

Attachments

Monday 19 June 2017

PE1, PE2, PE3, PE4, PE5, PE6, GO2, GO4, GO5, CO1 & CO2

PE1 Attachments

1. Council report on the Draft EIS for the Western Sydney Airport
2. Council's submission on the Draft EIS
3. Council's submission on the Sydney Rail Scoping Strategy

Monday 19 June 2017

PE1 – Western Sydney Airport

Report of Planning and Economy to the Ordinary Meeting of Council held on Monday 18 May 2015

PE8 – Badgery’s Creek Airport – Proposal for Joint Peer Review of Environmental Impact Statement

PE8

Badgery’s Creek Airport - Proposal for Joint Peer Review of Environmental Impact Statement

243773

TRIM 1806

REPORT

EXECUTIVE SUMMARY

- The Australian Government announced in April 2014 that Badgerys Creek will be the site for the second Sydney airport.
- Since this announcement the Federal Government, amongst other things, has commenced preparation of a draft Environmental Impact Statement (EIS) on the proposed airport which is expected to be released on public exhibition in mid-2015.
- Blacktown Council has called on member Councils of WSROC and MACROC along with The Hills Shire Council to pool resources to engage consultants to undertake an independent peer review into the EIS.
- This peer review will then serve as the basis for individual Council submissions on the EIS if they so choose to do so. It will also assist Council in developing future Planning Policies for the Shire that takes into account any impacts associated with the development of the airport.
- It is recommended that Council join other WSROC and MACROC Councils to undertake the review of the EIS.
- There have not been any disclosures of political donations made in regard to this matter.

BACKGROUND

The debate about a second airport for Sydney was reinvigorated in March 2012 with the release of a Joint Commonwealth/NSW Government Study into Sydney’s aviation needs. The Joint Study concluded that Badgerys Creek was the best location for a second Sydney airport. Despite this recommendation the Federal Government commissioned further studies pursuing Wilton as the preferred option.

In May 2012, in the face of this emerging proposal for a second Sydney Airport at Wilton, Council resolved to endorse a Position Paper “*The Case against an Airport at Wilton April 2012*”.

In early 2013 the Tourism and Transport Forum (TTF) released a report (*Sydney’s Aviation Future*) which advocated for Badgerys Creek. The TTF is a peak industry body representing a wide range of key corporations and institutions involved in Australian tourism, transport, aviation and investment. Their report cited the economic value of a second airport in Sydney and argued that concerns about noise pollution in the western suburbs from a Badgerys Creek airport could be offset by the proper planning of runways.

PE8 – Badgery’s Creek Airport – Proposal for Joint Peer Review of Environmental Impact Statement

Subsequently in April 2014 the Federal Government formally announced that Badgerys Creek will be the site of an airport for Western Sydney. An airport is a major, complex and long-term project, with detailed planning towards an operational airport by the mid-2020s underway. The Australian Government is taking a roads first approach and work has started on a 10-year program of \$3.6 billion to improve roads infrastructure in the area.

It is proposed that an airport in Western Sydney would be a catalyst for investment and job creation in the region. It is estimated that a Western Sydney airport would generate \$24.6 billion in direct expenditure by 2060, and contribute a \$23.9 billion increase in gross domestic product to the national economy. Benefits include:

- Jobs and economic growth
- Investment to the region
- Reduced commute times
- Upgraded roads.

On 16 March 2015 the Mayor of Blacktown Council invited representatives of all Councils from the WSROC and MACROC along with The Hills Shire Council to a forum to discuss how the Councils of Western and South-Western could best assess the environmental impacts of the Western Sydney Airport on a shared basis.

Following a presentation from the General Manager of Blacktown Council it was proposed that there could be substantial advantage in councils pooling their resources and having consultants engaged, ready to assess the Commonwealth’s EIS as soon as it is released.

Assuming a 60-day exhibition period, for what will be a volumes and detailed environmental assessment, means that councils and the community more generally will have limited time in which to conduct an informed analysis of the Commonwealth’s proposal.

The proposal being put forward seeks Council’s contribution towards funding consultants to objectively peer review the future Environmental Impact Statement (EIS) for the proposed Western Sydney Airport as follows:

- Each participating council contributes funds on a pro rata population basis to engage the expert consultants
- WSROC coordinates procurement for each consultant
- A Steering Committee is established. Membership would include WSROC, MACROC and each council's Strategic Planning Manager, to coordinate the appointment and management of the consultants. The committee would be chaired on rotation by WSROC and MACROC.

PE8 – Badgery’s Creek Airport – Proposal for Joint Peer Review of Environmental Impact Statement

- A Project Manager is engaged as early as possible to prepare briefs and oversee the specialist consultant peer review, under the direction of the Steering Committee. The Project Manager would be engaged for 3 months full time spread over a 6 month period.

Several councils have expressed an interest in the proposal. Attendees at the forum resolved to next meet at Fairfield City Council, hosted by the Mayor of Fairfield, Councillor Frank Carbone. The meeting will further discuss the proposal and confirm the commitment of those councils that wish to participate and financially contribute. The second forum will be held on Thursday, 21 May 2015 at 9.30am at Fairfield City Council's offices at 86 Avoca Road, Wakeley.

CONSULTATION

Our community's views on the Badgerys Creek proposal have not yet been determined through any formal consultation process or survey, however the decision of the Federal Government has made this a somewhat redundant requirement in terms of the actual airport location. However there are still opportunities to advocate on behalf of our community on the need for infrastructure improvements to support access to the airport, and ameliorate noise impacts.

RELEVANCE TO COMMUNITY STRATEGIC PLAN 2033

The proposal has long term social, environmental and economic implications for our shire and for the broader region. Council has a leadership responsibility to consider such significant regional infrastructure issues and to advocate on behalf of the interests of our communities.

POLICIES & LEGISLATION

Nil

RELEVANT CONSIDERATIONS

Given the Federal Government's commitment to progressing the airport, and associated supporting infrastructure, it is important that Council identifies the key issues that are important to our community and seek to ensure that the infrastructure works benefit the Shire.

Although Council has previously expressed opposition to any second airport being constructed in the Sydney basin this should not prevent Council taking a fresh look at the issue and potentially adopting a new perspective. The need for Western Sydney to have long term economic and jobs growth solutions is well understood. The community of Wollondilly Shire, particularly as we grow in the future, shares that need.

**PE8 – Badgery’s Creek Airport – Proposal for Joint Peer Review of
Environmental Impact Statement**

It is considered that there is substantial advantage in councils pooling resources and having consultants engaged, ready for assessment of the Commonwealth's EIS as soon as it is released. The independent expert analysis could be used by all councils and the community more generally, in the preparation of submissions to the Commonwealth. Furthermore, a peer assessment of the Commonwealth's EIS could be used to assist in the formulation of future planning policies in relation to the effects of the airport on the Shire and used to provide information and advice to the community more broadly.

If not participating in the joint peer review, Councils will potentially undertake consultant assessments of particular environmental attributes of the proposed airport at considerable cost to, duplicating the efforts of other councils.

FINANCIAL IMPLICATIONS

Final costing for the engagement of specialist consultants to undertake the peer review have not yet been received. It is however anticipated that the total cost will run into the hundreds of thousands of dollars. The agreed approach to funding such a large project is for each participating Council to pay a proportion of the costs based on a population pro rata rate. Based on this funding arrangement Wollondilly Council would be required to make would be a significantly lower contribution than other participating Council and at lower value than if Council elected to engage consultants themselves.

The participation in the proposal could be funded from Council's Growth Management Consultants Budget.

CONCLUSION

It is appropriate for Council to recognise that the decision on Badgery's Creek Airport has been made, and that the focus of Council should be in addressing the associated impacts with that decision.

Council's ability to undertake a comprehensive peer review of the Badgery's Creek Airport EIS would be greatly enhanced by pooling resources with neighbouring Councils and subsequently sharing the expense of such an exercise.

Report of Planning and Economy to the Ordinary Meeting of Council held on Monday 18 May 2015

PE8 – Badgery’s Creek Airport – Proposal for Joint Peer Review of Environmental Impact Statement

ATTACHMENTS

1. Letter from Blacktown Council outlining the proposal to pool resources to peer review the Federal Government’s EIS on Badgery’s Creek Airport.
2. Presentation made to WSROC and MACROC Councils and The Hills Shire Council by Blacktown Council.
3. Minutes from meeting of WSROC and MACROC Councils and The Hills Shire Council Thursday 9 April 2015 at Blacktown Council Chambers.

RECOMMENDATION

1. That Council express an interest in being involved in further joint activities relating to the development of the Badgery’s Creek Airport through the relevant ROC’s.
2. That Council writes to the Mayor of Blacktown City Council and thank him for the invitation to attend the forums and participate in the proposed joint review of the Badgery’s Creek Airport.
3. That the General Manager be authorised to enter into an Agreement for the expenditure of up to \$20,000 to participate in the joint independent review of the Badgery’s Creek Airport EIS, as proposed by Blacktown City Council.

Report of Planning and Economy to the Ordinary Meeting of Council held on Monday 18 May 2015

PE8 – Badgery’s Creek Airport – Proposal for Joint Peer Review of Environmental Impact Statement

ATTACHMENT 1 - 1806 - 18 MAY 2015



16 April 2015

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

Proposed Western and South-western Sydney Councils' independent review of the future Western Sydney Airport EIS

A forum was held at Blacktown City Council on Thursday 9 April 2015, to discuss how the councils of Western and South-western Sydney could best assess the environmental impacts of the Western Sydney Airport on a shared basis.

The forum was held following an invitation from the Mayor of Blacktown, Councillor Stephen Ball, dated 16 March 2015 and sent to all WSROC and MACROC councils and The Hills Shire Council.

This letter formally seeks your contribution towards a funding pool to engage consultants to objectively peer review the future Environmental Impact Statement (EIS) for the proposed Western Sydney Airport, as an outcome from the forum on 9 April 2015.

We believe that there is substantial advantage in councils pooling resources and having consultants engaged, ready for assessment of the Commonwealth's EIS as soon as it is released. The independent expert analysis could be used by all councils, and the community more generally, in the preparation of submissions to the Commonwealth.

If not participating in the joint peer review, the councils of WSROC, MACROC, The Hills and others will potentially each undertake consultant assessments of particular environmental attributes of the proposed airport at considerable wasted cost to their communities, duplicating the efforts of other councils.

The proposal

The proposal that is being put forward to all WSROC and MACROC councils and The Hills Shire Council is as follows:

- Each participating council contributes funds on a pro rata population basis to engage the expert consultants

Council Chambers • 62 Flushcombe Road • Blacktown NSW 2148
Telephone: (02) 9839 6000 • Facsimile: (02) 9831 1961 • DX 8113 Blacktown
Email: council@blacktown.nsw.gov.au • Website: www.blacktown.nsw.gov.au
All correspondence to: The General Manager • PO Box 63 • Blacktown NSW 2148

Report of Planning and Economy to the Ordinary Meeting of Council held on Monday 18 May 2015

PE8 – Badgery’s Creek Airport – Proposal for Joint Peer Review of Environmental Impact Statement

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- WSROC coordinates procurement for each consultant
- A Steering Committee is established. Membership would include WSROC, MACROC and each council's Strategic Planning Manager, to coordinate the appointment and management of the consultants. The committee would be chaired on rotation by WSROC and MACROC
- A Project Manager is engaged as early as possible to prepare briefs and oversee the specialist consultant peer review, under the direction of the Steering Committee. The Project Manager would be engaged for 3 months full time spread over a 6-month period.

Assuming a 60 day exhibition period, it is envisaged that the peer review will be completed within 6 weeks, which allows each council 3 weeks to prepare their own submission, having the benefit of the peer review. It is up to each council, of course, to determine how much of the review is utilised in preparing its submission.

The short public exhibition period, for what will be a voluminous and detailed environmental assessment, means that councils, and the community more generally, will have limited time in which to conduct an informed analysis of the Commonwealth's proposal.

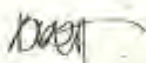
Several councils expressed an interest in the proposal. Minutes from the forum are attached to this letter, as well as a copy of the presentation. Attendees at the forum resolved to next meet at Fairfield City Council, hosted by the Mayor of Fairfield, Councillor Frank Carbone. The meeting will further discuss the proposal and confirm the commitment of those councils that wish to participate and financially contribute. The 2nd forum will be held on:

Thursday 21 May 2015 at 9.30am at Fairfield City Council's offices at 86 Avoca Road, Wakeley.

Your confirmation of your attendance at the next forum would be appreciated, to Leda Dellomo, Personal Assistant to the General Manager at Fairfield City Council, on 9725 0204 or at ldellomo@fairfieldcity.nsw.gov.au

If you would like to discuss this matter further, please contact my office on 9839 6503.

Yours faithfully,



Kerry Robinson
General Manager

Report of Planning and Economy to the Ordinary Meeting of Council held on Monday 18 May 2015

PE8 – Badgery’s Creek Airport – Proposal for Joint Peer Review of Environmental Impact Statement

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The slide features a background image of a forest. On the left, there is a vertical banner with the text 'WESTERN SYDNEY AIRPORT' in orange and 'ENVIRONMENTAL IMPACT STATEMENT (EIS)' in white. Below this, a list of four bullet points is displayed in white text against the dark background. In the top left corner, there is a small logo for 'Blacktown City Council'.

- EIS being prepared
- Latest advice – will be released in September 2015
- Voluminous document – many hundreds of pages of detailed environmental assessment
- Cost for individual councils to each independently assess

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POSSIBLE ESTABLISHMENT OF FUNDING POOL FOR EIS ASSESSMENT

- Very short exhibition period - timeframe for submission will be short (20 – 60 days)
- Economies of scale can be achieved if we work together
- Cost
- Time
- Staff resources

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The slide features a blue header with the 'Blacktown City Council' logo. The main title is 'POSSIBLE ESTABLISHMENT OF FUNDING POOL FOR EIS ASSESSMENT'. Below the title is a bulleted list of three points.

- Each Council will be stretched individually to assess and report
- Better for all if we act together
- Aim: have an objectively peer reviewed EIS that all Councils can rely on

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HOW WOULD WE OPERATE COLLECTIVELY?

- Suggest WSROC coordinate procurement (but doesn't contribute funds)
- Each participating Council contributes funds on a pro rata population basis
- Form Steering Committee – WSROC chairs with each Council's Strategic Planning Manager a member
- Need to engage Project Manager to oversee all studies required for the peer review

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www.blacktown.nsw.gov.au

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WHAT ANALYSIS WILL HELP US ALL?

- Don't reinvent the wheel
- Peer review EIS and get objective view of its components
- No hidden agendas – we all need to have confidence with the process. A peer review enables that
- Preparation of briefs by Steering Committee will ensure objectivity
- Suggest only key EIS elements be peer reviewed

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POTENTIAL PROCUREMENT PROCESS

- Steering Committee coordinates
- WSROC controls pooled funds
- Line up consultants early to do work once EIS exhibited
- Procurement by WSROC for individual briefs and separate engagement process for each consultant
- Project Manager appointed as early as possible to write briefs, recommend shortlist and analyse responses for each peer review – 3 months full time spread over 6 months
- Steering Committee decides on appointment of consultants

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TIMING OF PEER REVIEWS




- Consultants already engaged before EIS exhibition and ready to commence at Day 1 of exhibition
- Assuming 60 day exhibition:
 - Peer reviews in draft to Steering Committee by end Week 4 of 9
 - Steering Committee reviews in Week 5
 - Final reports to Steering Committee by end Week 6 (1 week for consultants to amend)
 - 3 weeks left for Councils to make their individual submissions

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ATTACHMENT 2 - 1806 - 18 MAY 2015

 <div> <div>TIMING OF PEER REVIEWS</div> <table> <tr> <th>Task</th><th>Week 1</th><th>Week 2</th><th>Week 3</th><th>Week 4</th><th>Week 5</th><th>Week 6</th><th>Week 7</th><th>Week 8</th><th>Week 9</th></tr> <tr> <td>Peer reviews in draft to Steering Committee</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr> <td>Steering Committee reviews</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr> <td>Final reports to Steering Committee</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr> <td>Councils make individual submissions</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> </table> </div>										Task	Week 1	Week 2	Week 3	Week 4	Week 5	Week 6	Week 7	Week 8	Week 9	Peer reviews in draft to Steering Committee										Steering Committee reviews										Final reports to Steering Committee										Councils make individual submissions									
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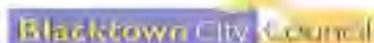


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PE8 – Badgery’s Creek Airport – Proposal for Joint Peer Review of Environmental Impact Statement

ATTACHMENT 3 - 1806 - 18 MAY 2015



Western Sydney Forum

Discussion on the future assessment of the
Environmental Impact Statement for the Airport

Thursday 9 April 2015, 9.00am
Nirimba Room, Blacktown City Council

Meeting Minutes

List of attendees

Cr Stephen Ball	Mayor	Blacktown City Council
Cr Walter Smith	Councillor	Blacktown City Council
Kerry Robinson	General Manager	Blacktown City Council
Glennys James	Director Design and Development	Blacktown City Council
Ash Chand	Manager Strategic Planning	Liverpool City Council
Wayne Mitchell	Executive Manager	Parrish City Council
Judith Bruinema	Deputy CEO	WSROC
Cr Kim Ford	Mayor	Hawkesbury
Peter Jackson	General Manager	Hawkesbury
Cr Frank Carbone	Mayor	Fairfield City Council
Diane Culbert	Group Manager City & Community Development	Fairfield City Council
Jeff Lawrence	Director Planning and Environment	Campbelltown City Council
Helen Papathanasiou	Manager Environmental Outcomes	Parramatta City Council
Luke Nicholls	Director City and Community Outcomes	Blue Mountains City Council
Cr Mick Fell	Councillor	Blue Mountains City Council
Adam Gray	Snr Urban Growth Planner	Wollondilly Shire Council
Mark Brisby	General Manager	Auburn City Council
Cr Ross Grove	Councillor	Holroyd City Council
Adam Davis	Manager Strategic Planning	Holroyd City Council

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PE8 – Badgery’s Creek Airport – Proposal for Joint Peer Review of Environmental Impact Statement

ATTACHMENT 3 - 1806 - 18 MAY 2015

Apologies

Cr Ronney Quek

Mayor

Auburn City Council

1. Welcome – Cr Stephen Ball, Mayor, Blacktown City Council

- Presented the key outcomes of the proposal:
 - maximum benefit for the residents of Western Sydney
 - ensure the EIS properly addresses the impacts on Western Sydney
 - independent review, free from political stance on the airport, that can be utilised by all Western Sydney councils and residents
- Discussion with the Federal Government has highlighted a lack of a strategic plan for how the airport will integrate with Western Sydney.
- Concern over the potential period for community consultation. Conflicting advice has been given, with 3 different time periods of 20, 60 and 90 days being mentioned to Blacktown Council.

2. Presentation on the proposal – Kerry Robinson, General Manager, Blacktown City Council

- Presented the proposal:
 - establishment of a joint funding pool to engage consultants to objectively peer review the EIS to assist councils in preparing their own submission
 - WSROC to coordinate the procurement
 - councils contribute funds on a pro rata population basis
 - a Steering Committee be established made up of council Strategic Planning Managers and chaired by WSROC
 - a Project Manager be engaged to oversee and manage the consultant peer review. Engaged early to write briefs. An engagement of 3 months full-time, spread over 6 months
 - indicative cost estimate to engage each consultant for the different issues could potentially total \$240K.
- Consultants engaged before EIS exhibition.
- Peer review completed within 8 weeks, allowing councils 3 weeks to write their own submission
- Presentation will be circulated to all attendees.
- List of councils approached will be circulated. This included all WSROC and MACROC councils and The Hills Shire Council.

3. Discussion

- Discussion on the lack of a strategic plan for how the airport will connect with Western Sydney.
- Cr Ball (Blacktown City Council) believed the EIS and the peer review of the EIS was the opportunity to highlight the infrastructure that would be required to ensure the airport will be successfully integrated to all parts of Western Sydney.

PE8 – Badgery’s Creek Airport – Proposal for Joint Peer Review of Environmental Impact Statement

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- Cr Fall (Blue Mountains City Council) felt that whilst the proposal for a peer review of the EIS had merit, it would still not address the lack of a strategic plan for the airport and Western Sydney.
- Cr Carbone (Fairfield City Council) strongly supported the proposal as he saw the benefit of having an independent study that could be used by all councils. He felt that if there was a funding shortfall, then WSROC should provide funding assistance.
- Cr Grove (Holroyd City Council) supported the proposal in principle. However he felt that the fee estimate was too conservative and that a greater funding commitment would be required. He needed to discuss the proposal with the Mayor of Holroyd before a full commitment could be given.
- Wayne Mitchell (Penrith City Council) supported the proposal, however felt there is a need for more detailed pricing to allow councils to commit funds.
- Jeff Lawrence (Campbelltown City Council) supported the proposal in principle. He requested a formal letter be sent to all WSROC and MACROC councils, and The Hills Shire Council, further outlining the proposal; and seeking a commitment of support.
- Kerry Robinson (Blacktown City Council) recommended holding another meeting in 4 weeks to confirm support for the proposal. Fairfield City Council offered to host the next meeting.
- Wayne Mitchell (Penrith City Council) suggested that monthly meetings may be too long to wait to start the process. He felt that there was a need to expedite the engagement of consultants.
- Jeff Lawrence suggested that the officer level Steering Group meeting be co-chaired by WSROC and MACROC.
- Diane Culbert (Fairfield City Council) suggested that the council officer level meeting be arranged in the next 2 weeks to discuss the scope of works for the consultant briefs.
- Glennys James (Blacktown City Council) offered to prepare a draft consultant brief for discussion to start the process.

4. Next steps

- A letter will be sent from Blacktown City Council to all WSROC and MACROC councils and The Hills Shire Council, outlining the proposal and requesting a commitment to the pooled funding arrangement.
- A copy of the presentation will be circulated to all councils.
- A meeting will be arranged in 4 weeks at Fairfield City Council to determine each council's commitment to the proposal.
- Fairfield Council will convene a meeting of council officers in 3 weeks to discuss the scope of works for the consultant briefs.
- Blacktown City Council to prepare a draft standard brief that could be utilised.

5. Meeting closed – 10.10am

Our Reference: TRIM 1806 AG:AG

Department of Infrastructure and Regional Development
Western Sydney Airport Submission
Western Sydney Unit
GPO Box 594
Canberra ACT 2601

9 December 2015

Dear Sir/Madam,

Western Sydney Airport Draft EIS Response

Thank you for the opportunity to comment on the Draft Environmental Impact Statement for Badgery's Creek airport. Badgery's Creek airport represents a substantial infrastructure investment into Western Sydney and provides many opportunities. However, as with any development of this scale, careful planning needs to occur to maximise the potential benefits of the airport while minimising the negative consequences. It is most important that the Federal Government maintains an open and transparent dialogue

Council has, to date, been opposed to a second airport in the greater Sydney basin, but acknowledges the decisions made by the Federal Government in the site selection and progression of planning for a second airport at Badgery's Creek. Notwithstanding this Council wishes to make the following submission in respect to the Draft Environmental Impact Statement (EIS) and Draft Airport Plan.

The Western Sydney Airport Project

The draft EIS and its associated 'Airport Plan' considers an initial single-runway development capable of handling up to 185,000 aircraft movements (37 million passengers per annum) nominally by around 2050, following which a dual runway is proposed with a total theoretical maximum capacity of 370,000 aircraft movements per year (82 million passengers) assumed to be reached in 2063.

The stage 1 draft EIS includes operation of the airport until 2030 when it is anticipated that approximately 10 million passengers and 63,00 aircraft would use the airport annually.

The draft EIS provides a broad assessment of the eventual two-runway development, but acknowledges that given the long time horizon to full development, more detailed assessment will be required to fully understand the impacts of the project at that time. Instead the draft EIS focuses on the assessment of Stage 1.

The draft EIS also recognises that there is currently no operator (or Airport Lessee Company – ALC) nominated for the construction and operation of the airport, and as such the Airport Plan is considered to be a transitional document until an operator is on board and a detailed masterplanning and project development process can commence.

Statutory Approvals Context

Stage 1 of the Western Sydney Airport project is being assessed under the *Environment Protection and Biodiversity Act 1999* (EPBC Act) through an Environmental Impact Statement, as all works are proposed on Commonwealth land (EPBC 2014/7391).

The draft EIS contains an 'Airport Plan' which defines the proposed layout and land uses for Stage 1 and an associated 'Airspace Architecture and Operation', which defines operation and flight paths associated with the airport. The Airport Plan must be approved by the Infrastructure Minister under the Commonwealth *Airports Act 1996* (Airports Act) prior to the commencement of development.

Future expansion and approval of the airport beyond 2030 would be subject to further planning and assessment under the Airports Act.

Key Findings

The draft EIS was prepared on a very accelerated program, and it is apparent from media coverage to date that there has been significant Federal political pressure to progress the project rapidly. The draft EIS was prepared over a period of approximately 8 months from engagement of EIS consultants to provision of an initial draft for Commonwealth Department of Environment review.

Uncertainties Over The Way The Approvals Process Will Operate

The project is subject to assessment under the EPBC Act, and the Environment Minister's agreement (and conditions) are a prerequisite of any subsequent approval under the Airports Act. The draft EIS notes that the future development and expansion of the airport will be subject to further assessment and approval under the Airports Act, and that the preparation of a masterplan will be required within five years of the commencement of the project. This would superseded the current Airport Plan, which is described in the draft EIS as a transitional document. In effect it is implied that once the airport is leased, all future approvals would be under the Airports Act.

What is less clear is:

- What the potential triggers would be for further referrals and potentially approvals under the EPBC Act.
- What further assessment and approval would be required for the construction and operation of Stage 1 (beyond the current EIS and associated Airport Plan approval) once an ALC is appointed and more is known about the actual airport layout and operations.
- What limitations any EPBC Act approval will place on the airport
- What level of community and stakeholder engagement will be accommodated in the process going forward

We would like to have seen greater clarity in this regard.

Airport Layout

The draft EIS nominates a preferred airport layout for both the Stage 1 and long term developments, noting that the layouts are indicative only and would be confirmed once an ALC has been appointed. Alternative layouts are presented for both the Stage 1 and long term layouts, however these are all based on a .05R/23L degree runway orientation, in other words there has been no consideration of alternative runway orientations – a key determining factor of flight paths.

Airspace Architecture (Flight Paths)

The brief of Air Services Australia as outlined in the draft EIS was to develop a set of flight paths that avoids impacts on existing operations at Kingsford Smith at 2030 (although it was acknowledged that this would be impossible in the long term) and to ensure safety of operations. We have a number of concerns in regard to the flight paths presented in the draft EIS:

- The draft EIS makes clear that they have not been designed to minimise environmental (and in particular noise) impacts on communities.
- They have taken no account of the smaller airports (Camden, Richmond, Bankstown), other than to note that these would be impacted in the long term.
- There is no visibility in the draft EIS of how these contours were arrived at, and how they compare to alternatives considered.
- The contours are 'proof of concept' – in other words they are indicative only, and could be revised by a future ALC without recourse to the EPBC Act. As such there is considerable uncertainty over what actual impacts may eventuate.

We have the following recommendations in this regard:

- Greater consideration of alternative options is required, with an additional objective of minimising environmental impacts.
- A holistic review of flight paths taking account of all airports in the Sydney metropolitan area should be undertaken. As part of this, options that allow for flight paths at Kingsford Smith to be modified should be considered.
- In recognition that a future ALC may modify the flight paths from those presented in the EIS, sensitivity testing should have been presented to demonstrate the changes of noise impacts that would result if flight paths are modified.
- The case for a merge point should be further explored, and consideration of alternative merge points should be examined. Further analysis of the proposed fleet mix is required. It is not considered suitable to adopt the fleet mix used from Kingsford Smith Airport (KSA) and that further analysis of the preferred fleet mix at the Western Sydney Airport should be undertaken.
- A detailed discussion to determine whether a curfew is required.

Noise

Noise level information of the form required by the EIS guidelines has generally been provided in the draft EIS. However, a peer review has also identified a number of limitations concerning the content of the draft EIS, and therefore further information and assessments are considered necessary to address the general and noise-specific requirements of the EIS guidelines.

Based on the review of the draft EIS, the key noise impacts associated with the proposed airport are:

- Community annoyance, and related impacts such as speech interference and changes to the way individuals use outdoor spaces.
- Sleep disturbance associated with night-time operations, and related impacts such as the potential need for some residents to sleep with windows closed to achieve a suitable internal amenity.
- Degradation of the acoustic amenity of the World Heritage Area within the Greater Blue Mountains area.

While this review of the Draft EIS has identified a number of limitations to the present assessment, this is not intended to infer that the proposed development and development site are unsuitable. Rather, in light of the residual uncertainties in the assessment, further information and assessments are considered necessary before stakeholders can reach an informed view on the potential scale and significance of aircraft overflight noise impacts associated with the proposed airport site.

Conducting these further assessments as part of the environmental impact assessment process represents an opportunity to:

- provide clarity to affected communities and stakeholders about the nature of the noise impacts;
- provide clarity to regulators about the form of noise controls which will be needed in the project approval to ensure that noise is appropriately managed; and
- reduce the potential for unforeseen impacts and the associated risk of reactionary noise management procedures which could subsequently jeopardise the operational flexibility of the proposed airport.

Short Term Assessment Within The Draft Airport Plan

Whilst the draft EIS and associated technical reports provide some detail and assessment on the longer term development of the Western Sydney Airport, the draft EIS is seeking approval only for the construction and operation of Stage 1 until approximately 2030.

The draft EIS notes that by 2050 the single runway will have reached capacity and a second runway will be required. A general recommendation is that the draft EIS should consider the operation of the airport at 2045 (approaching full capacity of the single runway infrastructure) so the community and stakeholders have a greater understanding of the impacts of a single runway airport.

High Level Traffic and Transport Assessment

The traffic and transport assessment assessed in the EIS for Stage 1 works provides a high level assessment of traffic directly relating to the construction and operation of the Stage 1 works until 2030.

Whilst it appears that by using the data discussed, the assessment undertaken is largely correct however it is considered that all the impacts are not able to be validated as the following information is not provided or considered:

- freight traffic generation within the Airport precinct (outside of air cargo)
- private vehicle traffic generation from land uses within the Airport precinct (outside of air passengers)
- vehicle travel time comparison (as predicted by strategic modelling)
- intersection performance (as predicted by intersection modelling)
- intersection layout requirements (as predicted by intersection modelling).

It is noted that the proposed Western Sydney Airport is supported by the Western Sydney Infrastructure Plan (WSIP) which is a 10 year project investing in major road infrastructure upgrades in Western Sydney. As the Western Sydney Airport is not going through the NSW state approvals there are no mechanisms to ensure the upgrades proposed in the WSIP occur, or occur in the timeframe required for the Western Sydney Airport project. Also the draft EIS did not undertake any assessments of intersections to determine if the proposed upgrades are adequate.

The Draft EIS assumes a rail service supporting the airport at some point in time but does not indicate when or how this will be funded. It is not only deemed necessary for this key piece of infrastructure to be in place prior to the completion of the airport but also to link back to the T2 Macarthur Line to provide greater connectivity with the South West Region.

Draft EIS Places No Explicit Limits on Key Impacts

In a number of areas the EIS does not provide assurances that acceptable environmental thresholds will not be breached, and does not set hard limits on environmental impacts. This is no doubt in part due to the fact that the ALC has not yet been appointed, and that the Department of Infrastructure is seeking flexibility over management and mitigation. However this creates uncertainty over the likely future impacts.

Uncertainty Over Longer Term Development and Cumulative Impact

The draft EIS provides a discussion on the long term development of the airport. This discussion generally focuses on the development of a second runway and the associated impacts, however at this stage all the impacts are indicative and will not form part of the Stage 1 approval process.

However, we consider that the draft EIS could have been bolder in its assumptions about the long term development of Sydney. The draft EIS is largely limited to identifying known development plans, such as the urban development associated with the growth centres and Western Sydney Employment Area. More discussion on the long term strategic planning initiatives within the region (i.e. South West Growth Centre, Greater Macarthur Land Release, Outer Sydney Orbital, etc.) and the impact these future land uses may have on the airport would be beneficial.

Furthermore, the discussion of land use planning impacts in the draft EIS notes that the National Airports Safeguarding Framework would '*be instrumental in managing potential future operational noise impacts for future land use planning and development around the airport*'. The Framework could potentially translate to the creation of land use planning controls which extend over significantly greater areas than either the current land use planning controls (based on the 1985 EIS) or the 2063 ANEC contours provided in the draft EIS. This has however not been discussed or assessed in the draft EIS.

The draft EIS reference to the National Airports Safeguarding Framework as an instrumental tool for guiding future land planning around the proposed airport site introduces the potential for significantly enlarged development controls. This could translate to land use impacts also being a key impact associated with the proposed development.

Lack of State Integration

The proposed Western Sydney Airport occurs solely within Commonwealth land and therefore does not require approval from the New South Wales (NSW) government (i.e. it is exempt from state planning laws).

Despite this, there are several significant infrastructure projects such as the WSIP, South West Rail Link Extension and the Outer Sydney Orbital (M9) which the Western Sydney Airport rely on to be able to operate effectively and reduce the impact on the local community and stakeholders. In addition to these infrastructure projects, the long term strategic planning and future land uses of the greater South Western Sydney region needs to be considered.

Attached is a table summarising the key issues raised as a result of reviewing the Western Sydney Airport Draft EIS.

Thank you again for the opportunity to comment. Can you please keep Council and the Wollondilly community informed of any changes to the proposal that arise out of community feedback.

Yours sincerely,

Luke Johnson
General Manager

ATTACHMENT 1

Table ES.1 Summary of key issues raised

Environmental issue	Key issues raised
Noise (aircraft overflight)	<ul style="list-style-type: none"> Assessment based on 2030 scenario which reflects early stage of airport operation only Uncertainty around actual flight paths Proposed mitigation measures are generic due to uncertainty of flight paths Outline of mitigation process is not performance driven.
Noise (airport ground-based noise and vibration)	<ul style="list-style-type: none"> Type and magnitude of impact, pre and post mitigation has not been included A single rating background level has been assumed for all receptors, this generalisation has

Environmental issue	Key issues raised
	<ul style="list-style-type: none"> underestimated the magnitude of noise impacts at receptors close to the airport. Luddenham sensitive receptors were not included in background noise monitoring. No cumulative noise impact assessment has been considered The M12 motorway and the realignment of the Northern Rd has been excluded from the assessment regarding operational road traffic noise in Stage 1.
Local air quality and greenhouse gas (GHG)	<ul style="list-style-type: none"> Local air quality assessment has several long term exceedances NO₂, formaldehyde, PM_{2.5} and PM₁₀. Effectiveness of proposed mitigation measures to achieve compliance was not quantified. GHG emissions relatively small
Regional air quality	<ul style="list-style-type: none"> Stage 1 assessment is acceptable Ozone concentration significantly above allowable increment for longer term development
Community Health	
Aviation planning	<ul style="list-style-type: none"> No real visibility in draft EIS of how flight paths were determined No presentation of alternatives No certainty over final outcome No consideration of point merge – impacts on Blandland
Surface transport and access	<ul style="list-style-type: none"> STM3 model has not been effectively calibrated and validated as the model is still in development with TNSW No traffic intersection modelling undertaken Did not consider assessment of rail Traffic estimate is based on 2011 which may be an underestimate as it does not include recent land use developments Traffic generation (outside of air cargo) is unknown and no consideration made for passengers transferring within the airport.
Human health	<ul style="list-style-type: none"> Reviewed air quality, noise and water impacts however no discussion on implications of the distribution of effects for inequality and equality have been discussed. No rationale or justification given on why a Health Risk Assessment (HRA) has been undertaken rather than a Health Impact Assessment (HIA) Perceived health issues not considered Social determinants of health have not been considered Long term cumulative impacts were not considered.
Biodiversity and offset strategy	<ul style="list-style-type: none"> Offset package has not been prepared and residual ecological risks have not been discussed Mitigation measures are limited Difficult to assess the biodiversity value of the site for the long term development.

Environmental issue	Key issues raised
Surface water and groundwater	<ul style="list-style-type: none"> ■ Duncan Creek and its tributaries have not been modelled to allow definition of baseline and hydraulic impacts ■ Draft EIS appears to dismiss any relevance of increased pollutant loads on the receiving environment ■ Groundwater assessment lacks qualification of data, no baseline time-series data collected ■ Two residual risks for groundwater were identified: soil and subsurface contamination from spill/release of chemical or contaminants and impact on groundwater dependant ecosystems from reduced water supply.
Social impact	<ul style="list-style-type: none"> ■ Balance of discussion on impacts – strong focus on economic benefits rather than a balanced discussion ■ Strong focus on regional benefits not local impacts ■ Many potential issues are stated with little assessment of their implications or level of significance or duration ■ No discussion on how mitigation measures will be co-ordinated or resourced or who the key accountability falls with ■ Claims being made by Commonwealth about economic generation and job creation have not been explicitly tested in the draft EIS ■ The draft EIS does not describe the economic or social impacts of any transfer of activity from other areas in Sydney or Australia.
Greater Blue Mountains	<ul style="list-style-type: none"> ■ A detailed assessment of significance under the Biodiversity Assessment for the Blue Mountains World Heritage Area has been deferred until a 'multidisciplinary workshop' is held to identify and assess potential impacts. ■ Limited assessment of wilderness value and high sensitivity ■ Noise levels predicted to be relatively low (below 50-55dB LAmax) however for a natural landscape is prediction is not justified and many impact the amenity values.

Our Reference: 2168#224

westernsydneyrail@transport.nsw.gov

28 October 2016

Dear Sir/Madam,

RESPONSE TO INDUSTRY ENGAGEMENT BRIEFING PAPER

Thank you for the opportunity to comment on the Western Sydney Rail Needs Scoping Study.

Wollondilly Council is very supportive of any extension to public transport opportunities and congratulates the government on its plans to establish corridors for the future extension of the railway in the Greater Western Sydney Region.

Wollondilly residents travel the furthest and expend the greatest amount of time travelling of any residents in the Greater Metropolitan Sydney Region and have a significant reliance on private vehicles. Our residents transport isolation creates a significant time and cost penalty for Wollondilly residents, impacting on family budgets, and adding to ongoing family stress and is tragically reflected in Wollondilly's high road toll. Efforts to increase public transport options are greatly appreciated. With the recent declaration of Wilton as a Priority Growth Precinct earmarked to cater for in excess of 16,000 new dwellings over the next 20 years, and other proposed greenfield development sites in the shire, the importance of public transport for the region will only grow exponentially.

Wollondilly Council's sees an urgent need to improve current rail service standards south of Macarthur including additional express services to and from major centres (City Circle, Parramatta, Campbelltown, Liverpool). Current upgrades to rail infrastructure and rolling stock across the state have, to date, not benefited an already sub-standard commuter service on the Southern Highlands line. This line is currently managed by Australian Rail Track Corporation (ARTC) under lease and is a freight priority line. This prioritisation of freight frequently causes commuter chaos due to the suspension and or delay of already limited passenger services. This has significant knock on effects with connections at Macarthur and beyond and has significant social impacts on Wollondilly and southern highland's commuters. It is requested that opportunities to separate freight and passenger tracks/lines be investigated.

Upgrades to this line also need to cater for the new Priority Growth Precinct of Wilton that will accommodate an additional 50,000 people over the next 20 years, in addition to the already expanding urban areas of Picton, Tahmoor and Bargo. An additional station at Maldon, rail spur line into the proposed Wilton Town Centre and future electrification are all seen as necessary for the future of the region.

The early provision of public transport in the area would be the catalyst for further economic growth and employment opportunities while also helping to shape commuter

behaviour and establish transport patterns in new and/ or growing urban areas that would reduce dependence upon private vehicles. In addition to this the completion of the Maldon-Dombarton rail corridor would provide significant benefit to the existing freight network, reducing the amount of heavy vehicles on our roads, freeing up passenger service capabilities on the existing Southern Highlands line, as well as providing a potential passenger line opportunity allowing for connections between South West Sydney and the Illawarra region.

We strongly encourage decisions on the proposed options to give priority to creating a truly connected network and enabling sustainable urban growth in the key growth corridors. This connectivity will create places where people will want to live and increase the number of people that enjoy the lifestyle benefits of a 30 minute city.

The proposed north-south link: Macarthur-WSA-St Marys-Schofields (option 6) is strongly supported. This is essential to create a true network connecting the significant residential growth areas of South West Sydney to significant employment areas, health, tertiary education and innovation facilities as well as tourism and recreational destinations. In reverse this would allow many Wollondilly residents a more direct route to Western Sydney Airport and the broader Western Sydney employment area. This connectivity will assist in achieving Council and State goals of additional housing and jobs at Wilton.

It is noted that the location of the Option 6 link to the T2 line is not yet determined. It is considered that a connection to Menangle would not be appropriate due to the topographical (Nepean River flooding) constraints and heritage significance of the landscape surrounding Menangle. This corridor would be best located connecting directly to Macarthur or Campbelltown where there are significant retail, employment and health services.

All efforts to expand rail options are appreciated. However we would like more information on the flow on impacts of the preferred options prior to their implementation. For example, what impacts would the conversion of the T2 airport line between Revesby and the Sydney CBD have on services between Campbelltown/Macarthur and the CBD. Many of our community currently travel by car to these stations due to more regular services to the city. It would be a disadvantage to them if as a result of this change they had to change trains at Revesby. Is there able to be any guarantee provided that option B would not result in increased rail times for commuters south west of Revesby?

Council is supportive of the co-location of option 6 (also with potential to extend to include option 2 and link to option 1 at Leppington) with the Outer Sydney Orbital Road. Co-location could have benefits to government by combining acquisition and construction processes for both potentially saving tens of millions.

The diagrams in the discussion paper do not show the proposed south west extension from Leppington to Narellan via Oran Park. Council is supportive of this link and requests it be advanced.

Again thank you for your efforts in consultation. Should you need any clarification or should we be able to assist in any way please contact adam.gray@wollondilly.nsw.gov.au

Yours faithfully

David Smith
Manager Growth and Strategic Planning

PE2 Attachment

1. Plan showing the location of the proposed Abbotsford Barn and other new heritage items.

Monday 19 June 2017

PE2 – New Heritage Item – Abbotsford Barn (Abbotsford Planning Proposal)

Map Series to be Amended:
Heritage

Map Sheets to be Amended:
8400_COM_HER_008F_020_20110208

Zone

- Conservation Area - General
- Conservation Area - Landscape
- Item - General
- Item - Aboriginal
- Item - Archaeological
- Item - Landscape

Cadastral

- Cadastre (not shown in this map)
- Cadastre (not shown in this map)

Note: All Heritage items in Wollondilly Shire Council's LEP 2011 are listed in the table below. All items may not be visible in this document map.

Map Produced: 21-02-2017



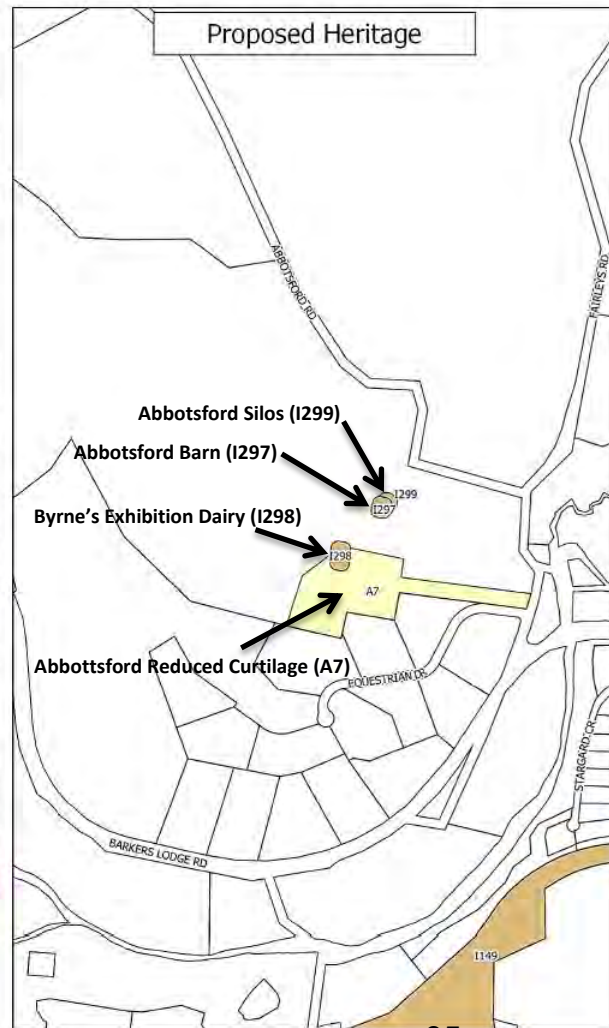
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Current Heritage



Proposed Heritage



PE3 Attachments

1. Clause 4.1AA Minimum subdivision lot size for community title schemes
2. Clause 4.2B Boundary adjustment to certain residential, environment protection and rural zones
3. Draft Amendment to Wollondilly Development Control Plan, 2016

Monday 19 June 2017

PE3 – Post Exhibition Boundary Adjustment and Minimum
Subdivision Lot Size for Community Title Scheme
Planning Proposal

Clause 4.1AA Minimum subdivision lot size for community title schemes

Current Wording – Clause 4.1AA

4.1AA Minimum subdivision lot size for community title schemes

[Not adopted]

Proposed Wording – Clause 4.1AA

(Text proposed to be added shown in italics)

4.1AA Minimum subdivision lot size for community title schemes

- (1) *The objectives of this clause are as follows:*
 - a) *to ensure that community title schemes comply with Council's minimum lot sizes,*
 - b) *to ensure that land is not fragmented by subdivisions that would create additional dwelling entitlements.*
- (2) *This clause applies to a subdivision (being a subdivision that requires development consent) under the Community Land Development Act 1989 of land in any of the following zones:*
 - (a) *Zone RU1 Primary Production*
 - (b) *Zone RU2 Rural Landscape,*
 - (c) *Zone RU4 Primary Production Small Lots*
 - (d) *Zone R2 Low Density Residential*
 - (e) *Zone R3 Medium Density Residential*
 - (f) *Zone R5 Large Lot Residential*
 - (g) *Zone E4 Environmental Living*
- (3) *The size of any lot resulting from a subdivision of land to which this clause applies (other than any lot comprising association property within the meaning of the Community Land Development Act 1989) is not to be less than the minimum size shown on the Lot Size Map in relation to that land.*

Clause 4.2B Boundary adjustment to certain residential, environment protection and rural zones

4.2B Boundary adjustment in certain rural, residential and environment protection zones

- (1) The objective of this clause is to facilitate boundary adjustments between lots if one or more lots do not meet the minimum lot size shown on the Lot Size Map in relation to that land and the objectives of the relevant zone can be achieved.
- (2) This clause applies to the following land use zones:
 - (a) Zone RU1 Primary Production,
 - (b) Zone RU2 Rural Landscape
 - (c) Zone RU4 Primary Production Small Lots,
 - (d) Zone R5 Large Lot Residential
 - (e) Zone E4 Environmental Living'
- (3) Despite clause 4.1 (3), development consent may be granted to subdivide the land by adjusting the boundary between adjoining lots if one or more do not meet the minimum lot size shown on the Lot Size Map in relation to that land, if the boundary adjustment will not result in:
 - (a) an increase in the number of lots, or
 - (b) an increase in the number of dwellings on or dwellings that may be erected on any of the lots.
- (4) Before determining a development application under this clause, the consent authority must ensure that the boundary adjustment:
 - (a) is appropriate and has regard to the natural and physical constraints affecting the land, and
 - (b) will not adversely affect the provision of existing services on a lot, and
 - (c) will not result in an increased fire risk to existing buildings, and
 - (d) will not impact on the heritage significance of a heritage item including its curtilage, character or the setting, and
 - (e) will not affect threatened species, ecological endangered communities, vegetation or require its removal
- (5) This clause does not apply:
 - (a) In relation to the subdivision of individual lots in a strata plan or a community title scheme, or
 - (b) If the subdivision would create a lot that can itself be subdivided in accordance with clause 4.1.

Draft Amendment to Wollondilly Development Control Plan, 2016

Volume 3 – Subdivision of Land

PART 2 – GENERAL REQUIREMENTS FOR ALL DEVELOPMENT

2.11 Boundary Adjustment to certain residential, environment protection and rural zones

Note 1: Clause 4.2B of the Wollondilly Local Environmental Plan 2011 applies to Boundary Adjustments in rural, environmental protection zones and large lot residential. Clause 4.B sets out where boundary adjustments can be considered and what must be considered before determining a development application.

Note 2: Only controls under this part (i.e. Part 2.11) will apply to boundary adjustments. Other controls within Part 2 do not apply.

Application

This part applies when a boundary adjustment is carried out and no additional lots are created under clause 4.2B of WLEP 2011

Objectives

- a) To ensure access points for rural subdivisions are located at safe locations within the road network
- b) To ensure regular and practical allotments that will encourage the orderly and economic use of land.
- c) To ensure the land is not fragmented and degraded by inappropriate subdivision
- d) To indirectly define a boundary adjustment

Controls

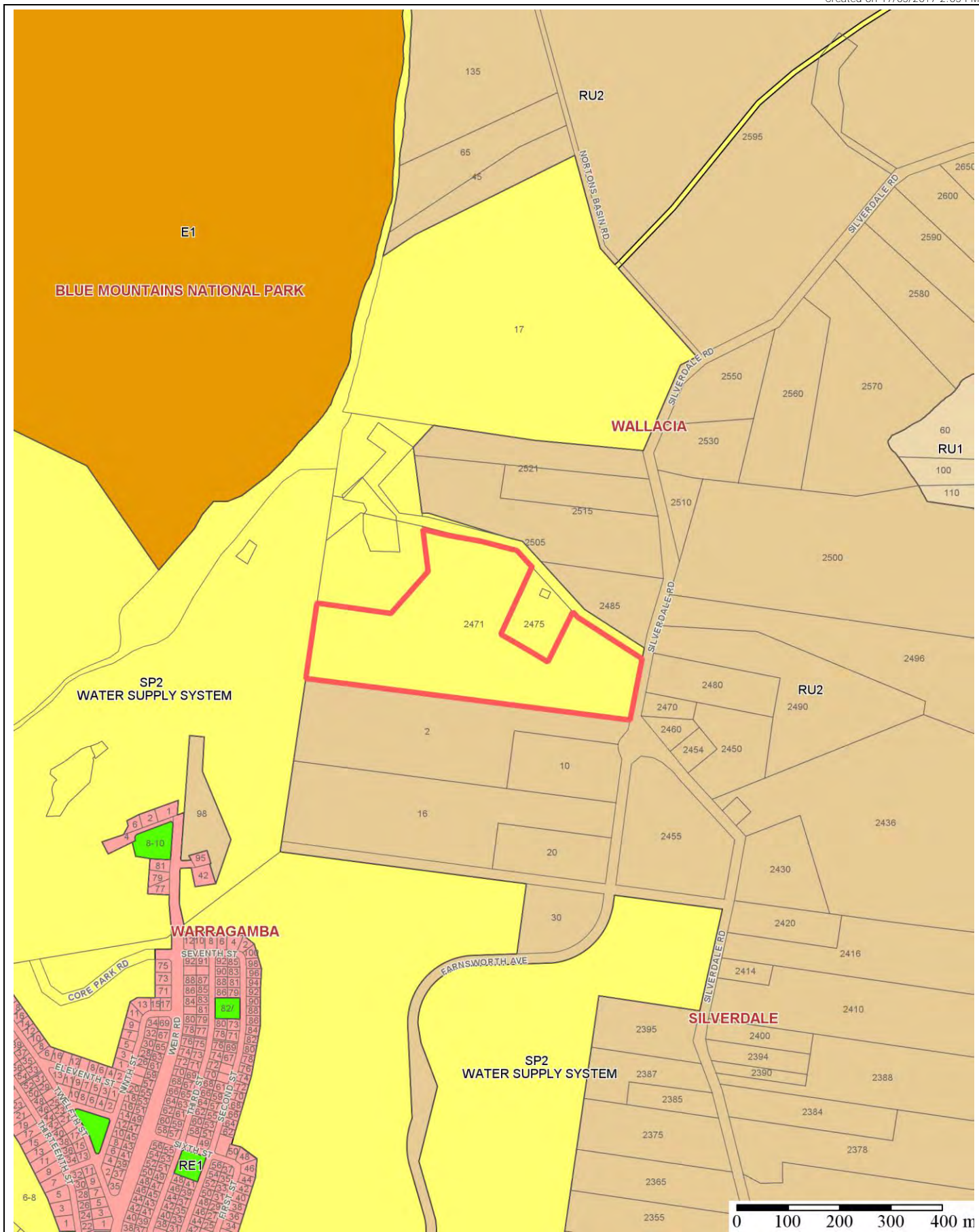
- 1. The boundary adjustment must:
 - a. not result in a significant reconfiguration of the lots and
 - b. bear some resemblance to the lots which existed before the adjustment and
 - c. not result in a consolidation of the lots and
 - d. result in an orderly and logical lot pattern and
 - e. not fragment or degrade land

PE4 Attachments

1. Site identification plan
2. Proposed zoning map
3. Alternate zoning map

Monday 19 June 2017

PE4 – Draft Planning Proposal – No. 2471 Silverdale Road,
Silverdale



Wollondilly Shire Council
PO Box 21
PACTON NSW 2571
Ph: (02) 4677 1100
Fax: (02) 4677 2339
Web:
www.wollondilly.nsw.gov.au

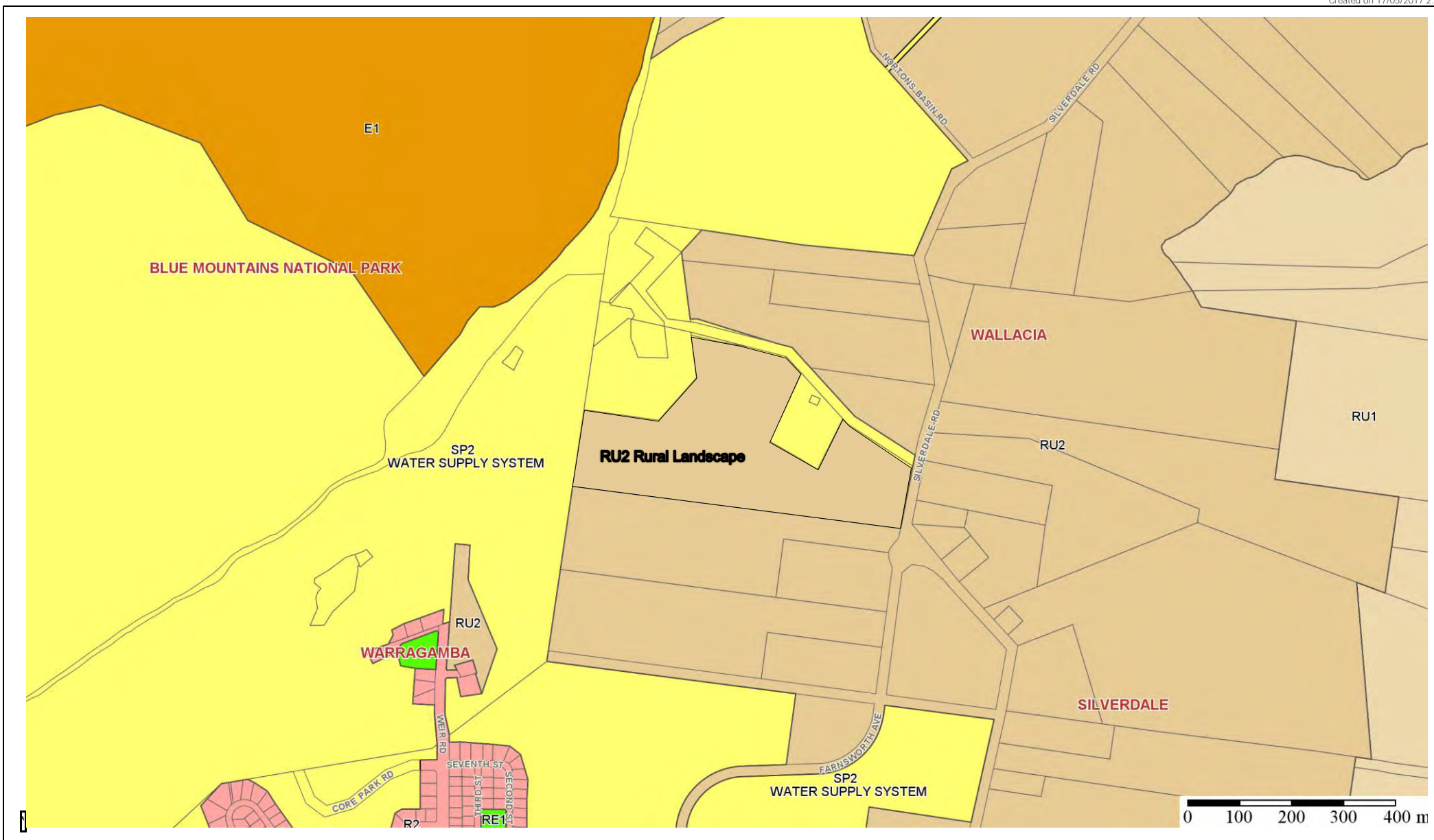
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Projection: GDA94 / MGA zone 56

Date: 17/05/2017 2:05 PM

Site identification map



Wollondilly Shire Council
 PO Box 21
 PICTON NSW 2571
 Ph: (02) 4677 1100
 Fax: (02) 4677 2339
 Web: www.wollondilly.nsw.gov.au

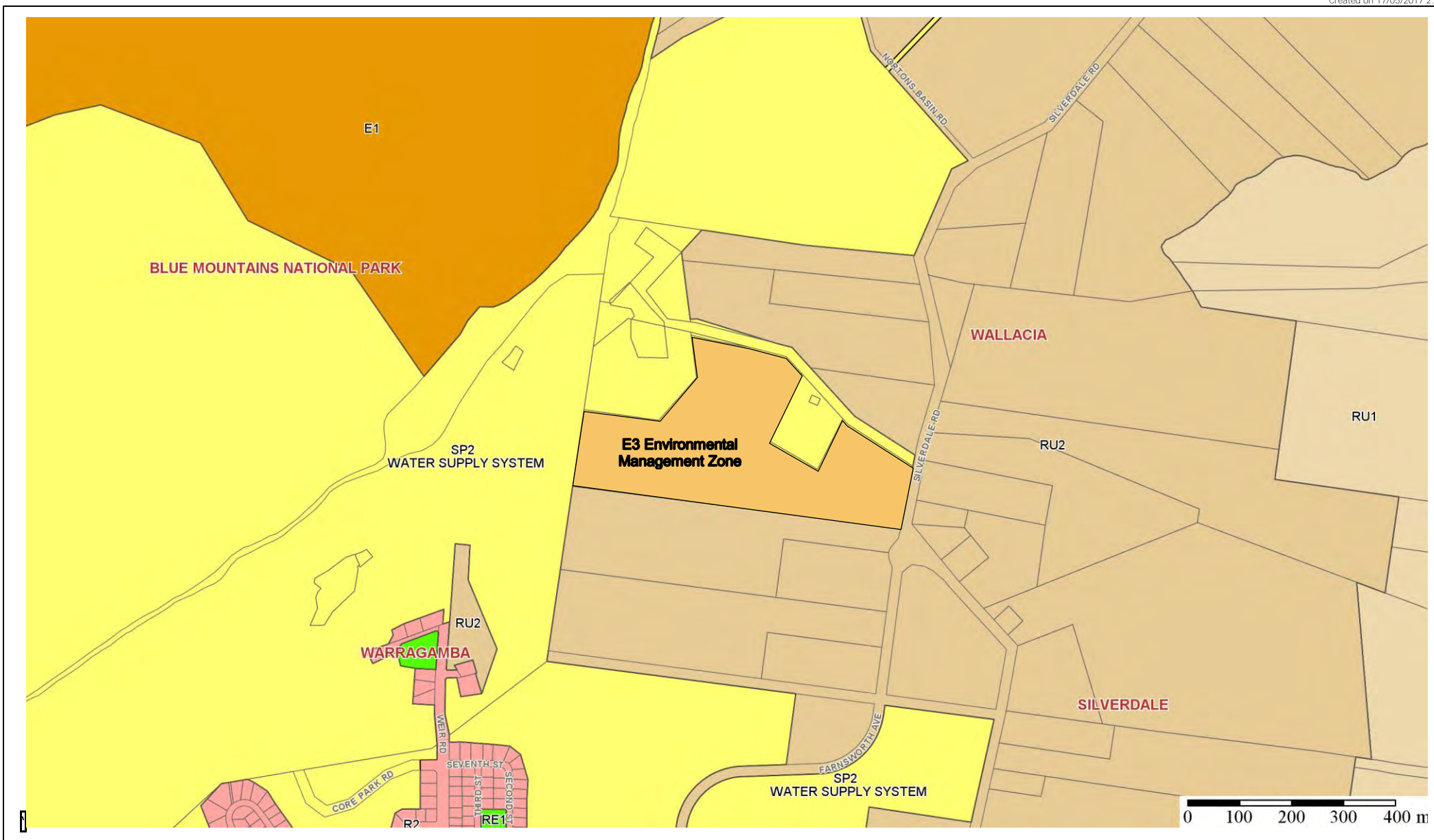
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Projection: GDA94 / MGA zone 56

Date: 17/05/2017

Created By: Mark Ruddiman

Proposed zoning map



Wollondilly Shire Council
 PO Box 21
 PICTON NSW 2571
 Ph: (02) 4677 1100
 Fax: (02) 4677 2339
 Web: www.wollondilly.nsw.gov.au

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Projection: GDA94 / MGA zone 56

Date: 17/05/2017

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Alternate zoning map

PE5 Attachments

1. Plan showing proposed zones
2. Gateway Determination and Alterations
3. Withdrawal request from proponent
4. GMS Structure Plan

Monday 19 June 2017

PE5 – Planning Proposal – Eltons and Taylors Road,
Silverdale

Legend

- Subject Site
- Adjacent Planning Proposal Site

Land Zoning

- RU2 Rural Landscape
- R2 Low Density Residential
- R5 Large Lot Residential
- SP2 Infrastructure
- RE1 Public Recreation
- E1 National Parks and Nature Reserves
- E2 Environmental Conservation

SILVERDALE



0 0.5 1
kilometres



Planning Proposal

DCDB © L&PI NSW 2012
Created on 25 October 2012 | Wollondilly Shire Council accepts no responsibility for any injury, loss or damage arising from the use of this plan or errors or omissions therein.

TRIM 6742

Eltons & Taylors Roads

For the rezoning of land located south of Silverdale for Residential and Environmental Conservation purposes.

Revised Proposed Zoning as Recommended by this Report



Planning & Infrastructure

Contact: Mato Prskalo
Phone: (02) 9860 1534
Email: Mato.Prskalo@planning.nsw.gov.au
Postal: GPO Box 39 Sydney NSW 2001

Mr J L (Les) McMahon
General Manager
Wollondilly Shire Council
PO Box 21
PICTON NSW 2571

WOLLONDILLY SHIRE	
TRIM NO.	
PROP. NO.	6742
22 APR 2013	
AUTH NO.	
ASSIGNED TO: James - S.	

Our ref: PP_2012_WOLLY_010_00 (13/01073)
Your ref: 6742 JRMS

Dear Mr McMahon,

Planning proposal to amend Wollondilly Local Environmental Plan 2011

I am writing in response to Council's letter dated 14 December 2012 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to rezone land at Eltons Road and Taylors Road, Silverdale from RU2 Rural Landscape to R2 Low Density Residential, R5 Large Lot Residential and for environmental purposes.

As delegate of the Minister for Planning and Infrastructure, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

It is noted that Council's current Growth Management Strategy does not support the planning proposal in that the majority of the site is not identified for potential future residential growth. However, the site may have potential for growth in the future and Council is currently undertaking a review of the Growth Management Strategy and has resolved to support the preparation of a Master Plan for the Silverdale and Warragamba area. Therefore, Council is to complete the review of the Strategy and prepare the Master Plan to ensure the proposal is prepared within a strategic framework. In doing so, Council is to address how infrastructure will be provided to serve future residents, and should consider the planning proposal and Master Plan in the context of the proposed rezoning of nearby land including the Silverdale and St Heliers Road site and the Bushrangers Creek site.

The amending Local Environmental Plan (LEP) is to be finalised within 18 months of the week following the date of the Gateway determination. Council's request for the Department to draft and finalise the LEP should be made six (6) weeks prior to the projected publication date.

The NSW State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Mato Prskalo of the regional office of the department on 9860 1534.

Yours sincerely,

Richard Pearson
Deputy Director General
Planning Operations and Regional Delivery

16/4/13

Gateway Determination

Planning proposal (Department Ref: PP_2012_WOLLY_010_00): to rezone land at Silverdale for residential and environmental purposes.

I, the Deputy Director General, Planning Operations and Regional Delivery at the Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Wollondilly Local Environmental Plan (LEP) 2011 to rezone land at Eltons Road and Taylors Road, Silverdale from RU2 Rural Landscape to R2 Low Density Residential, R5 Large Lot Residential and for environmental purposes should proceed subject to the following conditions:

1. Council is to complete the review of the Wollondilly Growth Management Strategy and prepare a Master Plan for this site prior to proceeding to public exhibition. The outcome of this work is to inform the objectives and provisions of the planning proposal, which should be amended accordingly.
2. Prior to undertaking public exhibition, Council is to ensure that the 'explanation of provisions' section of the planning proposal reflects Councils intended outcome for the rezoning of the subject land.
3. The planning proposal is inconsistent with a number of S117 Directions. Council is to review and address the consistency of the planning proposal with the following S117 Directions, in view of the abovementioned strategic documents:
 - 1.2 Rural Zones;
 - 2.1 Environment Protection Zones;
 - 3.1 Residential Zones;
 - 3.4 Integrating Land Use and Transport;
 - 4.3 Flood Prone Land;
 - 4.4 Planning for Bushfire Protection;
 - 5.8 Second Sydney Airport: Badgerys Creek;
 - 6.2 Reserving Land for Public Purposes; and
 - 7.1 Implementation of the Metropolitan Plan for Sydney.

Council is to amend the planning proposal accordingly prior to public exhibition, and provide a copy of the revised planning proposal to the department's regional office.

4. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of *A Guide to Preparing LEPs* (Department of Planning and Infrastructure 2012).

5. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements or demonstrate consistency with relevant S117 Directions:

- TransGrid
- Endeavour Energy
- Roads and Maritime Services
- Department of Trade and Investment (Minerals and Energy Division) (1.3 Mining, Petroleum Production and Extractive Industries)
- Office of Environment and Heritage (2.1 Environment Protection Zones)
- Aboriginal Land Council (2.3 Heritage Conservation)
- NSW Rural Fire Service (4.4 Planning for Bushfire Protection)
- Sydney Catchment Authority (5.2 Sydney Drinking Water Catchment)
- Commonwealth Department of Sustainability, Environment, Water, Population and Communities

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

6. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
7. The timeframe for completing the LEP is to be **18 months** from the week following the date of the Gateway determination.

Dated

16

day of

April

2013

Richard Peatson
Deputy Director General
Planning Operations and Regional Delivery
Department of Planning and Infrastructure

Delegate of the Minister for Planning and
Infrastructure



16/12166

Mr Chris Stewart
Director Planning
Wollondilly Shire Council
PO Box 21
Picton NSW 2571

Dear Mr Stewart

Alteration of Gateway Determination – Eltons and Taylors Roads, Silverdale

I refer to Council's requests to alter the following Gateway determination by amending the requirements of condition 1.

I have determined as the delegate of the Greater Sydney Commission, in accordance with section 56(7) of the *Environmental Planning and Assessment Act 1979*, to alter the Gateway determination dated:

- 16 April 2013, for PP_2012_WOLLY_010_00 - Eltons and Taylors Roads, Silverdale (Eltons and Taylors Roads, Silverdale).

I have enclosed the altered determination for your information.

If you have any questions in relation to this matter, please contact Mr Daniel Gorgioski on (02) 9860 1538.

Yours sincerely


Catherine Van Laeren
Director, Sydney Region West
Planning Services

23/0916

Encl:
Alteration to Gateway Determination

WOLLONDILLY SHIRE COUNCIL	
TRIM NO.	6742
PROP. No.	
29 SEP 2016	
AUTH. No.	
ASSIGNED TO:	Tania



Alteration of Gateway Determination

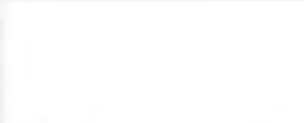
Planning proposal (Department Ref: PP_2012_WOLLY_010_00)

I, the Director, Sydney Region West at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(7) of the *Environmental Planning and Assessment Act 1979* (the Act) to alter the Gateway determination dated 16 April 2013 for the proposed amendment to the *Wollondilly Local Environmental Plan 2011* as follows:

1. Replacing condition number 1 with the following:

Council is to take into consideration the review of the Wollondilly Growth Management Strategy and any relevant development applications (within Silverdale) lodged or approved since April 2013, prior to proceeding to public exhibition.

Dated 23rd day of September 2016



**Catherine Van Laeren
Director, Sydney Region West
Planning Services
Department of Planning and Environment**

**Delegate of the Greater Sydney
Commission**

From:
Sent: Wednesday, 26 April 2017 9:12 AM
To: Carolyn Whitten; Mark Ruddiman
Cc:
Subject: RE: TRIM: RE: Planning Proposal - Eltons and Taylors Road, Silverdale

Hi Carolyn,

We have received confirmation from the landowners' committee for the Planning Proposal application advising that they have been unable to gain sufficient funding support for revision of the studies.

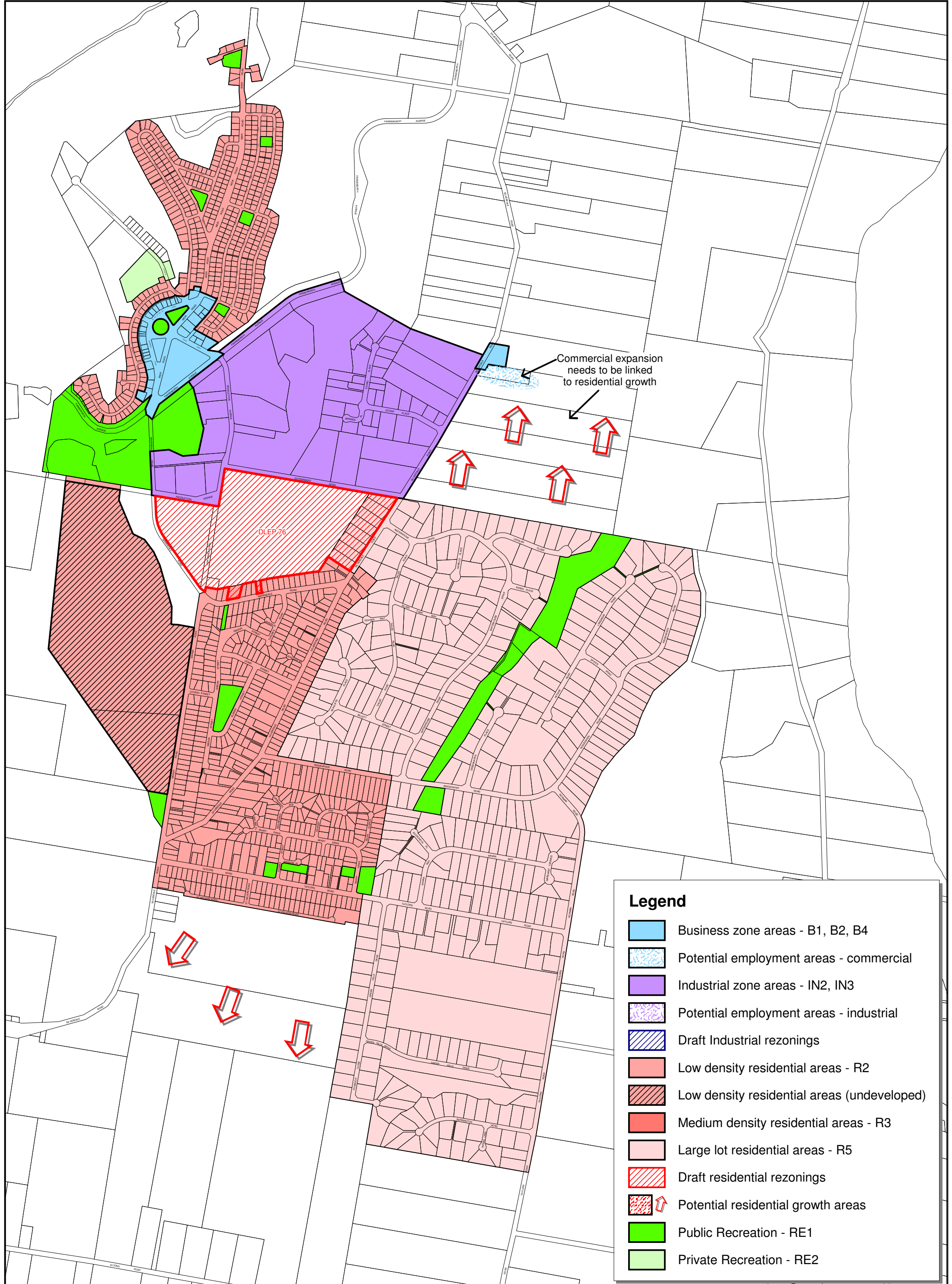
We therefore wish to formally advise Council that the application is withdrawn.

Can you please provide a written response acknowledging the withdrawal of the application that we can issue to the landowner's group?

Please know that we sincerely appreciate Council's efforts in seeking to progress this application to the extent possible to date.

Kind regards,





Legend

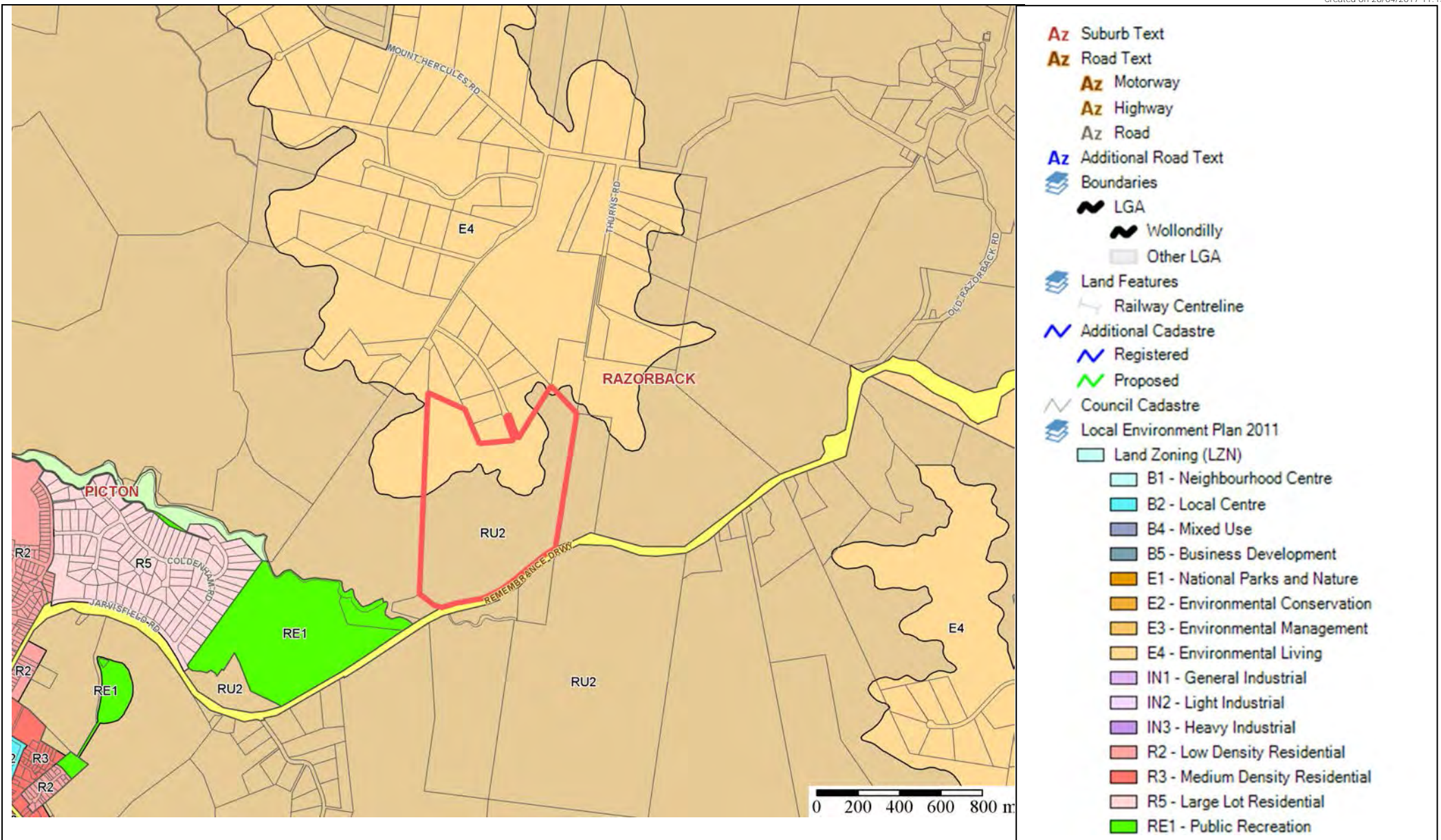
- Business zone areas - B1, B2, B4
- Potential employment areas - commercial
- Industrial zone areas - IN2, IN3
- Potential employment areas - industrial
- Draft Industrial rezonings
- Low density residential areas - R2
- Low density residential areas (undeveloped)
- Medium density residential areas - R3
- Large lot residential areas - R5
- Draft residential rezonings
- Potential residential growth areas
- Public Recreation - RE1
- Private Recreation - RE2

PE6 Attachments

1. Map showing zoning of subject land.
2. Map showing Original Holding Lot outlined in red.
3. Assessment of the proposal against Wollondilly Growth Management Strategy 2011.
4. Letter from the Proponent dated 30 May 2017.

Monday 19 June 2017

PE6 – No. 11 Westminster Place, Razorback – Request for
Council to Prepare a Planning Proposal



Wollondilly Shire Council
 PO Box 21
 PICTON NSW 2571
 Ph: (02) 4677 1100
 Fax: (02) 4677 2339
 Web: www.wollondilly.nsw.gov.au

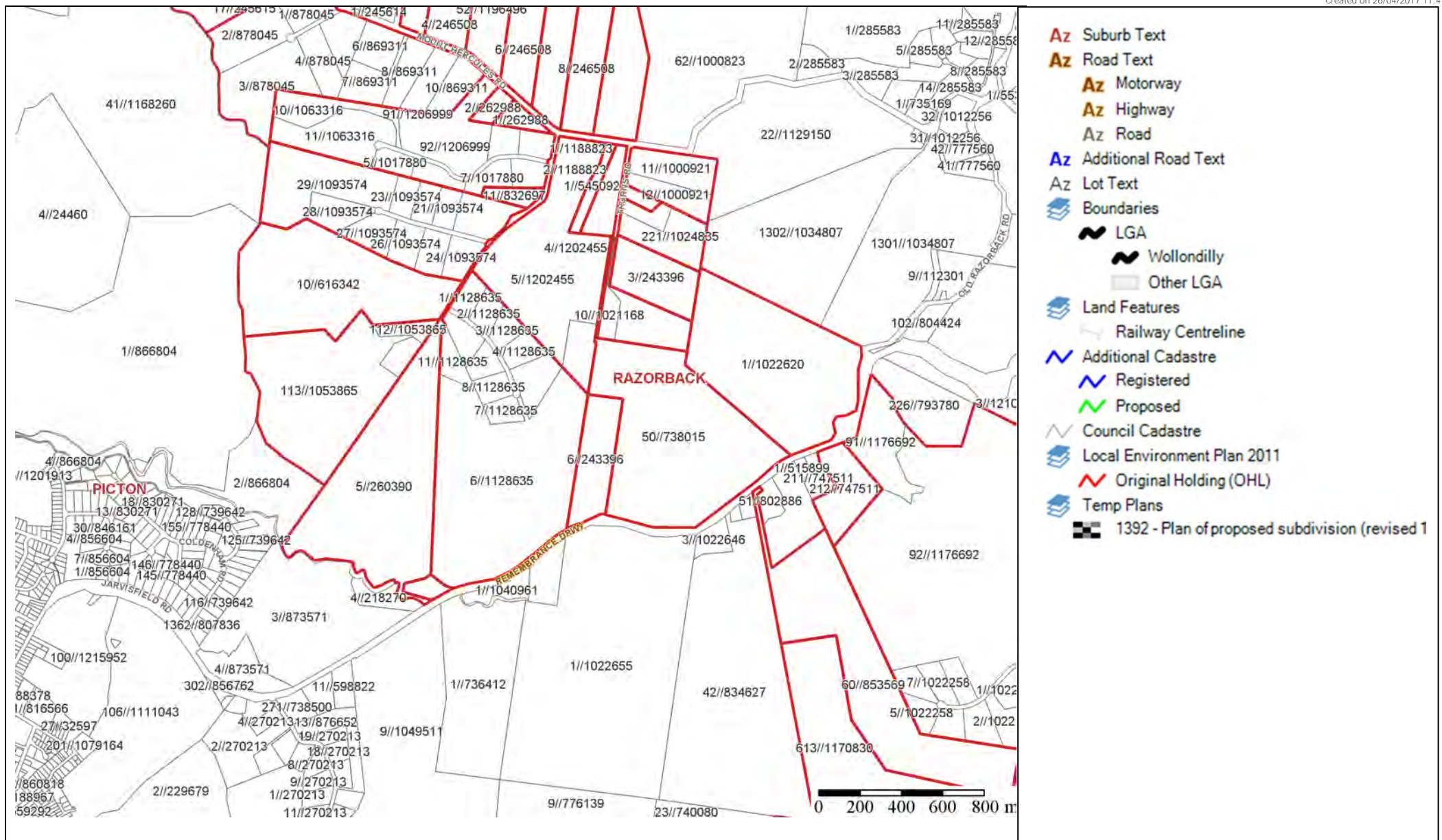
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Projection: GDA94 / MGA zone 56

Date: 26/04/2017

Created By: Mark Ruddiman

Map showing zoning of subject land.



Wollondilly Shire Council

PO Box 21
 PICTON NSW 2571
 Ph: (02) 4677 1100
 Fax: (02) 4677 2339
 Web: www.wollondilly.nsw.gov.au

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Projection: GDA94 / MGA zone 56

Date: 26/04/2017

Created By: Mark Ruddiman

Map Showing Original Holdings Lot

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 proposal would not be consistent with the key policy directions in the GMS, in particular the policy directions 5, 10, 19 and 22.
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 proposal is to enable a five lot subdivision. The minimum lot size for the site is 4ha, so future lots will appear rural in nature; however it will not achieve the desired density and planned character of the locality.
P3 All Council decisions on land use proposals shall consider the outcomes of community engagement.	<p>The community has not yet been consulted with in regards to the Proposal to include a specific local provision to enable the subdivision of the site. Consultation would be undertaken in accordance with the Act if Council decided to pursue the Planning Proposal.</p> <p>It should be noted that all landowners were consulted with on the previous LEP Amendment which corrected the original holding mapping errors which ultimately led to the subdivision application being refused and no responses were received.</p>
P4 The personal financial circumstances of landowners are not relevant planning considerations for Council in making decisions on land use proposals.	The personal financial circumstance of the landowner has not been given consideration in this process.
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>It is considered that the proposal to enable a further five lot subdivision in this lot would be contrary to this policy direction and would be inconsistent with the desired character of the area that was identified in rural lands study.</p> <p>The proposal would enable 50% more environmental lots within the original holding than is enabled under the density clause in the LEP. The density clause is critical to shaping the built environment and landscape character of the area and it is considered that this should not be departed from for this site.</p>
Housing Policies	
P6 Council will plan for adequate housing to accommodate the Shire’s natural growth forecast.	The proposal would provide for additional housing, however, the Razorback area is not one that has been identified for future growth beyond that currently enabled through compliance with the LEP Planning controls.

Key Policy Direction	Comment
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 different community members and household types.	The proposal would contribute to housing variety but only on a small scale. The possible provision of housing variety would not overcome the impact on rural character in the area.
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”).	The proposal would result in an increase in dwelling density than is desired in the area, however it would not occur within a town centre as desired by this policy direction.
P10 Council will focus on the majority of new housing being located within or immediately adjacent to its existing towns and villages.	The proposal would result in an increase in housing density on the site than what is currently enabled by the LEP controls. The proposal would result in the desired density for the site potentially being exceeded by 50%. As this growth would not be located adjacent to any town centre or village the proposal would not be consistent with this policy direction.
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.	It is likely that infrastructure and servicing demands at the site could support 5 additional lots.
P18 Council will encourage sustainable growth which supports our 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.	The proposal is not located near any existing population centre.
P19 Dispersed population growth will be discouraged in favour of growth in, or adjacent to, existing population centres.	The proposal would result in the growth occurring on a dispersed basis and not within any population centre.

Key Policy Direction	Comment
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.	Not applicable.
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.	The Rural Lands report acknowledges that land within the environmental zones across the shire including razorback are within a sensitive environment and that their character would be determined by the land being developed at a density of 1 lot per 4 hectares with a range of lot sizes to be provided.
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 proposal would lead to incremental growth in the area which would be contrary to this policy objective.

30 May 2017
Our Ref: 1372

The General Manager
Wollondilly Council
PO Box 21
PICTON NSW 2571

Dear Mr Johnson

Item PE4 – withdrawn from business paper for Council meeting 15 May 2017
11 Westminster Place Razorback

We refer to the above matter, which we understand was withdrawn from the business paper for the Council meeting last Monday 15 May 2017 at our request.

The report prepared by Council staff for this matter recommended that Council not proceed with the preparation of a Planning Proposal to enable the site to be subdivided into five (5) lots.

It is our view that, in the particular circumstances of this case, the request to proceed with the preparation of the Planning Proposal is reasonable and are requesting that Council review its recommendation.

It is noted that we met on two occasions with Council staff (including one meeting with the Regional Director of Department of Planning & Environment ('DPE')) to discuss options to deal fairly and equitably with this matter. There are two relevant issues for Council to consider in this matter. Firstly, there are the planning considerations, which will be addressed below. Secondly, there is the matter of Council's actions that, whilst most likely unintentional, have resulted in an outcome that is procedurally unfair for the landowner and is a denial of natural justice.

The following is a timeline of events in this situation.

<i>Date</i>	<i>Action</i>	<i>Comment</i>
19 October 2015	Integrated DA 10.2015.775.1 submitted to Council for a 5 lot subdivision	The proposed subdivision was lawful at the time of lodgment and

Date	Action	Comment
		required no variations to the LEP or DCP
22 October 2015	Flora and fauna assessment forwarded to Council which was missing from the original DA bundle	
23 October 2015	Request for additional information received from Council by applicant	
18 November 2015	Council commenced public exhibition of Amendment 21 to WLEP 2011	DA 10.2015.775.1 had been lodged with Council for one month before any notice was given to the public regarding proposed changes to the LEP.
16 December 2015	Public exhibition of Amendment 21 completed	
16 December 2015	Applicant satisfied request for additional information to Council	
1 February 2016	Council referred the integrated development application to RFS	Despite cl.66(2) EPA Regs requiring Council to refer the application to integrated approval bodies within 14 days , it took Council 104 days to refer this application to RFS
5 February 2016	Original LEC ruling in the <i>De Angelis v Wingecarribee Council</i>	The judgment confirmed that clause 1.8A WLEP could be applied to protect development applications from amendments to LEPs and not solely to the LEP commencement date
4 April 2016	Request for additional information received from Council by applicant (regarding RFS requirements)	
12 April 2016	Request for additional information received from Council by applicant (regarding MSB approval)	Council was required to refer the application to MSB within 14 days of receipt, but failed to do so
28 April 2016	Applicant's bushfire consultant re-issued report, revised to address RFS concerns	
16 May 2016	Council referred the integrated development to MSB	Despite cl.66(2) EPA Regs requiring Council to refer the application to integrated approval bodies within 14 days , it took Council 209 days to refer this application to MSB
27 May 2016	Amendment 21 to Wollondilly LEP 2011 was made	The making of Amendment 21 on this date, without a specific savings provision, effectively prohibited the proposed subdivision
1 August 2016	NSW Court of Appeal decision in <i>De Angelis v Wingecarribee Council</i>	This decision reversed the LEC decision and held that savings provisions "deal with a precise point in time, namely the point at which a new legal instrument

<i>Date</i>	<i>Action</i>	<i>Comment</i>
		<i>commences” and did not change over time with subsequent LEP amendments</i>
8 August 2016	Request for additional information from Council (regarding RFS requirements)	
12 August 2016	Applicant’s bushfire consultant spoke directly with RFS to resolve outstanding issues	
30 August 2016	Applicant’s bushfire consultant emailed further revised report to Council (Daniel Lukic)	
8 December 2016	Notice of determination issued - refusal	

TABLE 1 – Timeline of events

PLANNING CONSIDERATIONS

The aforementioned report prepared by Council staff for Councillors to consider recommends that Council not proceed to prepare a Planning Proposal to enable the proposed subdivision. The Executive Summary identifies three (3) justifications for the proposed recommendation:

Unreasonable impact on the rural landscape character

Westminster Place is a short culdesac road, running off Mount View Close. The entirety of Westminster Place, on both sides of the road, is characterized by 4ha lots. The only larger lot fronting Westminster Place is the subject lot, which extends down the escarpment to Remembrance Driveway. The rural landscape character of the area is largely characterized by clusters of 4ha lots and then a large residue. This characterization would remain if the proposed subdivision were to proceed.

The proposed subdivision simply utilizes part of the flat land at the top of the escarpment, whilst still retaining a large residue extending to Remembrance Driveway. Given the significant number of 4ha lots in the immediate vicinity and along the Razorback ridgeline, it is submitted that an additional four (4) x 4ha lots would be completely consistent with the rural landscape character of the area and would have no unreasonable impact on the rural landscape character.

It is also relevant to note that the Council planning officer’s original assessment report for the DA recommended approval. It was not until the draft report was submitted to the team leader that it was discovered there was no savings provision applicable. The original assessment report considered the merits of the proposal (including ‘...*impact on landscape*

character’) and concluded that such impacts were acceptable. The letter of refusal from Council refers **only** to non-compliance with cl.4.1B WLEP 2011. It is rather nonsensical to proffer that the proposal satisfied a merit assessment when the assessing officer assumed the savings provision would allow the subdivision to be approved, then claim it does not satisfy a merit assessment when it is discovered that the savings provision does not permit the subdivision, given that the savings provision is a legal device only and has nothing to do with a merit assessment.

Unreasonable density of development on the site

It must be remembered that, at the time this application was lodged, the proposal was compliant in all respects with the LEP and DCP. It is completely unreasonable for Council to effectively claim retrospectively that the proposed subdivision would result in an unreasonable density of development. This claim is based on the density controls contained in the previous LEP 1991, which was repealed in 2011. In the normal course of the assessment of a DA, it would be incorrect for Council to apply controls from a repealed LEP. Whilst it is acknowledged that density controls approximating those contained in WLEP 1991 were carried over into cl.4.1B of the WLEP 2011, the applicability of this clause relied on the subject land being identified on the original holdings map annexed to the WLEP 2011. The subject land was only included on the original holdings map over seven (7) months after the DA was lodged.

The statement in the Council report relating to the Review of Rural Lands Report, that it “...was also the foundation of the density control which is currently applied in WLEP 2011” is misleading insofar as the density control in question came into force on 27 May 2016, over 7 months after the subject DA was lodged with Council. Prior to this, at the time the DA was lodged, there was no specific density control that needed to be complied with.

Previous comments above referring to the Council planning officer’s original development application report are valid in relation to the density of development, therefore we will not repeat them here.

Adverse precedent of a way to get around planning rules

It is difficult to imagine what ‘*adverse precedent*’ Council is referring to here, because the subject DA was the only application lodged but not determined at the time of the making of Amendment 21. Therefore, it is only this subject application that was affected by Council’s actions. No precedent is created in this situation. This matter was considered in some detail in our original submission to Council and the report to Councillors appears to have largely ignored the uniqueness of the context of this proposal.

It is offensive for Council’s report to suggest this request is being made as ‘...a way to get around planning rules’. Council can be absolutely assured that there has never been any attempt by the proponent to ‘...get around planning rules’. It is reiterated that the

application, at the time it was lodged, was fully compliant with the planning rules. This request (for Council to prepare a Planning Proposal to enable the subdivision to proceed) is simply a mechanism to reverse an injustice that has occurred. This was made clear at the meetings held with Council staff prior to the request being submitted. It is inappropriate and unethical for the Council to read a duplicitous motive into this situation. If any party's motives are dubious in this case it would be Council, who failed to determine the DA until after it had become prohibited despite having some 220 days before the legislation changed.

It is also noted that Council's report attempts to undermine the strategic merit justification for the request by stating that *'...further subdivision of the land was only permissible through errors in the original holdings maps'*. Assuming that Council is correct in its assertion that the permissibility to subdivide the subject land arose through error, it should be noted that the supposed 'error' occurred in 2011 and Council (and DPE) would have been aware of it since that time. It took Council almost five (5) years to act to correct the supposed error. During that five (5) year period Council amended the LEP 18 times and at no point did it prioritise this matter. At any time during that period, the landowner would have been within his rights to lodge the same application and, based on the outcome of the recent application, it is likely it would have been approved. Indeed, at the time the application was lodged with Council the planning proposal to correct the supposed error was unknown outside of Council because it had not been placed on public exhibition and had no status in the development assessment process.

Council has not in any way acted with urgency to correct this supposed error, and this lack of urgency has resulted in landowner expectations that the omission of the subject land from the original holdings map was intentional, rather than an error. There was certainly no public campaign, to our knowledge, at any time during that five (5) years period of non-action by Council to draw the error to the attention of the landowners. It simply cannot be argued that that Council did not contribute, through its lack of urgency in dealing with this matter, to the landowner's expectation that he could subdivide lawfully and that this was the strategic intent of the LEP as it was written.

COUNCIL'S HANDLING OF THE DEVELOPMENT APPLICATION

Council's assessment of the DA was far slower than industry best practice as reflected in the appeal provisions of the Act and the expectations of the NSW Department of Planning and Environment. The application was lodged on 19 October 2015, four (4) weeks prior to Amendment 21 being publicly exhibited.

The following observations/comments are made in this regard:

- 1) The Council officer handling Amendment 21 has confirmed verbally to the writer and in the aforementioned meetings that he was not aware the subject DA had been lodged with Council, either prior to the public exhibition of Amendment 21 or at any

time during the management and making of Amendment 21 in late May 2016. Logically, this means that the impact of Amendment 21 on the landowner's [lawfully lodged] DA was never given due consideration by Council. Further, Council is obliged to advise DPE if any DAs are lodged but not determined, prior to the matter being publicly exhibited. This was obviously not done by Council and therefore DPE did not have the appropriate information from Council in order to make its determination in relation to Amendment 21. This omission results in the Amendment 21 process being defective.

- 2) Council's report notes that the owner of the subject land was notified in relation to Amendment 21 and therefore he should have raised the issue during the exhibition period. This is a fallacious argument, for 5 reasons:
 - a) The notification was a general notification and did not spell out to the owner the implication of Amendment 21 would be that his current DA would be adversely affected; and
 - b) Even if the owner was aware of the general implications, it would have been reasonable for him to assume that the existing savings provision would have been sufficient to allow his DA to survive.
 - c) The owner would have reasonably expected his well advanced DA to be determined long before the amendment would be published.
 - d) The onus was on Council, and not the land owner, to advise the DPE of the outstanding DA that would be impacted by the proposal. Council had a responsibility to turn its mind to this question and had all of the necessary information at hand to form the view that DPE needed to be aware of this situation.
 - e) If the arguments in the Council report are reasonable (and we contend they are not) then even if the owner had raised the issue in the exhibition period Council would still have proceed with the proposal as it now stands. If Council contends that a submission in the exhibition period could have changed the outcome then why is a submission after the exhibition period not able to have the same effect.
- 3) The development application was lodged as integrated development. Pursuant to cl.66(2) EPA Reg's, Council is required to forward the application to relevant approval bodies within fourteen (14) days after the application is lodged. In this instance, the application was required to be referred to Mine Subsidence Board ('MSB') and Rural Fire Service ('RFS'). As noted in Table 1, Council held the application for **104 days** before it referred it to RFS and **209 days** before it referred it to MSB. These inexplicable delays contributed to the overall assessment time for the application being pushed beyond both the making of Amendment 21 (27 May 2016) and the Court of Appeal judgment in the *De Angelis* case (1 August 2016). Until the judgment in the *De Angelis* case, despite Amendment 21, Council could still have approved the DA, on the basis of the previous LEC judgment of the same case. Effectively, this means there was a window of about nine (9) months from the time

the DA was lodged with Council, where Council could have lawfully issued consent to the subdivision.

- 4) We accept the reality is simply that there was no internal cross-communication at Council between the development assessment planners and the strategic planners in relation to the subject land, the current DA and Amendment 21. We do not believe that there was any deliberate attempt by any Council staff to derail our lawful and meritorious development application. That being the case, it is perplexing that the Council staff are now unwilling to correct this situation through a planning proposal that has in principle support from DPE.

THE REQUEST FOR COUNCIL TO PREPARE A PLANNING PROPOSAL

This request to Council is about fairness. A strategic merit argument has been made to Council. However, we believe Council should agree to prepare the planning proposal not just on planning merit alone, but to do the right thing by this landowner, who has been denied procedural fairness in this instance.

The request involves the inclusion of the land in Schedule 1 of WLEP 2011, to exclude it from the operation of cl.4.1B, which would enable the subdivision that has been denied the landowner. It does not seek to change the zone, or indeed the minimum lot size. It is unique to this landowner, for the reasons explained previously. In our view, the Council report appears to have been written without a full awareness of the background to our request. It ultimately suggests that this is an attempt to subvert proper planning principles and will set a precedent. This is demonstrably false in the light of a detailed understanding of its history. As outlined throughout this submission, we contend that its justifications for recommending refusal are weak, contradictory and ultimately misinformed. We are now requesting Council review its report with full consideration of the history of the site and change its recommendation to support the request.

We look forward to Council's response.

Yours faithfully

PRECISE PLANNING

Jeff Bulfin



GO2 Attachment

1. Investments as at 30 April 2017

Monday 19 June 2017

GO2 – Investment of Funds as at 30 April 2017

INVESTMENTS AS AT 30 April 2017

Reporting Period:

1-Apr-17

to

30-Apr-17

Investment Institution	Rating	Face Value	Current Value	Percentage	Interest		
		30-Apr-17	30-Apr-17	Holding	%p.a.	Received / Accrued	Maturity
CASH INVESTMENTS							
National Australia Bank							
General Account Balance (for information only. Not included in Total Cash Plus Investments)		694,876					
11AM At call	AA	2,355,000	2,355,000	4.38%	1.55	5,422	At Call
Term Deposits							
ME Bank (Matured)						230	04-Apr-17
National Australia Bank (Matured)						1,073	19-Apr-17
Bank of Queensland (Matured)						1,897	26-Apr-16
Bank of Queensland	A-1+	1,000,000	1,013,562	1.86%	2.75	2,280	02-May-17
Bendigo & Adelaide Bank	A-2	2,000,000	2,056,252	3.72%	3.12	4,849	17-May-17
Bank of Queensland	A-1+	1,000,000	1,019,562	1.86%	2.80	2,301	24-May-17
Bendigo & Adelaide Bank	A-2	1,000,000	1,026,995	1.86%	2.95	2,425	31-May-17
National Australia Bank	A-1+	1,000,000	1,020,789	1.86%	2.85	2,301	05-Jun-16
Bank of Queensland	A-1+	1,000,000	1,018,049	1.86%	2.70	2,219	14-Jun-17
National Australia Bank	A-1+	1,000,000	1,023,347	1.86%	2.85	2,342	05-Jul-17
Suncorp	A-1	1,000,000	1,011,123	1.86%	2.80	2,301	12-Jul-17
ME Bank	A-2	500,000	502,589	0.93%	2.70	1,110	19-Jul-17
National Australia Bank	A-1+	1,000,000	1,020,789	1.86%	2.80	2,301	02-Aug-17
Bendigo & Adelaide Bank	A-2	1,000,000	1,019,559	1.86%	2.95	2,425	29-Aug-17
Bank of Queensland	A-1+	1,000,000	1,004,429	1.86%	2.65	2,178	05-Sep-17
Westpac Group	AA-	1,000,000	1,019,890	1.86%	3.00	2,466	13-Sep-17
Westpac Group	AA-	500,000	510,233	0.93%	3.00	1,233	27-Sep-17
Westpac Group	AA-	1,000,000	1,019,808	1.86%	3.10	2,466	23-Aug-18
Westpac Group	AA-	1,000,000	1,018,822	1.86%	3.00	2,466	04-Oct-17
ME Bank	A-2	750,000	750,653	1.39%	2.65	653	18-Oct-17
Credit Union Australia	A-2	2,000,000	2,014,045	3.72%	2.88	4,734	01-Nov-17
Bendigo & Adelaide Bank	A-2	500,000	506,517	0.93%	2.75	1,130	08-Nov-17
Bank of Queensland	A-1+	1,000,000	1,005,474	1.86%	2.70	2,219	15-Nov-17
ME Bank	A-2	1,000,000	1,004,429	1.86%	2.65	2,178	06-Dec-17
Bank of Queensland	A-1+	1,000,000	1,010,586	1.86%	2.80	2,301	13-Dec-17
Bank of Queensland	A-1+	1,000,000	1,010,126	1.86%	2.80	2,301	20-Dec-17
ME Bank	A-2	1,000,000	1,001,997	1.86%	2.70	1,997	02-Jan-18
Commonwealth Bank of Australia	A-1+	1,000,000	1,003,950	1.86%	2.72	2,236	10-Jan-18
Bank of Queensland	A-1+	1,000,000	1,005,548	1.86%	2.70	2,219	14-Feb-18
Rural Bank	A-2	1,000,000	1,004,438	1.86%	2.70	2,219	05-Mar-18
Commonwealth Bank of Australia	A-1+	1,000,000	1,003,979	1.86%	2.74	2,252	07-Mar-18
ME Bank	A-2	1,000,000	1,000,370	1.86%	2.70	370	24-Apr-18
Westpac Group	AA-	1,000,000	1,021,318	1.86%	3.10	2,548	23-Aug-18
Bendigo & Adelaide Bank	A-2	1,000,000	1,020,723	1.86%	3.05	2,507	27-Aug-18
Westpac Group	AA-	1,000,000	1,020,553	1.86%	3.10	2,548	12-Sep-18
Westpac Group	AA-	1,000,000	1,023,233	1.86%	3.20	2,630	09-Aug-19
TOTAL CASH PLUS INVESTMENTS		35,605,000	36,068,737	66.22%		83,330	
Investment Institution	Rating	Face Value	Current Value	Percentage	Interest		
		30-Apr-17	30-Apr-17	Holding	%p.a.	Received / Accrued	Maturity
INVESTMENT SECURITIES							
Corporate Bond							
Commonwealth Bank of Australia	AA-	2,000,000	1,965,360	3.72%	7.17	0	22-Jan-18
Floating Rate Notes							
CUA Snr FRN	BBB+	500,000	505,437	0.93%	3.40	1,395	01-Apr-19
Westpac Banking Corporation	AA-	1,000,000	1,013,961	1.86%	2.77	2,277	10-May-19
AMP Snr FRN	A+	750,000	757,077	1.39%	2.90	1,785	11-Jun-19
Members Equity Bank Pty Ltd	BBB+	1,000,000	1,006,735	1.86%	3.22	2,649	18-Jul-19
Bendigo Bank Senior FRN	A-	1,000,000	1,003,650	1.86%	2.73	2,240	17-Sep-19
ANZ Snr FRN	AA-	1,000,000	1,009,698	1.86%	2.63	2,158	11-Nov-19
Greater Building Society Snr FRN	BBB+	500,000	500,904	0.93%	3.28	1,348	29-Nov-19
Westpac Banking Corporation	AA-	1,000,000	1,004,707	1.86%	2.65	2,196	22-Jan-20
Bendigo Bank Senior FRN	A-	500,000	504,347	0.93%	2.88	1,184	21-Feb-20
Macquarie Bank	A	1,000,000	1,010,693	1.86%	2.89	2,371	03-Mar-20
CUA Snr FRN	BBB+	750,000	752,731	1.39%	3.10	1,908	20-Mar-20
CBA Snr FRN	AA-	1,000,000	1,005,609	1.86%	2.66	2,197	17-Jul-20
Bendigo Bank Senior FRN	A-	1,000,000	1,008,053	1.86%	2.88	2,367	18-Aug-20
Suncorp Senior FRN	A+	1,000,000	1,011,274	1.86%	3.00	2,481	20-Oct-20
CBA Snr FRN	AA-	500,000	506,369	0.93%	2.92	1,202	18-Jan-21
Bendigo Bank Senior FRN	A-	500,000	507,219	0.93%	3.21	1,327	20-Apr-21
Westpac Banking Corporation	AA-	1,000,000	1,016,797	1.86%	2.96	2,429	03-Jun-21
AMP Snr FRN	A+	500,000	499,232	0.93%	2.85	1,169	30-Mar-22
Mortgage Backed Securities							
Emerald Reverse Mortgage Series 2007-1 Class B	AA	1,000,000	600,630	1.86%	2.30	1,907	21-Jul-27
Emerald Reverse Mortgage Series 2006-1 Class A	AAA	659,958	524,149	1.23%	2.23	1,210	22-Aug-22
		18,159,958	17,714,634	33.78%	2.43	37,799	
TOTAL CASH & INVESTMENT SECURITIES		\$53,764,958	\$53,783,371	100.00%	1.87	\$121,128	

GO4 Attachments

1. Summary of Submissions table
2. Copy of submissions will be provided to Councillors under separate cover

Monday 19 June 2017

GO4 – Adoption of Council’s Corporate Planning Documents –
Integrated Planning & Reporting

Internal/External Submission	Summary of Submission	Response
External- Resident	<ul style="list-style-type: none"> • Supportive of Council's commitment to manage growth and maintain a viable agricultural industry across the Shire. • It would be good for stronger language around protecting farmers and farm land especially in land conflict issues. • Rolling green hills does not necessarily mean a viable agricultural industry. 	<p>The Community Strategic Plan (CSP) outlines Council's position on growth and in particular our commitment to protecting our rural areas. In addition, the CSP highlights the community and Council's vision for rural living for Wollondilly.</p> <p>Furthermore, strategies GR6 and GR7 specify exactly how the CSP and Council plan to protect peri-urban and agricultural lands and industries.</p>
External - Resident	<ul style="list-style-type: none"> • Concerns that Wollondilly will lose its rural aspects. More land is selling in Tahmoor and Thirlmere and Wollondilly has already lost rural aspects between these villages. • Concerned about dams being filled in as these watercourses are used by animals used during drought and fire and provide food, water and breeding environments. • Need to protect our environment during this period of population growth. 	<p>The CSP's position on growth outlines how Council plans to protect Wollondilly's rural aspects while still allowing some growth in the Shire. Part of this position, identifies that we will support growth in and around our existing towns and villages if it meets certain requirements.</p> <p>If a resident wants to fill in a dam they would be required to complete a development consent with Council. As part of this process Council considers the environmental impacts of such requests.</p>
External – Wollondilly Anglican College	<ul style="list-style-type: none"> • Happy with the Draft Corporate Planning Documents. • Congratulations to Wollondilly Shire Council staff on a job well done. 	Submission noted.
External - Resident	<ul style="list-style-type: none"> • How much does agriculture contribute to the local economy? Council should undertake a land use study and develop policies to encourage new niche agricultural activities in Wollondilly. 	<p>Wollondilly Shire Council is committed to supporting agricultural activities and as such has a number of activities outlined in our Delivery Program to ensure agricultural opportunities and agri-business is explored, developed and expanded in Wollondilly.</p>

Internal/External Submission	Summary of Submission	Response
	<ul style="list-style-type: none"> • Our commercial areas should be designed with the ageing population in mind. This would be to include shaded public areas with lots of seating etc. • Council should review its Development Control Plan (DCP) for roads to allow for more flexibility in its application in special circumstances. • Strongly endorse all the items listed in the 'Looking after the Community' section of the Community Strategic Plan. However, Council should not become complacent about the role of library services and continue to support its growth and evolution. • Believe that as the Shire grows the importance of Tourism will diminish. • Believe the impact of Wilton New Town will be greater than proposed and Council should develop a policy that notifies developers and Government that Council will oppose any new development proposals in Wollondilly. • Council should be more proactive in encouraging denser development in existing residential areas. 	<p>Council undertakes place making activities to ensure public areas and facilities are usable and accessible for the community. This is something Council can continue to improve on through our activities in the Delivery Program and Operational Plan.</p> <p>Council is in the process of preparing a Library Strategic Plan to conduct forward planning to support its growth and evolution into the future.</p> <p>The CSP's position on growth articulates this point. Council continues to advocate for the best possible outcomes for Wilton New Town.</p> <p>The CSP's position on growth outlines how Council plans to protect Wollondilly's rural aspects while still allowing some growth in the Shire. Part of this position, identifies that we will support growth in and around our existing towns and villages if it meets certain requirements.</p>
External - National Parks Association, Macarthur	<ul style="list-style-type: none"> • Queries the support (from Council and the Community) for the Bargo-Nepean National Park Proposal and sustainable development. • Expresses concern over Council's ability to realistically balance growth. 	<p>Section on Bargo-Nepean National Park Proposal has been added to the revised CSP document.</p>

Internal/External Submission	Summary of Submission	Response
	<ul style="list-style-type: none"> • Several comments regarding environment being mentioned at the end of a list of outcome areas. • Expresses concern over 4 year CSP plan, suggesting 10 year approach. • Concerns over what Wilton New Town will look like when developed (and that Council is supporting it) and if Council can feasibly hold off pressures to develop other parts of the Shire long term. • Pleased with rural living definition broadly but concerned about perceived suggestion that 'we must have growth' from Council • Community Engagement – disappointed that only 2 pages allocated to 'public opinion'. Concerned that quoted children are not aware of issues relevant to CSP. • Font in Micromex report (telephone survey results) too small/difficult to read - unsure if interpreted correctly. Pleased with response that residents are keen to retain rural area. • Agrees with wording in 'Caring for Environment' section in CSP. Request that section on the Bargo-Nepean National Park Proposal is added to the Environment section of the CSP. • Agrees with most of the Draft CSP but highlights some deficiencies (such as the lack of a clear reference to the 	<p>There is no order of preference given to any listing within the document.</p> <p>Wollondilly's CSP is a 20+ year rolling plan that is reviewed after each election in line with legislation.</p> <p>Council has presented a position on growth to articulate what impending growth will mean for the Shire and how we propose to preserve what is valued by our community. The position on growth has been developed through conversations with our community.</p> <p>The summary of community engagement comments is intended to give an overview of comments received. A full analysis of the engagement process is available on www.Engage.Wollondilly.nsw.gov.au</p> <p>Council specifically engaged children in this process as they are the future custodians of the community and should have a say in its future.</p>

Internal/External Submission	Summary of Submission	Response
	<p>Bargo-Nepean National Park Proposal). Would like more explicit mention of relationship between global warming and impact of commuting in Wollondilly.</p> <ul style="list-style-type: none"> • Pleased with comments that most Wollondilly residents appear to enjoy the rural backdrop and suggests that this rural land could become much more productive if Council and Government should adopt the right policies. Not pleased that CSP appears to be in favour of urban development – despite clear message from the community that they would like it to remain essentially rural. • Concerns over lack of detail in CSP. 	<p>There are several references to a lack of detail in the CSP. The CSP is part of a suite of business planning documents and detailed actions designed to achieve CSP outcomes and can be found in the Delivery Program and Operational Plan.</p>
External – South Western Sydney Local Health District Population Health	<ul style="list-style-type: none"> • There is no specific section on ‘health’ in the current Community Strategic Plan. The population growth that Wollondilly is set to experience warrants the inclusion of a ‘health’ section in the CSP. • Supportive of the preservation of rural landscapes and bushlands and the retention of significant environmental lands. • Support the development of walkable communities, implementation of recreational infrastructure and local food production. 	<p>A health section will be added to the Community Strategic Plan.</p>

Internal/External Submission	Summary of Submission	Response
	<ul style="list-style-type: none"> • Wollondilly could support its agricultural industry further by promoting opportunities for residents and visitors to purchase local fruit and vegetables through local shops, farm gate produce stalls, farmers markets etc. • Encourage inclusion of cycleways in planning proposals and advocate for improvements to public transport in Wollondilly. • Reiterate the importance of timely and early provision of infrastructure particularly in new development areas. • Access to health and social services needs more consideration as the population grows. • Agree that access to local education and job opportunities need to be considered further. • Improved internet and phone connectivity should be provided where possible. • Place making strategies should be encouraged. • Council should consider a more formal working relationship with SWSLHD Population Health. 	<p>Wollondilly Shire Council is committed to supporting agricultural activities and as such has a number of activities outlined in our Delivery Program to ensure agricultural opportunities and agri-business is explored, developed and expanded in Wollondilly.</p> <p>Wollondilly Shire Council agrees that a formal working relationship would be beneficial with SWSLHD Population Health. This will be added to Council's Delivery Program as an action.</p>
External – Water NSW	<ul style="list-style-type: none"> • The 'Special Areas Strategic Plan of Management 2015' from the Office of Environment & Heritage should be included in the CSP linkages section. 	<p>This document will be referenced in the linkages section of the CSP.</p>

GO5 Attachments

1. Draft Information/Records Management Policy
2. Draft Information Technology Acceptable Usage Policy

Monday 19 June 2017

GO5 – Information/Records Management Policy + Information
Technology Acceptable Usage Policy – Change of
Classification

1. POLICY OBJECTIVES

- 1.1 The purpose of this policy is to establish a framework for the implementation of a records management program. Council is committed to maintaining a records management program that meets its business needs and accountability requirements, whilst ensuring records of continuing value form part of the State's cultural heritage.
- 1.2 This policy applies to all Council business, including electronic business. It concerns records, which are created, collected, processed, used, sentenced, stored and disposed of in the conduct of official business. Electronic messages (e-mail and other electronic methods of communication) which are relevant to the information gathering, policy formulation or decision making processes of Council are part of the scope of this policy.
- 1.3 The Information Management Services Corporate Objective is to manage corporate information to meet operational needs.
- 1.4 The activity outcomes are that Council staff will demonstrate good record-keeping practices and that Council will comply with the State Records Act and its associated standards.

2. BACKGROUND

- 2.1 The records management program is viewed as equivalent in importance to the management of other activities within Council; it is part of the totality of *information management*.

Records management proceeds from the assumption that information is a resource which must be managed if it is to be used effectively; good records management is of key importance to good management.
- 2.2 Council operates in an accountable and community orientated environment and is committed to maintaining an information management program that meets its business needs and accountability requirements.
- 2.3 As a public agency Council is bound by the requirements and regulations of the State Records Act 1998, these regulations set out specific practices, with which Council must comply and against which Council must be audited.
- 2.4 Electronic messages ie. Emails, faxes which document business activity should be registered within TRIM Context. Not all electronic messages are relevant to information gathering, therefore they do not all require downloading, registration or printing, if they are of short-term value or personal messages. All procedures and records management systems are to be consistent with this policy.

3. APPLICABILITY

- 3.1 This policy applies to all Wollondilly Shire Council employees, Councillors and contractors/consultants.

- 3.2 Council is responsible for the protection, safe custody and return of all state records under its control.

4. GUIDELINES

4.1 Indexing/Filing Documents

- 4.1.1 Documents are classified by staff within the TRIM Context system by utilising a classification plan called *Keywords for Councils*, which was developed and is approved by State Records. The record plan is based on consistent naming conventions which are automatically allocated to the file title at the time of creation depending on the category of file chosen. Classification assists users and information management staff to retrieve information relevant to the services provided by Council.
- 4.1.2 Different file types are created, called General Subject, Property, Customer Request Management, Development Application, Septic Tank Application, Personnel and Legacy. The file classification scheme enables records to be consistently named and numbered over time.

4.2 Document Registration

- 4.2.1 Incoming correspondence (letters, faxes, E-mail) is registered into the TRIM Context document management system, after initial appraisal by information management staff based on legal, evidential and accountability requirements.
- 4.2.2 A unique identifier in the form of a document number is assigned to each record and a date stamp affixed to all correspondence. All important correspondence is scanned into TRIM Context. Data is captured at the point of registration with details such as précis of contents, author/customer, date created and date registered, associated Council file reference, property if applicable, action and location of the document will be sent to actioning officer.
- 4.2.3 This registration process provides evidence that a record has been created in the TRIM Context or Authority systems enabling the tracking of the document throughout Council.

4.3 Tracking

- 4.3.1 Information management staff conduct scans of registered bar coded hard copy files throughout the Council offices for the pre-existing hard copy files left over from the former records management system, Records Access database.
- 4.3.2 This process enables retrieval of a file when required for correspondence attachment and prior history and ensures that the current location of a file can be quickly verified.
- 4.3.3 Scans of files stored in the active and semi-active file storage areas are also conducted on a periodical basis. Document tracking can be utilised through *Audit Events* and *All Actions* functions in TRIM Context, where outstanding actions are monitored over a given time period and a viable audit trail of recordkeeping transactions is provided.

- 4.3.4 Council staff are required to notify the information management section of file movements where the record is not sent via the information management section, alternately staff can update the current location of a record using the TRIM Context system.

4.4 Appraisal and Disposal of Records

- 4.4.1 Information management staff appraise records regularly in accordance with business activities, evidential and legal requirements. Upon determination to capture a record into the TRIM Context system, the document passes through scanning, registration, filing tracking and eventual sentencing and disposal/archival phases.
- 4.4.2 Council records must be protected, maintained, findable and useable for their total retention period as outlined by GA39 and must be disposed of in accordance with the State Records Act 1998 and Council's disposal procedures.
- 4.4.3 Files are generally retained in the 'active' file storage area for a period of five years, at the end of this period files are transferred to the 'semi-active' file storage area for a further time period dependent on the individual file classification.
- 4.4.4 The record is then sentenced and destroyed/archived in accordance with the Local Government Records General Authority (GA39) and concurrence of the relevant Deputy General Manager and Information Management Team Leader; an approved contractor normally carries out destruction if required.
- 4.4.5 If files have been classified as State Archives, they are transferred to the State Records Authority in accordance with relevant guidelines e.g. Open or closed access provisions.

4.5 Records Security

- 4.5.1 The security of all Council records is crucial as records provide evidence of business transactions, support management decisions and ensure public accountability requirements are met.
- 4.5.2 Records in all formats should be stored securely to prevent unauthorized access, destruction, alteration or removal.
- 4.5.3 Council staff are responsible for the safe custody of all files and documents that are marked to them, sensitive or confidential information should be placed in a secure storage area when not in use. When the action has been completed the file/documents should be returned to the records section for storage.
- 4.5.4 Council's records management system TRIM Context has a sophisticated multi-level security facility which can be applied to individual files/documents or a whole file series.
- 4.5.5 In association with security levels based on an individual's log in and organizational status within Council, individual *Access Controls* are placed on files which control access to certain types of files such as 'in confidence', personnel, ICAC, mayoral, etc.

- 4.5.6 Council records are not to be stored at home or left in cars unattended as they could be lost or damaged.
- 4.5.7 Confidential records are stored in locked storage cabinets in hard copy form both in Records or Employee Relations, and in electronic form protected by secure document classifications.

5. RESPONSIBILITY/ACCOUNTABILITY

5.1 GENERAL MANAGER

Under the State Records Act (Part 2-10) the General Manager is responsible for ensuring that Wollondilly Shire Council complies with the regulations and requirements of the Act.

5.2 EXECUTIVE DIRECTOR COMMUNITY SERVICES & CORPORATE SUPPORT

The Executive Director Community Services & Corporate Support is responsible for ensuring that this program remains within the Corporate and Operational strategies and plans as a key management issue.

5.3 CORPORATE INFORMATION MANAGER – MANAGER OF INFORMATION TECHNOLOGY

The Manager Information Technology has the responsibility and authority to set and issue corporate standards, and to monitor and audit compliance with these standards throughout Council.

5.4 INFORMATION MANAGEMENT TEAM LEADER

The role of the Information Management Team Leader is to provide the day to day administration of record keeping throughout Council and is responsible for:-

- To coordinate the organisation's corporate recordkeeping functions
- To provide quality recordkeeping services to the organisation
- To develop corporate and best practice processes/systems that supports good recordkeeping
- To research, investigate and implement records/information management policy and legislative change
- To assist other Council departments in the research and preparation processes associated with GIPA Act, Privacy, subpoenas and other requests from the Public Officer
- To coordinate the risk management program for Council's recordkeeping services.

5.5 ALL STAFF

- 5.5.1 All Council staff need to be aware of record keeping requirements that affect the performance of their duties.
- 5.5.2 The State Records Act 1998 requires public officials to “make and keep full and accurate records” of their business activities.
- 5.5.3 The NSW Public Sector Code of Conduct requires public officials maintain adequate documentation to support any decision made in the performance of their duties.
- 5.5.4 The Ombudsman’s Good Conduct and Administrative Practice Guidelines for Public Authorities states that public officials must make and create records to support accountability and corporate memory.
- 5.5.5 Council staff have a number of basic obligations regarding records:
- Make records to support the conduct of their business activities
 - Create records that would not otherwise be created
 - Register records into paper or electronic record-keeping systems
 - Learn how and where records are kept within Council
 - Do not destroy Council records without authority from the Information Management Team Leader
 - Ensure the safety and security of records.
 - Be aware of records/information management procedures.

5.6 RECORDS STAFF

- 5.6.1 The Manager Information Technology is operationally responsible for the efficient management of Council records (physical and electronic) incorporating sound recordkeeping principles and records management best practice guidelines.
- 5.6.2 The Information Management section of Wollondilly Shire Council is responsible for the effective management and system administration of Council’s primary Recordkeeping system – TRIM Context.
- 5.6.3 The Information Management section will assist staff in fulfilling their recordkeeping responsibilities and provide advice and training throughout the implementation of this policy and strategies.
- 5.6.4 Information Management staff will monitor and review the implementation process of all records/information management policies and programs.

5.7 COUNCILLORS

Creation and capture of records

5.7.1 What records to create and capture

Councillors should create and capture full and accurate records of any significant business undertaken in the course of their official duties for Council. Significant business can include:

- providing advice, instructions or recommendations
- making decisions, commitments or agreements binding for the Councillor or Council.

5.7.2 In addition, Councillors should capture:

- drafts of documents for Council containing significant annotations or submitted for comment or approval by others
- correspondence received and sent relating to their work undertaken for Council.

5.7.3 Council is responsible for:

- creating and capturing records of Council or committee meetings where the Council is the secretary
- capturing any State records it sends to Councillors regarding Council business.

5.7.4 Creation of records of a confidential nature.

On some occasions Councillors are approached and asked to keep matters discussed relating to Council business confidential. In this case they should refer the person to Council's *Code of Conduct – sections 3.4 Accountability, 8.7 Use of Council information and 8.12 Security of information*. This indicates that confidential conversations/correspondence must still be recorded and registered into Council recordkeeping systems if they refer to Council business. There are policies and security controls in place to ensure these records have limited access (see Section 4.5 Security and confidentiality of records), but these records may still need to be produced under relevant legislation, e.g. subpoena, GIPA Act 2009, NSW Ombudsman, or Council's Policies and Guidelines. With security controls in place, records are likely to be less at risk than if they were not in recordkeeping systems.

5.7.5 How to create records

Council has a number of paper and electronic templates available for Councillors to create faxes, letters and memos while conducting business for the Council. These will assist Councillors in ensuring that the essential information is recorded.

Decisions, commitments, etc made during telephone or verbal conversations or via SMS should be recorded using the Council's standard file note template (e.g. time, date, parties involved, summary of decisions, commitments, permissions etc given and reasons for them). Notes in Councillors' diaries are generally not adequate where there are recordkeeping requirements: they should be converted into a formal file note. These records should be made **as soon as possible** after the event to ensure the information is accurate.

See Section 4.5 Security and confidentiality of records for information about the treatment of confidential matters.

5.7.6 **How to capture records**

Records of Council business that are created or received by Councillors (with the exception of those sent from Council as they are already captured) should be saved into official Council recordkeeping systems as soon as is practicable so that Council can assist with their long term management.

Paper records

- Records created or received by Councillors in paper format should be forwarded to the Mayor and General Managers Secretary, or forwarded to the Information Management section as soon as possible, where it will be date stamped, scanned and registered into TRIM. If records are of a sensitive or confidential nature, the Councillor should alert the Mayor and General Managers Secretary to this fact so that appropriate security controls can be applied.

Email and electronic records

- Email and other electronic records received by Councillors should be forwarded to the Mayor and General Managers Secretary, or forwarded to email address council@wollondilly.nsw.gov.au, promptly for registration into TRIM. If records are of a sensitive or confidential nature, the Councillor should alert the Mayor and General Managers Secretary to this fact so that appropriate security controls can be applied.
- See Section 4.5 Security and confidentiality of records for information about security controls for sensitive records.

Councillors' copies

- If a Councillor retains copies of any records once the originals have been forwarded for registration, these should be retained only while needed for current Council business. Any unwanted Councillor copies should be shredded by that Councillor or forwarded to the Information Management section in Council for routine, secure destruction. These must be clearly stamped 'duplicate' and indicate that they can be destroyed. The routine destruction of copies of records is permitted under the State Records Act (section 21(2)). See Section 4.10 Disposal for more information.
- It is important to recognise that these copies should be treated like the originals with regard to security controls applied (see Section 4.9 Handling and storage of records).

5.7.7 Registration of records by Council

Registration procedures

Records received from Councillors for registration will be handled in accordance with the Council's Records/Information management procedures, as outlined in the *Records/Information Management Policy*.

See Section 4.5 Security and confidentiality of records for information about security controls applied to sensitive records.

Councillors' mail

- 5.7.8 Incoming envelopes addressed to Councillors received at Council with no privacy markings are date stamped and left unopened by the information management staff and placed into pigeon holes. Mail addressed to the Mayor that is considered to be a State record and will be registered into Council's recordkeeping system TRIM, before being forwarded to the Mayor and General Managers Secretary for forwarding. Mail with privacy markings is forwarded directly to the Mayor and General Managers Secretary unopened; it is the responsibility of this person to stamp, scan and register into TRIM.

All incoming emails for Councillors received at Council are forwarded to the All Councillors email address, with the exception of material which appears to have little or no significance to the Councillor's role or Council operations (i.e. SPAM and junk mail). Emails considered to be a State record will be registered into Council's recordkeeping system TRIM, before being forwarded to the Mayor and General Managers Secretary for forwarding. Emails for councillors that have large attachments will be printed and placed into pigeon holes.

Incoming faxes for Councillors received at Council are date stamped and forwarded to the Mayor and General Managers Secretary for forwarding. Mail considered to be a State record will be registered into Council's recordkeeping system TRIM, before being forwarded to the Mayor and General Managers Secretary for forwarding.

6. RELATED POLICIES/POLICYS

- 6.1 Code of Conduct
- 6.2 Access to Information
- 6.3 Gathering of Information
- 6.4 Information Technology Acceptable Usage Policy
- 6.5 Risk Management

7. RELATED PROCEDURES

- 7.1 Information Management Procedures

8. RELATED LEGISLATION

Council's records/information management and record-keeping practices comply with relevant Acts and Regulations and standards relating to records management.

- 8.1 State Records Act 1998 (NSW)
- 8.2 Standard on Full and Accurate Records
- 8.3 Standard on Records Management Programs
- 8.4 Standard on Record-keeping in the Electronic Business Environment
- 8.5 Policy on Electronic Messages as Records and Record-keeping
- 8.6 Local Government Records Disposal Authority (GA 39)
- 8.7 Records Management Part 1 & 2 2003 ISO15489
- 8.8 Work Health & Safety Act 2011 and regulations
- 8.9 Environmental Planning & Assessment Act 1979
- 8.10 Evidence Act 1995 (NSW)
- 8.11 Government Information (Public Access) Act 2009
- 8.12 Local Government Act 1993
- 8.13 Privacy Act 1988
- 8.14 Privacy & Personal Information Act 1998
- 8.15 Protected Disclosures Act 1994 (NSW)
- 8.16 Risk Management 2004 AS/NZS4360
- 8.17 Health Records and Information Privacy Act 2002
- 8.18 State Records Regulation 2005
- 8.19 Standard on the Physical Storage of State Records

9. ATTACHMENTS

- 9.1 Definitions

10. RESOURCES

- 10.1 State Records Act 1998 (NSW)
- 10.2 Local Government Records Disposal Authority (GA39)
- 10.3 Local Government Act 1993
- 10.4 Privacy & Personal Information Act 1998
- 10.5 State Records Regulation 2005
- 10.6 Standard on Record-keeping in the Electronic Business Environment

11. IMPLEMENTATION STATEMENT

- 11.1 All Council employees are supplied with this policy on commencement and if changes are made, staff are notified through Corporate Announcements or as an attachment to payslips for operational staff.
- 11.2 Employees who require access to TRIM (Council's Recordkeeping System) have the recordkeeping requirements within their position descriptions.
- 11.3 Councillors are made aware of this policy and subsequent changes when needed.

12. POLICY HISTORY

- | | |
|---------------------------|---|
| 12.1 Date First Adopted | 13/11/14 |
| 12.2 Most Recent Adoption | 17 August 2015 – Res 145/2015 |
| 12.3 Next Review Date | 30/6/17 |
| 12.4 Responsible Officer | Manager Technology Information & Corporate Strategy |

Wollondilly Shire Council
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

ATTACHMENT 9.1**DEFINITIONS*****Accountability***

The principle that individuals, organisations and the community are required to account to others for their actions. Organisations and their employees must be able to account to appropriate regulatory authorities, to shareholders or members, and to the public to meet statutory obligations, audit requirements, relevant standards and codes of practice, and community expectations.

Active Records

Records in frequent use required for current business. These records are usually stored in office space and equipment close to hand.

Administrative Records

These records include all aspects of the organisation's internal administration, including budget and finance matters, general correspondence, staff matters, Ministerial and Parliamentary papers, accommodation and management information systems, and the organisation's own agendas, minutes and business papers.

Appraisal

The process of evaluating business activities to determine which records need to be captured and how long the records need to be kept, to meet business needs, the requirements of organisational accountability and community expectations.

Archive

The whole body of records of continuing value of an organisation or individual. Sometimes called "corporate memory".

Archives

Those records that are appraised as having continuing value.

Business Activity

Business Activity is an umbrella term covering all the functions, processes, activities and transactions of an organisation and its employees. (AS4390 Part 1 – Clause 4.6)

Records that document business activity are vital for supporting informed decision making, corporate memory and ensuring accountability. E-mail containing evidence of business transactions such as:

- A directive or approval for a particular course of action
- Formal communications between internal officers or external agencies
- Final versions of reports
- Policy documents and Statements
- Formal minutes of Council Committees

Which are not captured in any other form, eg hard copy format or faxes should be captured into the TRIM Context system.

This material is distinct from those below which would not provide evidence or be required for accountability purposes:

- Information only messages
- Duplicates or working copies/memos
- Private messages or personal comments between officers.

Classification

The process of devising and applying schemes based on the business activities which generate records, whereby they are categorised in systematic and consistent ways to facilitate the capture, retrieval, maintenance and disposal. Classification includes determining document or file naming conventions, user permission and security restrictions on records.

Disposal

A range of processes associated with implementing appraisal decisions. These include the retention, deletion or destruction of records in or from record-keeping systems. They may also include the migration or transmission of records between record-keeping systems, and the transfer of custody or ownership of records.

Documents

Structured units of recorded information, published or unpublished, in hard copy or electronic form, and managed as discrete units in information systems.

Electronic Mail – (E-mail)

E-mail is a computer-based message sent over a communications network to one or more recipients. It may be transmitted with attachments such as electronic files containing text, graphics, images, digitised voice and video or computer programs.

Electronic Messaging

Electronic Messaging is a generic term encompassing all forms of electronically mediated communication. This includes electronic mail for text messages, voice mail, electronic document exchange (Electronic FAX), electronic data interchange (EDI), and multi media communications such as television/video conferencing and videotext. It involves the electronic transmission of information as discrete electronic messages over computer-based data communication network or voice messages over a telephone network.

Evidence

Information that tends to prove a fact. Not limited to the legal sense of the term.

File

Files are a collection of documents on a specific subject, located within a file cover, which show organisational activities through an identifiable sequence of transactions. Documents are arranged in chronological order, ie the most recent document is placed on top.

File Census

A report generated by the records management software package on a weekly, monthly or yearly basis detailing the current location of files, and this is verified by physically checking that files are at that location.

Functional Records

Records relating to the functional activities of the Organisation.

Inactive Records

Records that are no longer required for use by the organisation in the conduct of its activities and functions.

Record-keeping

Making and maintaining complete, accurate and reliable evidence of business transactions in the form of recorded information.

Record-keeping Systems

Information systems, which capture, maintain and provide access to records over time.

Record

Means any document or other source of information compiled, recorded or stored in written form or on film, or by electronic process, or in any other manner or by any other means.

Records

Recorded information, in any form, including data in computer systems, created or received and maintained by an organisation or person in the transaction of business or the conduct of affairs and kept as evidence of such activity.

Records Disposal Authority

A systematic functional listing of records created by an organisation which plans the life of those records from their creation to their disposal.

Records/Information Management

The discipline and organisational function of managing records/information to meet operational business needs, accountability requirements and community expectations.

Registration

The act of giving a record a unique identity in a record-keeping system.

Semi-active Records

Records that are no longer frequently used by the organisation in the conduct of its activities and functions (ie once or twice a year).

State Record

Means any record made and kept, or received and kept, by any person in the course of the exercise of official functions in a public office, or for any purpose of a public office, or for the use of a public office, whether before or after the commencement of this act.

Storage

The function of storing records for future retrieval and use.

Tracking

Capturing and maintaining information about the movement and uses of records.

Transaction

The smallest unit of business activity, uses of records are themselves transactions.

1. POLICY OBJECTIVES

- 1.1 This policy deals with the provision of Information and Communication Technology (ICT) resources by Council and the associated responsibility of authorised users when accessing these ICT resources.

These resources include:

- Facsimiles
- Personal Computers
- Internet
- Electronic Mail (e-mail)
- Pagers
- 2 Way Radios
- Mobile Phones with Data services
- PDA, Tablet PCs or similar devices.

The above list is for indicative purposes only and is not to be taken as exhaustive.

2. BACKGROUND

- 2.1 For the appropriate use of all Council technology based systems, including transfer of electronic communication between individual Council staff, Council buildings and other external parties, the following procedures are to be observed.

3. APPLICABILITY

- 3.1 This Policy applies to all staff and Councillors of Wollondilly Shire Council.

4. GUIDELINES

4.1 RISK OF INTERNET AND E-MAIL ACCESS

The Internet is a worldwide network of computers that contains millions of pages of information. Some of these pages may include offensive, sexually explicit, or other inappropriate material. Staff who connect to a website containing inappropriate material must immediately disconnect from that site. **The ability to connect to a specific website does not imply that staff are permitted to visit that site.**

Having an email address may lead to receipt of unwanted and unsolicited junk e-mail (also known as Spam) that may contain offensive content. Staff receiving junk, or inappropriate e-mail, must delete the e-mail immediately. Staff should not respond directly to the sender. If the sender persists, add the sender to the Blocked Sender list facility of the email software package, or notify the e-mail system administrator.

Staff accessing the Internet, do so at their own risk. Council does not accept responsibility for material received, viewed or copied from the Internet or received via external email services (e.g. hotmail, gmail, yahoo).

4.2 PERMITTED USE OF COUNCIL TECHNOLOGY SYSTEMS

Council technology systems are the property of Council and are to be used primarily for legitimate business purposes. Staff are provided access to these systems to assist them in the performance of their jobs.

All staff have a responsibility to use Council's technology systems in a professional, lawful and ethical manner. Abuse of technology systems may result in disciplinary action, as defined in Council's disciplinary procedures.

Council will accept no responsibility or liability for loss or consequential loss or damage arising from the use of its technology systems. This does not apply to Council employees during the normal course of their employment.

4.2.1 PERSONAL USE

Staff may use Council's technology systems for personal reasons. Personal use must be on personal time, not Council's time. Personal use should at all times be professional, ethical and lawful.

Personal use of computer systems is not considered private. It does not have the same privacy rights as when using private computer systems. Personal use of these systems is a privilege that may be revoked at any time.

Occasional, limited, appropriate, personal use of Council's technology systems is permitted if such use does not:

- interfere with the user's or any other employee's job performance;
- have an undue effect on Council's technology systems performance;
- violate any State or Federal law, policies, provisions, guidelines or standards of this agreement or any other of the Council.

4.3 PROHIBITED ACTIVITIES

Staff must not intentionally create, communicate or access information that could:

- damage Council's reputation
- be misleading or deceptive
- lead to criminal penalty or civil liability by external authorities, or
- be found to be offensive, obscene, threatening, abusive or defamatory.

Staff may not intentionally create, communicate, or access information that could discriminate against, harass, or vilify Council staff, or members of the public on the grounds outlawed by the NSW Anti-Discrimination Act 1977 (as amended), which include:

- sex (including transgender)
- age
- race (including colour), nationality, descent or ethnic background;
- religious background
- marital status

- disability
- HIV/AIDS
- sexual preference
- being a carer
- being associated with or related to a particular group

Council's technology systems may not be used for gambling, private business, to disseminate or store commercial advertisements, solicitations, promotions, destructive code (e.g. viruses, Trojan horse programs, etc) or any other unauthorised materials.

Staff must not download programs from the Internet without first obtaining permission from the Information and Communications Technology Unit.

4.3.1 EMAIL

E-mail is classed as a business transaction. Sending e-mail from your Council e-mail account is similar to sending a letter on a Council letterhead. Legally, e-mail has the same standing in court as paper documents.

Email messages sent or received on behalf of Council which include, but are not limited to, the following:

- working papers detailing development of reports and documents;
- final versions of reports;
- policy documents and statements;
- formal minutes of Council committees;
- formal communications between Council officers;
- Formal communications between Council officers and external agencies, organisations or individuals.

Must be catalogued into the TRIM electronic document management system as business information as required by the State Records Act.

Staff **must** include a signature on all email messages which includes the staff member's current contact details (necessary to comply with the Spam Act 2003). The Council's preferred signature is:

Name | Position

Wollondilly Shire Council | PO Box 21 Picton NSW 2571

P (02) 4677 xxxx | **E** email@wollondilly.nsw.gov.au | **W** www.wollondilly.nsw.gov.au

An organisational standard legal disclaimer will be automatically appended to all outgoing email correspondence. The disclaimer (see below) is mandatory on all external email correspondence.

The information contained in this email message and any accompanying files is or may be confidential. If you are not the intended recipient, any use, dissemination, reliance, forwarding, printing or copying of this email or any attached files is unauthorised. This email is subject to copyright. No part of it should be reproduced, adapted or communicated without the written consent of the copyright owner. If you have received this email in error, please advise the sender immediately by return email, or telephone and delete all copies. Wollondilly Shire Council does not guarantee the accuracy or completeness of any information contained in this email or attached files. Internet communications are not secure, therefore Wollondilly Shire Council does not accept legal responsibility for the contents of this message or attached files.

Employees Council e-mail addresses are not to be used on private business correspondence or private business cards.

E-mail is often compared to a postcard, in that anyone who receives it can read it.

E-mail should not be considered completely secure.

All e-mails sent and received may be permanently archived for future retrieval.

Improper use of e-mail may pose a threat to Council's systems, the privacy of staff and others, and may pose a legal liability to Council. E-mail may not be used to harass, send abuse, defame, disclose information or transmit pornography or other offensive material.

Staff must not use an e-mail account assigned to another individual to either send or receive messages (except authorised email delegates). If there is a need to read another's e-mail, message forwarding must be used.

Staff may not send e-mail, which contains non-business-related attachments. These files include, but are not limited to, large files, executable files (those with an ".exe" extension), inappropriate jokes, images, digital movies (mpeg) and sound files.

Staff should exercise care when receiving external e-mail, which contains attachments with instructions such as "click here", as these types of files, is a major source of computer viruses. E-mail containing instructions such "click here", "look at this" etc, and should be forwarded to the Helpdesk for virus checking prior to opening.

4.3.2 ILLEGAL COPYING

Staff may not illegally copy material protected under copyright law or make that material available to others for copying. Copyright law states that no more than 10% of any document can be copied without the prior consent of the author. You are responsible for complying with copyright laws and applicable licenses that may apply to software, files, graphics, documents, messages and other material you wish to copy. You must not agree to a license or copy any material for which a registration fee is charged without first obtaining the express written permission of the Council Information Technology Group.

4.3.3 UNAUTHORISED INSTALLATION

Staff must not, install or caused to be installed, software or hardware on Council computers unless authorised to do so by the Information Technology Division.

4.3.4 COMMUNICATION OF CONFIDENTIAL INFORMATION

Unless expressly authorised to do so, staff are prohibited from sending, transmitting, or otherwise distributing proprietary information, data or other confidential information belonging to Council. Unauthorised dissemination of such material may result in disciplinary action, as defined in Council's disciplinary procedures.

4.3.5 COMPUTER SYSTEMS SECURITY

Council staff are provided with a unique identification (username and password) to enable them to access Council computer systems. Staff must not share their username or password with other Council staff or with members of the public. Staff who divulge passwords, may result in disciplinary action, as defined in Council's disciplinary procedures and could be held responsible for the actions of those using their password.

Council staff shall not attempt to gain unauthorised access to Council computer systems or aid others to do so.

To ensure security and avoid the spread of viruses, staff must not by-pass Council's computer system security by accessing the Internet directly by modem or other unauthorised means.

Attempts to subvert or by-pass Council's security and/or filtering systems may result in disciplinary action, as defined in Council's disciplinary procedures.

4.4 DUTY NOT TO WASTE OR DAMAGE COMPUTER SYSTEM RESOURCES

4.4.1 FRIVOLOUS USE

Computer systems and storage capacity have finite limits. Staff using Council's systems have a responsibility to conserve these resources. Staff must not deliberately perform acts that waste computer system resources or unfairly monopolise resources to the exclusion of others.

These acts include, but are not limited to:

- sending mass e-mail mailings (chain e-mails);
- spending excessive amounts of time on the Internet;
- playing games;
- engaging in online chat groups;
- copying large files;
- accessing streaming audio and/or video files;
- or otherwise creating unnecessary loads on network traffic associated with non-business-related uses of the Internet or e-mail.

4.4.2 VIRUS DETECTION

Files obtained from sources outside Council, including disks and thumb-drives brought from home, files copied from the Internet, online services; files attached to e-mail, and files provided by customers or vendors, may contain dangerous computer viruses that may damage Council's computer network.

Staff should never copy files from the Internet, accept e-mail attachments from outsiders, or use disks and thumb-drives from non-Council sources, without ensuring the material is scanned with Council-approved virus checking software. If you suspect that a virus has been introduced into the Council's network, notify the Helpdesk immediately.

4.5 PRIVACY AND COMPUTER SURVEILLANCE

The law does not provide legal grounds for privacy when using an employer's computer systems in the workplace. Electronic messages and files stored on Council computers are the property of Wollondilly Shire Council. Council is legally entitled to view or copy these files or e-mail messages.

Employees are given computers, Internet and e-mail access to assist them in the performance of their jobs. Employees should have no expectation of privacy in anything they create, store, send or receive using the Council's computer equipment.

However, Council does not wish to be a censor. Council will only access information created or stored on Council's computer systems where there is a suspected or reported breach of this policy, or the law, or when there is a valid business need.

In accordance with the requirements of the Workplace Surveillance Act 2005, Council gives notice that from time to time it conducts random and intermittent surveillance of employees' internet usage, email and electronic files, while the employee is at work, as a means of ensuring overall safety and compliance with Council policies and legal requirements. This surveillance is carried out by using computer software logs that records the information input and output, and other use, of Council's computers, including, but not limited to, the sending and receipt of emails and the accessing of Internet websites. As this surveillance is random and intermittent, it can occur at any time. Council may also carry out such surveillance when the employee is not at work.

By using Council's computer systems, staff consent to allow the system administrators and others with a legitimate need to know, to access and review any or all materials created, stored, sent or received through any Council computer system, e-mail, or Internet connection, to investigate suspected or reported breaches of the law or Council policies or procedures, and to report on their findings to Executive Management.

Council further gives notice under the Workplace Surveillance Act 2005 that surveillance of an employees' internet usage, email and electronic files, while the employee is at work may also occur in the circumstances set out below. This surveillance is carried out by using computer software that records the information input and output, and other use, of Council's computers. The surveillance will commence upon the General Manager General Manager or Deputy General Managers and Divisional managers (or their delegate) having reasonable grounds to suspect a breach of Council's code of Conduct or any other inappropriate conduct by an employee, contractor or third party and may continue until any relevant inquiry or investigation is completed.

4.5.1 ACCESSING EMPLOYEE'S MAILBOX AND/OR PERSONAL FILES OR DATA

- a) If there are reasonable grounds to suspect a breach of Council's code of Conduct or any other inappropriate conduct by an employee, contractor or third party, the General Manager or Deputy General Managers and Divisional managers (or their delegate) may carry out computer surveillance of an employee's internet usage, email and electronic files, while the employee is at work, and examine:
 - i. email transmissions sent or received by the employee, contractor or third party using Council's computer system;
 - ii. internet websites accessed and internet activity by the employee, contractor or third party by means of Council's computer system; or
 - iii. information, data, documents or files stored by the employee, contractor or third party on Council's computer system.
- b) The General Manager or his/her delegate are authorised to request audits of councils electronic files and emails messages and their attachments and other electronic computer records, stored on Council's computer systems, to ensure compliance with Council's policies and other rules, laws or regulations.

4.5.2 EMPLOYEES ACCESS TO DATA ON THEMSELVES

In many cases data will not be held in a manner that gives information on individual employees without further processing. This processing will not be undertaken unless there is a sound business, operational or legal reason to do so.

Employees will have supervised access to data pertaining to themselves as individuals if it is held, upon request and reasonable notice. An employee accessing such data may be accompanied by a union representative or another person, if requested by the employee.

4.5.3 REPORTING ON COMPUTER SYSTEMS USAGE

Where Executive Management or a Divisional Manager has received aggregated data on Internet or computer usage, and it appears that an employee or employees may be breaching this policy, the Manager may seek additional data from system administrators to clarify the situation.

Information given to Managers requesting additional data, will be restricted to categories of Internet websites visited only, for the purposes of discussion and possible disciplinary action, if appropriate, with the particular employee or employees concerned.

Where necessary to clarify matters, more detailed data may be examined to ensure the accuracy of summary data. The provision of more detailed data will be at the discretion of the system administrators.

4.6 LOGGING OF COMPUTER SYSTEM USAGE

Computer systems keep log files containing information about transactions and computer processes. These log files can contain the e-mail address of senders and receivers and the time of transmission. The contents of e-mails are not logged but are saved on the e-mail server. Similarly, web servers log information on the sites that people visit. The keeping of log files is necessary for routine maintenance and the management of the computer systems.

Council's computer systems may also be monitored, to ensure compliance with Council policies, to investigate conduct that may be illegal or adversely affect Council or its employees, to prevent inappropriate or excessive usage, or for other valid business reasons.

Council has the right to monitor and log, any and all aspects of its computer system including, but not limited to, Internet sites visited by staff, files copied from the Internet, and all communication sent and received by staff.

Internet usage is monitored and managers are provided with a report on use by individual staff as well as sites that have been accessed. Inappropriate use could lead to disciplinary action if it is in breach of the Code of Conduct.

Executive Managers or Divisional Managers may receive reports of computer system usage and may use them to determine what types of system usage is appropriate for their division's business needs, or whether individuals or sections are abusing system use.

4.7 BLOCKING INFORMATION WITH INAPPROPRIATE CONTENT

Council has the right to utilise software which will identify and block access to Internet sites containing non-business-related information deemed inappropriate in the workplace.

Council has the right to utilise software, which will identify and block e-mail attachments containing non-business-related information deemed inappropriate in the workplace.

Council will not block access to Internet websites containing information relating to industrial matters or block e-mail to or from unions or associated bodies.

Users of Council computer systems will be notified where any inappropriate sites or e-mails are blocked.

4.8 ARCHIVAL OF ELECTRONIC CORPORATE RECORDS

All files, documents, e-mail messages and their attachments, or other electronic computer stored on Council network are regarded as corporate records if they serve to document Council's business and activities and need to be retained as evidence of those actions under the terms of the State Records Act.

Corporate records include, but are not limited to, the following:

- working papers detailing development of reports and documents;
- final versions of reports;
- policy documents and statements;
- formal minutes of Council committees;
- formal communications between Council officers;
- formal communications between Council officers and external agencies, organisations or individuals.

All corporate records, irrespective of their form or substance, are required to be retained in a manner and for a period which, complies with the requirements of the Local Government Disposal Schedule.

E-mail messages, which meet the criteria of corporate records, should be catalogued into TRIM.

4.9 BREACHES OF POLICY

Staff should be aware that where excessive work time is spent on private Internet or email usage, or a breach of this policy is suspected, then our electronic records may be accessed to provide evidence of such usage or breach. Inappropriate use could lead to disciplinary action if it is a breach of the Code of Conduct as defined in Council's disciplinary procedures. This includes clause 10.12 of the Code of Conduct that states you must use Council's resources ethically, effectively, efficiently and carefully.

4.10 NOTIFICATION OF CHANGES TO ACCEPTABLE USAGE PROCEDURES

Council's Information Technology Acceptable Usage Policy will be updated as needed, in consultation with all stakeholders. All staff will be informed of any changes to this policy and any related procedures through training and information sessions.

Staff are responsible for familiarising themselves with any changes to procedure which may affect their use of Council's computer systems. New council staff will be advised of this policy via the corporate induction process.

5. RESPONSIBILITY/ACCOUNTABILITY

- 5.1 Council technology systems are the property of Council and are to be used primarily for legitimate business purposes. Staff are provided access to these systems to assist them in the performance of their jobs.
- 5.2 All staff have a responsibility to use Council's technology systems in a professional, lawful and ethical manner. Abuse of technology systems may result in disciplinary action, as defined in Council's disciplinary procedures.
- 5.3 Council will accept no responsibility or liability for loss or consequential loss or damage arising from the use of its technology systems. This does not apply to Council employees during the normal course of their employment.

6. RELATED POLICIES/POLICYS

- 6.1 Council Code of Conduct
- 6.2 Records/ Information Management Policy

7. RELATED PROCEDURES

- 7.1 Information Technology Security Protocols
- 7.2 Communication Device Protocols
- 7.3 Mobile Phone Procedures

8. RELATED LEGISLATION

- 8.1 Privacy Act
- 8.2 GIPPA
- 8.3 Workplace Surveillance Act 2005

9. ATTACHMENTS

- 9.1 Acknowledgement of Understanding
- 9.2 Application to access staff Computer files (Email and or Internet data)

10. RESOURCES

- 10.1 Nil

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 council representatives and will involve:

11.1.1 The Policy implementation will be as follows:

- Review existing systems and procedures
- Develop procedure documents
- All new staff and Councillors will be stepped through the policy at induction
- Conduct information sessions to educate staff in relation to requirements of this Information Technology Acceptable Usage Policy
- Periodically review the effectiveness of the Policy.

12. POLICY HISTORY

12.1 Date First Adopted	17/1/14
12.2 Most Recent Adoption	17 August 2015 – Res No. 145/2015
12.3 Next Review Date	31/12/16
12.4 Responsible Officer	Manager Technology, Information & Corporate Strategy

Wollondilly Shire Council
PO Box 21 Picton NSW 2571
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Rural Living www.wollondilly.nsw.gov.au

ATTACHMENT 9.1**INFORMATION TECHNOLOGY USAGE POLICY****ACKNOWLEDGEMENT OF UNDERSTANDING**

I have read and agree to comply with the terms of this policy governing the use of Wollondilly Shire Council's technology systems. Council conducts random and intermittent surveillance of internet usage, email and electronic files as a means of ensuring overall safety and compliance with Council policies and legal requirements. Council may also conduct surveillance of internet usage, email and electronic files where there are reasonable grounds to suspect a breach of Council's Code of Conduct or any other inappropriate conduct by an employee, contractor or third party, as set out in this policy. I understand that Council monitors all system usage and that violation of this policy may result in disciplinary action, as defined in Council's disciplinary procedures contained in the Award.

Signature

Date

Printed name

Payroll No.

ATTACHMENT 9.2

APPLICATION TO ACCESS STAFF COMPUTER FILES (EMAIL AND OR INTERNET DATA)

Requested By: (Name)

Date Of Request:

Signature:

STAFF MEMBER ACCESS

Name:

Position:

Type of records: ☐ Internet ☐ Email ☐ Phone ☐ Other *(please tick)*

Date of Access: Date From:..... Date To:.....

Reason Access:
.....

SIGNATURES

Name:

Name

Position:

Position

Signature

Signature

Name:

Position:

Signature:

The application must be signed by two of the Managers listed below :

- General Manager
- Executive Director Community Services & Corporate Support;
- Manager Information Technology;
- Divisional Manager other than from requested Division.

OFFICE USE ONLY

TRIM Record Number:

**Authorised personnel who
performed audit:**

(Name)

(Signature)

CO1 Attachments

1. Alcohol Free Zones Proposal 2017
2. Alcohol Free Zones Table Listing
3. Alcohol Free Zones Maps
4. Alcohol Prohibited Areas Maps
5. Community Feedback Form

Monday 19 June 2017

CO1 – Re-establishment of Alcohol Free Zones and
Information on Alcohol Prohibited Areas



Alcohol Free Zones Proposal 2017

Purpose

The aim of this proposal is to outline the Alcohol Free Zones in the Wollondilly Shire and to seek feedback from the community and the Police in relation to the reinstatement of the Alcohol Free Zones for a further 4 years until 2021.

About Alcohol Free Zones

Alcohol Free Zones are governed by Section 644 of the Local Government Act and the Ministerial Guidelines on Alcohol Free Zones. The Local Government Act 1993 provides the legislative powers for local councils to establish alcohol-free zones and alcohol prohibited areas in NSW to promote the safe use of roads, footpaths and public car parks without interference from anti-social behaviour caused by public drinkers.

The principal object of an alcohol-free zone is to prevent disorderly behaviour caused by the consumption of alcohol in public areas in order to improve public safety.

An alcohol-free zone may be established for the maximum period of four years. Once established, it applies twenty-four hours per day. AFZs do not encompass parks and reserves.

Alcohol-free zones are enforced by the police or by council enforcement officers where the Commissioner of Police gives written authorisation. Any person observed to be drinking in an alcohol-free zone may have the alcohol in their possession immediately seized and tipped out or otherwise disposed of.

Setting the Scene

On 12 December 2011, Wollondilly Shire Council resolved (Motion 313/2011) to implement AFZs for a period of four years from December 2011 to December 2015 in the areas marked on the attached maps.

Wollondilly Shire Council is proposing to re-establish the Alcohol Free Zones across the Shire for a further 4 year period until December 2021.

Alcohol Free Zones in Wollondilly

The attached maps and table outline the Alcohol Free Zones for feedback.

When re- establishing an area as an Alcohol Free Zone, proposals must adequately address the following matters;

- Substantiated evidence that the public's use of those road or car parks have been compromised by street drinking;
- Substantiated evidence that the area is regularly used for the consumption of alcohol and that it is causing distress and disturbance to local residents;
- Substantiated evidence of malicious damage to property, littering, offensive behaviour and/ or other crimes being committed as a result of street drinking;
- That Police support the re- establishment of the Alcohol Free Zone and can readily enforce the area; and
- That the proposed zone has been minimised as much as practicable.

Summary of Process

A number of steps will be completed to implement the Alcohol Free Zones:

- Consultation will be completed by Wollondilly Shire Council with the public display of this discussion paper for 28 days at Council Office and the library. The discussion paper will also be available on [engage.wollondilly](http://engage.wollondilly.nsw.gov.au) and will be promoted through social media and Councils website.
- Consultation with Police NSW three Local Area Commands- Camden, Campbelltown and St. Mary's
- A copy of the discussion paper will be sent to local liquor licensees and secretaries of registered clubs in the area
- All submissions will be considered and evaluated
- A report will be submitted to Council for consideration
- All stakeholders will be notified of the outcome
- Alcohol Free Zones will be implemented, this will include updated signage

Links to the Wollondilly Shire Community Strategic Plan 2033

Management and Provision of Infrastructure

As a community, we can

- Consider the assets that we value, and identify how the community can fund the effective maintenance of its assets.

STRATEGY IN3

Provision of facilities

Provide a range of recreation and community facilities to meet the needs of the community.

How to give feedback

Complete the attached feedback form and

a) Post to:

PO Box 21

Picton NSW 2571

OR

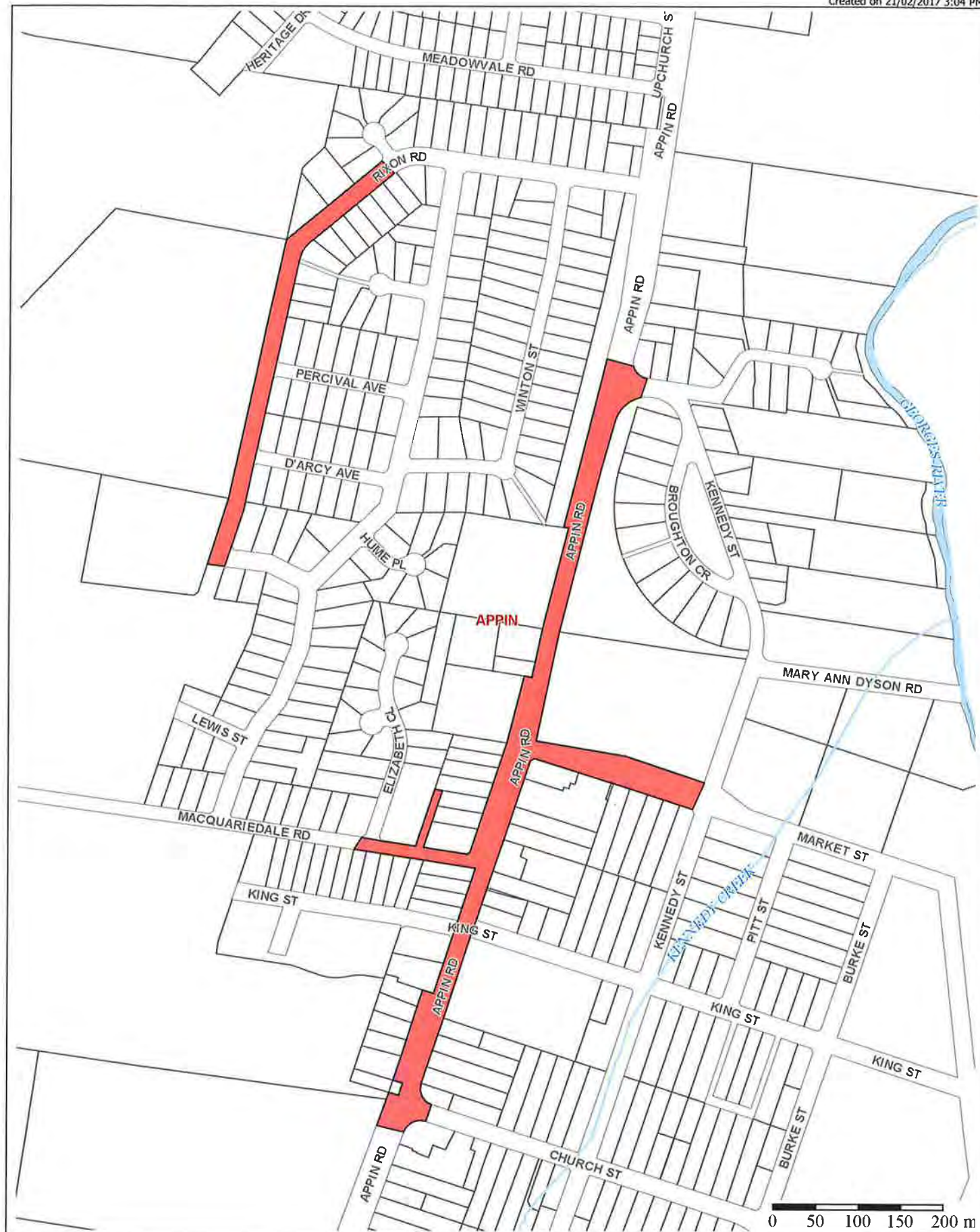
b) Email: council@wollondilly.nsw.gov.au

Attachments

1. Alcohol Free Zones table listing
2. Alcohol Free Zones maps
 - a) Appin
 - b) Bargo
 - c) Douglas Park
 - d) Oakdale
 - e) Picton
 - f) Tahmoor
 - g) The Oaks
 - h) Thirlmere
 - i) Warragamba
3. Alcohol Prohibited Areas maps
4. Feedback Form

Suburb	Alcohol Free Zone 1	Alcohol Free Zone 2	Alcohol Free Zone 3	Alcohol Free Zone 4	Alcohol Free Zone 5	Alcohol Free Zone 6	Alcohol Free Zone 7
Appin	Rixon Road From Anderson Close to 4 Sportsground Parade	Macquariedale Road From Elizabeth Close to Appin Road	Appin Road From Kennedy Street to Church Street	Market Street From Appin Road to Kennedy Street			
Bargo	Great Southern Road From Dymond Street to Avon Dam Road	Railside Avenue From Panorama Street to Remembrance Driveway	Nooral Street From Kader Street to Railside Avenue	Bargo Road From Great Southern Road to Hawthorne Road			
Douglas Park	Camden Road From Hopson Street to Nepean Street	Station Street W From Durham Street to Camden Road	Station Street From Camden Road to Moreton Street	Railway Parade From Moreton Street to Camden Road	Camden Road 146 (Off Camden Road)		
Oakdale	Burraborang Road From Egans Road to Stevey's Forest Road	Bakers Lodge Road From Kerry Place to Burraborang Road	Egans Road From Moore Road to Burraborang Road				
Picton	Argyle Street From Downing Street to View Street	Walton Street From Cliffe Street to Menangle Street W	Menangle Street W From Elizabeth Street to Station Street	Station Street	Manolis Lane	Lumsdaine Street From Argyle Street to View Street	
Tahmoor	George Street From Thirlmere Way to Bronzewing Street via Valeria Street	Emmet Street	Larkin Street	York Street From Thirlmere Way to Bronzewing Street	Lewis Lane	Crawford Lane	Remembrance Driveway From Thirlmere Way to Rockford Road

The Oaks	Burraborang Street From John Street to Merlin Street	John Street From Mary Street to Grendiver Road					
Thirlmere	Oaks Street From Victoria Road to Thirlmere Way	Goodlet Street	Carlton Street From Oak Street to 50 Carlton Street excluding 49A	Barbour Road From Lakes Street to Oaks Street	Westbourne Avenue From South Street to Oaks Street		
Warragamba	Fourth Street	Weir Road From Warradale Road to Fifth Street	Fourteenth Street	Eighteenth Street From Fourteenth Street to 24 Eighteenth Street			



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PO Box 21
PICTON NSW 2571
Ph: (02) 4677 1100
Fax: (02) 4677 2339
Web:
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Date: 21/02/2017 3:04 PM

Alcohol Free Zones Appin



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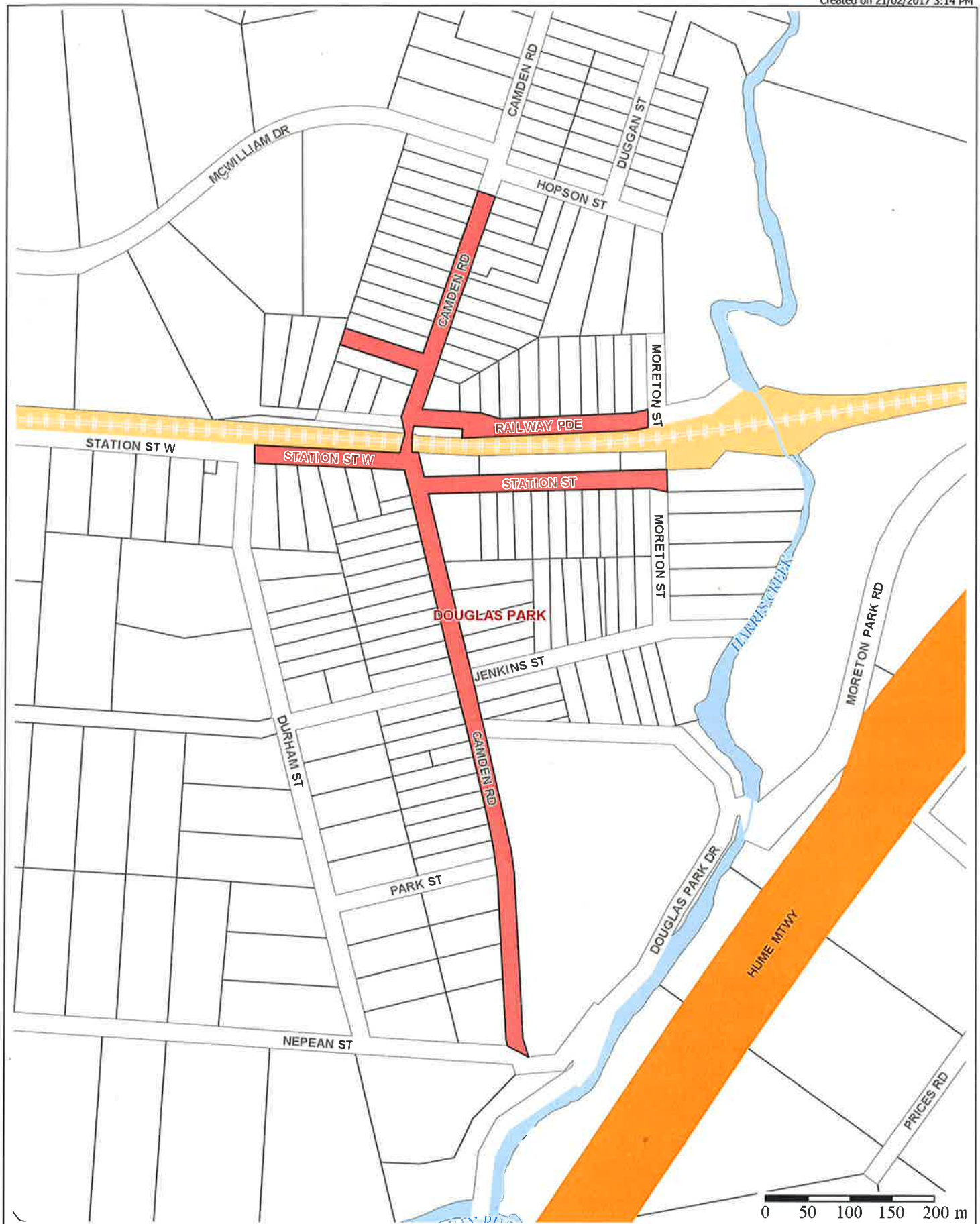
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Alcohol Free Zones Bargo



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Alcohol Free Zones Douglas Park



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Alcohol Free Zones Oakdale



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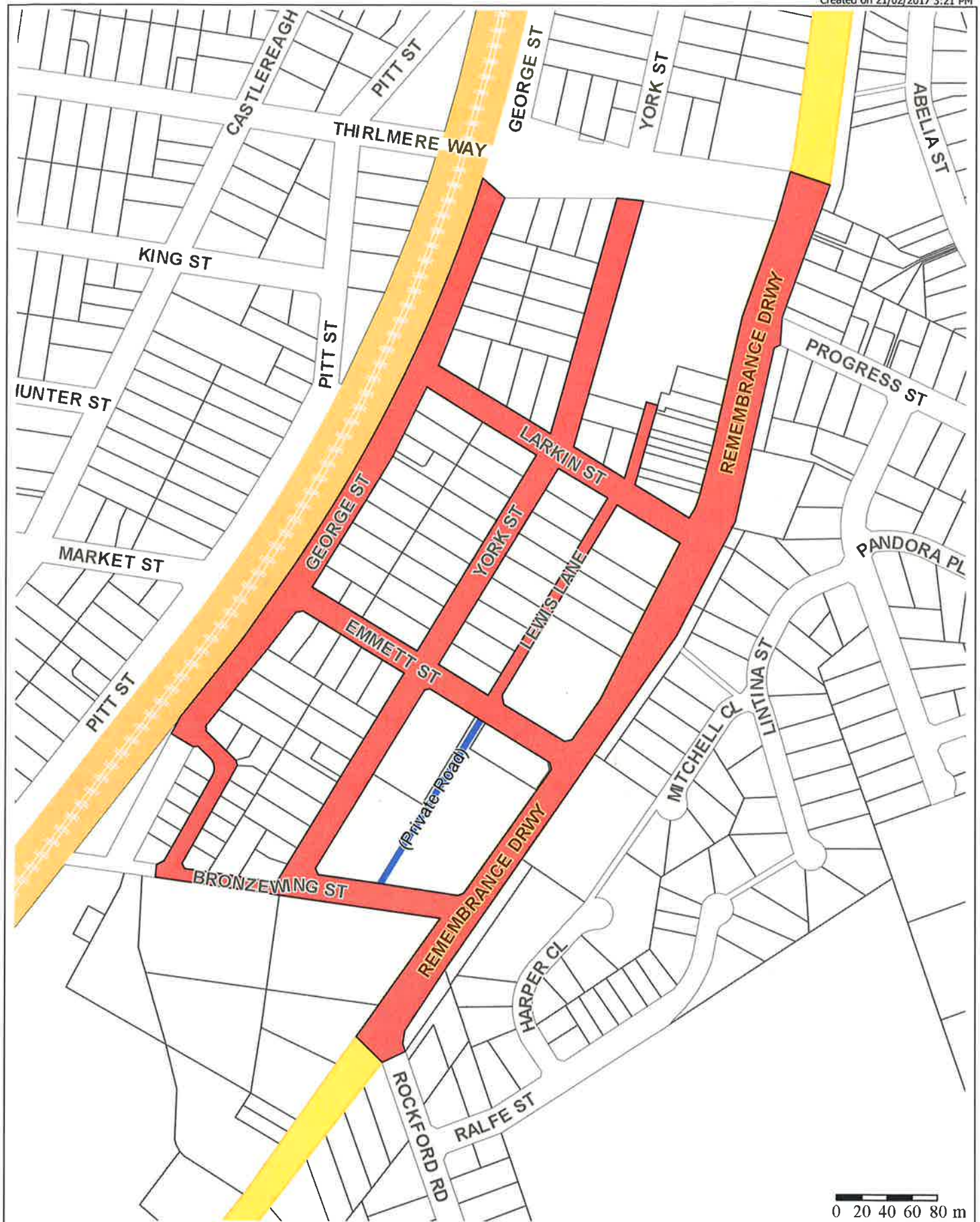
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Alcohol Free Zones Picton



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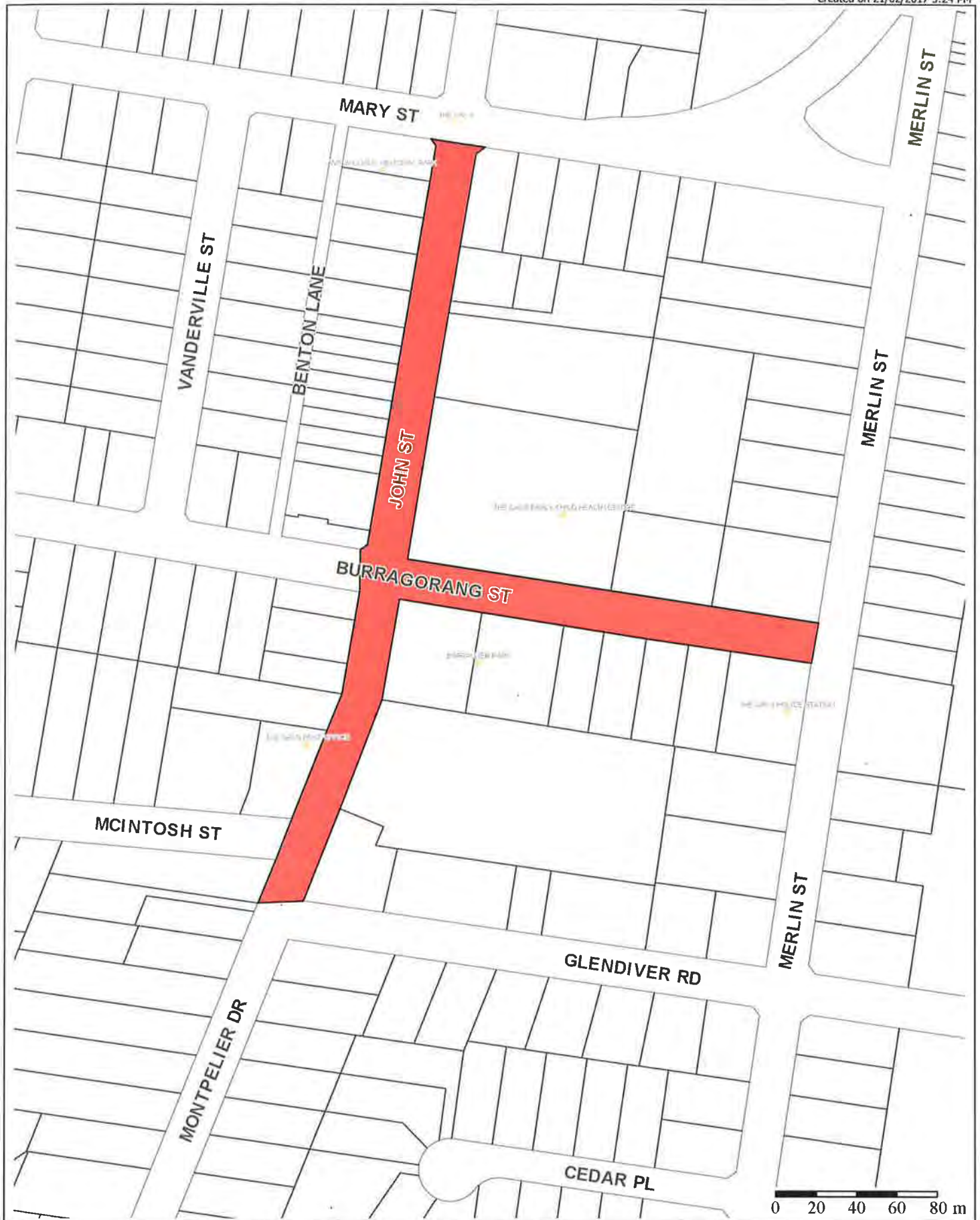
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Alcohol Free Zones Tahmoor



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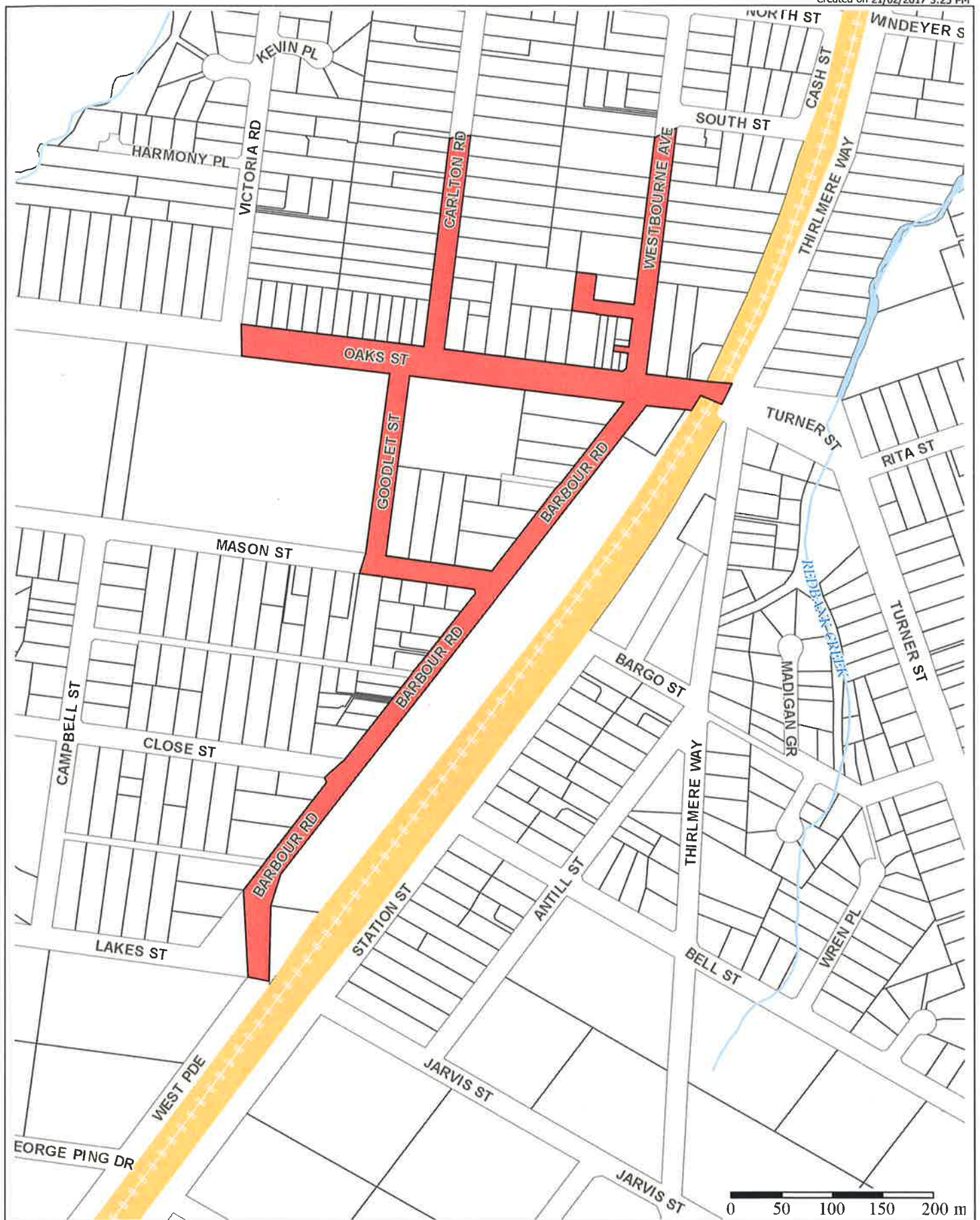
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Alcohol Free Zones The Oaks



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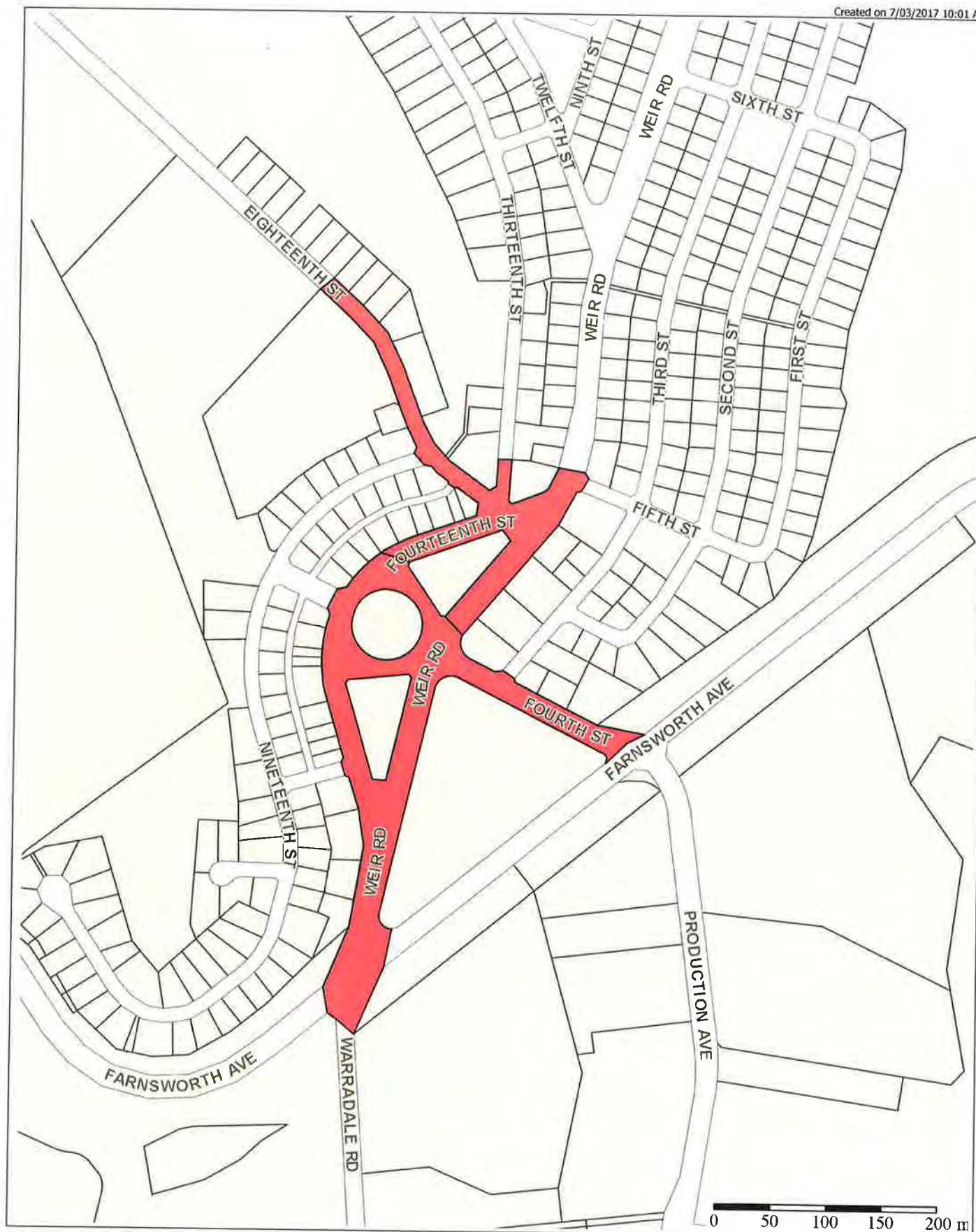
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Alcohol Free Zones Thirlmere



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Alcohol Free Zones Warragamba



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Alcohol Prohibited Areas- Appin



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Alcohol Prohibited Areas- Bargo



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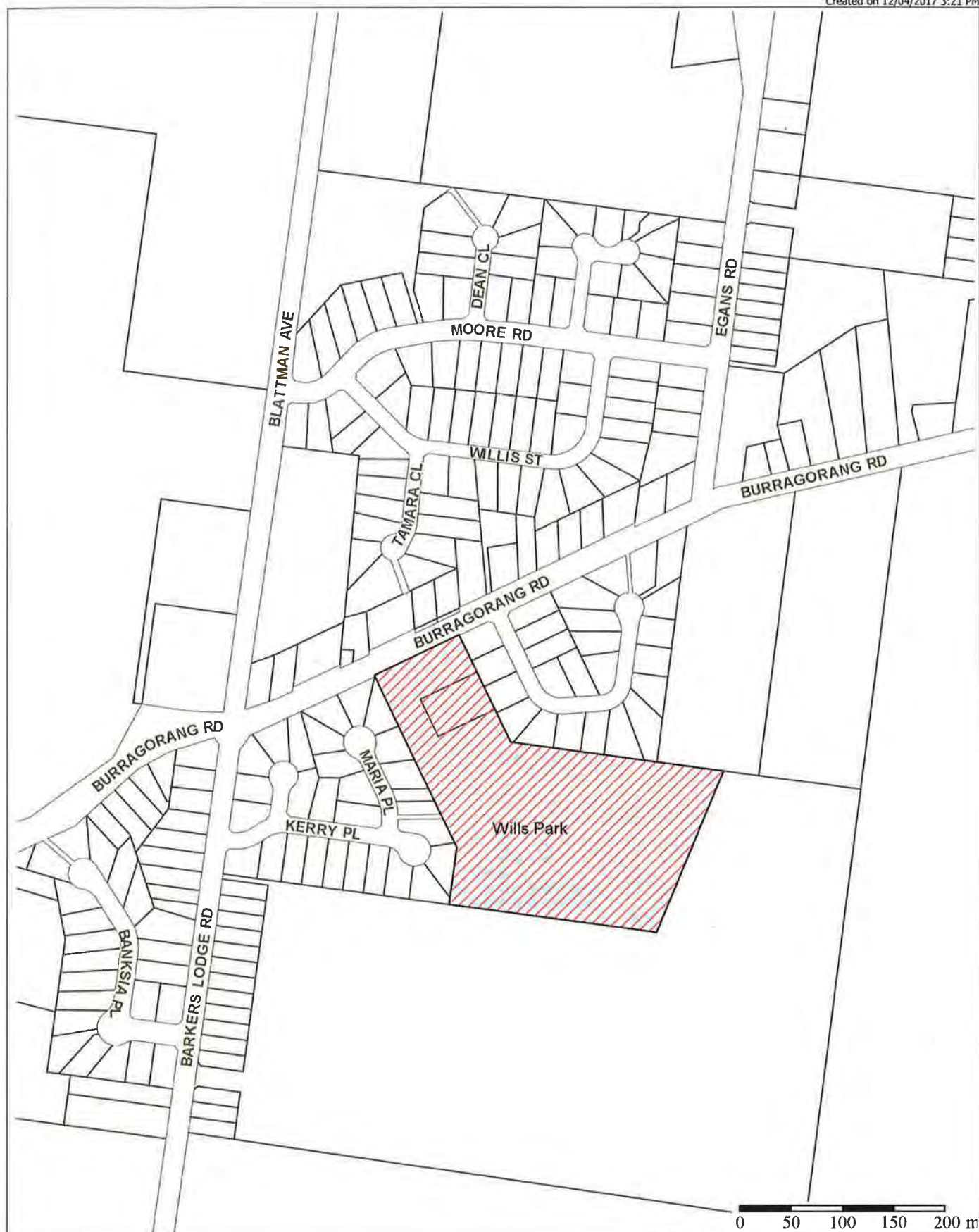
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Alcohol Prohibited Areas- Douglas Park



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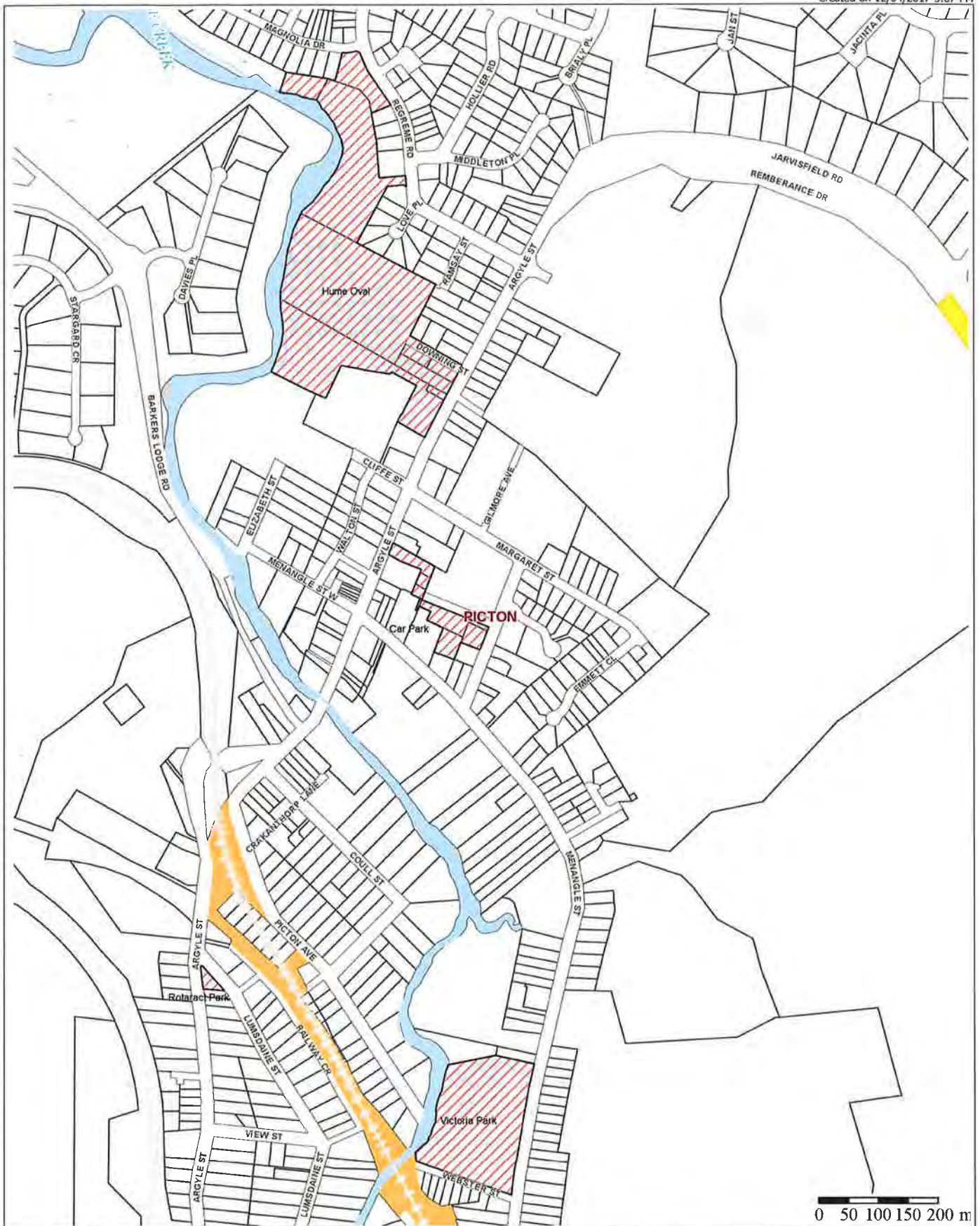
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Alcohol Prohibited Areas- Oakdale



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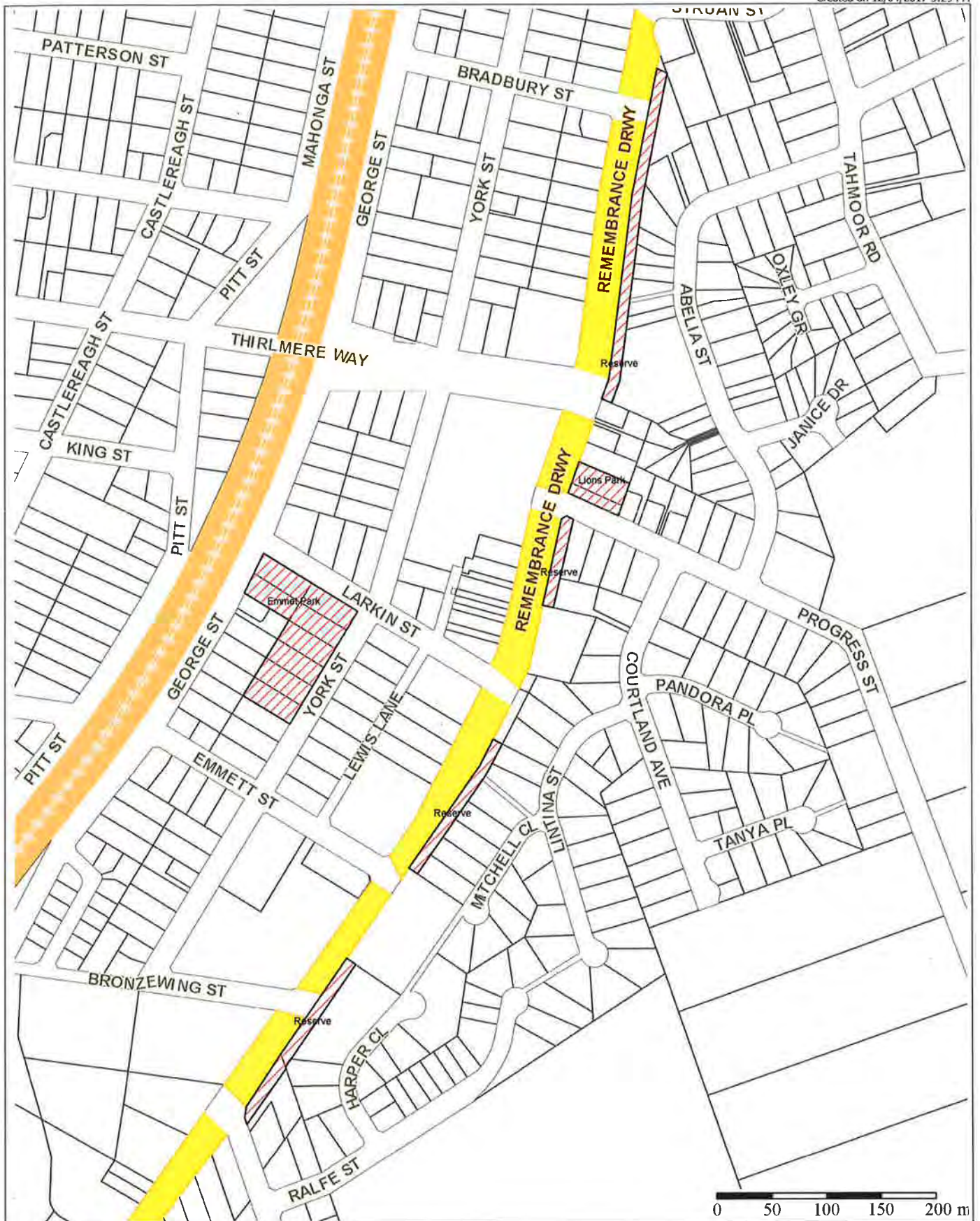
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Alcohol Prohibited Areas- Picton



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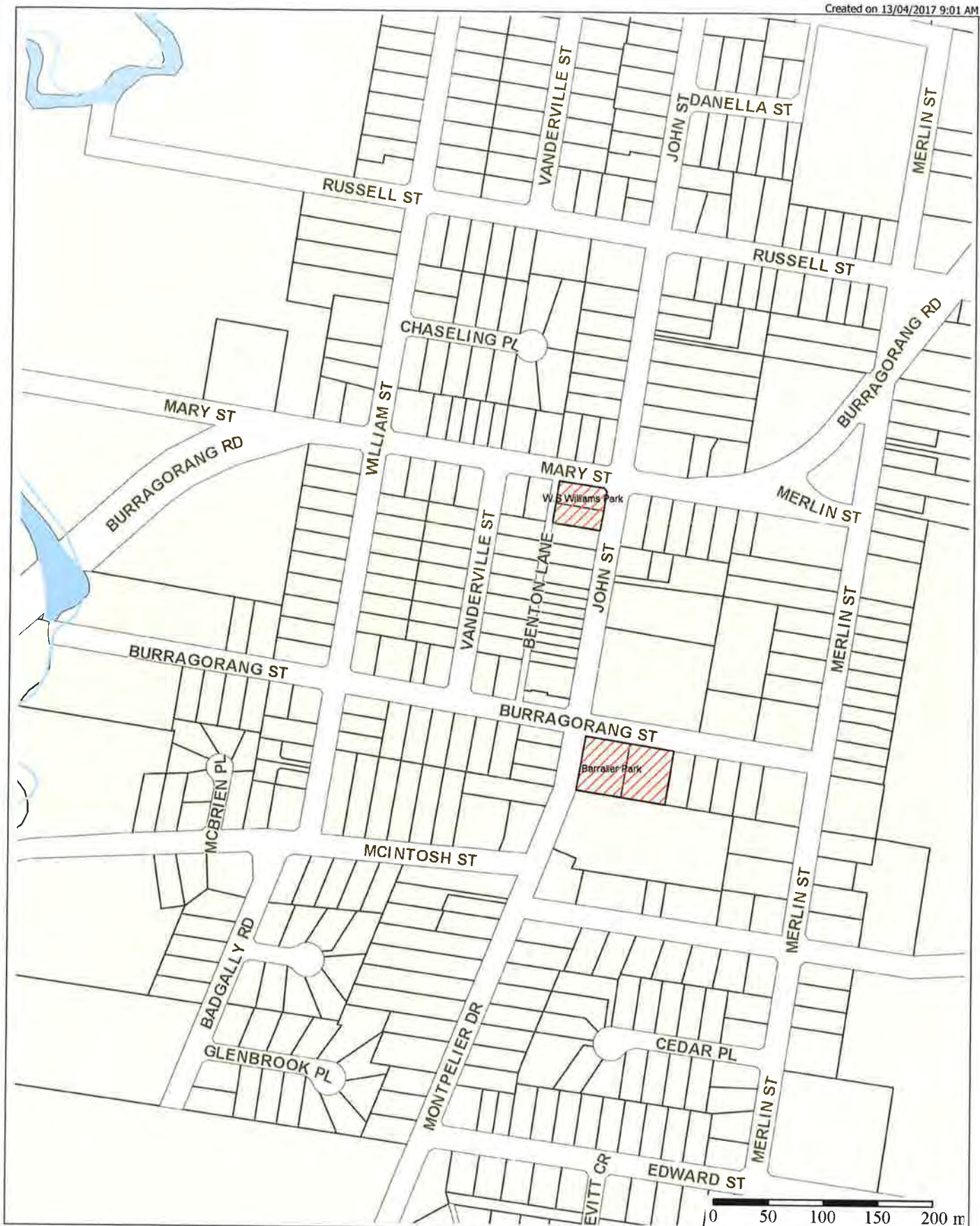
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Alcohol Prohibited Areas- Tahmoor



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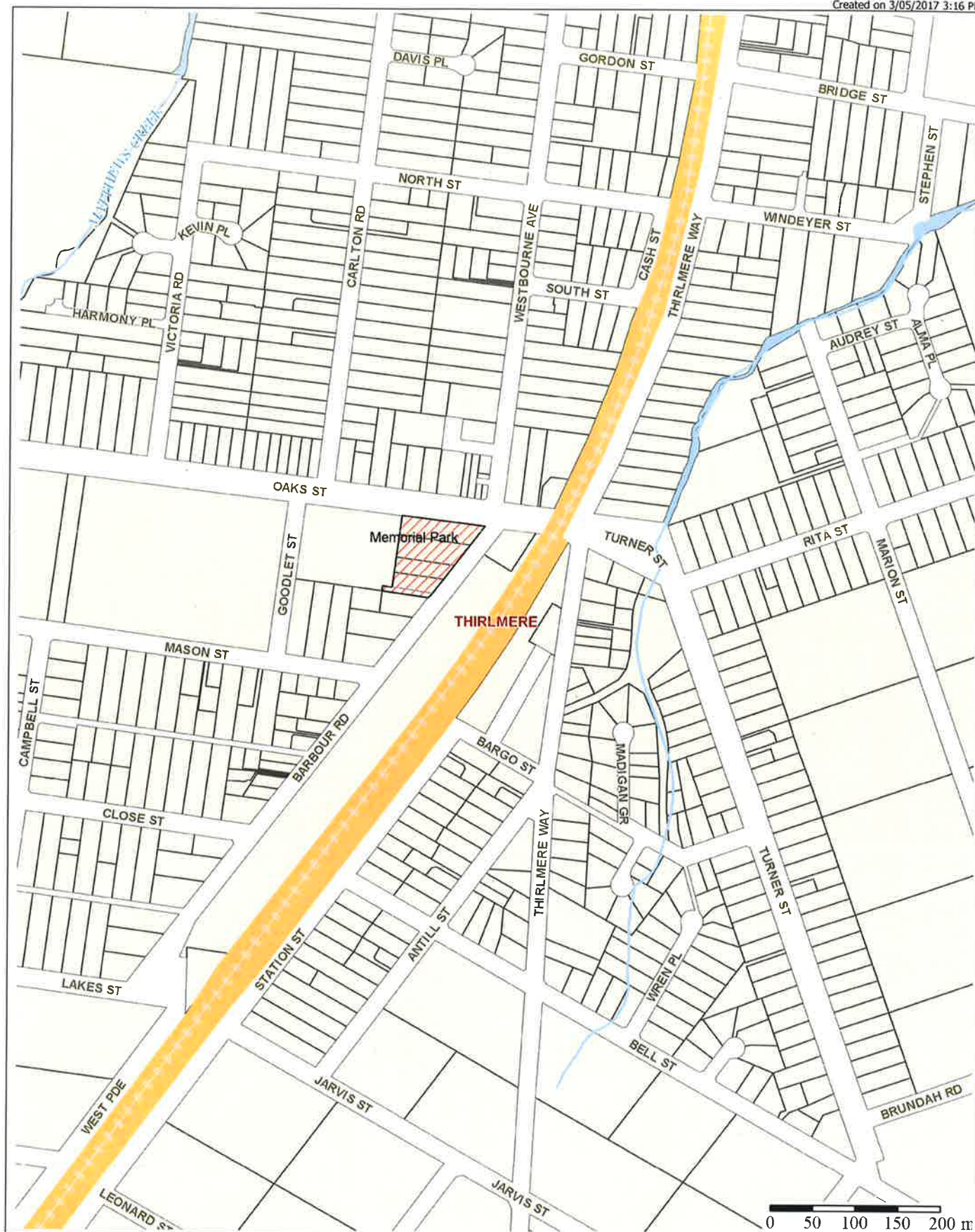
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Alcohol Prohibited Areas- The Oaks



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Date: 3/05/2017 3:13 PM

**Alcohol Prohibited
Areas- Warragamba**



ALCOHOL FREE ZONES FEEDBACK FORM

1. Do you agree with the Alcohol Free Zones as outlined in the attached maps? (please circle)

Yes

No

2. If not what are you proposing?

CO2 Attachment

1. Disability Inclusion Action Plan

Monday 19 June 2017

CO2 – Review of the Disability Inclusion Action Plan



disAbility

INCLUSION 

Action Plan 2017-21





**“KINDNESS IS A
LANGUAGE THE
DEAF CAN HEAR
AND THE BLIND
CAN SEE”**

Mark Twain

Disability Inclusion Action Plan 2017-21

A digital copy of this document can be found on the
Wollondilly Shire Council website www.wollondilly.nsw.gov.au

Author: Emma-Jayne Gardiner



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STATEMENT OF COMMITMENT

There have been tremendous improvements within Government regarding disability inclusion in recent years and we are very proud that Wollondilly Shire Council is committed to continuing to engage with people with disability and the broader community.

By committing to continuous improvements in our practices, service delivery and business we aim to remove the barriers which prevent people with disability from participating fully in our community.

Wollondilly Shire Council is excited by the changes happening across Australia regarding inclusion and the rollout of the NDIS in our Shire and this Disability Inclusion Action Plan demonstrates our commitment to creating a more welcoming, equitable and inclusive community.

Council acknowledges the traditional custodians of the land, and pays respect to Elders both past and present.



Judith Hannon
Mayor



Luke Johnson
General Manager



BACKGROUND

In 2014 the NSW Disability Inclusion Act 2014 was passed, making it a legal requirement for all NSW Councils to develop a Disability Inclusion Action Plan by 1 July 2017, which will assist in removing barriers that prevent people with disability from participating fully in our community.

Wollondilly Shire Council is committed to making our community more accessible and inclusive by:

- Promoting positive attitudes and behaviours toward people with disability.
- Making improvements to ensure our community is easier to live in and get around.
- Supporting access to meaningful employment opportunities at council and encouraging employers in Wollondilly to employ people with disability.
- Making sure the information we provide is accessible and easy to understand and that our services are inclusive.

This Disability Inclusion Action Plan was developed through a rigorous community consultation process and involved over 230 individuals who were involved in community conversations or provided feedback via survey.

The NSW Disability Network defines disability as “long-term physical, mental, intellectual or sensory impairments, which in interaction with various barriers may hinder full and effective participation in society on an equal basis with others”. It is through this perspective and definition that we are able to shift our focus and responsibility to removing the barriers that our community members face.

Council's Disability Inclusion Action Plan was developed through community consultation and research spanning over 18 months. A review of Council documents and Government policies took place followed by 'Community Conversations' at a Macarthur Regional Disability Inclusion Action Plan Consultation held in Campbelltown in November 2016 where over 70 community members and service providers across Macarthur gave feedback and completed surveys to help guide Wollondilly, Camden and Campbelltown Councils in their Disability Inclusion Planning.

In addition to the Macarthur engagement a further local community survey was developed with 91 surveys completed from residents in Wollondilly. A staff survey was developed with 73 surveys completed. The consultation processes enabled us to engage with 232 participants.

This plan was endorsed at Council's March 2017 meeting and placed on public exhibition. The plan was formally adopted at Council's 19 June 2017 meeting and was lodged with the Disability Council on 30 June 2017.

Legislation and Standards that inform Council's Work

This diagram shows the relationships between the relevant policy and legislative documents. *Source: Disability Inclusion Action Planning Guidelines Local Government.*



LEGISLATION AND POLICY

It is an exciting time in Australia where we are seeing much needed positive changes taking place for people with Disability.

With the rollout of the NDIS in Wollondilly in July 2016 and an expected state roll out to be implemented by July 2017, the need to support inclusion has now been recognised at all levels of legislation and policy in Australia.

The Disability Inclusion Act 2014 (NSW) provides the legislative framework to guide state and local government disability inclusion and access planning. The Act supports people with disabilities to access:

- The same human rights as other members of the community and that governments and communities have a responsibility to facilitate the exercise of those rights;
- Independence and social and economic inclusion within the community; and
- Choice and control in the pursuit of their goals and the planning and delivery of their supports and services.

In addition to the diagram to the left, Council is also guided by the following standards, policies, protocols, plans and strategies with particular regard to disability access and inclusion:

- Australian Standards (AS1428) – Design for Access and Mobility;
- Disability Access to Premises Building Standards 2010;
- Web Accessibility National Transition Strategy 2010;
- NSW Disability Inclusion Action Planning Guidelines;
- Local Government Act 1993;
- Carers Recognition Act 2012;
- Wollondilly Public Toilet Strategy 2017;
- Wollondilly Community Engagement Strategy 2017;
- Wollondilly Equal Employment Opportunities Policy 2017 (Work in Progress);
- Wollondilly Workforce Management Strategy 2017;
- GOV0067 Wollondilly Customer Service Charter 2015;
- ASS0012 Wollondilly Parking Policy 2013;
- APO008 Wollondilly Community Bus Protocol 2017.

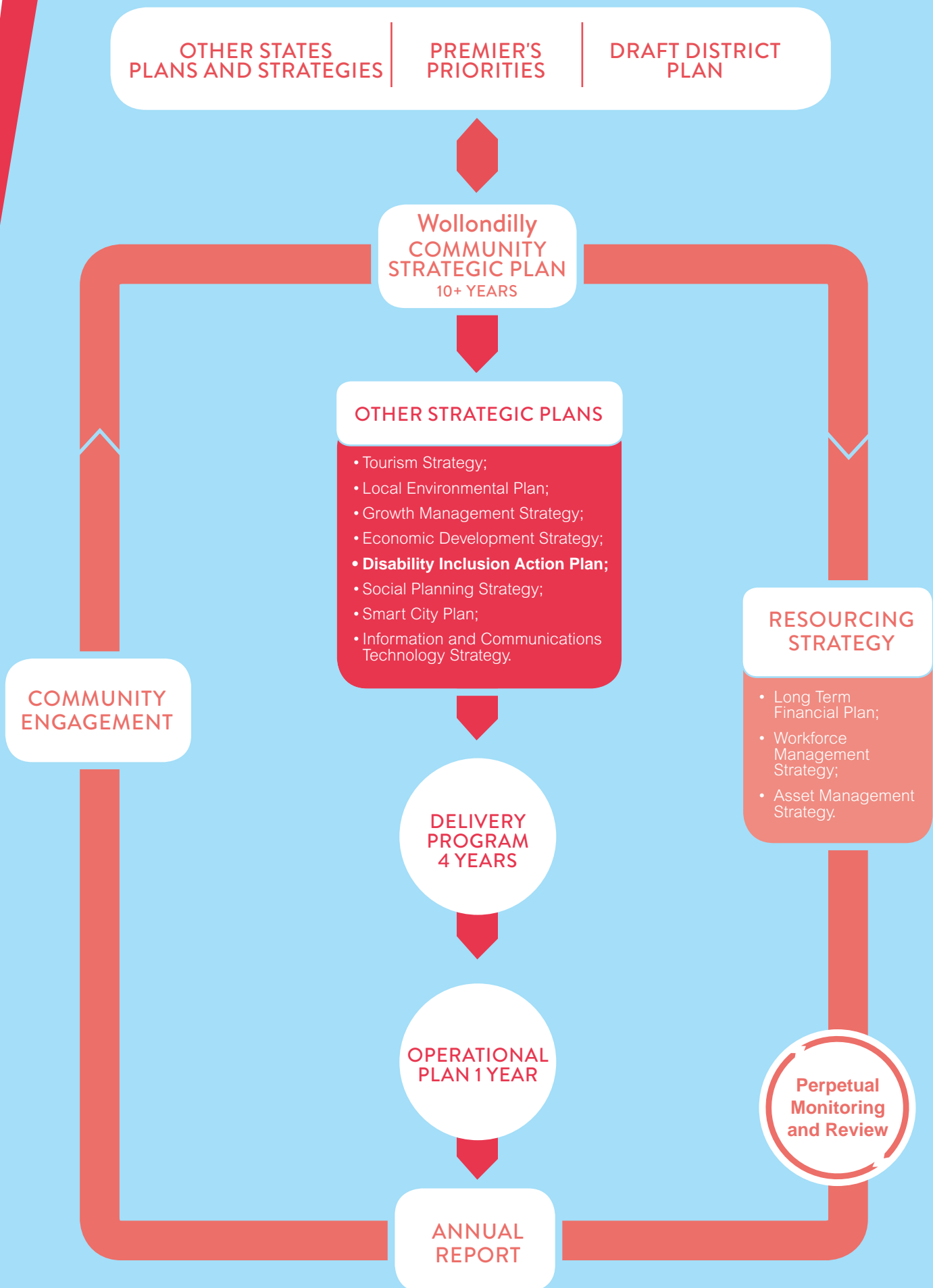
INTEGRATED PLANNING AND REPORTING FRAMEWORK

In 2009, the NSW Government introduced a framework to guide local government with a new approach to planning and reporting.

This framework is known as IP&R or 'Corporate Planning documents'. These documents work together to provide a solid plan for the Shire's sustainable future.

Wollondilly's Corporate Planning documents consist of:

- Create Wollondilly - Community Strategic Plan 2033;
- Resourcing Strategy;
- Delivery Program 2017/18 - 2020/21 and annual Operational Plans;
- Quarterly, Annual and End of Term Reports.



WOLLONDILLY SHIRE COUNCIL PROFILE

Wollondilly Shire Council is located on the south western fringe of Sydney at the foothills of the Southern Highlands.

Although it covers 2,560 square kilometres, almost two thirds of the Shire's area is made up of national parks and water catchment areas. Outside of these protected areas the Shire is a patchwork of agriculture, rural landscapes, bushland and separate towns and villages.

With this in context, Wollondilly is on the periphery of the city of Sydney and is referred to as being peri-urban which comprises a typical mix of urban and rural residential areas with productive agricultural lands, biodiversity areas and diverse topographies. In the context of disability, we recognise that there is limited infrastructure, services and limited employment opportunities in our Shire.

People with Disability in Wollondilly

According to Census Data (2011) Wollondilly has the following number of carers and people with disability; this table provides a picture of the needs of people with disability in our Shire comparable to our neighbouring local government areas:

	Wollondilly	Camden	Campbelltown	Wingecarribee	Greater Sydney
Carers over 15 years %	12%	10.9%	11.9%	12.8%	10.8%
No.	4,001	4,672	13,555	4,596	384,702
People with Profound or severe disability (All Ages) %	3.8%	4%	5.3%	5.3%	4.4%
No.	1,614	2,229	7,710	2,307	192,676
All people with disability over the age of 18 years %	11.4%	10.6%	11.8%	11.2%	10%
No.	3,419	3,872	11,668	4,717	358,932

“THE ONLY
DISABILITY IN LIFE
IS A BAD ATTITUDE”

Curiano.com







COMMUNITY CONSULTATION OUTCOMES

Macarthur Regional Disability Inclusion Action Plan Consultation

This consultation saw over 70 people with disability, carers, service providers and community members attend a two hour community conversation session which focused on the four key areas:

- Promoting Positive community attitudes and behaviours.
- Creating meaningful employment opportunities.
- Creating liveable communities.
- Improving Systems and Processes.

Joe Ibbitson – Community Programs Coordinator, Penrith Council and Sean Willenberg - Disability Inclusion Promotions Officer, NSW Business Chamber presented the four key areas to all participants. This was then followed by robust and lively conversations. Auslan interpreters were present to include the deaf and hearing loss community and each table involved a facilitator and scribe to record the conversations. The information collected from these conversations have helped us to gain a stronger sense of people's aspirations for the community and provided us with a window into how they talk about their concerns and lives, and create a way to develop partnerships with people with disability, carers, community groups and services to ultimately have a greater impact in their communities.

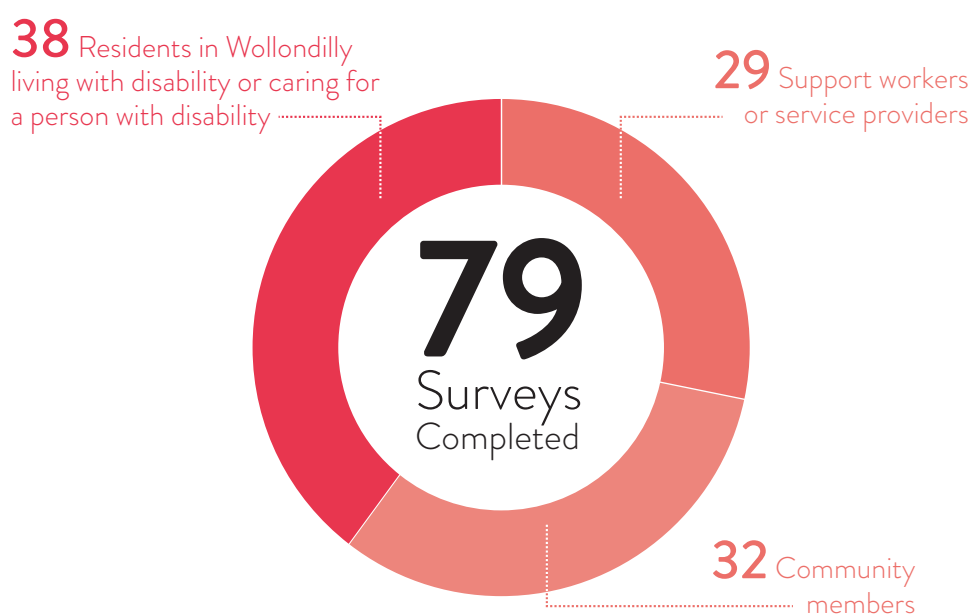
What they told us about living in Macarthur

- They want us to use language that they understand.
- They want to access our buildings with ramps/lifts.
- They want us to listen.
- They want greater access to transport.
- They want to feel welcome to apply for jobs.
- They want to attend our events and know they can participate.
- They want our staff to be trained to communicate effectively .

DISABILITY INCLUSION ACTION PLAN SURVEY

The survey was open from 2 January 2017 until 30 January 2017.

It was promoted on Council's community engagement website engage.wollondilly.nsw.gov.au, emailed through a variety of networks including the Macarthur Disability Network and paper copies of the survey along with postage paid envelopes were mailed to residents on the Ageing and Disability mailing lists. Media releases, Council's website, Facebook and radio promoted the survey during January 2017. Formats available were: survey monkey, paper survey, telephone survey, telephone relay service (TTY), Auslan.





Specific positive examples mentioned:

- All government services and retail staff are very helpful.
- At events, special arrangements for people with mobility requirements are evident.
- Staff at Picton Pool are great.
- Interaction with Library Staff is very positive.
- Wollondilly Shire Council staff have always been understanding and helpful with enquiries.
- Family Day care and staff are extremely understanding.
- Council staff are approachable and helpful.



Where improvements can be made:

- More access for people with disability to services.
- Council run events need to be promoted and set up to be welcoming, accessible and inclusive to people with disability.
- Accessible parking and toilets, especially at events.
- Run forums in the day and at night.
- Promote how Council is inclusive.



STAFF SURVEY

Council surveyed all staff around Equal Employment Opportunities in December 2016.

We know that almost 7% of staff at Wollondilly Shire Council identify as having disability, with 4% of our staff requiring (and receiving) reasonable adjustment in the workplace. Furthermore, over 11% of our staff care for someone with disability.

In March we conducted a voluntary anonymous staff survey where 72 surveys were completed – formats available were SurveyMonkey, Auslan and paper survey which was offered to outdoor and indoor staff.

72% of staff Agreed or Strongly Agreed that as a Council we display positive attitudes and behaviours towards people with disability. The rest were unsure/neutral or commented that they were new to council or hadn't had experience of staff and people with disability interacting.

Where Council buildings are concerned 61% agreed or strongly agreed that buildings are accessible. Comments included: some buildings and facilities are accessible but not all.

Almost 60% of staff agreed or strongly agreed that people with disability are encouraged to apply for positions with Council and 83% felt that Council support staff who are carers.

Overall the survey results were remarkably positive and staff were able to identify actions that Council could take to continuously improve with regard to inclusion and access particularly in the areas of accessing our website and information such as including captions with the livestreaming of Council meetings, ensuring website is WCAG 2.0 compliant, staff wanting protocols to help guide them.

ACTION PLAN

Positive Attitudes and Behaviour

Action	Customer Service Training delivered to all staff (including new starters) to include Disability Awareness
KPI	No. of staff attending training
Responsibility	Employee Relations
Timeframe	Ongoing
IP&R Reference	CSP Strategy EC3 Customer Service Deliver appropriate, responsive and effective service to our customers

Action	Disability Access Advisory Committee
KPI	Active and involved committee meeting quarterly
Responsibility	Community Outcomes
Timeframe	Ongoing
IP&R Reference	CSP Strategy EC7 Participation Enable Community involvement in Council decision making

Action	Utilise International Day of People with Disability to promote inclusion to the general community
KPI	Annual event includes that is inclusive of all community members
Responsibility	Community Outcomes
Timeframe	Annually (December)
IP&R Reference	CSP Strategy CO1 Strong Community Deliver a range of community projects, services, and events (including in partnership with community groups and NGOs) which strengthen our community

Action	Promote Access and inclusion to local businesses through our current partnership with Macarthur Access Group for Inclusive Communities (MAGIC)
KPI	<ul style="list-style-type: none"> No. of businesses endorsed No. of business who have had Disability Awareness Training
Responsibility	<ul style="list-style-type: none"> Community Outcomes Economic Development
Timeframe	Ongoing
IP&R Reference	CSP Strategy GR3 – Economic Development and Tourism Enhance economic development and tourism in Wollondilly Shire through the implementation of the Economic Development Strategy and the development of a Tourism Strategy and an Employment Strategy

Action	Engage external facilitator to develop and deliver comprehensive Inclusion Training
KPI	No. of staff trained
Responsibility	Employee Relations
Timeframe	Early 2018
IP&R Reference	CSP Strategy EC1 – Employee Relations Build a resilient, safe and supported workplace that provides respectful, efficient and effective services for our customers now and for future generations

Action	Quarterly Disability Information Forums to inform the community in an inclusive and accessible setting
KPI	No of Information Forums held annually with healthy participation and range of content
Responsibility	Community Outcomes
Timeframe	Ongoing
IP&R Reference	CSP Strategy CO1 – Strong Community Deliver a range of community projects, services, and events (including in partnership with community groups and NGOs) which strengthen our community

Action	Continue to employ Ageing and Disability Officer after salary subsidy ceases 30 June 2018
KPI	Ageing and Disability Officer employed 2018 - 2021 and beyond within current and forward budget estimates
Responsibility	<ul style="list-style-type: none"> Community Outcomes Finance
Timeframe	Ongoing
IP&R Reference	CSP Strategy EC1 – Employee Relations Build a resilient, safe and supported workplace that provides respectful, efficient and effective services for our customers now and for future generations

Action	Council wide annual inclusion & diversity month with all teams working on a mini inclusion project
KPI	No. of teams involved and projects delivered
Responsibility	Community Outcomes
Timeframe	Annually from 2018
IP&R Reference	CSP Strategy EC1 – Employee Relations Build a resilient, safe and supported workplace that provides respectful, efficient and effective services for our customers now and for future generations

Action	Council internal Steering Group to implement the DIAP and track progress
KPI	Quarterly meetings
Responsibility	Various
Timeframe	Quarterly from July 2017
IP&R Reference	CSP Strategy EC5 – Resource Efficiency Drive a culture of continuous improvement across all aspects of service delivery

ACTION PLAN

Liveable Communities

Action	Develop an Inclusion and Access tool for Council staff to use when organising public events and activities
KPI	<ul style="list-style-type: none"> No. of staff trained to use the tool No. of staff utilising assessment tool and submitting to Community Outcomes for review. No. of events that are accessible and inclusive No. of events that are promoted as inclusive
Responsibility	<ul style="list-style-type: none"> Community Outcomes to develop tool. Tool to be used across Council
Timeframe	December 2018
IP&R Reference	CSP Strategy EC2 – Risk Governance Ensure corporate risks are audited and managed appropriately to reduce the likelihood of any adverse impacts to Council or the community

Action	Public Toilets Strategy development
KPI	Strategy Complete
Responsibility	Infrastructure and Planning
Timeframe	2017- 2018
IP&R Reference	CSP Strategy IN2 – Provision of Infrastructure and Facilities Provide a range of infrastructure and community facilities to meet the needs of the community, now and into the future

Action	Public Toilets Strategy implementation
KPI	Strategy implemented according to priority and funding availability
Responsibility	Infrastructure and Planning
Timeframe	2018-2021
IP&R Reference	CSP Strategy IN2 – Provision of Infrastructure and Facilities Provide a range of infrastructure and community facilities to meet the needs of the community, now and into the future

Action	Provision of Accessible Community Bus available to hire to transport and socially disadvantaged groups in the Community
KPI	Number of groups who service people with Disability
Responsibility	Community Outcomes
Timeframe	Ongoing
IP&R Reference	CSP Strategy – CO1 Strong Community Deliver a range of community projects, services, and events (including in partnership with community groups and NGOs) which strengthen our community

Action	Provide Talking Newspaper
KPI	<ul style="list-style-type: none"> Number of people who subscribe to the service. Active volunteers who read the Newspaper each week
Responsibility	Community Outcomes
Timeframe	Ongoing
IP&R Reference	CSP Strategy CO1 – Strong Community Deliver a range of community projects, services, and events (including in partnership with community groups and NGOs) which strengthen our community
Action	Playground upgrade in Warragamba to be an Inclusive playground in partnership with Touched by Olivia Foundation
KPI	Completion of upgrade to Touched By Olivia standards
Responsibility	<ul style="list-style-type: none"> Infrastructure and Planning Community Outcomes
Timeframe	2018
IP&R Reference	CSP Strategy IN2 – Provision of Infrastructure and Facilities Provide a range of infrastructure and community facilities to meet the needs of the community, now and into the future
Action	Advocacy for completion of access upgrades to all Bus Stops
KPI	Apply for eligible Funding including Country Passenger Transport Infrastructure Grants (CPTIGS)
Responsibility	Infrastructure and Planning
Timeframe	2017-2021
IP&R Reference	CSP Strategy IN2 – Provision of Infrastructure and Facilities Provide a range of infrastructure and community facilities to meet the needs of the community, now and into the future
Action	Advocacy for upgrade of all Train Stations
KPI	Lobby Government and advocate for the upgrade of public transport facilities
Responsibility	Infrastructure and Planning
Timeframe	2017-2021
IP&R Reference	CSP Strategy IN2 – Provision of Infrastructure and Facilities Provide a range of infrastructure and community facilities to meet the needs of the community, now and into the future

Action	Strategic Commitment when we work to a minimum standard to upgrade our Council Buildings and Facilities
KPI	<ul style="list-style-type: none"> Review of PAMP Actions identified and prioritised according to funding availability
Responsibility	Infrastructure and Planning
Timeframe	2018
IP&R Reference	CSP Strategy IN2 – Provision of Infrastructure and Facilities Provide a range of infrastructure and community facilities to meet the needs of the community, now and into the future

Action	Advocacy for Services to have a presence in Wollondilly and provide services where gaps are evident
KPI	Approach services to deliver programs, projects and information sessions to residents in Wollondilly
Responsibility	Community Outcomes
Timeframe	2017-2021
IP&R Reference	CSP Strategy CO1 – Strong Community Deliver a range of community projects, services, and events (including in partnership with community groups and NGOs) which strengthen our community.

Action	DIAP be promoted to development process through the Development Application process
KPI	Number of development designs that are more inclusive
Responsibility	Planning
Timeframe	2017-2021
IP&R Reference	CSP Strategy GR4 Liveable Communities Plan for and enhance Wollondilly's liveability by encouraging great places to live with communities that are resilient, safe, affordable, healthy, well connected and retain their unique characters

A photograph of a middle-aged man with grey hair, wearing a blue t-shirt, sitting at a table and laughing heartily. He is holding a white mug with both hands. In front of him is a white bowl. The background is a bright, out-of-focus indoor space with plants and a window.

**“ INCLUSION IS NOT
SIMPLY ABOUT
PHYSICAL PROXIMITY. IT
IS ABOUT INTENTIONALLY
PLANNING FOR THE
SUCCESS OF ALL ”**

Thinkinclusive.us



ACTION PLAN

Employment

Action	Flexible working hours for staff to facilitate and support staff work life balance, family and caring commitments and support staff who have disability
KPI	No of staff able to work flexibly who wish to do so and whose role allows
Responsibility	Employee Relations
Timeframe	Ongoing
IP&R Reference	CSP Strategy EC1 – Employee Relations Build a resilient, safe and supported workplace that provides respectful, efficient and effective services for our customers now and for future generations

Action	As part of Council's Workforce Management Strategy, include and develop new guidelines for inclusion and Equal Employment Opportunities
KPI	<ul style="list-style-type: none"> Equal Employment Opportunities actions identified, developed, enhanced and refreshed across the organisation. Annual staff profiling to improve reporting and future directions
Responsibility	Employee Relations
Timeframe	End 2017
IP&R Reference	CSP Strategy EC1 – Employee Relations Build a resilient, safe and supported workplace that provides respectful, efficient and effective services for our customers now and for future generations

Action	Review recruitment processes, forms and language for accessibility
KPI	<ul style="list-style-type: none"> Recruitment process, forms and language are targeted and simplified. Advertising to include "people with disability all encouraged to apply"
Responsibility	Employee Relations
Timeframe	2018-2019
IP&R Reference	CSP Strategy EC1 – Employee Relations Build a resilient, safe and supported workplace that provides respectful, efficient and effective services for our customers now and for future generations

Action	Identify and work with a disability employment organisation to assist with opportunities for employment and Job Access to support employees in their role
KPI	Number of placements filled and maintained
Responsibility	Employee Relations
Timeframe	2019
IP&R Reference	CSP Strategy EC1 – Employee Relations Build a resilient, safe and supported workplace that provides respectful, efficient and effective services for our customers now and for future generations

ACTION PLAN

Systems and Processes

Action	Develop and implement plan to ensure web content compliance with Web Content Accessibility Guidelines 2.0 of AA standard as required by the National Transition Strategy
KPI	<ul style="list-style-type: none"> Website content meets accessibility standards (WCAG2.0 AA) Web writers trained in Web Content Accessibility Standards
Responsibility	<ul style="list-style-type: none"> Information Technology Communications
Timeframe	2018
IP&R Reference	CSP Strategy EC6 – Information Management Implement innovative technological solutions to deliver quality information

Action	Include National Relay Service (TTY - Teletypewriter) contact details in all generic Council publicity and advertising materials and information provided
KPI	The National Relay Service contact details included in Council publicity and advertising where possible
Responsibility	Communications
Timeframe	Ongoing
IP&R Reference	CSP Strategy CO4 – Engagement and Communication Implement excellence in our community engagement by consulting with and responding to the needs and concerns of our residents

Action	Investigate closed captioning of Council archived videos including
KPI	Council's archived videos are available with closed captioning subject to funding availability
Responsibility	Governance
Timeframe	End 2017
IP&R Reference	CSP Strategy EC6 – Information Management Implement innovative technological solutions to deliver quality information

Action	Community Engagement Strategy to include a checklist on inclusive consultation
KPI	Community consultation includes people with disability
Responsibility	Community Outcomes
Timeframe	Early 2018
IP&R Reference	CSP Strategy CO4 – Engagement and Communication Implement excellence in our community engagement by consulting with and responding to the needs and concerns of our residents

Action	Use plain English in our communication
KPI	No. of documents improved by Plain English working group
Responsibility	Plain English working group
Timeframe	Ongoing
IP&R Reference	CSP Strategy EC3 – Customer Service Deliver appropriate, responsive and effective service to our customers

Action	Promote that Information is available in a range of formats on request
KPI	Website and documents advise how to obtain different formats of information
Responsibility	<ul style="list-style-type: none"> Communications Customer Service
Timeframe	Ongoing
IP&R Reference	CSP Strategy EC3 – Customer Service Deliver appropriate, responsive and effective service to our customers

MONITORING AND EVALUATION

Monitoring

The Disability Inclusion Action Plan includes timelines to guide the completion of the actions. While all sections of Council have responsibilities for supporting access and inclusion, the actions that specific sections of Council are responsible for are noted in this plan. The Executive Director of Community Services and Corporate Support and Manager of Community Outcomes will monitor the overall implementation of the plan along with the General Manager, Executive and Seniors Managers. Furthermore a working group will oversee and monitor the implementation of the actions in the plan.

Reporting

The Disability Inclusion Action Plan will be reported to Executive on a quarterly basis. Outcomes and achievements will be reported in Council's Annual Report and will be provided to the Minister for Disability Services each year as legislated by the NSW Disability Inclusion Act 2014.

Review

The plan will be reviewed annually in line with the Integrated Planning and Reporting cycle. An audit, evaluation and comprehensive review of the Plan will be conducted at the end of Council's term.

