000.00	11-Nov-14	1,008,152.33	497055	3,772.33	12-Nov-18
29-Nov-19	500,000.00	3.4600%	GBS Snr FRN (Nov19) BBSW+1.50%	BBB	500,000.00	29-Nov-16	501,616.44	534565	1,564.11	29-Nov-18
22-Jan-20	1,000,000.00	2.8850%	WBC Snr FRN (Jan20) BBSW+0.90%	AA-	1,000,000.00	22-Jan-15	1,010,422.88	501146	5,532.88	22-Oct-18
21-Feb-20	500,000.00	3.0575%	BEN Snr FRN (Feb20) BBSW+1.10%	BBB+	500,000.00	21-Nov-16	503,902.23	534537	1,717.23	21-Nov-18
3-Mar-20	1,000,000.00	3.0484%	MAC Snr FRN (Feb20) BBSW+1.10%	A	1,000,000.00	3-Mar-15	1,009,438.50	502273	2,338.50	3-Dec-18
20-Mar-20	750,000.00	3.2200%	CUA Snr FRN (Mar20) BBSW+1.30%	BBB	750,000.00	20-Mar-17	753,787.81	534994	727.81	20-Dec-18
17-Jul-20	1,000,000.00	2.9101%	CBA Snr FRN (Jul20) BBSW+0.90%	AA-	1,000,000.00	17-Jul-15	1,012,199.35	507122	6,059.35	17-Oct-18
18-Aug-20	1,000,000.00	3.0550%	BEN Snr FRN (Aug20) BBSW+1.10%	BBB+	1,000,000.00	18-Aug-15	1,008,815.34	505173	3,515.34	19-Nov-18
20-Oct-20	1,000,000.00	3.2410%	SUN Snr FRN (Oct20) BBSW+1.25%	A+	1,000,000.00	20-Oct-15	1,018,332.00	510106	6,482.00	22-Oct-18
9-Nov-20	700,000.00	3.2172%	ME Bank Snr FRN (Nov20) BBSW+1.25%	BBB	700,000.00	9-Nov-17	704,418.09	535915	3,270.09	9-Nov-18
18-Jan-21	500,000.00	3.1501%	CBA Snr FRN (Jan21) BBSW+1.15%	AA-	500,350.00	25-Jan-16	509,146.41	533092	3,236.41	18-Oct-18
29-Mar-21	500,000.00	3.1778%	HBS Snr FRN (Mar21) BBSW+1.23%	Baa1	500,000.00	29-Mar-18	500,414.13	536455	174.13	31-Dec-18
20-Apr-21	500,000.00	3.4510%	BEN Snr FRN (Apr21) BBSW+1.46%	BBB+	500,000.00	20-Apr-16	510,201.00	533420	3,451.00	22-Oct-18
3-Jun-21	1,000,000.00	3.1184%	WBC Snr FRN (Jun21) BBSW+1.17%	AA-	1,000,000.00	3-Jun-16	1,014,742.20	533707	2,392.20	3-Dec-18
6-Sep-21	500,000.00	3.1994%	CUA Snr FRN (Sep21) BBSW+1.25%	BBB	500,000.00	6-Sep-18	498,650.68	537053	1,095.68	6-Dec-18
10-Sep-21	1,500,000.00	3.0118%	AMP Snr FRN (Sep21) BBSW+1.08%	A	1,500,000.00	10-Sep-18	1,502,554.22	537064	2,599.22	10-Dec-18
30-Mar-22	500,000.00	2.9900%	AMP Snr FRN (Mar22) BBSW+1.05%	A	500,000.00	30-Mar-17	499,292.88	535097	122.88	31-Dec-18
16-Aug-22	500,000.00	2.9250%	SUN Snr FRN (Aug22) BBSW+0.97%	A+	500,000.00	16-Aug-17	509,668.15	535608	1,843.15	16-Nov-18
3-Feb-23	1,000,000.00	3.0186%	BoQ Snr FRN (Feb23) BBSW+1.05%	BBB+	1,000,440.00	30-Aug-18	1,002,469.38	537019	4,879.38	5-Nov-18
16-Aug-23	500,000.00	2.8851%	CBA Snr FRN (Aug23) BBSW+0.93%	AA-	500,000.00	16-Aug-18	502,508.00	536945	1,818.00	16-Nov-18
19,700,000.00		3.0866%			19,700,790.00		19,863,801.69		74,849.91	



Wollondilly Shire Council
Investment Holdings Report



Mortgage Backed Securities

Weighted Avg Life	Face Value (\$)	Current Coupon	Security Name	Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Reference
22-Aug-22	592,763.49	2.4075%	Emerald Reverse Mortgage (2006A)	AA	1,000,000.00	17-Jul-06	469,886.18	310323	1,603.02	
21-Jul-27	1,000,000.00	2.5350%	Emerald Reverse Mortgage (2007B)	BB	1,000,000.00	6-Jul-07	604,861.64	310288	4,861.64	
	1,592,763.49	2.4875%			2,000,000.00		1,074,747.82		6,464.66	



Wollondilly Shire Council
Accrued Interest Report - September 2018



Accrued Interest Report

Investment	Deal No.	Ref	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Percentage Return
Cash									
National Australia Bank	211819		4,793,403.83			8,236.35	30	8,236.35	1.55%
Cash Total						8,236.35		8,236.35	1.55%
Floating Rate Note									
CUA Snr FRN (Apr19) BBSW+1.60%	533363		500,000.00	01-Apr-16	01-Apr-19		30	1,520.55	3.70%
WBC Snr FRN (May19) BBSW+1.00%	533330		1,000,000.00	11-Mar-16	10-May-19		30	2,432.88	2.96%
AMP Snr FRN (Jun19) BBSW+1.10%	512050		750,000.00	11-Dec-15	11-Jun-19	5,901.47	30	1,893.92	3.07%
ME Bank Snr FRN (Jul19) BBSW+1.45%	534040		1,000,000.00	18-Jul-16	18-Jul-19		30	2,835.62	3.45%
BEN Snr FRN (Sep19) BBSW+0.93%	491128		1,000,000.00	17-Sep-14	17-Sep-19	7,455.77	30	2,405.36	2.93%
ANZ Snr FRN (Nov19) BBSW+0.85%	497055		1,000,000.00	11-Nov-14	11-Nov-19		30	2,309.59	2.81%
GBS Snr FRN (Nov19) BBSW+1.50%	534565		500,000.00	29-Nov-16	29-Nov-19		30	1,421.92	3.46%
WBC Snr FRN (Jan20) BBSW+0.90%	501146		1,000,000.00	22-Jan-15	22-Jan-20		30	2,371.24	2.89%
BEN Snr FRN (Feb20) BBSW+1.10%	534537		500,000.00	21-Nov-16	21-Feb-20		30	1,256.51	3.06%
MAC Snr FRN (Feb20) BBSW+1.10%	502273		1,000,000.00	03-Mar-15	03-Mar-20	7,716.30	30	2,508.09	3.05%
CUA Snr FRN (Mar20) BBSW+1.30%	534994		750,000.00	20-Mar-17	20-Mar-20	6,413.60	30	2,052.36	3.33%
CBA Snr FRN (Jul20) BBSW+0.90%	507122		1,000,000.00	17-Jul-15	17-Jul-20		30	2,391.85	2.91%
BEN Snr FRN (Aug20) BBSW+1.10%	505173		1,000,000.00	18-Aug-15	18-Aug-20		30	2,510.96	3.06%
SUN Snr FRN (Oct20) BBSW+1.25%	510106		1,000,000.00	20-Oct-15	20-Oct-20		30	2,663.84	3.24%
ME Bank Snr FRN (Nov20) BBSW+1.25%	535915		700,000.00	09-Nov-17	09-Nov-20		30	1,851.00	3.22%
CBA Snr FRN (Jan21) BBSW+1.15%	533092		500,000.00	25-Jan-16	18-Jan-21		30	1,294.56	3.15%
HBS Snr FRN (Mar21) BBSW+1.23%	536455		500,000.00	29-Mar-18	29-Mar-21	4,118.42	30	1,363.89	3.32%
BEN Snr FRN (Apr21) BBSW+1.46%	533420		500,000.00	20-Apr-16	20-Apr-21		30	1,418.22	3.45%
WBC Snr FRN (Jun21) BBSW+1.17%	533707		1,000,000.00	03-Jun-16	03-Jun-21	7,890.82	30	2,565.62	3.12%



Wollondilly Shire Council
Accrued Interest Report - September 2018



Accrued Interest Report

Investment	Deal No.	Ref	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Percentage Return
CUA Snr FRN (Sep21) BBSW+1.25%	537053		500,000.00	06-Sep-18	06-Sep-21		25	1,095.68	3.20%
AMP Snr FRN (Sep21) BBSW+1.08%	537064		1,500,000.00	10-Sep-18	10-Sep-21		21	2,599.22	3.01%
AMP Snr FRN (Mar22) BBSW+1.05%	535097		500,000.00	30-Mar-17	30-Mar-22	3,939.80	30	1,291.83	3.14%
SUN Snr FRN (Aug22) BBSW+0.97%	535608		500,000.00	16-Aug-17	16-Aug-22		30	1,202.05	2.92%
BoQ Snr FRN (Feb23) BBSW+1.05%	537019		1,000,000.00	30-Aug-18	03-Feb-23		30	2,481.04	3.02%
CBA Snr FRN (Aug23) BBSW+0.93%	536945		500,000.00	16-Aug-18	16-Aug-23		30	1,185.65	2.89%
Floating Rate Note Total						43,436.18		48,923.45	3.11%
<u>Mortgage Backed Securities</u>									
Emerald Reverse Mortgage Series 2006-1 Class A	310323		592,763.49	17-Jul-06	22-Aug-22		30	1,172.94	2.41%
Emerald Reverse Mortgage Series 2007-1 Class B	310288		1,000,000.00	06-Jul-07	21-Jul-27		30	2,083.56	2.53%
Mortgage Backed Securities Total								3,256.50	2.49%
<u>Term Deposits</u>									
National Australia Bank	535680		1,000,000.00	01-Sep-17	05-Sep-18	6,838.35	4	284.94	2.60%
ME Bank	536022		1,000,000.00	04-Dec-17	05-Sep-18	19,739.73	4	287.13	2.62%
Westpac Group	534201		1,000,000.00	01-Sep-16	12-Sep-18	31,934.25	11	1,103.19	3.66%
ME Bank	536111		1,000,000.00	02-Jan-18	26-Sep-18	19,165.48	25	1,794.52	2.62%
Bank of Queensland	536082		1,000,000.00	13-Dec-17	10-Oct-18		30	2,136.99	2.60%
National Australia Bank	536714		1,000,000.00	06-Jun-18	10-Oct-18		30	2,235.61	2.72%
Rural Bank	535908		1,000,000.00	01-Nov-17	31-Oct-18		30	2,161.64	2.63%
ME Bank	536640		1,000,000.00	16-May-18	07-Nov-18		30	2,276.72	2.77%
Bank of Queensland	535959		1,000,000.00	15-Nov-17	14-Nov-18		30	2,136.99	2.60%
Credit Union Australia	536065		2,000,000.00	06-Dec-17	05-Dec-18		30	4,356.17	2.65%
ME Bank	536081		1,000,000.00	13-Dec-17	12-Dec-18		30	2,136.99	2.60%



Wollondilly Shire Council
Accrued Interest Report - September 2018



Accrued Interest Report

Investment	Deal No.	Ref	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Percentage Return
Commonwealth Bank of Australia	536351		1,000,000.00	06-Mar-18	08-Jan-19		30	2,136.99	2.60%
Commonwealth Bank of Australia	536364		1,000,000.00	07-Mar-18	08-Jan-19		30	2,136.99	2.60%
Credit Union Australia	536657		1,000,000.00	23-May-18	23-Jan-19		30	2,301.37	2.80%
Bank of Queensland	536236		1,000,000.00	14-Feb-18	13-Feb-19		30	2,136.99	2.60%
Commonwealth Bank of Australia	536318		1,000,000.00	28-Feb-18	27-Feb-19		30	2,161.64	2.63%
Westpac Group	536347		1,000,000.00	05-Mar-18	05-Mar-19	6,578.63	30	2,145.21	2.61%
Westpac Group	536429		1,000,000.00	14-Mar-18	13-Mar-19	6,755.07	30	2,202.74	2.68%
Westpac Group	536365		1,000,000.00	07-Mar-18	19-Mar-19	6,654.25	30	2,169.87	2.64%
ME Bank	536836		1,000,000.00	10-Jul-18	10-Apr-19		30	2,342.46	2.85%
National Australia Bank	536799		1,500,000.00	27-Jun-18	24-Apr-19		30	3,452.06	2.80%
Bendigo and Adelaide Bank	535244		2,000,000.00	17-May-17	15-May-19		30	4,767.12	2.90%
Bendigo and Adelaide Bank	536673		1,000,000.00	30-May-18	29-May-19		30	2,317.80	2.82%
Rural Bank	536713		1,000,000.00	06-Jun-18	05-Jun-19		30	2,326.03	2.83%
Bank of Queensland	537061		1,000,000.00	04-Sep-18	05-Jun-19		27	2,034.25	2.75%
Bank of Queensland	537074		1,000,000.00	05-Sep-18	05-Jun-19		26	1,958.90	2.75%
Rural Bank	536800		1,000,000.00	27-Jun-18	26-Jun-19		30	2,408.22	2.93%
ME Bank	536821		2,000,000.00	04-Jul-18	03-Jul-19		30	4,684.93	2.85%
National Australia Bank	536835		1,000,000.00	10-Jul-18	10-Jul-19		30	2,301.37	2.80%
National Australia Bank	536840		1,000,000.00	11-Jul-18	10-Jul-19		30	2,301.37	2.80%
ME Bank	536909		1,000,000.00	01-Aug-18	31-Jul-19		30	2,342.46	2.85%
Westpac Group	534113		1,000,000.00	09-Aug-16	09-Aug-19		30	2,630.14	3.20%
Bank of Queensland	537012		1,000,000.00	27-Aug-18	27-Aug-19		30	2,260.28	2.75%
Bank of Queensland	537015		1,000,000.00	28-Aug-18	27-Aug-19		30	2,260.27	2.75%



Wollondilly Shire Council
Accrued Interest Report - September 2018

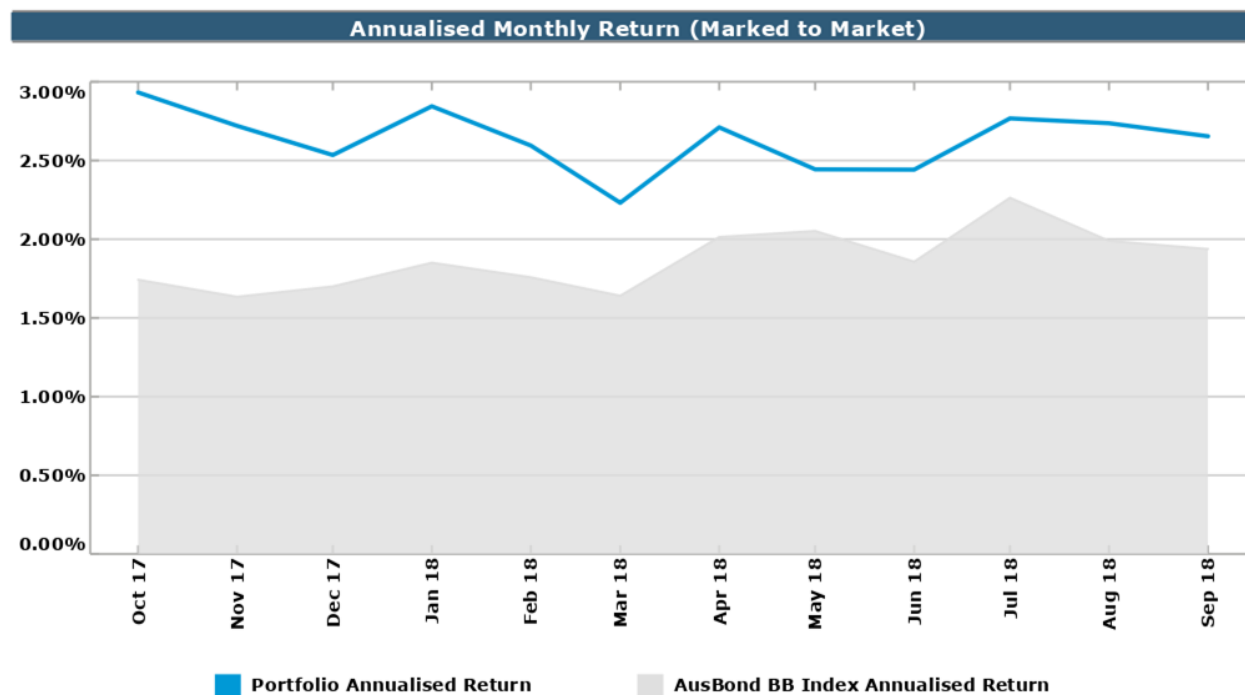


Accrued Interest Report

Investment	Deal No.	Ref	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Percentage Return
Bank of Queensland	537062		1,000,000.00	04-Sep-18	04-Sep-19		27	2,034.25	2.75%
National Australia Bank	537075		1,000,000.00	05-Sep-18	04-Sep-19		26	1,958.90	2.75%
National Australia Bank	537086		1,000,000.00	10-Sep-18	10-Sep-19		21	1,582.19	2.75%
National Australia Bank	537106		1,000,000.00	13-Sep-18	10-Sep-19		18	1,370.96	2.78%
National Australia Bank	537163		1,000,000.00	26-Sep-18	25-Sep-19		5	376.71	2.75%
Bendigo and Adelaide Bank	535949		500,000.00	08-Nov-17	11-Nov-19		30	1,150.69	2.80%
Rural Bank	535974		1,000,000.00	21-Nov-17	20-Nov-19		30	2,367.12	2.88%
Bank of Queensland	537004		1,000,000.00	23-Aug-18	19-Aug-20		30	2,465.75	3.00%
Bank of Queensland	537007		1,000,000.00	24-Aug-18	09-Sep-20		30	2,465.76	3.00%
Term Deposits Total						97,665.76		94,462.68	2.77%
						149,338.29		154,878.98	2.74%



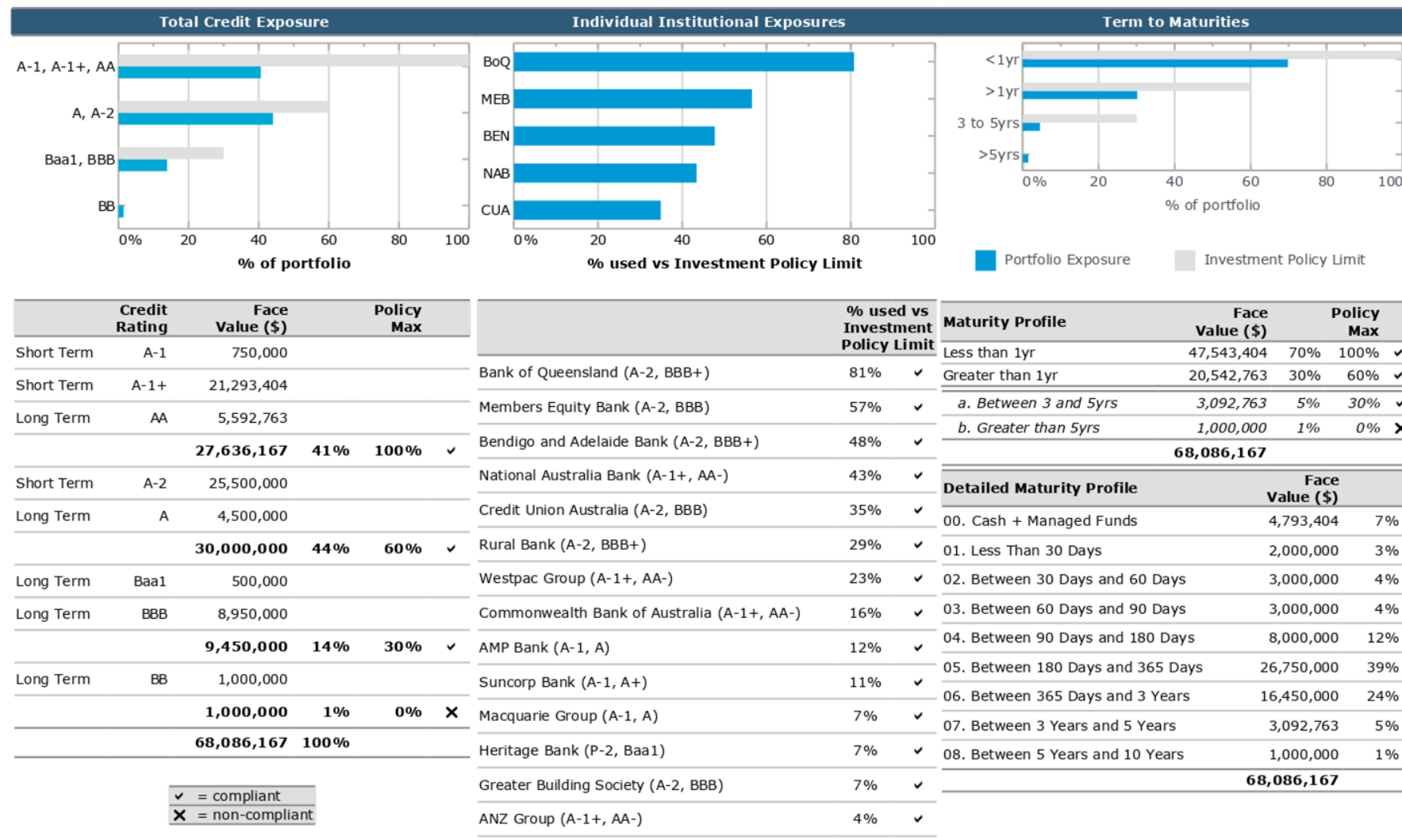
Wollondilly Shire Council
Investment Performance Report



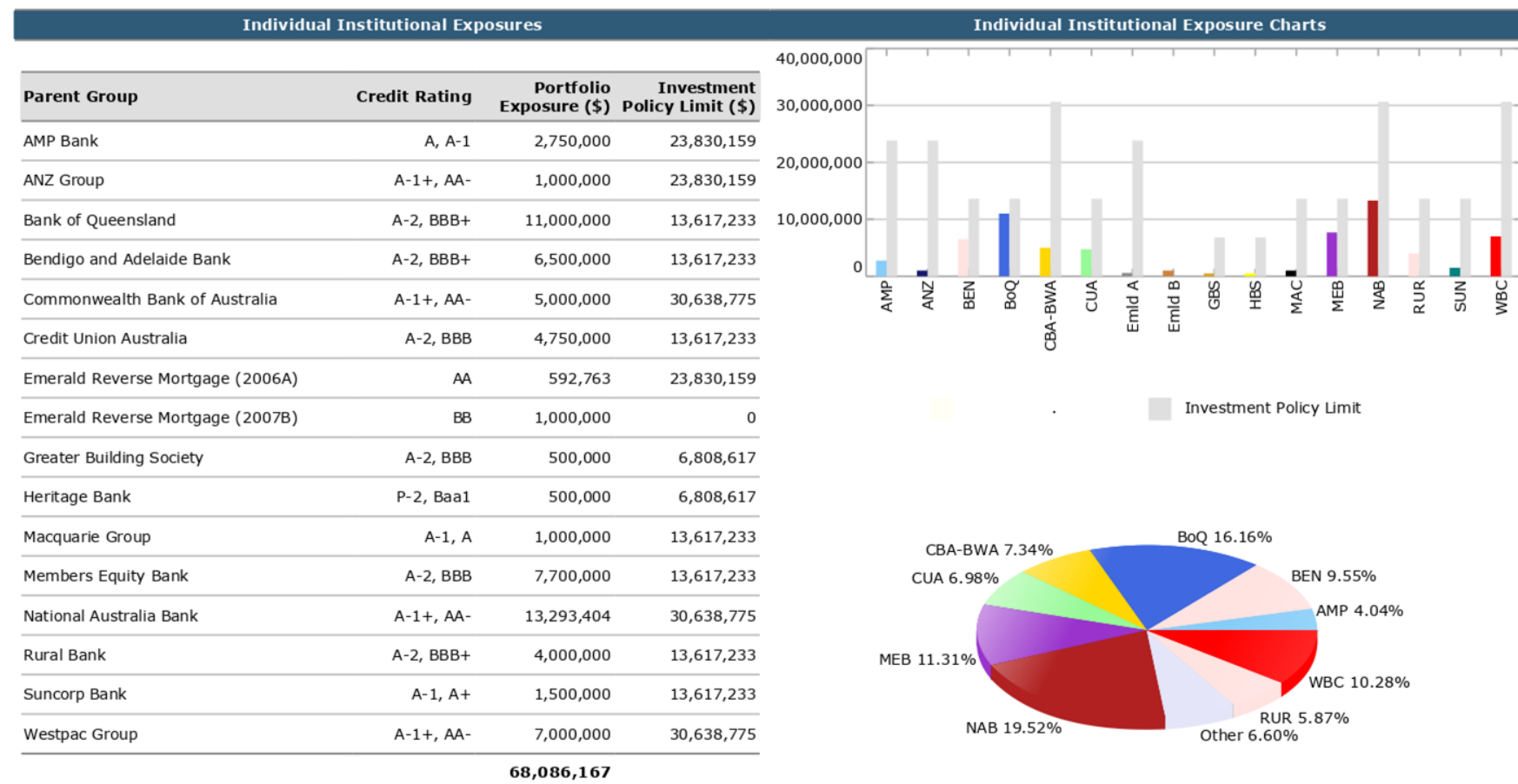
Historical Performance Summary			
	Portfolio	AusBond BB Index	Outperformance
Sep 2018	2.65%	1.94%	0.72%
Last 3 Months	2.72%	2.06%	0.66%
Last 6 Months	2.63%	2.02%	0.61%
Financial Year to Date	2.72%	2.06%	0.66%
Last 12 months	2.63%	1.87%	0.76%



Wollondilly Shire Council Investment Policy Compliance Report



Wollondilly Council Individual Institutional Exposures Report



Wollondilly Shire Council
Cash Flows Report



Current Month Cashflows

<u>Transaction Date</u>	<u>Deal No.</u>	<u>Cashflow Counterparty</u>	<u>Asset Type</u>	<u>Cashflow Description</u>	<u>Cashflow Received</u>
3-Sep-18	502273	Macquarie Bank	Floating Rate Note	Coupon - Received	7,716.30
				<u>Deal Total</u>	<u>7,716.30</u>
	533707	Westpac Group	Floating Rate Note	Coupon - Received	7,890.82
				<u>Deal Total</u>	<u>7,890.82</u>
	534201	Westpac Group	Term Deposits	Interest - Received	31,000.00
				<u>Deal Total</u>	<u>31,000.00</u>
	535680	National Australia Bank	Term Deposits	Interest - Received	6,695.88
				<u>Deal Total</u>	<u>6,695.88</u>
Day Total					53,303.00
4-Sep-18	537061	Bank of Queensland	Term Deposits	Settlement Face Value - Paid	-1,000,000.00
				<u>Deal Total</u>	<u>-1,000,000.00</u>
	537062	Bank of Queensland	Term Deposits	Settlement Face Value - Paid	-1,000,000.00
				<u>Deal Total</u>	<u>-1,000,000.00</u>
Day Total					-2,000,000.00
5-Sep-18	535680	National Australia Bank	Term Deposits	Maturity Face Value - Received	1,000,000.00
		National Australia Bank	Term Deposits	Interest - Received	142.47
				<u>Deal Total</u>	<u>1,000,142.47</u>
	536022	ME Bank	Term Deposits	Maturity Face Value - Received	1,000,000.00
		ME Bank	Term Deposits	Interest - Received	19,739.73
				<u>Deal Total</u>	<u>1,019,739.73</u>
	536347	Westpac Group	Term Deposits	Interest - Received	6,578.63
				<u>Deal Total</u>	<u>6,578.63</u>
	537074	Bank of Queensland	Term Deposits	Settlement Face Value - Paid	-1,000,000.00
				<u>Deal Total</u>	<u>-1,000,000.00</u>
	537075	National Australia Bank	Term Deposits	Settlement Face Value - Paid	-1,000,000.00
				<u>Deal Total</u>	<u>-1,000,000.00</u>
Day Total					26,460.82
6-Sep-18	537053	Credit Union Australia	Floating Rate Note	Settlement Face Value - Paid	-500,000.00



Wollondilly Shire Council
Cash Flows Report



Current Month Cashflows					
Transaction Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Cashflow Received
				<u>Deal Total</u>	-500,000.00
				Day Total	-500,000.00
7-Sep-18	536365	Westpac Group	Term Deposits	Interest - Received	6,654.25
				<u>Deal Total</u>	6,654.25
				Day Total	6,654.25
10-Sep-18	537064	AMP Bank	Floating Rate Note	Settlement Face Value - Paid	-1,500,000.00
				<u>Deal Total</u>	-1,500,000.00
	537086	National Australia Bank	Term Deposits	Settlement Face Value - Paid	-1,000,000.00
				<u>Deal Total</u>	-1,000,000.00
				Day Total	-2,500,000.00
11-Sep-18	512050	AMP Bank	Floating Rate Note	Coupon - Received	5,901.47
				<u>Deal Total</u>	5,901.47
				Day Total	5,901.47
12-Sep-18	534201	Westpac Group	Term Deposits	Interest - Received	934.25
		Westpac Group	Term Deposits	Maturity Face Value - Received	1,000,000.00
				<u>Deal Total</u>	1,000,934.25
				Day Total	1,000,934.25
13-Sep-18	537106	National Australia Bank	Term Deposits	Settlement Face Value - Paid	-1,000,000.00
				<u>Deal Total</u>	-1,000,000.00
				Day Total	-1,000,000.00
14-Sep-18	536429	Westpac Group	Term Deposits	Interest - Received	6,755.07
				<u>Deal Total</u>	6,755.07
				Day Total	6,755.07
17-Sep-18	491128	Bendigo and Adelaide Bank	Floating Rate Note	Coupon - Received	7,455.77
				<u>Deal Total</u>	7,455.77
				Day Total	7,455.77
20-Sep-18	534994	Credit Union Australia	Floating Rate Note	Coupon - Received	6,413.60



Wollondilly Shire Council
Cash Flows Report



Current Month Cashflows					
Transaction Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Cashflow Received
				Deal Total	6,413.60
				Day Total	6,413.60
26-Sep-18	536111	ME Bank	Term Deposits	Maturity Face Value - Received	1,000,000.00
		ME Bank	Term Deposits	Interest - Received	19,165.48
				<u>Deal Total</u>	<u>1,019,165.48</u>
	537163	National Australia Bank	Term Deposits	Settlement Face Value - Paid	-1,000,000.00
				<u>Deal Total</u>	<u>-1,000,000.00</u>
				Day Total	19,165.48
27-Sep-18	536455	Heritage Bank	Floating Rate Note	Coupon - Received	4,118.42
				<u>Deal Total</u>	<u>4,118.42</u>
				Day Total	4,118.42
28-Sep-18	535097	AMP Bank	Floating Rate Note	Coupon - Received	3,939.80
				<u>Deal Total</u>	<u>3,939.80</u>
				Day Total	3,939.80
				Net Cash Movement for Period	-4,858,898.07

Next Month Cashflows					
Transaction Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Cashflow Due
2-Oct-18	533363	Credit Union Australia	Floating Rate Note	Coupon - Received	4,663.01
				<u>Deal Total</u>	<u>4,663.01</u>
				Day Total	4,663.01
10-Oct-18	536082	Bank of Queensland	Term Deposit	Interest - Received	21,441.10
		Bank of Queensland	Term Deposit	Maturity Face Value - Received	1,000,000.00
				<u>Deal Total</u>	<u>1,021,441.10</u>
	536714	National Australia Bank	Term Deposit	Maturity Face Value - Received	1,000,000.00
		National Australia Bank	Term Deposit	Interest - Received	9,389.59
				<u>Deal Total</u>	<u>1,009,389.59</u>
				Day Total	2,030,830.68
17-Oct-18	507122	Commonwealth Bank of Australia	Floating Rate Note	Coupon - Received	7,335.00



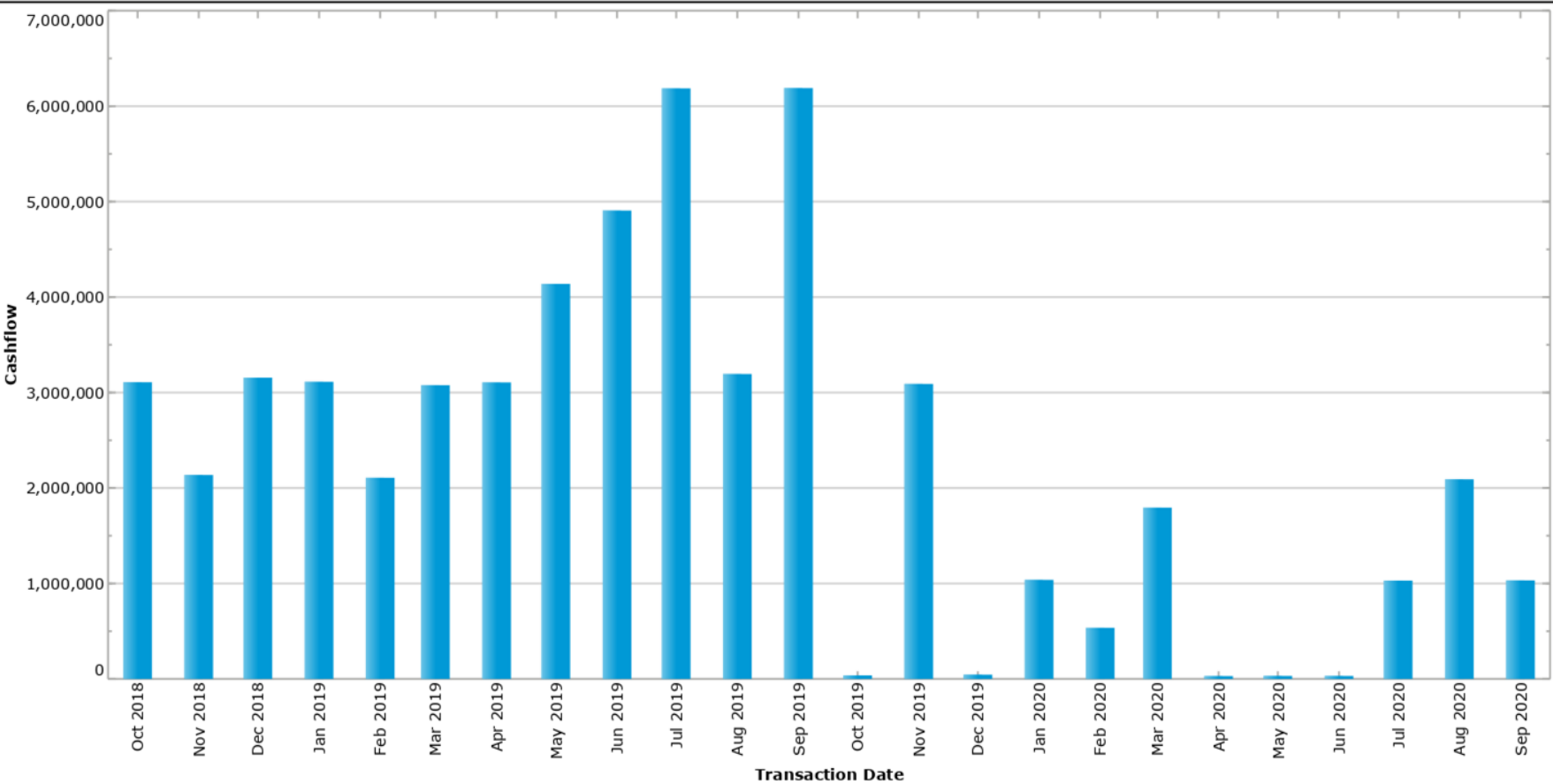
Wollondilly Shire Council
Cash Flows Report



Next Month Cashflows					
Transaction Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Cashflow Due
				Deal Total	7,335.00
				Day Total	7,335.00
18-Oct-18	533092	Commonwealth Bank of Australia	Floating Rate Note	Coupon - Received	3,970.00
				Deal Total	3,970.00
	534040	ME Bank	Floating Rate Note	Coupon - Received	8,695.89
				Deal Total	8,695.89
				Day Total	12,665.89
22-Oct-18	310288	Emerald Reverse Mortgage (2007B)	Mortgage Backed Securities	Coupon - Received	6,320.14
				Deal Total	6,320.14
	501146	Westpac Group	Floating Rate Note	Coupon - Received	7,192.74
				Deal Total	7,192.74
	510106	Suncorp Bank	Floating Rate Note	Coupon - Received	8,346.68
				Deal Total	8,346.68
	533420	Bendigo and Adelaide Bank	Floating Rate Note	Coupon - Received	4,443.75
				Deal Total	4,443.75
				Day Total	26,303.32
31-Oct-18	535908	Rural Bank	Term Deposit	Interest - Received	26,227.95
		Rural Bank	Term Deposit	Maturity Face Value - Received	1,000,000.00
				Deal Total	1,026,227.95
				Day Total	1,026,227.95
Net Cash Movement for Period					3,108,025.85



Wollondilly Shire Council
Cash Flows Report





ANNUAL FINANCIAL STATEMENTS

for the year ended 30 June 2018



Wollondilly Shire Council

GENERAL PURPOSE FINANCIAL STATEMENTS
for the year ended 30 June 2018



Wollondilly Shire Council

General Purpose Financial Statements for the year ended 30 June 2018

Contents	Page
1. Understanding Council's Financial Statements	2
2. Statement by Councillors and Management	3
3. Primary Financial Statements:	
– Income Statement	4
– Statement of Comprehensive Income	5
– Statement of Financial Position	6
– Statement of Changes in Equity	7
– Statement of Cash Flows	8
4. Notes to the Financial Statements	9
5. Independent Auditor's Reports:	
– On the Financial Statements (Sect 417 [2])	67
– On the Conduct of the Audit (Sect 417 [3])	70

Overview

Wollondilly Shire Council is constituted under the Local Government Act 1993 (NSW) and has its principal place of business at:

62-64 Menangle Street
Picton NSW 2571

Council's guiding principles are detailed in Chapter 3 of the LGA and includes:

- principles applying to the exercise of functions generally by council,
- principles to be applied when making decisions,
- principles of community participation,
- principles of sound financial management, and
- principles for strategic planning relating to the development of an integrated planning and reporting framework.

A description of the nature of Council's operations and its principal activities are provided in Note 2(b).

Through the use of the internet, we have ensured that our reporting is timely, complete and available at minimum cost. All press releases, financial statements and other information are publicly available on our website: www.wollondilly.nsw.gov.au.

Wollondilly Shire Council

General Purpose Financial Statements for the year ended 30 June 2018

Understanding Council's financial statements

Introduction

Each year, individual local governments across New South Wales are required to present a set of audited financial statements to their council and community.

What you will find in the statements

The financial statements set out the financial performance, financial position and cash flows of Council for the financial year ended 30 June 2018.

The format of the financial statements is standard across all NSW Councils and complies with both the accounting and reporting requirements of Australian Accounting Standards and requirements as set down by the Office of Local Government.

About the Councillor/Management Statement

The financial statements must be certified by senior staff as 'presenting fairly' the Council's financial results for the year and are required to be adopted by Council – ensuring both responsibility for and ownership of the financial statements.

About the primary financial statements

The financial statements incorporate five 'primary' financial statements:

1. The Income Statement

Summarises Council's financial performance for the year, listing all income and expenses.

This statement also displays Council's original adopted budget to provide a comparison between what was projected and what actually occurred.

2. The Statement of Comprehensive Income

Primarily records changes in the fair value of Council's Infrastructure, Property, Plant and Equipment.

3. The Statement of Financial Position

A 30 June snapshot of Council's financial position indicating its assets, liabilities and "net wealth".

4. The Statement of Changes in Equity

The overall change for the year (in dollars) of Council's "net wealth".

5. The Statement of Cash Flows

Indicates where Council's cash came from and where it was spent. This statement also displays Council's original adopted budget to provide a comparison between what was projected and what actually occurred.

About the Notes to the Financial Statements

The Notes to the Financial Statements provide greater detail and additional information on the five primary financial statements.

About the Auditor's Reports

Council's annual financial statements are required to be audited by the NSW Audit Office. In NSW the auditor provides 2 audit reports:

1. an opinion on whether the financial statements present fairly the Council's financial performance and position, and
2. their observations on the conduct of the audit, including commentary on the Council's financial performance and financial position.

Who uses the financial statements?

The financial statements are publicly available documents and must be presented at a Council meeting between seven days and five weeks after the date of the Audit Report.

The public can make submissions to Council up to seven days subsequent to the public presentation of the financial statements.

Council is required to forward an audited set of financial statements to the Office of Local Government.

More information

A review of Council's financial performance and position for the 17/18 financial year can be found at Note 22 of the financial statements.

Financial Statements 2018

Wollondilly Shire Council**General Purpose Financial Statements**
for the year ended 30 June 2018**Statement by Councillors and Management**
made pursuant to Section 413(2)(c) of the *Local Government Act 1993 (NSW)* (as amended)

The attached General Purpose Financial Statements have been prepared in accordance with:

- the *Local Government Act 1993 (NSW)* (as amended) and the regulations made thereunder,
- the Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board
- the Local Government Code of Accounting Practice and Financial Reporting.

To the best of our knowledge and belief, these financial statements:

- present fairly the Council's operating result and financial position for the year,
- accord with Council's accounting and other records.

We are not aware of any matter that would render these statements false or misleading in any way.

Signed in accordance with a resolution of Council made on 15 October 2018.


Cr J Hannan
Mayor
15 October 2018
Cr B Briggs
Councillor
15 October 2018
L Johnson
General Manager
15 October 2018
A Christie
Responsible Accounting Officer
15 October 2018

page 3

Wollondilly Shire Council

Income Statement for the year ended 30 June 2018

Original unaudited budget 2018	\$ '000	Notes	Actual 2018	Actual 2017
Income from continuing operations				
Revenue:				
39,568	Rates and annual charges	3a	40,447	36,428
5,717	User charges and fees	3b	5,840	5,487
1,892	Interest and investment revenue	3c	1,788	1,697
701	Other revenues	3d	1,747	1,940
7,554	Grants and contributions provided for operating purposes	3e,f	7,515	10,539
6,122	Grants and contributions provided for capital purposes	3e,f	14,357	9,255
Other income:				
—	Net gains from the disposal of assets	5	271	26
61,554	Total income from continuing operations		71,965	65,372
Expenses from continuing operations				
22,642	Employee benefits and on-costs	4a	20,796	20,433
883	Borrowing costs	4b	6,762	1,706
15,153	Materials and contracts	4c	19,603	16,170
12,528	Depreciation and amortisation	4d	20,611	12,581
5,416	Other expenses	4e	4,806	4,719
56,622	Total expenses from continuing operations		72,578	55,609
4,932	Operating result from continuing operations		(613)	9,763
4,932	Net operating result for the year		(613)	9,763
Net operating result for the year before grants and contributions provided for capital purposes				
(1,190)			(14,970)	508

This statement should be read in conjunction with the accompanying notes.

page 4

Financial Statements 2018

Wollondilly Shire Council

Statement of Comprehensive Income
for the year ended 30 June 2018

\$ '000	Notes	2018	2017
Net operating result for the year (as per Income Statement)		(613)	9,763
Other comprehensive income:			
Amounts that will not be reclassified subsequently to the operating result			
Gain (loss) on revaluation of IPP&E	9	27,674	—
Total items which will not be reclassified subsequently to the operating result		27,674	—
Amounts that will be reclassified subsequently to the operating result when specific conditions are met			
Nil			
Total other comprehensive income for the year		27,674	—
Total comprehensive income for the year		27,061	9,763

This statement should be read in conjunction with the accompanying notes.

page 5

Wollondilly Shire Council

Statement of Financial Position as at 30 June 2018

\$ '000	Notes	2018	2017
ASSETS			
Current assets			
Cash and cash equivalents	6a	6,229	3,302
Investments	6b	37,250	32,250
Receivables	7	8,176	4,093
Inventories	8	2,000	2,185
Other	8	199	246
Total current assets		53,854	42,076
Non-current assets			
Investments	6b	16,547	22,154
Infrastructure, property, plant and equipment	9	465,389	439,706
Total non-current assets		481,936	461,860
TOTAL ASSETS		535,790	503,936
LIABILITIES			
Current liabilities			
Payables	10	7,130	6,255
Income received in advance	10	211	204
Borrowings	10	1,668	1,559
Provisions	11	6,164	6,400
Total current liabilities		15,173	14,418
Non-current liabilities			
Borrowings	10	9,528	11,196
Provisions	11	19,561	13,855
Total non-current liabilities		29,089	25,051
TOTAL LIABILITIES		44,262	39,469
Net assets		491,528	464,467
EQUITY			
Accumulated surplus		323,257	323,870
Revaluation reserves		168,271	140,597
Total equity		491,528	464,467

This statement should be read in conjunction with the accompanying notes.

page 6

Financial Statements 2018

Wollondilly Shire Council

Statement of Changes in Equity for the year ended 30 June 2018

\$ '000	Notes	2018	IPP&E	Total equity	2017	IPP&E	Total equity
		Accumulated surplus	revaluation reserve		Accumulated surplus	revaluation reserve	
Opening balance		323,870	140,597	464,467	314,107	140,597	454,704
Net operating result for the year		(613)	–	(613)	9,763	–	9,763
Other comprehensive income							
– Gain (loss) on revaluation of IPP&E	9	–	27,674	27,674	–	–	–
Other comprehensive income		–	27,674	27,674	–	–	–
Total comprehensive income (c&d)		(613)	27,674	27,061	9,763	–	9,763
Equity – balance at end of the reporting period		323,257	168,271	491,528	323,870	140,597	464,467

This statement should be read in conjunction with the accompanying notes.

page 7

Wollondilly Shire Council

Statement of Cash Flows for the year ended 30 June 2018

Original unaudited budget 2018	\$ '000	Notes	Actual 2018	Actual 2017
Cash flows from operating activities				
Receipts:				
39,410	Rates and annual charges		40,328	36,652
5,520	User charges and fees		5,060	5,181
1,617	Investment and interest revenue received		1,775	1,675
13,316	Grants and contributions		20,530	19,288
–	Bonds, deposits and retention amounts received		219	–
697	Other		2,428	4,712
Payments:				
(22,155)	Employee benefits and on-costs		(21,106)	(21,085)
(15,123)	Materials and contracts		(20,967)	(17,969)
(886)	Borrowing costs		(6,060)	(923)
–	Bonds, deposits and retention amounts refunded		–	(93)
(5,416)	Other		(1,484)	(3,740)
16,980	Net cash provided (or used in) operating activities	13b	20,723	23,698
Cash flows from investing activities				
Receipts:				
–	Sale of investment securities		34,807	29,780
–	Sale of infrastructure, property, plant and equipment		278	42
Payments:				
–	Purchase of investment securities		(34,200)	(37,500)
(17,068)	Purchase of infrastructure, property, plant and equipment		(17,122)	(13,430)
(17,068)	Net cash provided (or used in) investing activities		(16,237)	(21,108)
Cash flows from financing activities				
Receipts:				
1,000	Proceeds from borrowings and advances		–	–
120	Proceeds from finance leases		–	–
Payments:				
(1,631)	Repayment of borrowings and advances		(1,559)	(1,815)
(19)	Repayment of finance lease liabilities		–	–
(530)	Net cash flow provided (used in) financing activities		(1,559)	(1,815)
(618)	Net increase/(decrease) in cash and cash equivalents		2,927	775
1,843	Plus: cash and cash equivalents – beginning of year	13a	3,302	2,527
1,225	Cash and cash equivalents – end of the year	13a	6,229	3,302
Additional Information:				
	plus: Investments on hand – end of year	6b	53,797	54,404
	Total cash, cash equivalents and investments		60,026	57,706

This statement should be read in conjunction with the accompanying notes.

page 8

Wollondilly Shire Council

Notes to the Financial Statements for the year ended 30 June 2018

Contents of the notes accompanying the financial statements

Note	Details	Page
1	Basis of preparation	10
2(a)	Council functions/activities – financial information	13
2(b)	Council functions/activities – component descriptions	14
3	Income from continuing operations	15
4	Expenses from continuing operations	21
5	Gains or losses from the disposal of assets	25
6(a)	Cash and cash equivalent assets	25
6(b)	Investments	26
6(c)	Restricted cash, cash equivalents and investments – details	27
7	Receivables	28
8	Inventories and other assets	29
9	Infrastructure, property, plant and equipment	31
10	Payables and borrowings	34
11	Provisions	36
12	Accumulated surplus, revaluation reserves, changes in accounting policies, changes in accounting estimates and errors	39
13	Statement of cash flows – additional information	40
14	Commitments for expenditure	41
15	Contingencies and other liabilities/assets not recognised	42
16	Financial risk management	46
17	Material budget variations	50
18	Fair value measurement	52
19	Related party transactions	57
20	Statement of developer contributions	59
21(a)	Statement of performance measures – consolidated results	62
Additional council disclosures (unaudited)		
21(b)	Statement of performance measures – consolidated results (graphs)	63
22	Financial review	65
23	Council information and contact details	66

Wollondilly Shire Council

Notes to the Financial Statements for the year ended 30 June 2018

Note 1. Basis of preparation

These financial statements were authorised for issue by Council on 15 October 2018.

Council has the power to amend and reissue these financial statements.

The principal accounting policies adopted in the preparation of these financial statements are set out below. These policies have been consistently applied to all the years presented, unless otherwise stated.

Basis of preparation

These general purpose financial statements have been prepared in accordance with Australian Accounting Standards and Australian Accounting Interpretations, the *Local Government Act 1993 (NSW)* and Regulations, and the Local Government Code of Accounting Practice and Financial Reporting. Council is a not for-profit entity for the purpose of preparing these financial statements.

The financial statements are presented in Australian dollars and are rounded to the nearest thousand dollars.

Full dollars have been used in Note 19 Related party disclosures in relation to the disclosure of specific related party transactions.

Unless otherwise indicated, all amounts disclosed in the financial statements are actual amounts.

Specific budgetary amounts have been included for comparative analysis (to actuals) in the following reports and notes:

- Income statement
- Statement of cash flows
- Note 17 – Material budget variations

and are clearly marked .

(a) New and amended standards adopted by Council

There have been no new (or amended) accounting standards adopted by Council in this year's financial statements which have had any material impact on reported financial position, performance or cash flows.

(b) Historical cost convention

These financial statements have been prepared under the historical cost convention, as modified by the revaluation of certain financial assets and liabilities and certain classes of infrastructure, property, plant and equipment and investment property.

(c) Significant accounting estimates and judgements

The preparation of financial statements requires the use of certain critical accounting estimates. It also requires management to exercise its judgement in the process of applying the Council's accounting policies.

Estimates and judgements are continually evaluated and are based on historical experience and other factors, including expectations of future events that may have a financial impact on the Council and that are believed to be reasonable under the circumstances.

Critical accounting estimates and assumptions

Council makes estimates and assumptions concerning the future. The resulting accounting estimates will, by definition, seldom equal the related actual results. The estimates and assumptions that have a significant risk

Wollondilly Shire Council

Notes to the Financial Statements for the year ended 30 June 2018

Note 1. Basis of preparation (continued)

of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year include:

- (i) estimated fair values of infrastructure, property, plant and equipment – refer Note 9,
- (ii) estimated tip remediation provisions – refer Note 11,
- (iii) employee benefit provisions – refer Note 11.

Significant judgements in applying the Council's accounting policies

- (iv) Impairment of receivables

Council has made a significant judgement about the impairment of a number of its receivables in Note 7.

Monies and other assets received by Council

(a) The Consolidated Fund

In accordance with the provisions of Section 409(1) of the *Local Government Act 1993 (NSW)*, all money and other assets received by Council is held in the Council's Consolidated Fund unless it is required to be held in the Council's Trust Fund.

Due to their immaterial value and nature, Council's Management Committees have been excluded from this consolidation.

(b) The Trust Fund

In accordance with the provisions of Section 411 of the *Local Government Act 1993 (NSW)* (as amended), a separate and distinct Trust Fund is maintained to account for all money and other assets received by the Council in trust which must be applied only for the purposes of, or in accordance with the trusts relating to those monies. Trust monies and other assets subject to Council's control have been included in these reports.

A separate statement of monies held in the Trust Fund is available for inspection at the Council office by any person free of charge.

Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of associated GST, unless the GST incurred is not recoverable from the taxation authority. In this case it is recognised as part of the cost of acquisition of the asset or as part of the expense.

Receivables and payables are stated inclusive of the amount of GST receivable or payable. The net amount of GST recoverable from, or payable to the taxation authority is included with other receivables or payables in the Statement of Financial Position.

Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which that are recoverable from, or payable to the taxation authority are presented as operating cash flows.

Wollondilly Shire Council

Notes to the Financial Statements for the year ended 30 June 2018

Note 1. Basis of preparation (continued)

New accounting standards and interpretations issued not yet effective

Certain new accounting standards and interpretations have been published that are not mandatory for the current reporting period and which have not been applied.

As at the date of authorisation of these financial statements, Council considers that the standards and interpretations listed below will have an impact upon future published financial statements ranging from additional and / or revised disclosures to actual changes as to how certain transactions and balances are accounted for.

Effective for annual reporting periods beginning on or after 1 July 2018

- AASB 9 *Financial Instruments*

This replaces AASB 139 *Financial Instruments: Recognition and Measurement*, and addresses the classification, measurement and disclosure of financial assets and liabilities.

The standard introduces a new impairment model that requires impairment provisions to be based on expected credit losses, rather than incurred credit losses.

Council does not expect the introduction of this standard to have a material impact overall.

Effective for annual reporting periods beginning on or after 1 July 2019

- AASB 15 *Revenue from Contracts with Customers*, AASB 1058 *Income of Not-for-Profit Entities* and AASB 2016-8 *Amendments to Australian Accounting Standards - Australian Implementation Guidance for Not-for-Profit Entities*

AASB 15 will replace AASB 118 *Revenue*, AASB 111 *Construction Contracts* and a number of Interpretations. AASB 2016-8 provides Australian requirements and guidance for not-for-profit entities in applying AASB 9 and AASB 15, and AASB 1058 will replace AASB 1004 *Contributions*.

Together they contain a comprehensive and robust framework for the recognition, measurement and disclosure of income including revenue from contracts with customers.

While Council is still reviewing the way that income is measured and recognised to identify whether there will be any material impact arising from these standards, these standards may affect the timing of the recognition of some grants and donations.

- AASB 16 *Leases*

Council is currently a party to leases that are not recognised in the Statement of Financial Position.

It is likely that some of these leases will need to be included in the Statement of Financial Position when this standard comes into effect.

A lease liability will initially be measured at the present value of the lease payments to be made over the lease term. A corresponding right-of-use asset will also be recognised over the lease term.

Council has not elected to apply any pronouncements before their operative date in these financial statements.

Financial Statements 2018

Wollondilly Shire Council

Notes to the Financial Statements for the year ended 30 June 2018

Note 2(a). Council functions/activities – financial information

Functions/activities	Income, expenses and assets have been directly attributed to the following functions/activities. Details of these functions/activities are provided in Note 2(b).									
	Income from continuing operations		Expenses from continuing operations		Operating result from continuing operations		Grants included in income from continuing operations		Total assets held (current and non-current)	
	2018	2017	2018	2017	2018	2017	2018	2017	2018	2017
Sustainable and Balanced Growth	8,865	8,046	8,336	8,207	529	(161)	–	–	1,219	1,229
Management & Provision of Infrastructure	13,424	10,164	30,514	28,066	(17,090)	(17,902)	3,743	2,610	443,909	432,389
Caring for the Environment	9,455	8,857	23,618	9,735	(14,163)	(878)	213	378	9,532	4,597
Looking after the Community	1,084	1,216	4,176	4,151	(3,092)	(2,935)	544	587	1,977	1,885
Efficient and Effective Council	1,176	1,133	5,934	5,450	(4,758)	(4,317)	–	–	79,153	63,836
General Purpose	37,961	35,956	–	–	37,961	35,956	4,010	5,619	–	–
Total functions and activities	71,965	65,372	72,578	55,609	(613)	9,763	8,510	9,194	535,790	503,936

page 13

Wollondilly Shire Council

Notes to the Financial Statements for the year ended 30 June 2018

Note 2(b). Council functions/activities – component descriptions

Details relating to the Council's functions/activities as reported in Note 2(a) are as follows:

Sustainable and Balanced Growth

Outcomes/Objectives:

1. A built environment that supports liveable communities, respects the character, setting and heritage of our towns and villages and retains the vision of Rural Living.
2. A unique environment and rural landscape balanced with managed growth that is consistent with Council's position on Growth and vision of Rural Living.
3. A strong local economy providing employment and other opportunities.
4. Expansion of employment and other opportunities based on the Shire's natural assets, strong agricultural base and tourism potential.
5. A strong and viable agricultural sector supported by the protection and preservation of agricultural assets and resources.

Management & Provision of Infrastructure

Outcomes/Objectives:

1. Infrastructure that is safe, accessible and fit for purpose.
2. Infrastructure that is sustainably maintained.
3. Infrastructure that delivers upon the expectations and needs of our growing community.

Caring for the Environment

Outcomes/Objectives:

1. An environment that is valued, preserved and protected, with new planning and development proposals supporting these values.
2. A community that is engaged with and cares about their environment.

Looking after the Community

Outcomes/Objectives:

1. Access to a range of activities, services and facilities.
2. Communities that are engaged, cohesive, included, and have a sense of belonging.
3. Communities that are healthy, happy and feel safe.

Efficient and Effective Council

Outcomes/Objectives:

1. Government, community and business talking and working together.
2. A Council that demonstrates good business management and ethical conduct.
3. A Council that is viewed by the community as transparent, accountable and responsive to their concerns.

Wollondilly Shire Council

Notes to the Financial Statements for the year ended 30 June 2018

Note 3. Income from continuing operations

\$ '000	2018	2017
(a) Rates and annual charges		
Ordinary rates		
Residential	28,865	25,785
Farmland	932	839
Mining	1,468	1,340
Business	1,524	1,312
Less: pensioner rebates (mandatory)	(327)	(336)
Less: pensioner rebates (Council policy)	(374)	(384)
Total ordinary rates	32,088	28,556
Annual charges (pursuant to s.496, s.496A, s.496B, s.501 & s.611)		
Domestic waste management services	8,438	7,977
Stormwater management services	324	309
Waste management services (non-domestic)	163	148
Section 611 charges	13	13
Less: pensioner rebates (Council policy)	(579)	(575)
Total annual charges	8,359	7,872
TOTAL RATES AND ANNUAL CHARGES	40,447	36,428

Council has used 2016 year valuations provided by the NSW Valuer General in calculating its rates.

Accounting policy for rates and annual charges

Rates, annual charges, grants and contributions (including developer contributions) are recognised as revenue when the Council obtains control over the assets comprising these receipts. Developer contributions may only be expended for the purposes for which the contributions were required, but the Council may apply contributions according to the priorities established in work schedules.

Control over assets acquired from rates and annual charges is obtained at the commencement of the rating year as it is an enforceable debt linked to the rateable property or, where earlier, upon receipt of the rates.

Wollondilly Shire Council

Notes to the Financial Statements for the year ended 30 June 2018

Note 3. Income from continuing operations (continued)

\$ '000	2018	2017
(b) User charges and fees		
(i) Fees and charges – statutory and regulatory functions (per s.608)		
Animal registration fees	206	60
Planning and building regulation	1,934	1,786
Rezoning fees	50	153
Section 149 certificates (EPA Act)	154	149
Section 603 certificates	83	82
Septic tank fees	171	212
Other	158	147
Total fees and charges – statutory/regulatory	2,756	2,589
(ii) Fees and charges – other (incl. general user charges (per s.608))		
Cemeteries	109	97
Children services	456	449
Contract works	21	35
Development management	254	170
Leaseback fees – Council vehicles	298	281
Leisure centre	–	23
Plan checking fees	398	418
Restoration charges	55	46
Royalties	192	309
Waste disposal tipping fees	1,143	887
Other	158	183
Total fees and charges – other	3,084	2,898
TOTAL USER CHARGES AND FEES	5,840	5,487

Accounting policy for user charges and fees

User charges and fees are recognised as revenue when the service has been provided.

Wollondilly Shire Council

Notes to the Financial Statements
for the year ended 30 June 2018

Note 3. Income from continuing operations (continued)

\$ '000	2018	2017
(c) Interest and investment revenue (including losses)		
Interest		
– Overdue rates and annual charges (incl. special purpose rates)	201	207
– Cash and investments	1,587	1,490
TOTAL INTEREST AND INVESTMENT REVENUE	1,788	1,697

Interest revenue is attributable to:**Unrestricted investments/financial assets:**

Overdue rates and annual charges (general fund)	201	207
General Council cash and investments	842	822

Restricted investments/funds – external:

Development contributions		
– Section 7.11	500	430
Domestic waste management operations	187	178

Restricted investments/funds – internal:

Internally restricted assets	58	60
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Total interest and investment revenue recognised	1,788	1,697
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Accounting policy for interest and investment revenue

Interest income is recognised using the effective interest rate at the date that interest is earned.

(d) Other revenues

Rental income – other council properties	609	567
Fines	311	358
Legal fees recovery – rates and charges (extra charges)	231	148
Legal fees recovery – other	60	56
Commissions and agency fees	36	34
Diesel rebate	33	33
Insurance claim recoveries	65	419
Insurance premium rebate	211	111
Reimbursements	99	117
Other	92	97
TOTAL OTHER REVENUE	1,747	1,940

Accounting policy for other revenue

Council recognises revenue when the amount of revenue can be reliably measured, it is probable that future economic benefits will flow to the Council and specific criteria have been met for each of the Council's activities as described below. Council bases its estimates on historical results, taking into consideration the type of customer, the type of transaction and the specifics of each arrangement.

Parking fees and fines are recognised as revenue when the service has been provided, or when the penalty has been applied, whichever occurs first.

Rental income is accounted for on a straight-line basis over the lease term.

Miscellaneous sales are recognised when physical possession has transferred to the customer which is deemed to be the point of transfer of risks and rewards.

Other income is recorded when the payment is due, the value of the payment is notified, or the payment is received, whichever occurs first.

Wollondilly Shire Council

Notes to the Financial Statements for the year ended 30 June 2018

Note 3. Income from continuing operations (continued)

\$ '000	2018 Operating	2017 Operating	2018 Capital	2017 Capital
(e) Grants				
General purpose (untied)				
Current year allocation				
Financial assistance	1,856	3,541	–	–
Payment in advance – future year allocation				
Financial assistance	1,910	1,826	–	–
Other				
Pensioners' rates subsidies – general component	244	252	–	–
Total general purpose	4,010	5,619	–	–
Specific purpose				
Pensioners' rates subsidies:				
– Domestic waste management	77	84	–	–
Bushfire and emergency services	320	320	–	–
Child care	207	198	–	–
Community services	201	254	–	–
Environmental management	136	294	–	–
Library	136	134	–	–
LIRS subsidy	205	240	–	–
Recreation and culture	11	–	–	–
Street lighting	84	82	–	–
Transport (roads to recovery)	–	–	1,230	1,963
Transport (other roads and bridges funding)	13	–	1,880	5
Other	–	1	–	–
Total specific purpose	1,390	1,607	3,110	1,968
Total grants	5,400	7,226	3,110	1,968
Grant revenue is attributable to:				
– Commonwealth funding	3,961	5,523	3,110	1,963
– State funding	1,434	1,688	–	5
– Other funding	5	15	–	–
	5,400	7,226	3,110	1,968

Wollondilly Shire Council

Notes to the Financial Statements
for the year ended 30 June 2018

Note 3. Income from continuing operations (continued)

\$ '000	2018 Operating	2017 Operating	2018 Capital	2017 Capital
(f) Contributions				
Developer contributions: (s7.4 & s7.11 – EP&A Act, s64 of the LGA):				
Cash contributions				
S 7.4 – contributions using planning agreements	–	–	328	743
S 7.11 – contributions towards amenities/services	–	–	5,260	3,626
S 7.12 – fixed development consent levies	–	–	186	139
Total developer contributions – cash	–	–	5,774	4,508
Other contributions:				
Cash contributions				
Bushfire services	122	308	1,233	240
Community services	9	189	–	–
Dedications – subdivisions (other than by s7.11)	–	–	1,315	1,061
Environmental management	49	654	–	–
Kerb and gutter	–	–	922	30
Recreation and culture	–	7	360	89
Roads and bridges	–	–	968	830
RMS contributions (regional roads, block grant)	1,935	2,155	675	529
Total other contributions – cash	2,115	3,313	5,473	2,779
Total contributions	2,115	3,313	11,247	7,287
TOTAL GRANTS AND CONTRIBUTIONS	7,515	10,539	14,357	9,255

Accounting policy for contributions

Control over grants and contributions is normally obtained upon their receipt (or acquittal) and is valued at the fair value of the granted or contributed asset at the date of transfer.

Where grants or contributions recognised as revenues during the financial year were obtained on condition that they be expended in a particular manner or used over a particular period and those conditions were un-discharged at reporting date, the unused grant or contribution is disclosed above.

A liability is recognised in respect of revenue that is reciprocal in nature to the extent that the requisite service has not been provided at reporting date.

Wollondilly Shire Council

Notes to the Financial Statements
for the year ended 30 June 2018

Note 3. Income from continuing operations (continued)

\$ '000	2018	2017
(g) Unspent grants and contributions		
Certain grants and contributions are obtained by Council on condition that they be spent in a specified manner:		
Operating grants		
Unexpended at the close of the previous reporting period	2,950	1,007
Add: operating grants recognised in the current period but not yet spent	163	346
Add: operating grants received for the provision of goods and services in a future period	1,910	1,826
Less: operating grants recognised in a previous reporting period now spent	(2,128)	(229)
Unexpended and held as restricted assets (operating grants)	<u>2,895</u>	<u>2,950</u>
Capital grants		
Unexpended at the close of the previous reporting period	168	265
Add: capital grants recognised in the current period but not yet spent	57	147
Less: capital grants recognised in a previous reporting period now spent	(6)	(244)
Unexpended and held as restricted assets (capital grants)	<u>219</u>	<u>168</u>
Contributions		
Unexpended at the close of the previous reporting period	21,001	17,681
Add: contributions recognised in the current period but not yet spent	6,701	5,415
Less: contributions recognised in a previous reporting period now spent	(971)	(2,095)
Unexpended and held as restricted assets (contributions)	<u>26,731</u>	<u>21,001</u>

Wollondilly Shire Council

Notes to the Financial Statements
for the year ended 30 June 2018

Note 4. Expenses from continuing operations

\$ '000	Notes	2018	2017
(a) Employee benefits and on-costs			
Salaries and wages		19,999	19,139
Employee leave entitlements (ELE)		571	7
Superannuation		2,005	1,957
Workers' compensation insurance		414	436
Fringe benefit tax (FBT)		64	132
Training costs (other than salaries and wages)		185	195
Employment advertising		149	128
Other		30	17
Total employee costs		23,417	22,011
Less: capitalised costs		(2,621)	(1,578)
TOTAL EMPLOYEE COSTS EXPENSED		20,796	20,433
Number of 'full-time equivalent' employees (FTE) at year end		241	233

Accounting policy for employee benefits and on-costs

Employee benefit expenses are recorded when the service has been provided by the employee.

Retirement benefit obligations

All employees of the Council are entitled to benefits on retirement, disability or death. Council contributes to various defined benefit plans and defined contribution plans on behalf of its employees.

Superannuation plans

Contributions to defined contribution plans are recognised as an expense as they become payable. Prepaid contributions are recognised as an asset to the extent that a cash refund or a reduction in the future payments is available.

Council participates in a Defined Benefit Plan under the Local Government Superannuation Scheme, however, when sufficient information to account for the plan as a defined benefit is not available and therefore Council accounts for its obligations to defined benefit plans on the same basis as its obligations to defined contribution plans, i.e. as an expense when it becomes payable – refer to Note 15 for more information.

(b) Borrowing costs		2018	2017
(i) Interest bearing liability costs			
Interest on loans		810	913
Total interest bearing liability costs expensed		810	913
(ii) Other borrowing costs			
Discount adjustments relating to movements in provisions (other than ELE)			
– Remediation liabilities	11	5,952	793
Total other borrowing costs		5,952	793
TOTAL BORROWING COSTS EXPENSED		6,762	1,706

Accounting policy for borrowing costs

Borrowing costs incurred for the construction of any qualifying asset are capitalised during the period of time that is required to complete and prepare the asset for its intended use or sale. Other borrowing costs are expensed.

Wollondilly Shire Council

Notes to the Financial Statements for the year ended 30 June 2018

Note 4. Expenses from continuing operations (continued)

\$ '000	2018	2017
(c) Materials and contracts		
Raw materials and consumables	9,759	6,269
Contractor and consultancy costs		
– Environmental services	913	1,008
– General maintenance	4,570	2,299
– Leisure centre management	203	172
– Planning and development consultants	169	166
– Planning and development contractors/labour hire	896	774
– Road maintenance and construction	7,251	6,735
– Street and gutter cleaning contract	243	195
– Waste contractors	6,360	6,386
– Other	1,257	1,037
Auditors remuneration ⁽²⁾	123	102
Legal expenses:		
– Legal expenses: planning and development	467	790
– Legal expenses: other	387	358
Operating leases:		
– Operating lease rentals: minimum lease payments ⁽¹⁾	829	816
Total materials and contracts	33,427	27,107
Less: capitalised costs	(13,824)	(10,937)
TOTAL MATERIALS AND CONTRACTS	19,603	16,170
Operating leases		
Leases in which a significant portion of the risks and rewards of ownership are not transferred to Council as lessee are classified as operating leases. Payments made under operating leases (net of any incentives received from the lessor) are charged to the income statement on a straight-line basis over the period of the lease.		
1. Operating lease payments are attributable to:		
Computers	295	309
Motor vehicles	534	507
	829	816
2. Auditor remuneration		
During the year the following fees were paid or payable for services provided by the auditor of Council, related practices and non-related audit firms		
Auditors of the Council – NSW Auditor-General:		
- Audit and other assurance services		
Audit and review of financial statements	49	44
Total Auditor-General remuneration	49	44
Non NSW Auditor-General audit firms:		
- Audit and other assurance services		
Internal audit services external provider	74	58
Total remuneration of non NSW Auditor-General audit firms	74	58
Total Auditor remuneration	123	102

page 22

Wollondilly Shire Council

Notes to the Financial Statements
for the year ended 30 June 2018

Note 4. Expenses from continuing operations (continued)

\$ '000	Notes	2018	2017
(d) Depreciation, amortisation and impairment			
Depreciation and amortisation			
Plant and equipment		391	462
Office equipment		15	24
Furniture and fittings		55	58
Land improvements (depreciable)		53	50
Infrastructure:			
– Buildings – non-specialised		844	722
– Buildings – specialised		1,029	1,009
– Roads		6,063	5,986
– Bridges		727	724
– Footpaths		330	324
– Other road assets		2,164	2,145
– Stormwater drainage		458	457
– Swimming pools		75	75
– Other open space/recreational assets		529	508
Other assets		24	37
Reinstatement, rehabilitation and restoration assets:			
– Tip assets	9 & 11	7,854	–
TOTAL DEPRECIATION AND AMORTISATION COSTS		20,611	12,581

Accounting policy for depreciation, amortisation and impairment expenses**Depreciation and amortisation**

Depreciation and amortisation are calculated using the straight line method to allocate their cost, net of their residual values, over their estimated useful lives. Useful lives are included in Note 9 for IPPE assets.

Impairment of non-financial assets

Other assets are tested for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An impairment loss is recognised for the amount by which the asset's carrying amount exceeds its recoverable amount. The recoverable amount is the higher of an asset's fair value less costs to sell and value in use.

For the purposes of assessing impairment, assets are grouped at the lowest levels for which there are separately identifiable cash inflows that are largely independent of the cash inflows from other assets or groups of assets (cash-generating units). Non-financial assets that suffered an impairment are reviewed for possible reversal of the impairment at each reporting date.

Impairment losses for revalued assets are firstly offset against the amount in the revaluation surplus for the class of asset, with only the excess to be recognised in the Income Statement.

Impairment of financial assets

Council assesses at the end of each reporting period whether there is objective evidence that a financial asset or group of financial assets is impaired. A financial asset or a group of financial assets is impaired and impairment losses are incurred only if there is objective evidence of impairment as a result of one or more events that occurred after the initial recognition of the asset (a 'loss event') and that loss event (or events) has an impact on the estimated future cash flows of the financial asset or group of financial assets that can be reliably estimated.

Wollondilly Shire Council

Notes to the Financial Statements
for the year ended 30 June 2018

Note 4. Expenses from continuing operations (continued)

\$ '000	2018	2017
(e) Other expenses		
Advertising	170	152
Agency charges	68	64
Bad and doubtful debts	36	13
Bank charges	52	48
Computer software charges	483	390
Contributions/levies to other levels of government		
– Department of planning levy	52	51
– Emergency services levy (includes FRNSW, SES, and RFS levies)	645	639
– Section 88 waste and environment levy	455	364
Councillor expenses – mayoral fee	46	35
Councillor expenses – councillors' fees	185	162
Councillors' expenses (incl. mayor) – other (excluding fees above)	22	29
Donations, contributions and assistance to other organisations (Section 356)	237	146
Election expenses	144	249
Electricity and heating	243	241
Insurance	612	569
Photocopier charges	102	105
Postage	185	191
Street lighting	467	527
Telephone and communications	148	138
Valuation fees	104	110
Vehicle registration / insurance	74	93
Water charges	180	127
Other	302	283
Total other expenses	5,012	4,726
Less: capitalised costs	(206)	(7)
TOTAL OTHER EXPENSES	4,806	4,719

Accounting policy for other expenses

Other expenses are recorded on an accruals basis as the Council receives the goods or services.

Wollondilly Shire Council

Notes to the Financial Statements
for the year ended 30 June 2018

Note 5. Gains or losses from the disposal of assets

\$ '000	Notes	2018	2017
Plant and equipment	9		
Proceeds from disposal – plant and equipment		278	42
Less: carrying amount of plant and equipment assets sold/written off		(7)	(16)
Net gain/(loss) on disposal		271	26
Financial assets ⁽¹⁾	6		
Proceeds from disposal/redemptions/maturities – financial assets		34,807	29,780
Less: carrying amount of financial assets sold/redeemed/matured		(34,807)	(29,780)
Net gain/(loss) on disposal		–	–
NET GAIN/(LOSS) ON DISPOSAL OF ASSETS		271	26

Accounting policy for disposal of assets

The gain or loss on sale of an asset is determined when control of the asset has irrevocably passed to the buyer and the asset is derecognised.

Note 6(a). Cash and cash equivalent assets

Cash and cash equivalents		
Cash on hand and at bank	6,229	3,302
Total cash and cash equivalents	6,229	3,302

Accounting policy for cash and cash equivalents

For Statement of Cash Flow presentation purposes, cash and cash equivalents includes cash on hand; deposits held at call with financial institutions; other short-term, highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value; and bank overdrafts. Bank overdrafts are shown within borrowings in current liabilities on the Statement of Financial Position.

Wollondilly Shire Council

Notes to the Financial Statements
for the year ended 30 June 2018

Note 6(b). Investments

\$ '000	2018 Current	2018 Non-current	2017 Current	2017 Non-current
Investments				
'Held to maturity'	37,250	16,547	32,250	22,154
Total investments	37,250	16,547	32,250	22,154
TOTAL CASH ASSETS, CASH EQUIVALENTS AND INVESTMENTS	43,479	16,547	35,552	22,154
Held to maturity investments				
Long term deposits	35,000	1,000	30,250	6,000
NCD's, FRN's (with maturities > 3 months)	2,250	13,950	–	14,500
Mortgage backed securities	–	1,597	–	1,654
Other long term financial assets	–	–	2,000	–
Total	37,250	16,547	32,250	22,154

Accounting policy for investments

Classification

Council classifies its financial assets in the following categories: financial assets at fair value through profit or loss; loans and receivables; held-to-maturity investments; and available-for-sale financial assets. The classification depends on the purpose for which the investments were acquired. Management determines the classification of its investments at initial recognition and, in the case of assets classified as held-to-maturity, re-evaluates this designation at each reporting date.

Held to maturity investments

Held-to-maturity investments are non-derivative financial assets with fixed or determinable payments and fixed maturities that Council's management has the positive intention and ability to hold to maturity. Assets in this category are measured at amortised cost.

Recognition and de-recognition

Regular purchases and sales of financial assets are recognised on trade-date: the date on which Council commits to purchase or sell the asset. Investments are initially recognised at fair value plus transaction costs for all financial assets not carried at fair value through profit or loss. Financial assets carried at fair value through profit or loss are initially recognised at fair value and transaction costs are expensed in the income statement. Investments are derecognised when the rights to receive cash flows from the financial assets have expired or have been transferred and Council has transferred substantially all the risks and rewards of ownership.

When securities classified as available-for-sale are sold, the accumulated fair value adjustments recognised in equity are included in the income statement as gains and losses from investment securities.

Wollondilly Shire Council

Notes to the Financial Statements for the year ended 30 June 2018

Note 6(c). Restricted cash, cash equivalents and investments – details

\$ '000	2018 Current	2018 Non-current	2017 Current	2017 Non-current
Total cash, cash equivalents and investments	43,479	16,547	35,552	22,154
attributable to:				
External restrictions (refer below)	22,596	16,547	9,983	22,154
Internal restrictions (refer below)	18,864	–	20,388	–
Unrestricted	2,019	–	5,181	–
	43,479	16,547	35,552	22,154

\$ '000	2018	2017
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Details of restrictions

External restrictions – other

Developer contributions – general	25,956	20,233
Specific purpose unexpended grants	3,114	3,118
Domestic waste management	8,627	7,347
Stormwater management	670	671
Other contributions	776	768

External restrictions – other

39,143 32,137

Total external restrictions

39,143 32,137

Internal restrictions

Employees leave entitlement	2,732	2,439
Animal management	19	19
Effluent disposal	191	214
Election	200	79
Growth management strategy	560	1,371
Information technology	123	49
Infrastructure and asset maintenance	6,856	8,416
Legal claims	21	347
Organisational development	718	527
Plant and vehicle replacement	1,821	1,320
Property	2,359	1,984
Recreation	421	473
Risk management	557	521
Roads	312	304
Sportsgrounds	674	914
Swimming pool	513	542
Tourism and economic development	254	347
Work in progress	533	522

Total internal restrictions

18,864 20,388

TOTAL RESTRICTIONS

58,007 52,525

Wollondilly Shire Council

Notes to the Financial Statements
for the year ended 30 June 2018

Note 7. Receivables

\$ '000	2018		2017	
	Current	Non-current	Current	Non-current
Purpose				
Rates and annual charges	1,614	—	1,495	—
Interest and extra charges	567	—	534	—
User charges and fees	1,827	—	825	—
Accrued revenues				
– Interest on investments	495	—	515	—
– Other income accruals	2,625	—	236	—
Government grants and subsidies	382	—	287	—
Net GST receivable	298	—	212	—
Other debtors	412	—	—	—
Total	8,220	—	4,104	—
Less: provision for impairment				
User charges and fees	(44)	—	(11)	—
Total provision for impairment – receivables	(44)	—	(11)	—
TOTAL NET RECEIVABLES	8,176	—	4,093	—
Externally restricted receivables				
Domestic waste management	605	—	584	—
Stormwater management	24	—	23	—
Total external restrictions	629	—	607	—
Unrestricted receivables	7,547	—	3,486	—
TOTAL NET RECEIVABLES	8,176	—	4,093	—
Movement in provision for impairment of receivables			2018	2017
Balance at the beginning of the year			11	23
+ new provisions recognised during the year			36	11
– amounts already provided for and written off this year			(3)	(23)
Balance at the end of the year			44	11

Accounting policy for receivables

Recognition and measurement

Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not according to the in an active market. They are included in current assets, except for those with maturities greater than 12 months after the reporting date which are classified as non-current assets. Loans and receivables 'are included in Note 7 - "Receivables" in the Statement of Financial Position. Receivables are recognised initially at fair value and subsequently measured at amortised cost using the effective interest method, less provision for impairment. Receivables are generally due for settlement within 30 days.

Cash flows relating to short-term receivables are not discounted if the effect of discounting is immaterial.

Wollondilly Shire Council

Notes to the Financial Statements for the year ended 30 June 2018

Note 7. Receivables (continued)

Impairment

For loans and receivables the amount of the loss is measured as the difference between the asset's carrying amount and the present value of estimated future cash flows (excluding future credit losses that have not been incurred) discounted at the financial asset's original effective interest rate. The carrying amount of the asset is reduced and the amount of the loss is recognised in profit or loss.

Collectability of receivables is reviewed on an on-going basis. Debts that are known to be uncollectible are written off by reducing the carrying amount directly. An allowance account (provision for impairment of receivables) is used when there is objective evidence that Council will not be able to collect all amounts due according to the original terms of the receivables.

Significant financial difficulties of the debtor, probability that the debtor will enter bankruptcy or financial reorganisation, and default or delinquency in payments (more than 30 days overdue) are considered indicators that the receivable is impaired. When a receivable for which an impairment allowance had been recognised becomes uncollectable in a subsequent period it is written off against the allowance account. Subsequent recoveries of amounts previously written off are credited against other expenses in the Income statement.

Note 8. Inventories and other assets

\$ '000	2018		2017	
	Current	Non-current	Current	Non-current
(a) Inventories				
(i) Inventories at cost				
Real estate for resale (refer below)	–	–	195	–
Stores and materials	1,946	–	1,942	–
Trading stock	6	–	2	–
Total inventories at cost	1,952	–	2,139	–
(ii) Inventories at net realisable value (NRV)				
Trading stock	48	–	46	–
Total inventories at net realisable value (NRV)	48	–	46	–
TOTAL INVENTORIES	2,000	–	2,185	–
(b) Other assets				
Prepayments	199	–	246	–
TOTAL OTHER ASSETS	199	–	246	–
Externally restricted assets				
RFS stores and materials	1,803	–	1,808	–
Unrestricted assets	396	–	623	–
TOTAL INVENTORIES AND OTHER ASSETS	2,199	–	2,431	–

Wollondilly Shire Council

Notes to the Financial Statements
for the year ended 30 June 2018

Note 8. Inventories and other assets (continued)

\$ '000	2018		2017	
	Current	Non-current	Current	Non-current
(i) Other disclosures				
(a) Details for real estate development				
Residential	—	—	195	—
Total real estate for resale	—	—	195	—
(Valued at the lower of cost and net realisable value)				
Represented by:				
Acquisition costs	—	—	195	—
Total real estate for resale	—	—	195	—
Movements:				
Real estate assets at beginning of the year	195	—	195	—
— Transfers in from (out to) Note 9	(195)	—	—	—
Total real estate for resale	—	—	195	—

(b) Current assets not anticipated to be settled within the next 12 months

The following inventories and other assets, even though classified as current are not expected to be recovered in the next 12 months;

	2018	2017
Real estate for resale	—	195
	—	195

Accounting policy**Raw materials and stores, work in progress and finished goods**

Raw materials and stores, work in progress and finished goods are stated at the lower of cost and net realisable value. Costs are assigned to individual items of inventory on basis of weighted average costs. Costs of purchased inventory are determined after deducting rebates and discounts. Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

Inventory held for distribution

Inventory held for distribution is held at cost, adjusted where applicable for any loss of service potential.

Land held for resale/capitalisation of borrowing costs

Land held for resale is stated at the lower of cost and net realisable value. Cost is assigned by specific identification and includes the cost of acquisition, and development and borrowing costs during development. When development is completed borrowing costs and other holding charges are expensed as incurred.

Borrowing costs included in the cost of land held for resale are those costs that would have been avoided if the expenditure on the acquisition and development of the land had not been made. Borrowing costs incurred while active development is interrupted for extended periods are recognised as expenses.

Financial Statements 2018

Wollondilly Shire Council

Notes to the Financial Statements
for the year ended 30 June 2018

Note 9. Infrastructure, property, plant and equipment

Asset class \$ '000	as at 30/6/2017			Asset movements during the reporting period								as at 30/6/2018		
	Gross carrying amount	Accumulated depreciation and impairment	Net carrying amount	Additions renewals	Additions new assets	Carrying value of disposals	Depreciation expense	WIP transfers	Adjustments and transfers	Tfrs from/to real estate assets (Note 8)	Revaluation increments to equity (ARR)	Gross carrying amount	Accumulated depreciation and impairment	Net carrying amount
Capital work in progress	653	–	653	3,800	13	–	–	(305)	(4)	–	–	4,157	–	4,157
Plant and equipment	13,397	11,780	1,617	–	718	(7)	(391)	–	–	–	–	13,050	11,113	1,937
Office equipment	3,939	3,791	148	–	17	–	(15)	–	–	–	–	3,956	3,806	150
Furniture and fittings	1,132	615	517	–	–	–	(55)	–	–	–	–	1,133	669	464
Land:														
– Operational land	13,315	–	13,315	–	–	–	–	–	–	172	9,657	23,144	–	23,144
– Community land	50,342	–	50,342	–	–	–	–	–	–	–	–	50,342	–	50,342
Land improvements – depreciable	2,510	376	2,134	–	–	–	(53)	–	–	–	–	2,510	429	2,081
Infrastructure:														
– Buildings – non-specialised	28,978	15,861	13,117	287	–	–	(844)	–	–	23	3,988	33,228	16,657	16,571
– Buildings – specialised	48,609	22,856	25,753	1,367	–	–	(1,029)	176	–	–	1,291	59,054	31,496	27,558
– Roads	227,237	109,402	117,835	7,471	399	–	(6,063)	–	–	–	–	235,108	115,465	119,643
– Bridges	63,590	27,636	35,954	585	–	–	(727)	–	–	–	–	64,176	28,362	35,814
– Footpaths	15,003	3,592	11,411	576	101	–	(330)	–	–	–	–	15,680	3,922	11,758
– Other road assets	77,500	27,096	50,404	1,475	439	–	(2,164)	–	–	–	–	79,414	29,260	50,154
– Bulk earthworks (non-depreciable)	44,331	–	44,331	–	42	–	–	–	–	–	–	44,373	–	44,373
– Stormwater drainage	54,006	12,378	41,628	247	565	–	(458)	–	–	–	–	54,818	12,836	41,982
– Swimming pools	3,000	1,275	1,725	22	–	–	(75)	–	–	–	–	3,022	1,350	1,672
– Other open space/recreational assets	32,936	4,560	28,376	268	27	–	(529)	129	–	–	–	33,359	5,088	28,271
Other assets:														
– Library books	1,025	1,025	–	–	–	–	–	–	–	–	–	1,025	1,025	–
– Other	763	317	446	–	–	–	(24)	–	12	–	–	763	329	434
Reinstatement, rehabilitation and restoration assets (refer Note 11):														
– Tip assets	8,054	8,054	–	–	–	–	(7,854)	–	–	–	12,738	20,792	15,908	4,884
TOTAL INFRASTRUCTURE, PROPERTY, PLANT AND EQUIP.	690,320	250,614	439,706	16,098	2,321	(7)	(20,611)	–	8	195	27,674	743,104	277,715	465,389

Renewals are defined as the replacement of existing assets (as opposed to the acquisition of new assets).

Wollondilly Shire Council

Notes to the Financial Statements
for the year ended 30 June 2018

Note 9. Infrastructure, property, plant and equipment (cont (continued))

Accounting policy for infrastructure, property, plant and equipment

Infrastructure, property, plant and equipment are held at fair value. Independent valuations are performed at least every five years, however the carrying amount of assets is assessed at each reporting date to confirm that it is not materially different from current fair value.

Increases in the carrying amounts arising on revaluation are credited to the asset revaluation reserve. To the extent that the increase reverses a decrease previously recognising profit or loss relating to that asset class, the increase is first recognised as profit or loss. Decreases that reverse previous increases of assets in the same class are first charged against revaluation reserves directly in equity to the extent of the remaining reserve attributable to the class; all other decreases are charged to the Income Statement.

Subsequent costs are included in the asset's carrying amount or recognised as a separate asset, as appropriate, only when it is probable that future economic benefits associated with the item will flow to Council and the cost of the item can be measured reliably. All other repairs and maintenance are charged to the income statement during the financial period in which they are incurred.

Land is not depreciated. Depreciation on other assets is calculated using the straight line method to allocate their cost, net of their residual values, over their estimated useful lives as follows:

Plant and Equipment		Infrastructure (cont...)	
- Vehicles	5 to 8 years	- Swimming pools	50 years
- Heavy plant/road making equip.	5 to 8 years	- Other open space/recreational assets	
- Other plant and equipment	5 to 15 years	Playground equipment	5-15 years
		Tennis courts	
		o Concrete	50 years
		o Synthetic	10 years
		Outdoor furniture	10 years
		Shelters	20 years
		Sporting equip (goal posts, etc)	20-30 years
		Floodlighting	10 years
		BBQ's	20 years
		- Traffic facilities	
		LATM devices, traffic islands	70 years
		Steel guard rails	20 years
		Roadside fencing	20 years
		- Line marking	5 years
		- Signs	10 years
		- Roadside furniture	10-20 years
		Stormwater drainage	
		- Culverts	
		Major	100 years
		Steel	50 years
		- Pipes	150 years
		- Pits	70 years
		- Structures including headwalls	70 years
		- Detention basins	100 years

Wollondilly Shire Council

Notes to the Financial Statements for the year ended 30 June 2018

Note 9. Infrastructure, property, plant and equipment (continued)

Accounting policy for infrastructure, property, plant and equipment (continued)

The assets' residual values and useful lives are reviewed, and adjusted if appropriate, at each reporting date. Gains and losses on disposals are determined by comparing proceeds with carrying amount. These are included in the Income statement.

Land under roads

Land under roads is land under roadways and road reserves including land under footpaths, nature strips and median strips.

Council has elected not to recognise land under roads acquired before 1 July 2008 in accordance with AASB 1051 Land Under Roads.

Data in relation to land under roads acquired after 1 July 2008 has been collected, but is not recognised in these accounts because of the lack of a valid valuation methodology. Council will review the recognition of land under roads when the valuation methodology has been determined by the industry. In the meantime, Council will continue collecting the necessary physical data to undertake the valuation.

Crown reserves

Crown Reserves under Council's care and control are recognised as assets of the Council. While ownership of the reserves remains with the Crown, Council retains operational control of the reserves and is responsible for their maintenance and use in accordance with the specific purposes to which the reserves are dedicated. Improvements on Crown Reserves are also recorded as assets, while maintenance costs incurred by Council and revenues relating to the reserves are recognised within Council's Income Statement.

Rural Fire Service assets

Under section 119 of the *Rural Fire Services Act 1997 (NSW)*, "all fire fighting equipment purchased or constructed wholly or from money to the credit of the Fund is to be vested in the council of the area for or on behalf of which the fire fighting equipment has been purchased or constructed".

Until such time as discussions on this matter have concluded and the legislation changed, Council will continue to recognise rural fire service assets including land, buildings, plant and vehicles.

Wollondilly Shire Council

Notes to the Financial Statements for the year ended 30 June 2018

Note 10. Payables and borrowings

\$ '000	2018		2017	
	Current	Non-current	Current	Non-current
Payables				
Goods and services	4,973	–	2,756	–
Accrued expenses:				
– Borrowings	151	–	64	–
– Other expenditure accruals	1,017	–	2,479	–
Security bonds, deposits and retentions	683	–	464	–
Other	306	–	492	–
Total payables	7,130	–	6,255	–
Income received in advance				
Payments received in advance	211	–	204	–
Total income received in advance	211	–	204	–
Borrowings				
Loans – secured ¹	1,668	9,528	1,559	11,196
Total borrowings	1,668	9,528	1,559	11,196
TOTAL PAYABLES AND BORROWINGS	9,009	9,528	8,018	11,196

(a) Payables and borrowings relating to restricted assets

There are no restricted assets (external or internal) applicable to the above payables and borrowings

(b) Changes in liabilities arising from financing activities

Class of borrowings	2017	Non-cash changes				2018
	Opening balance as at 1/7/17	Cash flows	Acquisition	Fair value changes	Other non-cash movements	Closing balance as at 30/6/18
Loans – secured	12,755	(1,559)	–	–	–	11,196
TOTAL	12,755	(1,559)	–	–	–	11,196

¹ Loans are secured over the general rating income of Council

Disclosures on liability interest rate risk exposures, fair value disclosures and security can be found in Note 16.

Wollondilly Shire Council

Notes to the Financial Statements
for the year ended 30 June 2018

Note 10. Payables and borrowings (continued)

\$ '000	2018	2017
(c) Financing arrangements		
(i) Unrestricted access was available at balance date to the following lines of credit:		
Bank overdraft facilities ⁽¹⁾	300	300
Credit cards/purchase cards	100	100
Total financing arrangements	400	400
Drawn facilities as at balance date:		
– Credit cards/purchase cards	96	82
Total drawn financing arrangements	96	82
Undrawn facilities as at balance date:		
– Bank overdraft facilities	300	300
– Credit cards/purchase cards	4	18
Total undrawn financing arrangements	304	318

1. The bank overdraft facility may be drawn at any time and may be terminated by the bank without notice.

Accounting policy for payables and borrowings**Payables**

These amounts represent liabilities for goods and services provided to the Council prior to the end of financial year that are unpaid. The amounts are unsecured and are usually paid within 30 days of recognition.

Borrowings

Borrowings are initially recognised at fair value, net of transaction costs incurred. Borrowings are subsequently measured at amortised cost. Any difference between the proceeds (net of transaction costs) and the redemption amount is recognised in the income statement over the period of the borrowings using the effective interest method. Fees paid on the establishment of loan facilities are recognised as transaction costs of the loan to the extent that it is probable that some or all of the facility will be drawn down. In this case, the fee is deferred until the draw down occurs. To the extent there is no evidence that it is probable that some or all of the facility will be drawn down, the fee is capitalised as a prepayment for liquidity services and amortised over the period of the facility to which it relates.

Borrowings are removed from the Statement of Financial Position when the obligation specified in the contract is discharged, cancelled or expired. The difference between the carrying amount of a financial liability that has been extinguished or transferred to another party and the consideration paid, including any non-cash assets transferred or liabilities assumed, is recognised in other income or finance cost.

Borrowings are classified as current liabilities unless Council has an unconditional right to defer settlement of the liability for at least 12 months after the reporting date.

Wollondilly Shire Council

Notes to the Financial Statements for the year ended 30 June 2018

Note 11. Provisions

\$ '000	2018		2017	
	Current	Non-current	Current	Non-current
Provisions				
Employee benefits:				
Annual leave	1,614	—	1,585	—
Sick leave	188	—	187	—
Long service leave	4,043	139	4,172	148
Time in lieu	66	—	158	—
Sub-total – aggregate employee benefits	5,911	139	6,102	148
Asset remediation/restoration:				
Asset remediation/restoration (future works)	253	19,422	298	13,707
Sub-total – asset remediation/restoration	253	19,422	298	13,707
<u>TOTAL PROVISIONS</u>	<u>6,164</u>	<u>19,561</u>	<u>6,400</u>	<u>13,855</u>

\$ '000	2018	2017
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(a) Current provisions not anticipated to be settled within the next twelve months

The following provisions, even though classified as current, are not expected to be settled in the next 12 months.

Provisions – employees benefits	4,456	4,558
	<u>4,456</u>	<u>4,558</u>

Wollondilly Shire Council

Notes to the Financial Statements
for the year ended 30 June 2018

Note 11. Provisions (continued)

\$ '000

(b) Description of and movements in provisions

2018	ELE provisions				Total
	Annual leave	Sick leave	Long service leave	Time in lieu	
At beginning of year	1,585	187	4,320	158	6,250
Additional provisions	1,206	5	201	49	1,461
Amounts used (payments)	(1,177)	(4)	(420)	(141)	(1,742)
Remeasurement effects	–	–	81	–	81
Total ELE provisions at end of year	1,614	188	4,182	66	6,050

2017	ELE provisions				Total
	Annual leave	Sick leave	Long service leave	Time in lieu	
At beginning of year	1,621	193	4,523	172	6,509
Additional provisions	1,157	7	357	72	1,593
Amounts used (payments)	(1,193)	(13)	(224)	(86)	(1,516)
Remeasurement effects	–	–	(336)	–	(336)
Total ELE provisions at end of year	1,585	187	4,320	158	6,250

2018	Other provisions	
	Asset remediation	Total
At beginning of year	14,005	14,005
Changes to provision:		
– Revised costs	5,336	5,336
Amounts used (payments)	(281)	(281)
Unwinding of discount	615	615
Total other provisions at end of year	19,675	19,675

2017	Other provisions	
	Asset remediation	Total
At beginning of year	13,213	13,213
Changes to provision:		
Additional provisions	793	793
Amounts used (payments)	(1)	(1)
Total other provisions at end of year	14,005	14,005

page 37

Wollondilly Shire Council

Notes to the Financial Statements for the year ended 30 June 2018

Note 11. Provisions (continued)

Nature and purpose of non-employee benefit provisions

Asset remediation

Council has a legal/public obligation to make, restore, rehabilitate and reinstate the council tip and quarry.

Accounting policy for provisions

Provisions are recognised when Council has a present legal or constructive obligation as a result of past events, it is probable that an outflow of resources will be required to settle the obligation, and the amount has been reliably estimated.

Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow with respect to any one item included in the same class of obligations may be small.

Provisions are measured at the present value of management's best estimate of the expenditure required to settle the present obligation at the reporting date. The discount rate used to determine the present value reflects current market assessments of the time value of money and the risks specific to the liability. The increase in the provision due to the passage of time is recognised as interest expense.

Employee benefits

Short-term obligations

Liabilities for wages and salaries, including non-monetary benefits, annual leave and accumulating sick leave expected to be wholly settled within 12 months after the end of the period in which the employees render the related service are recognised in respect of employees' services up to the end of the reporting period and are measured at the amounts expected to be paid when the liabilities are settled. The liability for annual leave and accumulating sick leave is recognised in the provision for employee benefits. All other short-term employee benefit obligations are presented as payables.

Other long-term employee benefit obligations

The liability for long service leave and annual leave that is not expected to be wholly settled within 12 months after the end of the period in which the employees render the related service is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the end of the reporting period using the projected unit credit method.

Consideration is given to expected future wage and salary levels, experience of employee departures, and periods of service. Expected future payments are discounted using market yields at the end of the reporting period on national government bonds with terms to maturity and currency that match, as closely as possible, the estimated future cash outflows.

The obligations are presented as current liabilities in the Statement of Financial Position if the Council does not have an unconditional right to defer settlement for at least 12 months after the reporting date, regardless of when the actual settlement is expected to occur.

Wollondilly Shire Council

Notes to the Financial Statements for the year ended 30 June 2018

Note 11. Provisions (continued)

Provisions for close-down and restoration, and environmental clean-up costs – land fill sites

Restoration

Close down and restoration costs include the dismantling and demolition of infrastructure and the removal of residual materials and remediation of disturbed areas. Estimated close down and restoration costs are provided for in the accounting period when the obligation arising from the related disturbance occurs, whether this occurs during the development or during the operation phase, based on the net present value of estimated future costs.

Provisions for close down and restoration costs do not include any additional obligations which are expected to arise from future disturbance. The costs are estimated on the basis of a closure plan. The cost estimates are calculated annually during the life of the operation to reflect known developments, e.g. updated cost estimates and revisions to the estimated lives of operations, and are subject to formal review at regular intervals.

Rehabilitation

Where rehabilitation is conducted systematically over the life of the operation, rather than at the time of closure, provision is made for the estimated outstanding continuous rehabilitation work at each reporting date and the cost is charged to the Income Statement.

Provision is made for the estimated present value of the costs of environmental clean up obligations outstanding at the reporting date. These costs are charged to the Income Statement. Movements in the environmental clean up provisions are presented as an operating cost, except for the unwinding of the discount which is shown as a borrowing cost.

Remediation procedures generally commence soon after the time the damage, remediation process and estimated remediation costs become known, but may continue for many years depending on the nature of the disturbance and the remediation techniques.

As noted above, the ultimate cost of environmental remediation is uncertain and cost estimates can vary in response to many factors including changes to the relevant legal requirements, the emergence of new restoration techniques or experience at other locations. The expected timing of expenditure can also change, for example in response to changes in quarry reserves or production rates. As a result there could be significant adjustments to the provision for close down and restoration and environmental clean up, which would affect future financial results.

Other movements in the provisions for close down and restoration costs, including those resulting from new disturbance, updated cost estimates, changes to the estimated lives of operations and revisions to discount rates are capitalised within property, plant and equipment. These costs are then depreciated over the lives of the assets to which they relate.

Close down and restoration costs are a normal consequence of tip and quarry operations, and the majority of close down and restoration expenditure is incurred at the end of the life of the operations. Although the ultimate cost to be incurred is uncertain, Council estimates the respective costs based on feasibility and engineering studies using current restoration standards and techniques.

Note 12. Accumulated surplus, revaluation reserves, changes in accounting policies, changes in accounting estimates and errors

Nature and purpose of reserves

Infrastructure, property, plant and equipment revaluation reserve

The infrastructure, property, plant and equipment revaluation reserve is used to record increments / decrements of non-current asset values due to their revaluation.

Wollondilly Shire Council

Notes to the Financial Statements
for the year ended 30 June 2018

Note 13. Statement of cash flows – additional information

\$ '000	Notes	2018	2017
(a) Reconciliation of cash assets			
Total cash and cash equivalent assets	6a	6,229	3,302
Balance as per the Statement of Cash Flows		6,229	3,302
(b) Reconciliation of net operating result to cash provided from operating activities			
Net operating result from Income Statement		(613)	9,763
Adjust for non-cash items:			
Depreciation and amortisation		20,611	12,581
Net losses/(gains) on disposal of assets		(271)	(26)
Non-cash capital grants and contributions		(1,310)	(1,148)
Losses/(gains) recognised on fair value re-measurements through the P&L:			
Unwinding of discount rates on reinstatement provisions		615	793
+/- Movement in operating assets and liabilities and other cash items:			
Decrease/(increase) in receivables		(4,116)	468
Increase/(decrease) in provision for doubtful debts		33	(12)
Decrease/(increase) in inventories		(10)	(97)
Decrease/(increase) in other assets		47	(103)
Increase/(decrease) in payables		2,217	988
Increase/(decrease) in accrued interest payable		87	(10)
Increase/(decrease) in other accrued expenses payable		(1,462)	695
Increase/(decrease) in other liabilities		40	66
Increase/(decrease) in employee leave entitlements		(200)	(259)
Increase/(decrease) in other provisions		5,055	(1)
Net cash provided from/(used in) operating activities from the Statement of Cash Flows		20,723	23,698
(c) Non-cash investing and financing activities			
Bushfire grants		(5)	87
Dedicated Infrastructure Assets		1,315	1,061
Total non-cash investing and financing activities		1,310	1,148

Wollondilly Shire Council

Notes to the Financial Statements
for the year ended 30 June 2018

Note 14. Commitments for expenditure

\$ '000	2018	2017
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(a) Capital commitments (exclusive of GST)

Capital expenditure committed for at the reporting date but not recognised in the financial statements as liabilities:

Property, plant and equipment

Buildings	9	845
Recreation	44	1,012
Major road and bridge works	615	2,218
Tip remediation	–	96
Storm Water Drainage	4	–
Total commitments	672	4,171

These expenditures are payable as follows:

Within the next year	672	4,171
Total payable	672	4,171

Sources for funding of capital commitments:

Unrestricted general funds	456	3,601
Section 7.11 and 64 funds/reserves	15	–
Unexpended grants	190	–
Internally restricted reserves	11	570
Total sources of funding	672	4,171

Details of capital commitments

- Buildings: \$9k - Administration building (\$7k); Old Picton Post Office (\$1k); Sportsground Public Toilets (\$1K)
- Recreation: \$44k - Wilton Sportsground (\$8k); Warragamba Civic Park Inclusive Playground (\$36k)
- Major Road & Bridge Works: \$615k - Fourteenth St Warragamba (\$274k); Douglas Park Drive (\$72k); Mayfarm Rd (\$81k); Abelia St Tahmoor Kerb & Gutter (\$72); Finns Rd Menangle (\$53k); Cedar Creek Bridge (\$55k); Picton Traffic Study (\$7k); Remembrance Drive Menangle (\$1k)
- Stormwater Drainage - Dunmead Street Tahmoor (\$4k)

(b) Operating lease commitments (non-cancellable)

a. Commitments under non-cancellable operating leases at the reporting date, but not recognised as liabilities are payable:

Within the next year	1,000	378
Later than one year and not later than 5 years	1,153	433
Total non-cancellable operating lease commitments	2,153	811

b. Non-cancellable operating leases include the following assets:

Motor Vehicles and IT Equipment

Contingent rentals may be payable depending on the condition of items or usage during the lease term.

Conditions relating to operating leases:

- All operating lease agreements are secured only against the leased asset.
- No lease agreements impose any financial restrictions on Council regarding future debt etc.

Wollondilly Shire Council

Notes to the Financial Statements for the year ended 30 June 2018

Note 15. Contingencies and other liabilities/assets not recognised

The following assets and liabilities do not qualify for recognition in the Statement of Financial Position, but their knowledge and disclosure is considered relevant to the users of Council's financial report.

LIABILITIES NOT RECOGNISED:

1. Guarantees

(i) Defined benefit superannuation contribution plans

Council participates in an employer-sponsored defined benefit superannuation scheme and makes contributions as determined by the superannuation scheme's trustees.

Member councils bear responsibility of ensuring there are sufficient funds available to pay out the required benefits as they fall due.

While the scheme's most recent full actuarial review indicated that the net assets of the scheme were sufficient to meet the accrued benefits of the scheme's defined benefit member category, member councils are required to make contributions in future years where the scheme goes into deficit (as has occurred in previous years).

The Local Government Superannuation Scheme however is unable to provide Council with an accurate estimate of any share of the net deficit and accordingly Council has not recorded any net liability from its defined benefit scheme obligations in accordance with AASB 119.

Future planned contributions being made to the defined benefit scheme to rectify past (and projected) deficit positions will be recognised as an expense when they become payable – similar to the accounting for defined contributions plans.

Member councils are treated as Pooled Employers for the purposes of AASB119. Pooled Employers are required to pay standard employer contributions and additional lump sum contributions to the Fund.

The standard employer contributions were determined using the new entrant rate method under which a contribution rate sufficient to fund the total benefits over the working life-time of a typical new entrant is calculated. The current standard employer contribution rates are:

Division B	1.9 times employee contributions
Division C	2.5% salaries
Division D	1.64 times employee contributions

The additional lump sum contribution for each Pooled Employer is a share of the total additional contributions of \$40.0 million per annum from 1 July 2017 for 4 years to 30 June 2021, apportioned according to each employer's share of the accrued liabilities as at 30 June 2017. These additional lump sum contributions are used to fund the deficit of assets to accrued liabilities as 30 June 2017.

Wollondilly Shire Council

Notes to the Financial Statements for the year ended 30 June 2018

Note 15. Contingencies and other liabilities/assets not recognised (continued)

LIABILITIES NOT RECOGNISED (continued):

1. Guarantees (continued)

(i) Defined benefit superannuation contribution plans (continued)

The adequacy of contributions is assessed at each triennial actuarial investigation and monitored annually between triennials.

As stated above, each sponsoring employer is exposed to the actuarial risks associated with current and former employees of other sponsoring employers and hence shares in the associated gains and losses.

However, there is no relief under the Fund's trust deed for employers to walk away from their defined benefit obligations. Under limited circumstances, an employer may withdraw from the plan when there are no active members, on full payment of outstanding additional contributions. There is no provision for allocation of any surplus which may be present at the date of withdrawal of the entity.

There are no specific provisions under the Fund's trust deed dealing with deficits or surplus on wind-up.

There is no provision for the allocation of any surplus which may be present at the date of withdrawal of an employer.

The plan is a defined benefit plan. However, each sponsoring employer is exposed to the actuarial risks associated with current and former employees of other sponsoring employers and hence shares in the associated gains and losses (to the extent that they are not borne by members). As such, there is not sufficient reliable information to allow each sponsoring employer to account for its proportionate share of the defined benefit obligation, sub-group assets and costs associated with the sub-group in the same way as it would for a single employer sponsored defined benefit plan.

The amount of Council employer contributions to the defined benefit section of the Fund and recognised as an expense and disclosed as part of superannuation expenses at Note 4 (a) for the year ending 30 June 2018 was \$512,925.49

The last valuation of the Fund was by the Actuary, Mr Richard Boyfield, FIAA on 12 December 2017, relating to the period ended 30 June 2017.

Council's expected contributions to the Fund for the next annual reporting period is \$422,517.64

The estimated employer reserves financial position for the Pooled Employers at 30 June 2018 is:

Employer reserves only *	\$ millions	Asset Coverage
Assets	1,817.8	
Past Service Liabilities	1,787.5	101.7%
Vested Benefits	1,778.0	102.2%

* excluding member accounts and reserves in both assets and liabilities.

Wollondilly Shire Council

Notes to the Financial Statements for the year ended 30 June 2018

Note 15. Contingencies and other liabilities/assets not recognised (continued)

LIABILITIES NOT RECOGNISED (continued):

1. Guarantees (continued)

(i) Defined benefit superannuation contribution plans (continued)

The key economic long term assumptions used to calculate the present value of accrued benefits are:

Investment return	6.0% per annum
Salary inflation *	3.5% per annum
Increase in CPI	2.5% per annum

* Plus promotional increases

The contribution requirements may vary from the current rates if the overall sub-group experience is not in line with the actuarial assumptions in determining the funding program, however any adjustment to the funding program would be the same for all sponsoring employers in the Pooled Employers group.

Please note that the estimated employer reserves financial position above is a preliminary calculation and once all the relevant information has been received by the Funds Actuary, the 2018 triennial review will be completed around December 2018.

Council's additional lump sum contribution is around 1.2% of the total additional lump sum contributions for all Pooled Employers (of \$40m each year from 1 July 2017 to 30 June 2021) provides an indication of the level of participation of Council compared with other employers in the Pooled Employer sub-group.

(ii) StateCover Limited

Council is a member of StateCover Mutual Limited and holds a partly paid share in the entity.

StateCover is a company providing workers compensation insurance cover to the NSW local government industry and specifically Council.

Council has a contingent liability to contribute further equity in the event of the erosion of the company's capital base as a result of the company's past performance and/or claims experience or as a result of any increased prudential requirements from APRA.

These future equity contributions would be required to maintain the company's minimum level of net assets in accordance with its licence requirements.

Wollondilly Shire Council

Notes to the Financial Statements for the year ended 30 June 2018

Note 15. Contingencies and other liabilities/assets not recognised (continued)

LIABILITIES NOT RECOGNISED (continued):

2. Other liabilities

(i) Third party claims

The Council is involved from time to time in various claims incidental to the ordinary course of business including claims for damages relating to its services.

Council believes that it is appropriately covered for all claims through its insurance coverage and does not expect any material liabilities to eventuate.

(ii) Developer Contribution Plans

Council levies section 7.11 and 7.12 contributions upon various development across the Council area through the required contributions plans.

As part of these plans, Council has received funds for which it will be required to expend the monies in accordance with those plans.

As well, these plans indicate proposed future expenditure to be undertaken by Council, which will be funded by making levies and receipting funds in future years or where a shortfall exists by the use of Council's general funds. These future expenses do not yet qualify as liabilities as of the reporting date, but represent Council's intention to spend funds in the manner and timing set out in those plans.

(iii) Legal Expenses

Council is currently defending its position before the Land & Environment Court in relation to a planning matter. As the outcome of this matter is currently unknown, no liability has been recognised in these financial statements. Council's current costs to date in relation to this dispute are \$472K.

Wollondilly Shire Council

Notes to the Financial Statements for the year ended 30 June 2018

Note 16. Financial risk management

\$ '000

Risk management

Council's activities expose it to a variety of financial risks including **(1)** price risk, **(2)** credit risk, **(3)** liquidity risk and **(4)** interest rate risk.

The Council's overall risk management program focuses on the unpredictability of financial markets and seeks to minimise potential adverse effects on the financial performance of the Council.

Council does not engage in transactions expressed in foreign currencies and is therefore not subject to foreign currency risk.

Financial risk management is carried out by Council's finance section under policies approved by the Council.

A comparison by category of the carrying amounts and fair values of Council's financial assets and financial liabilities recognised in the financial statements is presented below.

	Carrying value		Fair value	
	2018	2017	2018	2017
Financial assets				
Cash and cash equivalents	6,229	3,302	6,229	4,678
Investments				
– 'Held to maturity'	53,797	54,404	53,860	54,441
Receivables	8,176	4,093	8,176	4,093
Total financial assets	68,202	61,799	68,265	63,212
Financial liabilities				
Payables	7,130	6,255	7,130	6,255
Loans/advances	11,196	12,755	11,196	12,755
Total financial liabilities	18,326	19,010	18,326	19,010

Fair value is determined as follows:

- **Cash** and **cash equivalents**, **receivables**, **payables** – are estimated to be the carrying value that approximates market value.
- **Borrowings** and **held-to-maturity** investments – are based upon estimated future cash flows discounted by the current market interest rates applicable to assets and liabilities with similar risk profiles, unless quoted market prices are available.
- Financial assets classified (i) '**at fair value through profit and loss**' or (ii) '**available-for-sale**' – are based upon quoted market prices (in active markets for identical investments) at the reporting date or independent valuation.

Wollondilly Shire Council

Notes to the Financial Statements for the year ended 30 June 2018

Note 16. Financial risk management (continued)

\$ '000

Council's objective is to maximise its return on cash and investments whilst maintaining an adequate level of liquidity and preserving capital.

Council's finance area manages the cash and Investments portfolio with the assistance of independent advisors.

Council has an investment policy which complies with the *Local Government Act 1993* and Ministerial Investment Order 625. This policy is regularly reviewed by Council and its staff and a monthly Investment report is provided to Council setting out the make-up and performance of the portfolio as required by Local Government regulations.

The risks associated with the investments held are:

- **Price risk** – the risk that the capital value of Investments may fluctuate due to changes in market prices, whether there changes are caused by factors specific to individual financial instruments or their issuers or are caused by factors affecting similar instruments traded in a market.
- **Interest rate risk** – the risk that movements in interest rates could affect returns and income.
- **Credit risk** – the risk that the investment counterparty will not complete their obligations particular to a financial instrument, resulting in a financial loss to Council – be it of a capital or income nature.

Council manages these risks (amongst other measures) by diversifying its portfolio and only purchasing investments with high credit ratings or capital guarantees.

Council also seeks advice from independent advisers before placing any funds in cash equivalents and investments.

(a) Market risk – price risk and interest rate risk

The following represents a summary of the sensitivity of Council's Income Statement and accumulated surplus (for the reporting period) due to a change in either the price of a financial asset or the interest rates applicable.

It is assumed that the change in interest rates would have been constant throughout the reporting period.

	Increase of values/rates		Decrease of values/rates	
	Profit	Equity	Profit	Equity
2018				
Possible impact of a 1% movement in interest rates	596	596	(596)	(596)
2017				
Possible impact of a 1% movement in interest rates	544	544	(544)	(544)

Wollondilly Shire Council

Notes to the Financial Statements
for the year ended 30 June 2018

Note 16. Financial risk management (continued)

\$ '000

(b) Credit risk

Council's major receivables comprise (i) rates and annual charges and (ii) user charges and fees.

The major risk associated with these receivables is credit risk – the risk that debts due and payable to Council may not be repaid in full.

Council manages this risk by monitoring outstanding debt and employing stringent debt recovery procedures. It also encourages ratepayers to pay their rates by the due date through incentives.

Credit risk on rates and annual charges is minimised by the ability of Council to secure a charge over the land relating to the debts – that is, the land can be sold to recover the debt. Council is also able to charge interest on overdue rates and annual charges at higher than market rates which further encourages the payment of debt.

There are no significant concentrations of credit risk, whether through exposure to individual customers, specific industry sectors and/or regions.

The level of outstanding receivables is reported to Council monthly and benchmarks are set and monitored for acceptable collection performance.

Council makes suitable provision for doubtful receivables as required and carries out credit checks on most non-rate debtors.

There are no material receivables that have been subjected to a re-negotiation of repayment terms.

A profile of Council's receivables credit risk at balance date follows:

	2018 Rates and annual charges	2018 Other receivables	2017 Rates and annual charges	2017 Other receivables
(i) Ageing of receivables – %				
Current (not yet overdue)	0%	86%	83%	88%
Overdue	100%	14%	17%	12%
	100%	100%	100%	100%
(ii) Ageing of receivables – value			2018	2017
Rates and annual charges				
Current			–	1,243
< 1 year overdue			1,104	252
1 – 2 years overdue			253	–
2 – 5 years overdue			257	–
			1,614	1,495
Other receivables				
Current			5,744	2,304
0 – 30 days overdue			756	190
31 – 60 days overdue			22	25
61 – 90 days overdue			8	3
> 91 days overdue			76	87
			6,606	2,609

page 48

Wollondilly Shire Council

Notes to the Financial Statements for the year ended 30 June 2018

Note 16. Financial risk management (continued)

\$ '000

(c) Liquidity risk

Payables and borrowings are both subject to liquidity risk – the risk that insufficient funds may be on hand to meet payment obligations as and when they fall due.

Council manages this risk by monitoring its cash flow requirements and liquidity levels and maintaining an adequate cash buffer.

Payment terms can (in extenuating circumstances) also be extended and overdraft facilities utilised as required.

Borrowings are also subject to interest rate risk – the risk that movements in interest rates could adversely affect funding costs and debt servicing requirements. Council manages this risk by borrowing long term and fixing the interest rate on a 4-year renewal basis. The Finance Section regularly reviews interest rate movements to determine if it would be advantageous to refinance or renegotiate part or all of the loan portfolio.

The contractual undiscounted cash outflows (ie. principal and interest) of Council's payables and borrowings are set out in the maturity table below:

\$ '000	Weighted average interest rate	Subject to no maturity	payable in:			Total cash outflows	Actual carrying values
			≤ 1 Year	1 – 5 Years	> 5 Years		
2018							
Trade/other payables		683	6,447	–	–	7,130	7,130
Loans and advances	6.80%	–	2,389	8,247	3,607	14,243	11,196
Total financial liabilities		683	8,836	8,247	3,607	21,373	18,326
2017							
Trade/other payables		464	5,791	–	–	6,255	6,255
Loans and advances	6.75%	–	2,378	8,725	5,514	16,617	12,755
Total financial liabilities		464	8,169	8,725	5,514	22,872	19,010

Wollondilly Shire Council

Notes to the Financial Statements
for the year ended 30 June 2018

Note 17. Material budget variations

\$ '000

Council's original financial budget for 17/18 was adopted by the Council on 19 June 2017 and is not required to be audited.

While the Income Statement included in this General Purpose Financial Report must disclose the original budget adopted by Council, the *Local Government Act 1993* requires Council to review its financial budget on a quarterly basis, so that it is able to manage the various variations between actuals versus budget that invariably occur throughout the year.

This note sets out the details of **material variations** between Council's original budget and its actual results for the year as per the Income Statement – even though such variations may have been adjusted for during each quarterly budget review.

Note that for variations* of budget to actual :

Material variations represent those variances that amount to **10%** or more of the original budgeted figure.

F = Favourable budget variation, **U** = Unfavourable budget variation

\$ '000	2018 Budget	2018 Actual	2018 ----- Variance* -----	
REVENUES				
Other revenues	701	1,747	1,046	149% F
Other revenue exceeded the original budget primarily due to Council receiving payment of an insurance claim for damage to Council property; the reimbursement of legal expenses; an insurance premium rebate as a result of Council's good claims history; increased property rental income and additional sponsorship income in relation to community events conducted by Council.				
Capital grants and contributions	6,122	14,357	8,235	135% F
A higher than anticipated amount of Developer Contributions were received due to the accelerated level of development in the Shire. Council also received a final contribution from Roads & Maritime Services (RMS) towards the reconstruction of the Broughton Pass bridge and embankment. Council also received additional Federal Black Spot funding for roads and some funding from the Rural Fire Service towards the construction of Bargo Fire Station. Additional contributions were also received towards the construction of an all-abilities playground in Warragamba and a contribution from the Mines Subsidence Board towards kerb and guttering restoration.				
Net gains from disposal of assets	–	271	271	0% F
Council does not budget for any gains or losses from asset sales, however, during the year Council traded-in several plant and vehicle items resulting in a net profit on disposal.				

Wollondilly Shire Council

Notes to the Financial Statements

for the year ended 30 June 2018

Note 17. Material budget variations (continued)

\$ '000	2018 Budget	2018 Actual	2018 ----- Variance* -----	
EXPENSES				
Borrowing costs	883	6,762	(5,879)	(666%) U
Borrowing costs exceeded budget due to the non-cash entry required to recognise the unwinding of a present value discount in relation to the revised cost to remediate Council's land fill/effluent pond sites.				
Materials and contracts	15,153	19,603	(4,450)	(29%) U
The increased road and building maintenance program has resulted in the use of more materials, contractors and external plant & equipment hire. There has also been an additional need for tree maintenance contractors to remove dead and dangerous trees. Other increases relate to internet charges, external printings, cleaning contractors and minor equipment costs. Labour hire costs for planning and development was expected to be reduced in 2018, but a continued need was identified due to the large number development related matters to be assessed and staff vacancies. Legal expenses were also higher than originally budgeted due to some large development and compliance related legal expenses that were not known at the time the original budget was developed. Vehicle running costs were below budget due to lease and maintenance costs being lower than expected. Mowing costs were also lower due to dry weather conditions.				
Depreciation and amortisation	12,528	20,611	(8,083)	(65%) U
Additional depreciation of almost \$8 million is due to the recent revaluation of the cost to remediate Council's land fill and effluent pond sites. All but one of the sites have reached the end of their useful lives, therefore it was necessary to fully depreciate the increased values in the current year. Bargo Waste Depot is the only land fill site still operating and has been estimated to have 5 years useful life remaining, therefore its increased value is being depreciated evenly over this period.				
Other expenses	5,416	4,806	610	11% F
The favourable result is due primarily to savings in expected insurance premiums, lower electricity costs & street lighting charges as the original budget was based on industry predictions of significant increases in these areas. There was also a reduction in the cost of various licence fees.				
Budget variations relating to Council's Cash Flow Statement include:				
Cash flows from operating activities	16,980	20,723	3,743	22.0% F
The increase in cash flows from operating activities was due mainly to additional developer contribution and grant funding received during the year. A portion of the 2019 Financial Assistance grant was paid to Council in 2018 and Council received more grants and contributions towards road maintenance than was originally expected. There was also an increase in reimbursements received (including the reimbursement of legal costs). Outgoings for utility costs, insurance premiums and other expenses were lower than expected as the original budget was based on industry predictions of significant increases in both insurance and utility costs. The actual increase during the year was less than originally budgeted.				
Cash flows from financing activities	(530)	(1,559)	(1,029)	194.2% U
Council's original budget included the intention to take out a \$1,000,000 loan to fund some road and building renewals. Alternate funding options were subsequently utilised, removing the need for the loan borrowings. Some plant acquisitions were also originally intended to be funded through a Finance Lease however when sourcing quotes, operating leases proved to be a more suitable funding option.				

Wollondilly Shire Council

Notes to the Financial Statements
for the year ended 30 June 2018

Note 18. Fair value measurement

\$ '000

The Council measures the following asset and liability classes at fair value on a recurring basis:

– Infrastructure, property, plant and equipment

The fair value of assets and liabilities must be estimated in accordance with various accounting standards for either recognition and measurement requirements or for disclosure purposes.

AASB 13 Fair Value Measurement requires all assets and liabilities measured at fair value to be assigned to a 'level' in the fair value hierarchy as follows:

Level 1: Unadjusted quoted prices in active markets for identical assets or liabilities that the entity can access at the measurement date.

Level 2: Inputs other than quoted prices included within level 1 that are observable for the asset or liability, either directly or indirectly.

Level 3: Inputs for the asset or liability that are not based on observable market data (unobservable inputs).

(1) The following table presents all assets and liabilities that have been measured and recognised at fair values:

Fair values.		Fair value measurement hierarchy			
2018		Level 1	Level 2	Level 3	Total
	Date of latest valuation	Quoted prices in active mkts	Significant observable inputs	Significant unobservable inputs	
Recurring fair value measurements					
Infrastructure, property, plant and equipment					
Work in progress	30/06/18	—	4,157	—	4,157
Plant and equipment		—	—	1,937	1,937
Office equipment	30/16/16	—	—	150	150
Furniture and fittings	30/06/16	—	—	463	463
Operational land	30/06/18	—	—	23,144	23,144
Community land	30/06/16	—	—	50,342	50,342
Land improvements – depreciable		—	—	2,081	2,081
Buildings	30/06/18	—	—	44,129	44,129
Swimming pools and other recreational assets	30/06/16	—	—	29,943	29,943
Road infrastructure	30/06/15	—	—	261,742	261,742
Stormwater drainage	30/06/15	—	—	41,982	41,982
Other assets		—	—	410	410
Total infrastructure, property, plant and equipment		—	4,157	456,323	460,480

Wollondilly Shire Council

Notes to the Financial Statements for the year ended 30 June 2018

Note 18. Fair value measurement (continued)

\$ '000

(1) The following table presents all assets and liabilities that have been measured and recognised at fair values: (continued)

Fair values: (continued)		Fair value measurement hierarchy			
2017		Level 1	Level 2	Level 3	Total
	Date of latest valuation	Quoted prices in active mkts	Significant observable inputs	Significant unobservable inputs	
Recurring fair value measurements					
Infrastructure, property, plant and equipment					
Work in progress	30/06/17	—	653	—	653
Plant and equipment		—	—	1,617	1,617
Office equipment	30/06/16	—	—	148	148
Furniture and fittings	30/06/16	—	—	517	517
Operational land	30/06/13	—	—	13,315	13,315
Community land	30/06/16	—	—	50,342	50,342
Land improvements – depreciable		—	—	2,134	2,134
Buildings	30/06/13	—	—	38,870	38,870
Swimming pools and other recreational assets	30/06/16	—	—	30,101	30,101
Road infrastructure	30/06/15	—	—	259,935	259,935
Stormwater drainage	30/06/15	—	—	41,628	41,628
Other assets		—	—	446	446
Total infrastructure, property, plant and equipment		—	653	439,053	439,706

Wollondilly Shire Council

Notes to the Financial Statements for the year ended 30 June 2018

Note 18. Fair value measurement (continued)

(2) Transfers between Level 1 and Level 2 Fair Value Hierarchies

During the year, there were no transfers between level 1 and level 2 fair value hierarchies for recurring fair value measurements.

(3) Valuation techniques used to derive Level 2 and Level 3 Fair Values

Where Council is unable to derive Fair Valuations using quoted market prices of identical assets (ie. Level 1 inputs), Council instead utilises a spread of both observable inputs (Level 2 inputs) and unobservable inputs (Level 3 inputs).

The Fair Valuation techniques Council has employed while utilising Level 2 and Level 3 inputs are as follows:

Work in Progress

Work in Progress is disclosed at cost in the notes. Separate valuation of these assets is not deemed necessary due to the small period of time that has elapsed between the incurring of the expenditure and the reported valuation in the financial statements. There has been no change to the valuation techniques during the reporting period.

Plant & Equipment, Office Equipment and Furniture & Fittings

Plant & Equipment, Office Equipment and Furniture & Fittings are valued at cost but are disclosed at fair value in the notes. The carrying amounts are assumed to approximate fair value due to the nature of the items.

The key unobservable inputs to the valuation are the remaining useful life and residual value. Council reviews the value of these assets against quoted prices for the gross replacement cost of similar assets and by taking account of the pattern of consumption, the remaining useful life and residual value are able to be estimated. There has been no change to the valuation process during the reporting period.

Operational Land

This asset class comprises all of Council's land classified as Operational Land under the NSW Local Government Act 1993. The key unobservable input to the valuation is the price per square metre. The valuation of Council's operational land was undertaken at 30 June 2018 by Scott Fullarton Valuations Pty Ltd, FAPI, Certified Practising Valuer, Registration No. VAL2144. Operational land has been valued at market value, having regard to the "highest and best use", after identifying all elements that would be taken into account by buyers and sellers in settling the price. Generally, fair value is the most advantageous price reasonably obtainable by the seller and the most advantageous price reasonably obtained by the buyer. This is not necessarily the market selling price of the asset, rather, it is regarded as the maximum value that Council would rationally pay to acquire the asset if it did not hold it, taking into account quoted market price in an active and liquid market, the current market price of the same or similar asset, the cost of replacing the asset, if management intend to replace the asset, the remaining useful life and condition of the asset; and cash flows from the future use and disposal. There has been no change to the valuation process during the reporting period.

Community Land

Valuations of all Council's Community Land and Council managed land were based on either the land values provided by the Valuer-General or an average unit rate based on the land values for similar properties where the Valuer-General did not provide a land value having regard to the highest and best use for this land. As these rates were not considered to be observable market evidence they have been classified as Level 3. There has been no change to the valuation process during the reporting period.

Wollondilly Shire Council

Notes to the Financial Statements for the year ended 30 June 2018

Note 18. Fair value measurement (continued)

Land Improvements - depreciable

This asset class comprises land improvements such as gardens, mulched areas, streetscaping and landscaping. These assets may be located on parks, reserves and also within road reserves.

Council carries fair value of land improvements using Level 3 valuation inputs. Such valuations are undertaken by Council Staff or by an external valuer depending upon the asset.

The unobservable Level 3 inputs used include as estimated pattern of consumption, residual value, asset condition and useful life. There has been no change to the valuation techniques during the reporting period.

Buildings – Non Specialised and Specialised

Council's buildings were valued utilising the cost approach by Scott Fullarton Valuations Pty Ltd in June 2018. The approach estimated the replacement cost of each building and componentising of significant parts with different useful lives and taking into account a range of factors. The unit rates could be supported by market evidence (Level 2 inputs), other inputs (such as estimates of residual value, useful life and asset condition) required extensive professional judgement and impacted significantly on the final determination of fair value. As such, these assets have been valued using Level 3 inputs. There has been no change to the valuation techniques during the reporting period.

Swimming Pools & Other Open Space/Recreational Assets

Council's Swimming Pools & Other Open Space/Recreational Assets were valued using the cost approach. Council carries fair value of these assets using Level 3 inputs. Such valuations are undertaken by Council Staff or by an external valuer depending upon the structure.

The unobservable Level 3 inputs used include as estimated pattern of consumption, residual value, asset condition and useful life. There has been no change to the valuation techniques during the reporting period.

Road Infrastructure

This asset class includes roads, bridges, car parks, kerb and gutter, traffic facilities, footpaths and bulk earthworks undertaken in the course of construction. The 'Cost Approach' using Level 3 inputs was used to value the road carriageway and other road infrastructure. Valuations for the road carriageway, comprising surface, pavement and formation were based primarily on unit rates determined in collaboration with sixteen neighbouring Councils. Other inputs (such as estimated pattern of consumption, residual value, asset condition and useful life) required extensive professional judgement and impacted significantly on the final determination of fair value. Additionally due to limitations in the historical records of very long lived assets there some uncertainty regarding the actual design, specifications and dimensions of some assets. There has been no change to the valuation process during the reporting period.

Stormwater Drainage

Assets within this class comprise pits, pipes, open channels, headwalls and various types of water quality devices. The 'Cost Approach' estimated the replacement cost for each asset by componentising the assets into significant parts with different useful lives and taking into account a range of factors. The Level of componentisation adopted by Council is in accordance with OLG Circular 09-09 and the Institute of Public Works Engineers Australia's International Infrastructure Management Manual (IIMM). Inputs such as estimates of the pattern of consumption, residual value, asset condition and useful life required extensive professional judgement and impacted significantly on the final determination of fair value. Additionally due to limitations in historical records of very long lived assets there is uncertainty regarding the actual design, specifications and dimensions of some assets. There has been no change to the valuation process during the reporting period.

Wollondilly Shire Council

Notes to the Financial Statements for the year ended 30 June 2018

Note 18. Fair value measurement (continued)

Other Assets

Council's Other Assets were valued using the cost approach. Council carries fair value of Other Assets using Level 3 inputs. Such valuations are undertaken by Council Staff or by an external valuer depending upon the asset. The unobservable Level 3 inputs used include estimated patterns of consumption, residual value, asset condition and useful life. There has been no change to the valuation techniques during the reporting period.

Tip Assets

Council is obligated to restore/rehabilitate closed former landfill sites at Warragamba, Picton, Appin and Wilton and the closed Bargo Effluent Ponds. Council will also eventually be required to remediate the existing active landfill site at Bargo. It has been recognised that there will be significant costs associated with the closure and remediation or post closure management of these sites. Remediation of the sites to meet the requirements of the stringent standards and guidelines will involve a wide range of activities including preparation of a Landfill Closure and Management Plans, as well as environmental assessments with appropriate remediation works. In some instances this remediation may involve extensive re-profiling or shaping works, final capping of the landfill waste and site re-vegetation, installation of a final landfill gas management system, revision of the surface water management system and leachate management infrastructure to suit post-closure operation, decommissioning and removing infrastructure and equipment that will not be required post-closure, and fencing sensitive infrastructure.

The key unobservable inputs are the discount rate, cost escalation rate, actual timing of costs and future environmental management requirements. The values have been revised during the period based on unit rates determined from recent rehabilitation costs relating to the Warragamba rehabilitation project.

(4) Fair value measurements using significant unobservable inputs (level 3)

a. Changes in level 3 fair values

There were no fair value measurement movements during the reporting period. Other movements such as purchases, disposals and depreciation have been reported in Note 9.

b. Information relating to the transfers into and out of the level 3 fair value hierarchy

Prior to 2017/18, council recorded \$175,919 of work in progress for the new Bargo RFS Station, \$23,865 for the Antill Park Golf Course Fire Safety Upgrade and \$105,595 for a range of other open space/recreational projects. The work was completed in 2017/18 and therefore the work in progress amount was capitalised. The capitalisation had the effect of moving the work in progress (level 2) to the Buildings and Other Open Space/Recreational Asset categories (level 3).

(5) Highest and best use

All of Council's non-financial assets are considered as being utilised for their highest and best use.

Financial Statements 2018

Wollondilly Shire Council

Notes to the Financial Statements
for the year ended 30 June 2018

Note 19. Related party transactions

\$ '000

a. Key management personnel

Key management personnel (KMP) of the Council are those persons having the authority and responsibility for planning, directing and controlling the activities of the council, directly or indirectly.

The aggregate amount of KMP compensation included in the Income Statement is:

Compensation:	2018	2017
Short-term benefits	1,125	1,064
Post-employment benefits	72	86
Total	1,197	1,150

page 57

Financial Statements 2018

Wollondilly Shire Council

Notes to the Financial Statements

for the year ended 30 June 2018

Note 19. Related party transactions (continued)

b. Other transactions with KMP and their related parties

Council has determined that transactions at arm's length between KMP and Council as part of Council delivering a public service objective (e.g. access to library or Council swimming pool by KMP) will not be disclosed.

Nature of the transaction	Value of transactions during year	Outstanding balance (incl. loans and commitments)	Terms and conditions	Provisions for doubtful debts outstanding	Doubtful debts expense recognised
	Actual \$	Actual \$		Actual \$	Actual \$
2018					
Purchase of grocery items on account at local store owned by a Councillor	32,642	—	30-day terms on invoices	—	—
Advertsing with a business owned by the spouse of a Councillor	21,280	—	30-day terms on invoices	—	—
2017					
Purchase of grocery items on account at local store owned by a Councillor	34,262	—	30-day terms on invoices	—	—
Final payment for street sweeping services under Contract with Councillor. Contract terminated at end end of 2015/16 financial year	7,383	—	15-day terms on invoices	—	—
Advertsing with a business owned by the spouse of a Councillor	32,221	—	30-day terms on invoices	—	—

page 58

Financial Statements 2018

Wollondilly Shire Council

Notes to the Financial Statements for the year ended 30 June 2018

Note 20. Statement of developer contributions

\$ '000

Under the *Environmental Planning and Assessment Act 1979*, Council has significant obligations to provide Section 7.11 (contributions towards provision or improvement of amenities or services) infrastructure in new release areas.

It is possible that the funds contributed may be less than the cost of this infrastructure, requiring Council to borrow or use general revenue to fund the difference.

SUMMARY OF CONTRIBUTIONS AND LEVIES

PURPOSE	Opening balance	Contributions received during the year		Interest earned in year	Expenditure during year	Internal borrowing (to)/from	Held as restricted asset	Cumulative internal borrowings due/(payable)
		Cash	Non-cash					
Traffic facilities	4,066	1,373	–	111	(67)	383	5,866	383
Open space	5,304	2,887	–	124	(427)	–	7,888	–
Community facilities	3,324	985	–	85	–	–	4,394	–
Bushfire protection	29	12	–	1	–	–	42	–
Animal management	–	1	–	–	–	–	1	–
Other	7	2	–	–	–	–	9	–
S7.11 contributions – under a plan	12,730	5,260	–	321	(494)	383	18,200	383
S7.12 levies – under a plan	373	186	–	9	–	–	568	–
Total S7.11 and S7.12 revenue under plans	13,103	5,446	–	330	(494)	383	18,768	383
S7.4 planning agreements	7,130	328	–	170	(57)	(383)	7,188	(383)
Total contributions	20,233	5,774	–	500	(551)	–	25,956	–

page 59

Financial Statements 2018

Wollondilly Shire Council

Notes to the Financial Statements for the year ended 30 June 2018

Note 20. Statement of developer contributions (continued)

\$ '000

S7.11 CONTRIBUTIONS – UNDER A PLAN

CONTRIBUTION PLAN - 2005

PURPOSE	Opening balance	Contributions received during the year		Interest earned in year	Expenditure during year	Internal borrowing (to)/from	Held as restricted asset	Cumulative internal borrowings due/(payable)
		Cash	Non-cash					
Traffic facilities	4,066	1,373	–	111	(67)	383	5,866	383
Open space	5,304	2,887	–	124	(427)	–	7,888	–
Community facilities	3,324	985	–	85	–	–	4,394	–
Bushfire protection	29	12	–	1	–	–	42	–
Animal management	–	1	–	–	–	–	1	–
Other	7	2	–	–	–	–	9	–
Total	12,730	5,260	–	321	(494)	383	18,200	383

S7.12 LEVIES – UNDER A PLAN

CONTRIBUTION PLAN - 2005

PURPOSE	Opening balance	Contributions received during the year		Interest earned in year	Expenditure during year	Internal borrowing (to)/from	Held as restricted asset	Cumulative internal borrowings due/(payable)
		Cash	Non-cash					
Other	373	186	–	9	–	–	568	–
Total	373	186	–	9	–	–	568	–

page 60

Financial Statements 2018

Wollondilly Shire Council

Notes to the Financial Statements for the year ended 30 June 2018

Note 20. Statement of developer contributions (continued)

\$ '000

S7.4 PLANNING AGREEMENTS

PURPOSE	Opening balance	Contributions received during the year		Interest earned in year	Expenditure during year	Internal borrowing (to)/from	Held as restricted asset	Cumulative internal borrowings due/(payable)
		Cash	Non-cash					
Drainage	–	208	–	–	–	–	208	–
Traffic facilities	2,733	120	–	59	–	(383)	2,529	(383)
Open space	2,471	–	–	63	–	–	2,534	–
Community facilities	1,773	–	–	44	(57)	–	1,760	–
Bushfire protection	118	–	–	3	–	–	121	–
Animal management	20	–	–	–	–	–	20	–
Tree planting	14	–	–	1	–	–	15	–
Total	7,129	328	–	170	(57)	(383)	7,187	(383)

page 61

Wollondilly Shire Council

Notes to the Financial Statements
for the year ended 30 June 2018

Note 21(a). Statement of performance measures – consolidated results

\$ '000	Amounts 2018	Indicator 2018	Prior periods		Benchmark
			2017	2016	
Local government industry indicators – consolidated					
1. Operating performance ratio					
Total continuing operating revenue ⁽¹⁾ excluding capital grants and contributions less operating expenses	(15,241)	-26.58%	0.86%	-11.65%	> 0.00%
Total continuing operating revenue ⁽¹⁾ excluding capital grants and contributions	57,337				
2. Own source operating revenue ratio					
Total continuing operating revenue ⁽¹⁾ excluding all grants and contributions	49,822	69.49%	69.71%	60.26%	> 60.00%
Total continuing operating revenue ⁽¹⁾	71,694				
3. Unrestricted current ratio					
Current assets less all external restrictions ⁽²⁾	28,826	2.69x	2.99x	3.36x	> 1.5x
Current liabilities less specific purpose liabilities ^(3,4)	10,717				
4. Debt service cover ratio					
Operating result ⁽¹⁾ before capital excluding interest and depreciation/impairment/amortisation	12,132	1.46x	4.19x	2.34x	> 2x
Principal repayments (Statement of Cash Flows) plus borrowing costs (Income Statement)	8,321				
5. Rates, annual charges, interest and extra charges outstanding percentage					
Rates, annual and extra charges outstanding	2,181	5.08%	5.20%	6.49%	< 10% regional & rural
Rates, annual and extra charges collectible	42,908				
6. Cash expense cover ratio					
Current year's cash and cash equivalents plus all term deposits	42,229	9.90 mths	10.4 mths	8.6 mths	> 3 mths
Monthly payments from cash flow of operating and financing activities	4,265				

Notes

⁽¹⁾ Excludes fair value adjustments and reversal of revaluation decrements, net gain/(loss) on sale of assets and the net share of interests in joint ventures and associates.

⁽²⁾ Refer Notes 6-8 inclusive.

Also excludes any real estate and land for resale not expected to be sold in the next 12 months.

⁽³⁾ Refer to Notes 10 and 11.

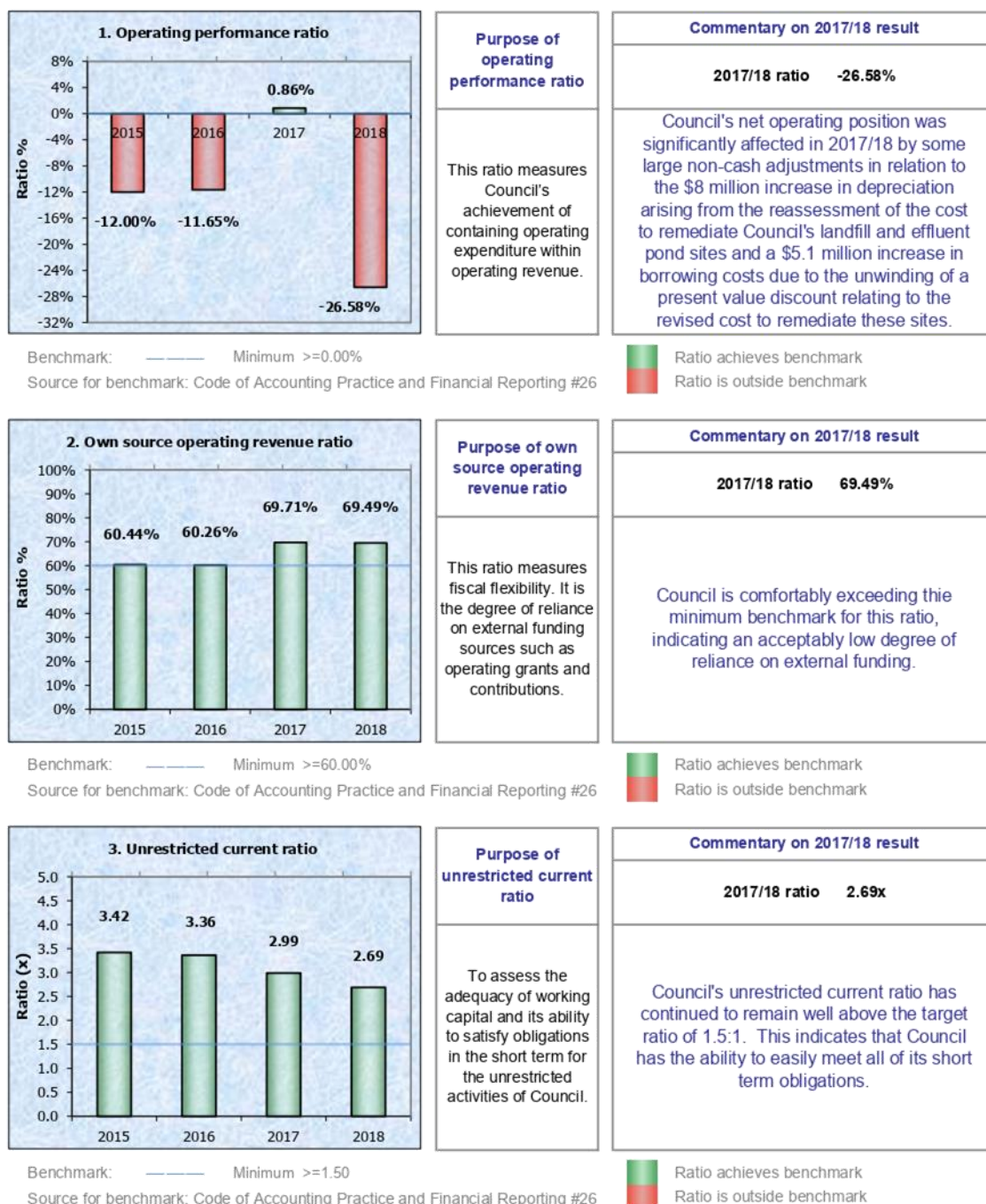
⁽⁴⁾ Refer to Note 11(a) – excludes all provisions not expected to be paid in the next 12 months (incl. ELE).

END OF AUDITED FINANCIAL STATEMENTS

Wollondilly Shire Council

Notes to the Financial Statements for the year ended 30 June 2018

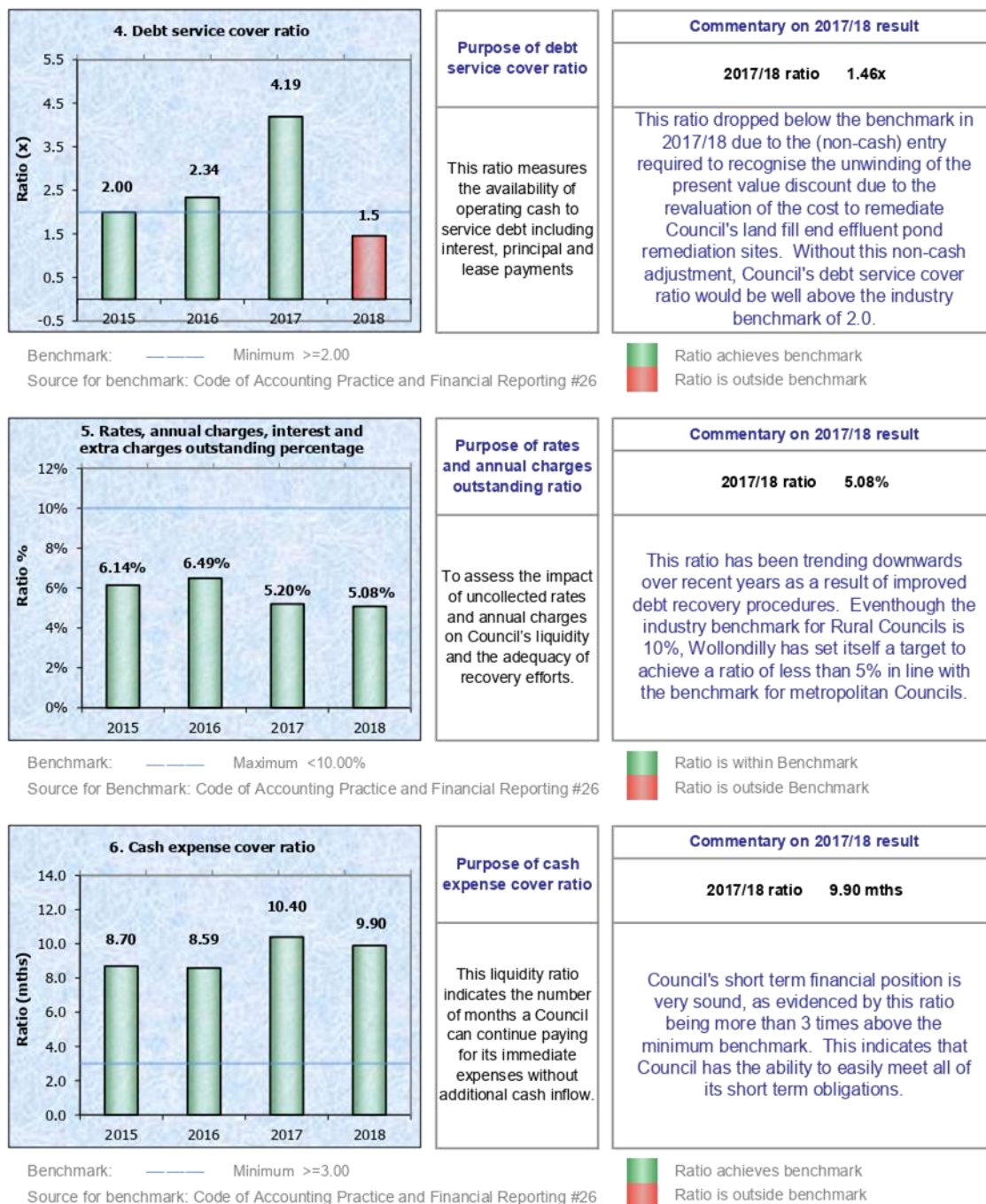
Note 21(b). Statement of performance measures – consolidated results (graphs)



Wollondilly Shire Council

Notes to the Financial Statements for the year ended 30 June 2018

Note 21(b). Statement of performance measures – consolidated results (graphs)



Wollondilly Shire Council

Notes to the Financial Statements for the year ended 30 June 2018

Note 22. Financial review

\$ '000

Key financial figures of Council over the past 5 years

	Actual 2018	Actual 2017	Actual 2016	Actual 2015	Actual 2014
Financial performance figures					
Inflows:					
Rates and annual charges revenue	40,447	36,428	32,724	29,321	28,059
User charges revenue	5,840	5,487	5,069	5,322	4,645
Interest and investment revenue (losses)	1,788	1,697	1,730	1,793	1,802
Grants income – operating and capital	8,510	9,194	7,640	7,218	4,354
Total income from continuing operations	71,965	65,372	68,188	63,018	47,595
Sale proceeds from IPP&E	278	42	107	121	348
New loan borrowings and advances	–	–	–	–	9,000
Outflows:					
Employee benefits and on-cost expenses	20,796	20,433	20,609	19,412	17,688
Borrowing costs	6,762	1,706	1,789	1,961	1,702
Materials and contracts expenses	19,603	16,170	14,841	15,190	14,982
Total expenses from continuing operations	72,578	55,609	54,304	55,546	49,631
Total cash purchases of IPP&E	17,122	13,430	11,165	9,267	10,714
Total loan repayments (incl. finance leases)	1,559	1,815	2,024	1,725	1,134
Operating surplus/(deficit) (excl. capital income)	(14,970)	508	(5,559)	(9,657)	(7,149)
Financial position figures					
Current assets	53,854	42,076	41,057	40,379	38,102
Current liabilities	15,173	14,418	13,165	11,319	11,245
Net current assets	38,681	27,658	27,892	29,060	26,857
Cash and investments – unrestricted	2,019	5,181	2,205	1,148	2,044
Cash and investments – internal restrictions	18,864	20,388	21,190	20,076	18,383
Cash and investments – total	60,026	57,706	49,211	44,698	43,168
Total borrowings outstanding (Loans, advances and finance leases)	11,196	12,755	14,570	16,594	18,319
Total value of IPP&E (excl. land and earthwork)	625,245	582,332	568,915	528,072	465,656
Total accumulated depreciation	277,715	250,614	238,835	228,020	173,232
Indicative remaining useful life (as a % of GBV)	56%	57%	58%	57%	63%

Source: published audited financial statements of Council (current year and prior year)

Wollondilly Shire Council

Notes to the Financial Statements for the year ended 30 June 2018

Note 23. Council information and contact details

Principal place of business:

62-64 Menangle Street
Picton NSW 2571

Contact details**Mailing address:**

PO Box 21
Picton NSW 2571

Telephone: (02) 4677 1100

Facsimile: (02) 4677 2339

Internet: www.wollondilly.nsw.gov.au

Email: council@wollondilly.nsw.gov.au

Officers**GENERAL MANAGER**

L Johnson

RESPONSIBLE ACCOUNTING OFFICER

A Christie

PUBLIC OFFICER

John Sproule

AUDITORS

Audit Office of New South Wales

**Elected members (as at the date these statements
were authorised for issue - 15/10/18)****MAYOR**

Cr J Hannan

COUNCILLORS

Cr M Deeth (Deputy Mayor)

Cr M Banasik

Cr B Briggs

Cr M Gould

Cr R Khan

Cr S Landow

Cr N Lowry

Cr M Smith

Other information

ABN: 93 723 245 808



INDEPENDENT AUDITOR'S REPORT

Report on the general purpose financial report

Wollondilly Shire Council

To the Councillors of the Wollondilly Shire Council

Opinion

I have audited the accompanying financial report of Wollondilly Shire Council (the Council), which comprise the Income Statement and Statement of Comprehensive Income for the year ended 30 June 2018, the Statement of Financial Position as at 30 June 2018, the Statement of Changes in Equity and Statement of Cash Flows for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information, and the Statement by Councillors and Management.

In my opinion,

- the Council's accounting records have been kept in accordance with the requirements of the *Local Government Act 1993*, Chapter 13, Part 3, Division 2 (the Division)
- the financial report:
 - has been presented, in all material respects, in accordance with the requirements of this Division
 - is consistent with the Council's accounting records
 - presents fairly, in all material respects, the financial position of the Council as at 30 June 2018, and of its financial performance and its cash flows for the year then ended in accordance with Australian Accounting Standards
- all information relevant to the conduct of the audit has been obtained
- no material deficiencies in the accounting records or financial report have come to light during the audit.

My opinion should be read in conjunction with the rest of this report.

Basis for Opinion

I conducted my audit in accordance with Australian Auditing Standards. My responsibilities under the standards are described in the 'Auditor's Responsibilities for the Audit of the Financial Report' section of my report.

I am independent of the Council in accordance with the requirements of the:

- Australian Auditing Standards
- Accounting Professional and Ethical Standards Board's APES 110 'Code of Ethics for Professional Accountants' (APES 110).

I have fulfilled my other ethical responsibilities in accordance with APES 110.

Parliament promotes independence by ensuring the Auditor-General and the Audit Office of New South Wales are not compromised in their roles by:

- providing that only Parliament, and not the executive government, can remove an Auditor-General
- mandating the Auditor-General as auditor of councils
- precluding the Auditor-General from providing non-audit services.

I believe the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Other Information

Other information comprises the information included in the Council's annual report for the year ended 30 June 2018, other than the financial report and my Independent Auditor's Report thereon. The Councillors are responsible for the other information. At the date of this Independent Auditor's Report, the other information I have received comprise the special purpose financial statements and Special Schedules (the Schedules).

My opinion on the financial report does not cover the other information. Accordingly, I do not express any form of assurance conclusion on the other information. However, as required by the *Local Government Act 1993*, I have separately expressed an opinion on the special purpose financial statements and Special Schedule 2 - Permissible income for general rates.

In connection with my audit of the financial report, my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial report or my knowledge obtained in the audit, or otherwise appears to be materially misstated.

If, based on the work I have performed, I conclude there is a material misstatement of the other information, I must report that fact.

I have nothing to report in this regard.

The Councillors' Responsibilities for the Financial Report

The Councillors are responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards and the *Local Government Act 1993*, and for such internal control as the Councillors determine is necessary to enable the preparation and fair presentation of the financial report that is free from material misstatement, whether due to fraud or error.

In preparing the financial report, the Councillors are responsible for assessing the Council's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting except where the Council will be dissolved or amalgamated by an Act of Parliament, or otherwise cease operations.

Auditor's Responsibilities for the Audit of the Financial Report

My objectives are to:

- obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error
- issue an Independent Auditor's Report including my opinion.

Reasonable assurance is a high level of assurance, but does not guarantee an audit conducted in accordance with Australian Auditing Standards will always detect material misstatements. Misstatements can arise from fraud or error. Misstatements are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions users take based on the financial report.

A description of my responsibilities for the audit of the financial report is located at the Auditing and Assurance Standards Board website at: www.auasb.gov.au/auditors_responsibilities/ar4.pdf. The description forms part of my auditor's report.

My opinion does *not* provide assurance:

- that the Council carried out its activities effectively, efficiently and economically
- on the Original Budget information included in the Income Statement, Statement of Cash Flows, and Note 17 Material budget variations
- on the Special Schedules. A separate opinion has been provided on Special Schedule 2 - Permissible income for general rates
- about the security and controls over the electronic publication of the audited financial report on any website where it may be presented
- about any other information which may have been hyperlinked to/from the financial report.



Lawrissa Chan
Director

15 October 2018
SYDNEY



Cr Judith Hannan
Mayor
Wollondilly Shire Council
Frank McKay Building
62-64 Menangle Street
PICTON NSW 2571

Contact: Lawrissa Chan
Phone no: 02 9275 7255
Our ref: D1821299/1810

15 October 2018

Dear Cr Hannan

**Report on the Conduct of the Audit
for the year ended 30 June 2018
Wollondilly Shire Council**

I have audited the general purpose financial statements of the Wollondilly Shire Council (the Council) for the year ended 30 June 2018 as required by section 415 of the *Local Government Act 1993* (the Act).

I expressed an unmodified opinion on the Council's general purpose financial statements.

This Report on the Conduct of the Audit (the Report) for the Council for the year ended 30 June 2018 is issued in accordance with section 417 of the Act. This Report should be read in conjunction with my audit opinion on the general purpose financial statements issued under section 417(2) of the Act.

INCOME STATEMENT

Operating result

	2018	2017	Variance
	\$m	\$m	%
Rates and annual charges revenue	40.4	36.4	↑ 11.0
Grants and contributions revenue	21.9	19.8	↑ 10.6
Operating result for the year	(0.6)	9.8	↓ 106.1
Net operating result before capital amounts	(15)	0.5	↓ 3100

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The following comments are made in respect of Council's operating result for the year:

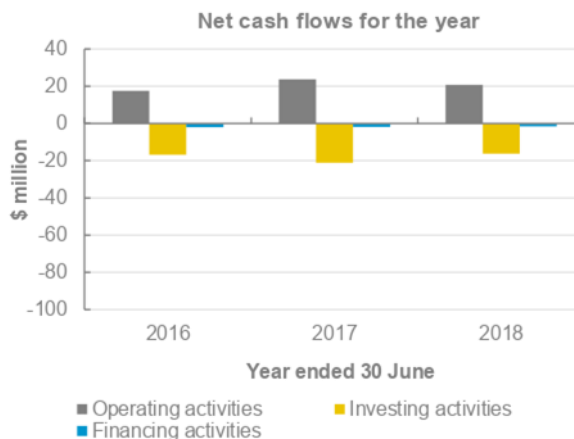
- The Council's operating result for the year was a loss of \$0.6 million (\$9.8 million surplus for the year ended 30 June 2017). This is mainly attributable to:
 - \$8 million increase in depreciation expense as a result of the reassessment of the cost to remediate Council's landfill and effluent pond sites
 - \$5.1 million increase in borrowing costs due to the unwinding of a present value discount in relation to the revised cost to remediate Councils land fill/effluent pond sites
 - \$3.4 million increase in materials and contracts due to an increased road and building maintenance program.

This was partially offset by an increase in rates and annual charges of \$4 million, due to the special rate variation increment of 10.8%.
- The Council's net operating result before capital grants and contributions was a loss of \$14.9 million (\$0.5 million surplus for the year ended 30 June 2017). The decrease of \$15.4 million was mainly due to the re-assessment of costs to remediate Council's landfill and effluent pond sites and the associated depreciation expense as outlined above.
- The Council's rates and annual charges revenue was \$40.4 million (\$36.4 million for the year ended 30 June 2017). The increase of \$4 million is due to the Special Rate Variation.
- The Council's grants and contributions revenue was \$21.9 million (\$19.8 million for the year ended 30 June 2017). The increase of \$2.1 million is attributable to:
 - higher developer contributions received from the accelerated level of development in the Shire
 - the final contribution from the Roads & Maritime Services (RMS) towards the reconstruction of the Broughton Pass bridge and the embankment.

This was partially offset by lower financial assistance grants received in the 2017–18 financial year compared to 2016–17, which was driven by the timing of receipt of grant income in both years.

STATEMENT OF CASH FLOWS

- Council has generated consistent cash flows in the past 3 years.
- Council's cash and cash equivalents balance at 30 June 2018 is \$6.2 million compared to \$3.3 million in 2017.
- The net increase in cash and cash equivalents of \$2.9 million can be attributed to the increase in receipts from the sale of investment securities
- Council maintains borrowing facilities requiring annual repayments of \$1.6 million to \$2.0 million each year.



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FINANCIAL POSITION

Cash and Investments

Cash and Investments	2018	2017	Commentary
	\$m	\$m	
External restrictions	39.1	32.1	<ul style="list-style-type: none"> Externally restricted cash and investments are restricted in their use by externally imposed requirements. The increase of \$7 million in externally restricted cash is due to the increase in developer contributions received from the accelerated level of development in the Shire. Internally restricted cash and investments have been restricted in their use by resolution or policy of Council to reflect identified programs of works and any forward plans identified by Council. Internally restricted cash remains steady. The Council's unrestricted cash balance has decreased by \$3.2 million due to the decline in the net operating result before capital amounts.
Internal restrictions	18.9	20.4	
Unrestricted	2.0	5.2	
Cash and investments	60.0	57.7	

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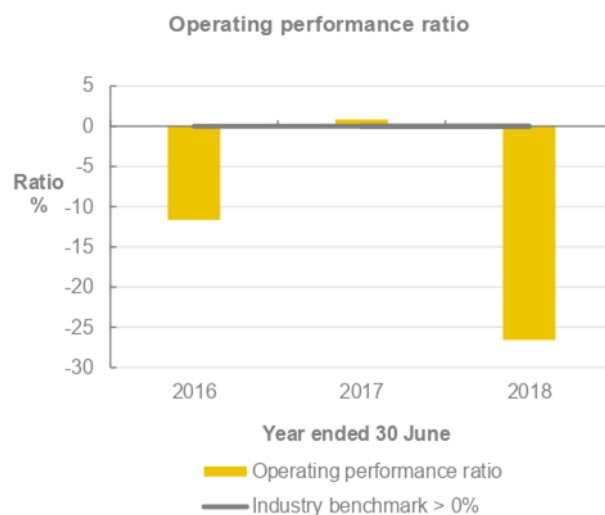
PERFORMANCE RATIOS

The definition of each ratio analysed below (except for the 'building and infrastructure renewals ratio') is included in Note 20a of the Council's audited general purpose financial statements. The 'building and infrastructure renewals ratio' is defined in Council's Special Schedule 7 which has not been audited.

Operating performance ratio

- Council's operating performance ratio of -26.58% is below the industry benchmark of zero per cent.
- Council's operating results declined due to:
 - \$8 million increase in depreciation expense as a result of the reassessment of the cost to remediate Council's landfill and effluent pond sites
 - \$5.1 million increase in borrowing costs due to the unwinding of a present value discount in relation to the revised cost to remediate Council's land fill/effluent pond sites
 - \$3.4 million increase in materials and contracts due to an increased road and building maintenance program

The 'operating performance ratio' measures how well council contained operating expenditure within operating revenue (excluding capital grants and contributions, fair value adjustments, and reversal of revaluation decrements). The benchmark set by the Office of Local Government (OLG) is greater than zero per cent.



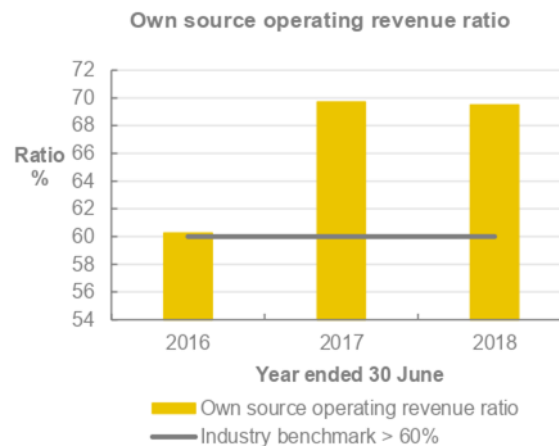
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Own source operating revenue ratio

- Council's own source operating revenue ratio of 69.49% is above the industry benchmark of 60%.
- Council has consistently met the benchmark of 60 per cent in recent years due to the increase in rate and annual charges arising from the special rate variation.

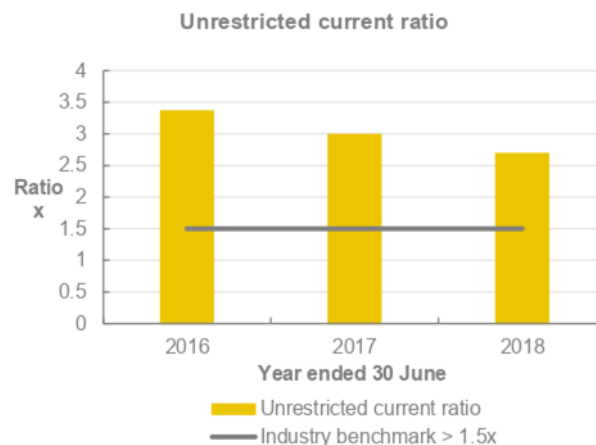
The 'own source operating revenue ratio' measures council's fiscal flexibility and the degree to which it relies on external funding sources such as operating grants and contributions. The benchmark set by OLG is greater than 60 per cent.



Unrestricted current ratio

- Council's liquidity ratio of 2.69x is greater than the industry benchmark of greater than 1.5x. This indicates that the Council has sufficient liquidity to meet its current liabilities when they fall due.
- The recent decrease in the ratio is due to significant growth management areas within the Wollondilly local government area and corresponding developer contributions which continue to drive the growth of external restrictions on cash and investments.

The 'unrestricted current ratio' is specific to local government and represents council's ability to meet its short-term obligations as they fall due. The benchmark set by OLG is greater than 1.5x.

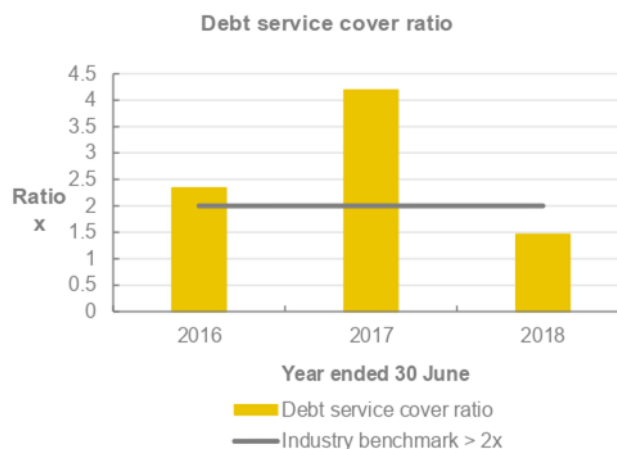


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Debt service cover ratio

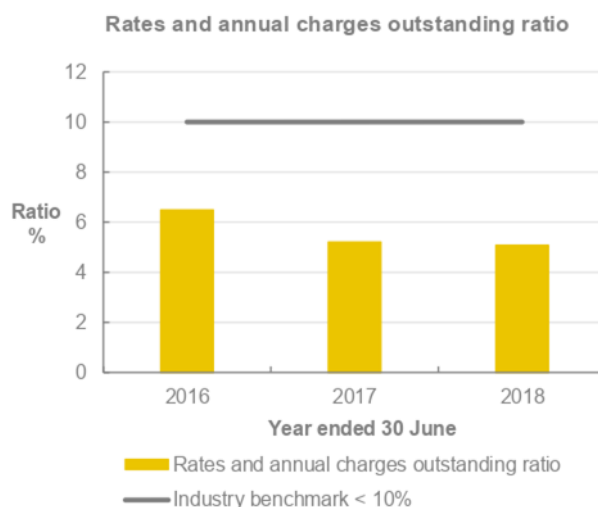
- Council's debt service cover ratio of 1.46x is below the industry benchmark of greater than 1.5x.
- The decline in the debt cover ratio was driven by \$5.1 million increase in borrowing costs due to the unwinding of a present value discount in relation to the revised cost to remediate Councils land fill/effluent pond sites. This was re-assessed in the current year for the first time since 2008.
- Council needs to monitor liquidity levels to ensure it can meet its current liabilities when they fall due.



The 'debt service cover ratio' measures the operating cash to service debt including interest, principal and lease payments. The benchmark set by OLG is greater than two times.

Rates and annual charges outstanding ratio

- Council's rates and annual charges outstanding ratio of 5.08% meets the industry benchmark of less than 10%.
- Council's improved result has been primarily driven by:
 - improved debt recovery procedures
 - favourable economic conditions in the local government area affecting the agricultural, construction, industrial and mining industries.



The 'rates and annual charges outstanding ratio' assesses the impact of uncollected rates and annual charges on council's liquidity and the adequacy of debt recovery efforts. The benchmark set by OLG is less than 10 per cent for regional and rural councils.

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Cash expense cover ratio

- Council's cash expense cover ratio was 9.9 months, which is above the industry benchmark of greater than 3 months.
- This indicates that Council had the capacity to cover 9.9 months of cash expenditure without additional cash inflows at 30 June 2018.
- The decrease in the cash expense ratio of 0.5 month is due to the level of term deposits which decreased by \$600k in 2018 compared to 2017.



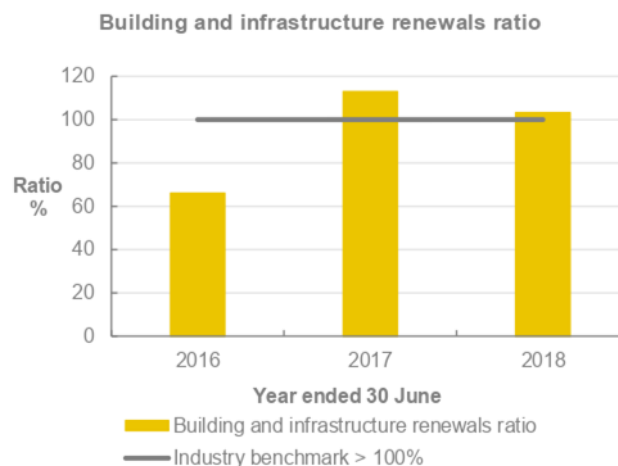
This liquidity ratio indicates the number of months the council can continue paying for its immediate expenses without additional cash inflow. The benchmark set by OLG is greater than three months.

Building and infrastructure renewals ratio (unaudited)

- Council has met the benchmark of 100 per cent in 2018, this was driven by the following:
- Additional investment in infrastructure renewals totalling \$12.3 million compared to \$11.9 million in 2016–17.

The 'building and infrastructure renewals ratio' assesses the rate at which these assets are being renewed against the rate at which they are depreciating. The benchmark set by OLG is greater than 100 per cent.

This ratio is sourced from council's Special Schedule 7 which has not been audited.



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OTHER MATTERS

New accounting standards implemented

AASB 2016-2 'Disclosure Initiative – Amendments to AASB 107'

Effective for annual reporting periods beginning on or after 1 January 2017

This Standard requires entities to provide disclosures that enable users of financial statements to evaluate changes (both cash flows and non-cash changes) in liabilities arising from financing activities.

Council's disclosure of the changes in their liabilities arising from financing activities is disclosed in Note 15.

AASB 124 'Related Party Disclosures'

Effective for annual reporting periods beginning on or after 1 July 2016

AASB 2015-6 extended the scope of AASB 124 to include not-for-profit public-sector entities. As a result, Council's financial statements disclosed the:

- compensation paid to their key management personnel
- nature of their related party relationships
- amount and nature of their related party transactions, outstanding balances and commitments and outstanding balances (including commitments).

Legislative compliance

My audit procedures did not identify any instances of non-compliance with legislative requirements or a material deficiency in the Council's accounting records or financial reports. The Council's:

- accounting records were maintained in a manner and form to allow the general purpose financial statements to be prepared and effectively audited
- staff provided all accounting records and information relevant to the audit.

Lawrissa Chan
Director, Financial Audit Services

cc: Luke Johnson, Chief Executive Officer
Stephen Horne, Chair of the Audit, Risk and Improvement Committee
Tim Hurst, Chief Executive of the Office of Local Government

Wollondilly Shire Council

SPECIAL SCHEDULES
for the year ended 30 June 2018



Wollondilly Shire Council

Special Schedules

for the year ended 30 June 2018

Contents

Page

Special Schedules ¹

Special Schedule 1	Net Cost of Services	2
Special Schedule 2	Permissible income for general rates	4
Special Schedule 2	Independent Auditors Report	5
Special Schedule 7	Report on Infrastructure Assets	8

¹ Special Schedules are not audited (with the exception of Special Schedule 2).

Background

- (i) These Special Schedules have been designed to meet the requirements of special purpose users such as;
- the NSW Grants Commission
 - the Australian Bureau of Statistics (ABS),
 - the NSW Office of Water (NOW), and
 - the Office of Local Government (OLG).
- (ii) The financial data is collected for various uses including;
- the allocation of Financial Assistance Grants,
 - the incorporation of Local Government financial figures in national statistics,
 - the monitoring of loan approvals,
 - the allocation of borrowing rights, and
 - the monitoring of the financial activities of specific services.

Wollondilly Shire Council

Special Schedule 1 – Net Cost of Services
for the year ended 30 June 2018

\$'000

Function or activity	Expenses from continuing operations	Income from continuing operations		Net cost of services
		Non-capital	Capital	
Governance	1,098	–	–	(1,098)
Administration	5,505	2,135	–	(3,370)
Public order and safety				
Fire service levy, fire protection, emergency services	2,876	462	1,233	(1,181)
Beach control	–	–	–	–
Enforcement of local government regulations	1,872	74	–	(1,798)
Animal control	41	205	–	164
Other	–	–	–	–
Total public order and safety	4,789	741	1,233	(2,815)
Health	3	280	–	277
Environment				
Noxious plants and insect/vermin control	–	1	–	1
Other environmental protection	1,562	1,574	–	12
Solid waste management	21,722	7,879	–	(13,843)
Street cleaning	243	–	–	(243)
Drainage	–	–	–	–
Stormwater management	249	286	–	37
Total environment	23,776	9,740	–	(14,036)
Community services and education				
Administration and education	2,032	277	–	(1,755)
Social protection (welfare)	–	–	–	–
Aged persons and disabled	–	–	–	–
Children's services	830	659	–	(171)
Total community services and education	2,862	936	–	(1,926)
Housing and community amenities				
Public cemeteries	63	112	–	49
Public conveniences	–	–	–	–
Street lighting	467	84	–	(383)
Town planning	4,703	1,706	5,774	2,777
Other community amenities	207	171	–	(36)
Total housing and community amenities	5,440	2,073	5,774	2,407
Water supplies	–	–	–	–
Sewerage services	–	–	–	–

Wollondilly Shire Council

Special Schedule 1 – Net Cost of Services (continued)
for the year ended 30 June 2018

\$'000

Function or activity	Expenses from continuing operations	Income from continuing operations		Net cost of services
		Non-capital	Capital	
Recreation and culture				
Public libraries	1,314	148	—	(1,166)
Museums	—	—	—	—
Art galleries	—	—	—	—
Community centres and halls	3,239	182	—	(3,057)
Performing arts venues	—	—	—	—
Other performing arts	—	—	—	—
Other cultural services	—	—	—	—
Sporting grounds and venues	453	42	—	(411)
Swimming pools	463	—	—	(463)
Parks and gardens (lakes)	29	15	—	(14)
Other sport and recreation	4,215	—	1,315	(2,900)
Total recreation and culture	9,713	387	1,315	(8,011)
Fuel and energy	—	—	—	—
Agriculture	—	—	—	—
Mining, manufacturing and construction				
Building control	1,479	623	—	(856)
Other mining, manufacturing and construction	—	—	—	—
Total mining, manufacturing and const.	1,479	623	—	(856)
Transport and communication				
Urban roads (UR) – local	16,368	3,066	6,035	(7,267)
Urban roads – regional	—	—	—	—
Sealed rural roads (SRR) – local	—	—	—	—
Sealed rural roads (SRR) – regional	—	—	—	—
Unsealed rural roads (URR) – local	—	—	—	—
Unsealed rural roads (URR) – regional	—	—	—	—
Bridges on UR – local	—	—	—	—
Bridges on SRR – local	—	—	—	—
Bridges on URR – local	—	—	—	—
Bridges on regional roads	—	—	—	—
Parking areas	—	—	—	—
Footpaths	—	—	—	—
Aerodromes	—	—	—	—
Other transport and communication	—	—	—	—
Total transport and communication	16,368	3,066	6,035	(7,267)
Economic affairs				
Camping areas and caravan parks	—	—	—	—
Other economic affairs	1,545	428	—	(1,117)
Total economic affairs	1,545	428	—	(1,117)
Totals – functions	72,578	20,409	14,357	(37,812)
General purpose revenues ⁽¹⁾		37,199		37,199
Share of interests – joint ventures and associates using the equity method	—	—		—
NET OPERATING RESULT ⁽²⁾	72,578	57,608	14,357	(613)

(1) Includes: rates and annual charges (including ex gratia, excluding water and sewer), non-capital general purpose grants, interest on investments (excluding externally restricted assets) and interest on overdue rates and annual charges

(2) As reported in the Income Statement

Wollondilly Shire Council

Special Schedule 2 – Permissible income for general rates
for the year ended 30 June 2019

\$'000		Calculation 2018/19	Calculation 2017/18
Notional general income calculation ⁽¹⁾			
Last year notional general income yield	a	32,556	29,159
Plus or minus adjustments ⁽²⁾	b	462	230
Notional general income	c = (a + b)	33,018	29,389
Permissible income calculation			
Special variation percentage ⁽³⁾	d	10.80%	10.80%
Or rate peg percentage	e	2.30%	1.50%
Or crown land adjustment (incl. rate peg percentage)	f	0.00%	0.00%
Less expiring special variation amount	g	—	—
Plus special variation amount	h = d x (c - g)	3,566	3,174
Or plus rate peg amount	i = c x e	—	—
Or plus Crown land adjustment and rate peg amount	j = c x f	—	—
Sub-total	k = (c + g + h + i + j)	36,583	32,563
Plus (or minus) last year's carry forward total	l	2	—
Less valuation objections claimed in the previous year	m	—	(5)
Sub-total	n = (l + m)	2	(5)
Total permissible income	o = k + n	36,585	32,558
Less notional general income yield	p	36,576	32,556
Catch-up or (excess) result	q = o - p	9	2
Plus income lost due to valuation objections claimed ⁽⁴⁾	r	—	—
Less unused catch-up ⁽⁵⁾	s	—	—
Carry forward to next year	t = q + r - s	9	2

Notes

- (1) The notional general income will not reconcile with rate income in the financial statements in the corresponding year. The statements are reported on an accrual accounting basis which include amounts that relate to prior years' rates income.
- (2) Adjustments account for changes in the number of assessments and any increase or decrease in land value occurring during the year. The adjustments are called 'supplementary valuations' as defined in the *Valuation of Land Act 1916*.
- (3) The 'special variation percentage' is inclusive of the rate peg percentage and where applicable Crown land adjustment.
- (4) Valuation objections are unexpected changes in land values as a result of land owners successfully objecting to the land value issued by the Valuer-General. Councils can claim the value of the income lost due to valuation objections in any single year.
- (5) Unused catch-up amounts will be deducted if they are not caught up within 2 years. Usually councils will have a nominal carry forward figure. These amounts can be adjusted for in setting the rates in a future year.
- (6) Carry forward amounts which are in excess (an amount that exceeds the permissible income) require ministerial approval by order published in the *NSW Government Gazette* in accordance with section 512 of the *Local Government Act 1993*. The OLG will extract these amounts from Council's Special Schedule 2 in the financial data return (FDR) to administer this process.



INDEPENDENT AUDITOR'S REPORT

Special Schedule 2 - Permissible Income for general rates

Wollondilly Shire Council

To the Councillors of Wollondilly Shire Council

Opinion

I have audited the accompanying Special Schedule 2 – Permissible Income for general rates (the Schedule) of Wollondilly Shire Council (the Council) for the year ending 30 June 2019.

In my opinion, the Schedule of the Council for the year ending 30 June 2019 is prepared, in all material respects in accordance with the requirements of the Local Government Code of Accounting Practice and Financial Reporting (LG Code) issued by the Office of Local Government (OLG), and is in accordance with the books and records of the Council.

My opinion should be read in conjunction with the rest of this report.

Basis for Opinion

I conducted my audit in accordance with Australian Auditing Standards. My responsibilities under the standards are described in the 'Auditor's Responsibilities for the Audit of the Schedule' section of my report.

I am independent of the Council in accordance with the requirements of the:

- Australian Auditing Standards
- Accounting Professional and Ethical Standards Board's APES 110 'Code of Ethics for Professional Accountants' (APES 110).

I have fulfilled my other ethical responsibilities in accordance with APES 110.

Parliament promotes independence by ensuring the Auditor-General and the Audit Office of New South Wales are not compromised in their roles by:

- providing that only Parliament, and not the executive government, can remove an Auditor-General
- mandating the Auditor-General as auditor of councils
- precluding the Auditor-General from providing non-audit services.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Emphasis of Matter - Basis of Accounting

Without modifying my opinion, I draw attention to the notes and explanations in Special Schedule 2 that instruct councils in its preparation so it complies with OLG's requirements as described in the LG Code. As a result, Special Schedule 2 may not be suitable for another purpose.

Other Information

Other information comprises the information included in the Council's annual report for the year ended 30 June 2018, other than the Schedule and my Independent Auditor's Report thereon. The Councillors are responsible for the other information. At the date of this Independent Auditor's Report, the other information I have received comprise the general purpose financial statements, special purpose financial statements and the Special Schedules excluding Special Schedule 2 (the other Schedules).

My opinion on the Schedule does not cover the other information. Accordingly, I do not express any form of assurance conclusion on the other information. However, as required by the *Local Government Act 1993*, I have separately expressed an opinion on the general purpose financial statements and the special purpose financial statements.

In connection with my audit of the Schedule, my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the Schedule or my knowledge obtained in the audit, or otherwise appears to be materially misstated.

If, based on the work I have performed, I conclude there is a material misstatement of the other information, I must report that fact.

I have nothing to report in this regard.

The Councillors' Responsibilities for the Schedule

The Councillors are responsible for the preparation of the Schedule in accordance with the LG Code. The Councillors' responsibility also includes such internal control as the Councillors determine is necessary to enable the preparation of the Schedule that is free from material misstatement, whether due to fraud or error.

In preparing the Schedule, the Councillors are responsible for assessing the Council's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting, unless it is not appropriate to do so.

Auditor's Responsibilities for the Audit of the Schedule

My objectives are to:

- obtain reasonable assurance whether the Schedule as a whole is free from material misstatement, whether due to fraud or error
- issue an Independent Auditor's Report including my opinion.

Reasonable assurance is a high level of assurance, but does not guarantee an audit conducted in accordance with Australian Auditing Standards will always detect material misstatements. Misstatements can arise from fraud or error. Misstatements are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions users take based on the Schedule.

A description of my responsibilities for the audit of the Schedule is located at the Auditing and Assurance Standards Board website at: www.auasb.gov.au/auditors_responsibilities/ar8.pdf. The description forms part of my auditor's report.

My opinion does *not* provide assurance:

- that the Council carried out its activities effectively, efficiently and economically
- about the security and controls over the electronic publication of the audited Schedule on any website where it may be presented
- about any other information which may have been hyperlinked to/from the Schedule.



Lawrissa Chan
Director

15 October 2018
SYDNEY

Special Schedules 2018

Wollondilly Shire Council

Special Schedule 7 – Report on Infrastructure Assets as at 30 June 2018

\$'000

Asset class	Asset category	Estimated cost to bring assets to satisfactory standard	Estimated cost to bring to the agreed level of service set by Council	2017/18 Required maintenance ^a	2017/18 Actual maintenance	Net carrying amount	Gross replacement cost (GRC)	Assets in condition as a percentage of gross replacement cost				
								1	2	3	4	5
Buildings	Buildings	5,183	5,183	3,829	6,497	44,197	92,416	1%	5%	30%	64%	0%
	Sub-total	5,183	5,183	3,829	6,497	44,129	92,416	1.0%	5.0%	30.0%	64.0%	0.0%
Roads												
	Sealed roads	33,133	33,133	5,794	11,831	117,761	232,155	31%	23%	37%	7%	2%
	Unsealed roads	242	242	384	228	1,882	2,953	0%	10%	68%	17%	5%
	Bridges	1,364	1,364	820	1,310	35,814	64,716	8%	33%	54%	2%	3%
	Footpaths	473	473	342	645	11,758	15,680	10%	27%	57%	6%	0%
	Other road assets	3,384	3,384	2,505	3,764	50,154	79,413	21%	50%	27%	2%	0%
	Bulk earthworks	–	–	–	480	44,373	44,373					100%
	Sub-total	38,596	38,596	9,845	18,258	261,742	439,290	21.7%	27.1%	34.9%	4.7%	11.6%

page 8

Special Schedules 2018

Wollondilly Shire Council

Special Schedule 7 – Report on Infrastructure Assets as at 30 June 2018 (continued)

\$'000

Asset class	Asset category	Estimated cost to bring assets to satisfactory standard	Estimated cost to bring to the agreed level of service set by Council	2017/18 Required maintenance ^a	2017/18 Actual maintenance	Net carrying amount	Gross replacement cost (GRC)	Assets in condition as a percentage of gross replacement cost				
								1	2	3	4	5
Stormwater drainage	Stormwater drainage	1,087	1,087	473	341	41,982	54,818	25%	59%	11%	5%	0%
	Sub-total	1,087	1,087	473	341	41,982	54,818	25.0%	59.0%	11.0%	5.0%	0.0%
Open space/recreational assets	Swimming pools	–	–	60	293	1,672	3,022	86%	14%	0%	0%	0%
	Other	264	264	885	3,169	28,271	33,359	7%	68%	20%	4%	1%
	Sub-total	264	264	945	3,462	29,943	36,381	13.6%	63.5%	18.3%	3.7%	0.9%
	TOTAL – ALL ASSETS	45,130	45,130	15,092	28,558	377,796	622,905	18.5%	28.7%	31.1%	13.5%	8.3%

Notes:

a Required maintenance is the amount identified in Council's asset management plans.

Infrastructure asset condition assessment 'key'

1	Excellent/very good	No work required (normal maintenance)
2	Good	Only minor maintenance work required
3	Satisfactory	Maintenance work required
4	Poor	Renewal required
5	Very poor	Urgent renewal/upgrading required

page 9

Wollondilly Shire Council

Special Schedule 7 – Report on Infrastructure Assets (continued)
for the year ended 30 June 2018

	Amounts 2018	Indicator 2018	Prior periods		Benchmark
			2017	2016	
Infrastructure asset performance indicators * consolidated					
1. Buildings and infrastructure renewals ratio ⁽¹⁾					
Asset renewals ⁽²⁾	12,603	103.14%	113.12%	66.26%	>= 100%
Depreciation, amortisation and impairment	12,219				
2. Infrastructure backlog ratio ⁽¹⁾					
Estimated cost to bring assets to a satisfactory standard	45,130	11.88%	15.28%	16.16%	< 2.00%
Net carrying amount of infrastructure assets	379,877				
3. Asset maintenance ratio					
Actual asset maintenance	28,558	189.23%	123.95%	91.62%	> 100%
Required asset maintenance	15,092				
4. Cost to bring assets to agreed service level					
Estimated cost to bring assets to an agreed service level set by Council	45,130	7.25%	8.38%	9.03%	
Gross replacement cost	622,905				

Notes

* All asset performance indicators are calculated using the asset classes identified in the previous table.

⁽¹⁾ Excludes Work In Progress (WIP)

⁽²⁾ Asset renewals represent the replacement and/or refurbishment of existing assets to an equivalent capacity/performance as opposed to the acquisition of new assets (or the refurbishment of old assets) that increases capacity/performance.

Wollondilly Shire Council

Special Schedule 7 – Report on Infrastructure Assets (continued) for the year ended 30 June 2018

<p>1. Buildings and infrastructure renewals ratio</p> <p>Benchmark: — Minimum $\geq 100.00\%$ Source for benchmark: Code of Accounting Practice and Financial Reporting #26</p>	<p>Purpose of asset renewals ratio</p> <p>To assess the rate at which these assets are being renewed relative to the rate at which they are depreciating.</p>	<p>Commentary on 2017/18 result</p> <p>2017/18 Ratio 103.14%</p> <p>Historically, infrastructure renewals were insufficiently funded, resulting in a large infrastructure backlog. This issue has been addressed with the current special rate variation sought for the purpose of renewing Council's infrastructure assets, with the benchmark having been exceeded over the past two reporting periods.</p>
<p>2. Infrastructure backlog ratio</p> <p>Benchmark: — Maximum $< 2.00\%$ Source for benchmark: Code of Accounting Practice and Financial Reporting #26</p>	<p>Purpose of infrastructure backlog ratio</p> <p>This ratio shows what proportion the backlog is against the total value of a Council's infrastructure.</p>	<p>Commentary on 2017/18 result</p> <p>2017/18 Ratio 11.88%</p> <p>This ratio is currently not meeting the required benchmark due to many years of insufficient funding for asset maintenance and renewal. To address this issue, Council successfully applied for a special rate variation in 2015/16 - the effects of which are now starting to be seen with the ratio beginning to fall.</p>
<p>3. Asset maintenance ratio</p> <p>Benchmark: — Minimum $> 100.00\%$ Source for benchmark: Code of Accounting Practice and Financial Reporting #26</p>	<p>Purpose of asset maintenance ratio</p> <p>Compares actual vs. required annual asset maintenance. A ratio above 100% indicates Council is investing enough funds to stop the infrastructure backlog growing.</p>	<p>Commentary on 2017/18 result</p> <p>2017/18 Ratio 189.23%</p> <p>Council is now seeing the effects of the special rate variation that has gradually compounded over the past few years to the point where Council is now regularly providing sufficient resource towards the maintenance of its assets.</p>
<p>4. Cost to bring assets to agreed service level</p>	<p>Purpose of agreed service level ratio</p> <p>This ratio provides a snapshot of the proportion of outstanding renewal works compared to the total value of assets under Council's care and stewardship.</p>	<p>Commentary on 2017/18 result</p> <p>2017/18 Ratio 7.25%</p> <p>Similar to the Infrastructure Backlog ratio, this ratio has historically been too high due to years of insufficient funding for asset maintenance and renewal. The effects of the recent special rate variation are now starting to be seen with the ratio beginning to fall. Future projections indicate this ratio will continue to fall each year.</p>