



Attachments Booklet

Monday 18 June 2018

GR1, GR3, GR4, GR5, EN1, EC1, EC4 & EC5

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CARING FOR THE ENVIRONMENT

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GR4 Attachments

1. Wollondilly GMS 2011 'Location' Housing Targets Comparison Table (2011 to 2018)
2. Provisions in the Greater Sydney Region Plan and Western City District Plan that apply to the Metropolitan Rural Area
3. Letter from Greater Sydney Commission dated 10 May 2018 - Interpreting the Metropolitan Rural Area
4. NOM5 submitted on 17 May 2018 regarding the Low Rise Medium Density Code.

Monday 18 June 2018

GR4 – Reviewing the Wollondilly Growth Management Strategy
2011

Attachment 1; Wollondilly Growth Management Strategy 2011 'Location' Housing Targets Comparison Table (2011 to 2018)

Table 1; Summary Table

Location	Wollondilly GMS 2011				Update as at 2018			Actual Development		Comments
	GMS Dwelling Target	Dwellings Planned as at 2011	Additional Dwellings needed	Dwellings Planned as March 2018	Additional Dwellings Needed	Lots created (or stage) since 2011	Houses Built			
Warragamba Silverdale	1,000	520	480	1,183	Nil	282	83		Target Exceeded by 183 lots.	
The Oaks Oakdale	350	100	250	500	Nil	159	118		Target Exceeded by 150 lots.	
Picton Tahmoor Thirlmere	4,000	1,930	2,070	4,225	Nil	899	383		Target Exceeded by 225 lots.	
Bargo	2,000	40	1,960	333	1,627	54	48		Target not reached and unlikely to be achieved due to limited sewer capacity and proposed underground mining until 2038.	
Bridgewater/ Camden Park	150	150	0	11	0	0	161		Target on track	
Macarthur South	2,000	1,525	475	1,925	75	1,225	825		Target no longer relevant due to designation of Wilton as a Priority Growth Area.	
Other Areas	1,250	-	1,250	-	-	111	232		Based on original assumption of 50 dwellings per year this figure is sitting around the 60% mark.	
Total	10,750	4,265	6,485	8,545	1,702	2,730	1,850			

Attachment 1; Wollondilly Growth Management Strategy 2011 'Location' Housing Targets Comparison Table (2011 to 2018)

Table 2; Detailed Table

Wollondilly Growth Management Strategy 2011 Housing Target Distribution Table to 2036				Update to Housing Target Distribution Table as at March 2018		What development is on the ground?	
Location	Dwelling numbers already planned	Additional dwelling's needed	Total dwelling target	Stocktake – Current Progress with housing Targets (May 2018)	Additional dwellings needed to reach GMS 2011 target	Occupational Certificates (New Dwellings) since 2011	Subdivision Certificates (New Lots)
	This column lists the dwelling numbers already “in the pipeline” including; <ul style="list-style-type: none"> significant parcels of land already zoned but not yet developed draft LEPs currently in progress (i.e. planning proposals) approved seniors living developments 						
Warragamba Silverdale	<ul style="list-style-type: none"> Includes the African Lion Safari Park site which has been rezoned but not yet developed – potential 420 dwellings Includes draft LEP 76 (Warradale Road) – potential 100 dwellings <p style="text-align: center;">Warragamba / Silverdale total: 520</p>	480	1000	<ul style="list-style-type: none"> LEP 1991 Amendment African Safari Park (Simba) – 525 lots(9 stages) – not approved - and 65 Marsh Road, Silverdale – 79 lots (refused) – Total 604 Amendment 8 Warradale Road – 93 lots (not approved as yet) Amendment 13 St Heliers Road, Silverdale – 165 lots approved – 12 dwellings under construction/constructed. North Silverdale – 400 lots <p style="text-align: center;">Warragamba/Silverdale total: 1183 (1262 including 65 Marsh Road)</p>	Target exceeded by 183	83	282
The Oaks Oakdale	<ul style="list-style-type: none"> Includes draft LEP 77 for land on the southern edge of The Oaks – potential 100 dwellings <p style="text-align: center;">The Oaks / Oakdale total: 100</p>	250	350	<ul style="list-style-type: none"> Amendment 2 (Draft LEP 77 Amendment) (Turf Farm) – 96 lots approved – 77 dwellings constructed to date Amendment 18 – Montpelier Drive, The Oaks – 74 lots approved Amendment 7 – Egans Rd Oakdale – 35 lots approved. Amendment 19 – Land adjoining Oakdale Public School - 122 lots (not approved) Planning Proposal's to be finalised – sewer capacity limits Oakdale to a total of 300 dwellings including those approved – 173 (potential planned) <p style="text-align: center;">The Oaks/Oakdale total: 500</p>	Target exceeded by 150	118	159

Attachment 1; Wollondilly Growth Management Strategy 2011 'Location' Housing Targets Comparison Table (2011 to 2018)

Wollondilly Growth Management Strategy 2011 Housing Target Distribution Table to 2036			
Location	Dwelling numbers already planned	Additional dwelling's needed	Total dwelling target
Picton Tahmoor Thirlmere (PTT)	<ul style="list-style-type: none"> Includes draft LEP 74 for the PTTAG lands - potential 280 dwellings Includes draft LEP 73 for six separate PTT Urban Precincts - potential 1100 dwellings Includes remaining portion of Botanic Gardens Estate to be developed - 142 dwellings (20 remaining) Brundah Road seniors living development 122 Dwellings (complete) Progress Street seniors living development - 168 Dwellings (not developed) Highlands resort seniors living development - 118 Dwellings <p style="text-align: right;">PTT total: 1930</p>	2070	4000
Bargo	<ul style="list-style-type: none"> Includes seniors living development - 40 dwellings yet to be constructed <p style="text-align: right;">Bargo total: 40</p>	1960	2000
Bridgewater Camden Park	<ul style="list-style-type: none"> Approximately 150 dwellings to be constructed. <p style="text-align: right;">Bridgewater, Camden total: 150</p>	0	150

Update to Housing Target Distribution Table as at March 2018		
Stocktake - Current Progress with housing Targets (May 2018)	Additional dwellings needed to reach GMS 2011 target	
Finalised Amendments to Local Environmental Plan (Gazetted) <ul style="list-style-type: none"> Amendment 12 (Draft LEP 74) PTTAG lands - potential 300 dwellings Amendment 3 - PTT - potential 1400 dwellings Amendment 3 - The Acres 160 lots approved Amendment 11 - Thirlmere Way - 26 lots approved Amendment 10 - Menangle St - potential 20 dwellings Amendment 16 - South & East Tahmoor - potential 640 dwellings Amendment 20 - Star St - 5 dwellings potential Amendment 22 - Queen Victoria Seniors living - 700 dwellings potential Amendment 25 - Bronzewing Street Planning Proposal - 60 dwellings potential Planning Proposals <ul style="list-style-type: none"> Abbotsford Picton - 40 Picton East - 252 Stilton Lane - 40 Cross Street - 240 Land Adjacent Mushroom tunnel - 32 Darley Street Residential - 340 <p style="text-align: right;">PTT Total: 4225</p>	Target exceeded by 225	
<ul style="list-style-type: none"> 36 seniors living yet to be constructed Amendment 4 - Hawthorne Road - 40 (24 lots approved) Planning Proposals <ul style="list-style-type: none"> Land adjoining Bargo Sportsground - 22 Noongah & Gwynn Hughes St - 80 Government Road - 5 Great Southern Road - 150 Note: Sewer capacity and mining limits potential development at Bargo.		1627
Approximately 11 dwellings yet to be constructed.		0

What development is on the ground?	
Occupational Certificates (New Dwellings) since 2011	Subdivision Certificates (New Lots)
383	899
48	54
161	0

Attachment 1; Wollondilly Growth Management Strategy 2011 'Location' Housing Targets Comparison Table (2011 to 2018)

Wollondilly Growth Management Strategy 2011 Housing Target Distribution Table to 2036			
Location	Dwelling numbers already planned	Additional dwelling's needed	Total dwelling target
Macarthur South Area	<ul style="list-style-type: none"> Includes Bingara Gorge, Wilton approximately 1120 dwellings yet to be constructed, Includes North Appin – potential 320 dwellings, Includes Durham Green, Menangle seniors living – 85 dwellings yet to be constructed. <p style="text-align: center;">Macarthur South total: 1525</p>	475	2000
Various	<ul style="list-style-type: none"> includes medium density, infill, further rural subdivisions, vacant sites with dwelling entitlements, future seniors living etc, assumes approx. 50 new dwellings per year over 25 years. 	1250	1250
Total	4265	6485	10750

Update to Housing Target Distribution Table as at March 2018		
Stocktake – Current Progress with housing Targets (May 2018)	Additional dwellings needed to reach GMS 2011 target	
<ul style="list-style-type: none"> Bingara Gorge increased to 1680. Additional 827 lots approved – approximately 853 dwellings yet to be constructed North Appin – 337 Durham Green complete – 85 Amendment 26 – Bulli Appin Road - 20 <p>Planning Proposals</p> <ul style="list-style-type: none"> Macquariedale Road – 280 Station Street, Menangle - 350 <p style="text-align: right;">Macarthur South total: 1925</p>	*Target no longer relevant due to Wilton Growth Centre.	
Estimate of 300 at 50/year	-	
	8545	1,455

What development is on the ground?		
Occupational Certificates (New Dwellings) since 2011	Subdivision Certificates (New Lots)	
825	1225	
212	213	
1,850	2,730	

Note: The current dwelling numbers for planning proposals are based on those provided by the proponent when the planning proposal was lodged and may change depending on specialist studies and gateway alterations. Other sites are estimates based on current aerial photography and development approvals.

Table 1 – Greater Sydney Regional Plan Objectives

The GSRP outlines 10 Directions. 'Objectives' outline the how to achieve the directions for better planning throughout Sydney

OBJECTIVES	PAGE
<p>Objective 22: Investment and business activity in centres</p> <ul style="list-style-type: none"> - Expanding rural towns and villages beyond their current boundaries to accommodate new business activity should be considered only when this is linked to a growth management plan for the whole town or village, and should not compromise the values and character of nearby rural and bushland areas 	p.121
<p>Objective 24: Economic sectors are targeted for success</p> <ul style="list-style-type: none"> - The proximity of rural-residential development to agricultural, mining and extractive industries that generate odour, noise and other pollutants can be a source of conflict. There is a need to provide important rural industries with certainty so their operations can continue without encroachment from incompatible land uses. At the same time, the protection of land for biodiversity offsets and the rehabilitation of exhausted resource extraction areas support the re-establishment of significant ecological communities in the Metropolitan Rural Area into the future 	p.141
<p>Objective 27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced.</p> <ul style="list-style-type: none"> - Providing incentives for landowners in the Metropolitan Rural Area to protect and enhance the environmental values of their land and connect fragmented areas of bushland can deliver better outcomes for biodiversity and greater opportunities to create biodiversity offsets. 	p.156
<p>Objective 28: Scenic and cultural landscapes are protected.</p> <ul style="list-style-type: none"> - The Metropolitan Rural Area and the Protected Natural Area (i.e. National Parks) create a range of attractive visual settings to the north, west and south of Greater Sydney. With rising demand for biodiversity offsets and continuing support for traditional forms of agriculture within the Metropolitan Rural Area, more opportunities can be realised to protect and enhance natural landscapes (GRSP p.158). 	p.158
<p>Objective 29: Environmental, social and economic values in rural areas are protected and enhanced.</p> <ul style="list-style-type: none"> - Urban development is not consistent with the values of the Metropolitan Rural Area. This Plan identifies that Greater Sydney has sufficient land to deliver its housing needs within the current boundary of the Urban Area, including existing Growth Areas (i.e. Wilton). This eliminates the need for the Urban Area to expand into the Metropolitan Rural Area. From time to time, there may be a need for additional land for urban development to accommodate Greater Sydney's growth, but not at this stage. Future region plans will identify if additional areas of land in the Metropolitan Rural Area are required for urban development. - Restricting urban development in the Metropolitan Rural Area will help manage its environmental, social and economic values, help to reduce land speculation, and increase biodiversity from offsets in Growth Areas and existing urban areas - Towns and villages: Maintaining and enhancing the distinctive character of each rural and bushland town and village is a high priority. Ongoing planning and management of rural towns and villages will need to respond 	p.160-3

<p>to local demand for growth, the character of the town or village and the values of the surrounding landscape and rural activities</p> <ul style="list-style-type: none"> - Rural lands: Parts of the urban-rural fringe are owned by Local Aboriginal Land Councils. Future planning of these areas may be more flexible in order to balance rural values with greater economic participation, and community and cultural uses by Aboriginal people 	
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Table 2 – Greater Sydney Regional Plan Strategies

'Strategies' are the overarching methods for the achievement of 'objectives'.

STRATEGIES	PAGE
Strategy 16.1: Manage the interfaces of industrial areas, trade gateways and intermodal facilities (such as the 'Western Sydney Airport and Badgerys Creek Aerotropolis') by providing buffer areas to nearby activities such as residential uses that are sensitive to emissions from 24-hour port and freight functions.	p.96
Strategy 29.1: Maintain or enhance the values of the Metropolitan Rural Area using place-based planning to deliver targeted environmental, social and economic outcomes.	p.163
Strategy 29.2: Limit urban development to within the Urban Areas of Wollondilly (including the Wilton Growth Area).	p.163

Table 3 – Western City District Plan Planning Priorities

'Planning Priorities' outline how each specific region of Sydney will achieve the 'objectives' listed in the Greater Sydney Regional Plan.

PLANNING PRIORITIES	PAGE
The District Plan informs local strategic planning statements and local environmental plans, the assessment of planning proposals as well as community strategic plans and policies	p.16
<ul style="list-style-type: none"> ▪ Liveability: A place-based and collaborative approach is required to maintain and enhance the liveability of the Western City District. This can be achieved by the following Planning Priorities: <ul style="list-style-type: none"> W3 - Providing services and social infrastructure to meet people's changing needs W4 - Fostering healthy, creative, culturally rich and socially connected communities W5 - Providing housing supply, choice and affordability, with access to jobs, services and public transport W6 - Creating and renewing great places and local centres, and respecting the District's heritage 	p.27
<ul style="list-style-type: none"> ▪ Sustainability: For the District, an integrated approach to improving sustainability can be achieved by the following Planning Priorities: <ul style="list-style-type: none"> W12 - Protecting and improving the health and enjoyment of the District's waterways W13 - Creating a Parkland City urban structure and identity W14 - Protecting and enhancing bushland and biodiversity W15 - Increasing urban tree canopy cover and delivering Green Grid connections W16 - Protecting and enhancing scenic and cultural landscapes W17 - Better managing rural areas W18 - Delivering high quality open space W19 - Reducing carbon emissions and managing energy, water and waste efficiently 	p.106

<p>W20 - Adapting to the impacts of urban and natural hazards and climate change</p>	
<p>Planning Priority W5: Providing housing supply, choice and affordability, with access to jobs, services and public transport.</p> <ul style="list-style-type: none"> - The Growth Area programs of the NSW Department of Planning and Environment guide the development of new communities in land release areas and provide significant capacity into the medium and longer term. These include the Wilton and parts of the Greater Macarthur Growth Areas. <p><u>Gives effect to GSRP objectives 10 and 11</u></p>	<p>p.42</p>
<p>Planning Priority W16: Protecting and enhancing scenic and cultural landscapes</p> <ul style="list-style-type: none"> - The Wollondilly local government area benefits from substantial areas of protected national parks, rivers and creeks, and water catchments that provide outstanding landscapes and views. Rural towns and villages in the valleys and plains to the east of the national parks are set between a series of hills and ridgelines that are special to the District's character and identity. - Ridgelines are highly valued elements of scenic landscapes, and development should not diminish their scenic quality. - Continued protection of the Western City District's scenic and cultural landscapes is important for the sustainability, liveability and productivity of the District. It can complement the protection of biodiversity and habitat, help manage natural hazards and support tourism. Protecting scenic and cultural landscapes can also help preserve links to Aboriginal cultural heritage <p><u>Gives effect to GSRP objective 28</u></p>	<p>p.124</p>
<p>Planning Priority W17: Better managing rural areas</p> <ul style="list-style-type: none"> - <i>'Greater Sydney Region Plan: A Metropolis of Three Cities'</i> takes a strategic approach to delivering Greater Sydney's future housing needs within the current boundary of the Urban Area including Growth Areas. Urban development in the Metropolitan Rural Area will only be considered in the urban investigation areas identified in A Metropolis of Three Cities (no urban investigation areas are located in the Wollondilly Local Government Area).. This approach protects and supports agricultural production and mineral resources by preventing inappropriately dispersed urban activities in rural areas. - Maintaining and enhancing the distinctive character of each rural and bushland town and village is a high priority. Ongoing planning and management of rural towns and villages will need to respond to local demand for growth, the character of the town or village and the surrounding landscape and rural activities. Rural and bushland towns and villages will not play a role in meeting regional or district scale demand for residential growth. - The Western City District's rural areas contain large areas that serve as locations for people to live in a rural or bushland setting. Rural-residential development is not an economic value of the District's rural areas and further rural-residential development is generally not supported. Limited growth of rural-residential development could be considered where there are no adverse impacts on the amenity of the local area and the development provides incentives to maintain and enhance the environmental, social and economic values of the Metropolitan Rural Area. This could include the creation of protected biodiversity corridors, buffers to support investment in rural industries and protection of scenic landscapes. <p><u>Gives effect to GSRP objective 29</u></p>	<p>p.126</p>
<p>Planning Priority W20: Adapting to the impacts of urban and natural hazards and climate change.</p>	<p>p.136</p>

<ul style="list-style-type: none"> - Consideration of natural hazards and their cumulative impacts includes avoiding growth and development in areas exposed to natural hazards and limiting growth in existing communities that are exposed and vulnerable to natural hazards. <p>Gives effect to GSRP objectives 36, 37 and 38</p>	
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Table 4 – Western City District Plan Actions

'Actions' are methods for the implementation of 'planning priorities' and 'objectives'.

ACTIONS	PAGE
Action 35: Protect and support agricultural production and mineral resources (in particular, construction materials) by preventing inappropriately dispersed urban activities in rural areas.	p.77
Action 41: Consider opportunities to enhance the tourist and visitor economy in the District, including a coordinated approach to tourism activities, events and accommodation.	p.77
Action 78: Maintain or enhance the values of the Metropolitan Rural Area using place-based planning to deliver targeted environmental, social and economic outcomes.	p.127
Action 79: Limit urban development to within the Urban Areas of Wollondilly (including the Wilton Growth Area).	p.127
Action 88: Avoid locating new urban development in areas exposed to natural and urban hazards and consider options to limit the intensification of development in existing urban areas most exposed to hazards.	p.139

18/82404

Ms Carolyn Whitten
Acting Manager, Sustainable Growth
Wollondilly Shire Council
PO Box 21
PICTON NSW 2571

WOLLONDILLY SHIRE COUNCIL	
TRIM NO.	10177
PROP. No.	
14 MAY 2018	
AUTH. No.	
ASSIGNED TO:	C. Whitten

Dear Ms Whitten

I refer to your letter of 12 February 2018 to Mr Roderick Simpson, Environmental Commissioner, Greater Sydney Commission, regarding the application of the Western City District Plan to the planning proposal at Silverdale. The Commissioner has asked me to reply on his behalf.

As you would be aware, the Greater Sydney Region Plan – *A Metropolis of Three Cities*, and the Western City District Plan were released on 18 March 2018. In finalising these plans, the Greater Sydney Commission carefully considered the submission from Wollondilly Shire Council, particularly Council's comments regarding development in the Metropolitan Rural Area.

The Western City District Plan, on page 126, notes that:

"Maintaining and enhancing the distinctive character of each rural and bushland town and village is a high priority. Ongoing planning and management of rural towns and villages will need to respond to local demand for growth, the character of the town or village and the surrounding landscape and rural activities. Rural and bushland towns and villages will not play a role in meeting regional or district scale demand for residential growth."

In this context planning proposals that seek to facilitate growth in rural towns and villages, such as Silverdale, will need to consider how the proposal responds to local demand for growth, maintains and enhances the character of the town or village, the surrounding landscape and rural activities. In line with Action 78 of the Western City District Plan, council is to consider these issues having regard to a place-based planning approach that examines the environmental, social and economic values of

the rural area. Council is also to consider the role of towns and villages in the Metropolitan Rural Area and in the context of supporting local growth.

With regard to your question on how to consider proposals that are largely consistent with the District Plans. The Western City District Plan is clear that towns and villages in the Metropolitan Rural Area will not play a role in meeting regional or district scale demand for residential growth. This is a fundamental consideration for any planning proposal in the Metropolitan Rural Area.

The alignment of growth with infrastructure is a major theme on the Region and District Plans. Allowing only local growth of towns and villages in the Metropolitan Rural Area is a key part of this approach. This is particularly relevant in Wollondilly, given the capacity to accommodate growth within the Growth Areas in Wollondilly and in other nearby local government areas.

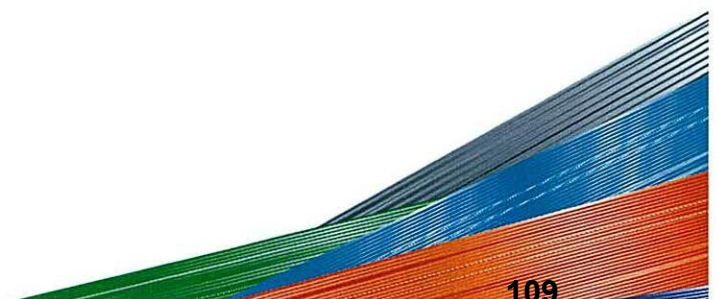
If you require any further information, please contact Stephanie Barker, Director Metropolitan Planning on (02) 8289 6207. I look forward to continuing to work with you and Wollondilly Shire Council to implement the Greater Sydney Region Plan and Western City District Plan.

Yours sincerely

Halvard Dalheim

Halvard Dalheim
Executive Director, City Planning – Strategy

10 May 2018



Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber, 62-64 Menangle Street, Picton, on Monday 21 May 2018

Notice of Motion

TRIM 6416-8

NOM5 **Notice of Motion No. 5 submitted by Cr Deeth on 17 May 2018 regarding the Low Rise Medium Density Code**

108/2018 **Resolved on the Motion of Crs Deeth and Hannan:**

1. That Council write to the Minister for Planning and the Department of Planning & Environment attaching the recent advice from the Greater Sydney Commission regarding interpretation of the Metropolitan Rural Area provisions and:
 - a. Congratulate the Minister on his recent decision to suspend implementation of the new Low Rise Medium Density Housing Code at Ryde and Canterbury – Bankstown Council.
 - b. Request that the new Low Rise Medium Density Housing Code only apply to the growth centre of Wilton New Town once established that any increase in dwelling numbers has been factored into the infrastructure needs analysis and reflected in any Special Infrastructure Contribution.
 - c. Request that application of the new Code beyond the growth centre precinct be reviewed as a component of the Housing Strategy being developed by Council.
 - d. Request that any new planning proposals for residential development in Wollondilly not be assessed or progressed until a review of local infrastructure and Local Environmental Plan.
2. That Council write to the Greater Sydney Commission requesting clarification on consistency of the new code against the planning priorities and actions in the Western City District Plan.
3. That a report comes back to Council outlining the impact of the new housing code and estimated potential dwelling yields for the local government area and individual villages. This report should also outline a strategy of communicating these impacts to our community.

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

Vote: Crs Briggs, Banasik, Deeth, Lowry, Hannan, Gould, Landow, Khan and Smith

GR5 Attachments

1. Draft Wildlife Protection Policy
2. Education pamphlet
3. Cat Communication Strategy

Monday 18 June 2018

GR5 – Wildlife Protection Policy

1. POLICY OBJECTIVES

1.1 The purpose of this policy is to establish the grounds for the declaration of a public place, or part thereof, as a Wildlife Protection Area and the process by which the Council can make such a declaration.

1.2 The Wildlife Protection Area Policy has the following objectives:

- 1) To provide a transparent, community supported process to enable the Council to declare a public place, or part thereof, as a Wildlife Protection Area;
- 2) To protect native wildlife in Council managed reserves;
- 3) To reduce the area of land subject to impacts associated with companion animals;

and

1.3 To further communicate the responsibility of companion animal ownership.

2. BACKGROUND

2.1 The NSW Companion Animals Act 1998 enables the Council to prohibit dogs and / or cats from public places, or part thereof, where they have been set aside by the local authority (the Council) for the protection of wildlife. The Act refers to these lands as Wildlife Protection Areas.

2.2 The Council can declare a Wildlife Protection Area in any public place, which may include a pathway, road, bridge, reserve, park, garden or any other area declared by Council, where the declaration may protect wildlife.

3. APPLICABILITY

Proposed Declarations

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

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

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

4. GUIDELINES

4.1 The report to the Council will include the following details:

4.2 Following completion of the public exhibition, a report on submissions received and a recommendation to proceed with a declaration or otherwise will be prepared for Council's consideration.

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

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

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

4.6 This policy should be reviewed periodically after its adoption

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

4.7 Upon endorsement by the Council, the proposal should be publically exhibited for a minimum of 28 days and adjoining residential premises notified if applicable.

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

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

14 Dogs prohibited in some public places

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

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

22 Action to protect persons and property against dogs

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

30 Cats prohibited in some public places

(1) Cats are prohibited in the following places:

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

22 Action to protect persons and animals against cats

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

5. RESPONSIBILITY/ACCOUNTABILITY

5.1 Manager of Compliance and Administration & Manager of Environmental Services

6. RELATED POLICIES/PROTOCOLS

6.1 Wollondilly Compliance Policies

7. RELATED PROCEDURES

7.1 Cat Ownership communication strategy
7.2 Standard Operating Procedure

8. RELATED LEGISLATION

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

9. ATTACHMENTS

9.

10. RESOURCES

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

11. IMPLEMENTATION STATEMENT

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

11.1.1 <<list any information that will be used to implement the policy >>

12. POLICY HISTORY

12.1 Date First Adopted	8/17
12.2 Most Recent Adoption	N/A
12.3 Next Review Date	## / 8/ 17
12.4 Responsible Officer Environmental Service	Manager of Compliance and Manager of

Cats

Prohibited

Penalty exceeds \$880 (Section 30, NSW Companion Animals Act 1998) For further information contact Council's Compliance Team 02 46771100



COMMUNICATIONS PLAN

CARING FOR YOUR CAT

BACKGROUND

A NOM submitted by Cr Simon Landow on 7 November 2016. Voted 'For' by Crs Landow, Gould, Lowry, Banasik and Deeth. To address the problem of cats left out at night. A large number of cat owners currently choose to leave their cats out at night and these cats are causing serious damage to Wollondilly's natural environment.

PURPOSE

This communications plan will serve as a Public Education and Information Program on Cat Containment Measures. It will be designed to inform Cat owners of their responsibilities and remind them to keep their cats inside at night. It will also educate them on *why* it is important to keep them inside.

AUDIENCE

- Cat Owners
- Neighbours of cat owners

KEY MESSAGES

- Keep your cat in at night
- Take precautions to prohibit your cat from killing natural wildlife

Robyn, the key messages can be expanded later. If you can email me any further information that you have I can pull out other key messages.

Approval Officer: Robyn Cooper

This is the person who will have final write off on all media content

COMMUNICATIONS PLAN

TASK	DATE	RESPONSIBLE OFFICER	COMMENTS
Flyer		Compliance Officer to coordinate with Cassandra	Cat Containment Flyer
Series of Paid Facebook Posts			Each Key Message will be posted onto Facebook, one by one. These posts will be boosted and paid for. Cost approximately \$35 per post. Total cost will depend on how many key messages there are.
Mayor's Column			Cat key messages to be printed in the Mayors Column
Vacation Care: Kids Colouring/Art Activity			Kids colouring in activity to be done during vacation care/family day care and flyers to be given to each child to take home.
Dilly Wanderer: Kids Colouring/Art Activity			Kids colouring in activity to be done as a Dilly Wanderer activity and flyers to be given to each child to take home.
Library: Kids Colouring/Art Activity			Kids colouring in activity to be done as a Library activity and flyers to be given to each child to take home

COMMUNICATIONS PLAN DATE 30 March 2017
MEDIA CONTACT: Julie Shipard, Assistant Communications Officer, (02) 4677 9578 Fran Garcia-Darke, Senior Communications Officer, (02) 4677 9644



Cat owners have a responsibility to their cat to ensure it is housed, managed and kept responsibly.

Before buying or accepting a cat consider that you may have to provide a home for up to 18 years.

In accordance with the Companion Animals Act 1998 NSW, cat owners are required to:

- Microchip a cat before 12 weeks of age or before being rehomed
- Lifetime Register a cat by 6 months of age
- Ensure your cat does not enter food consumption areas or wildlife protection areas.

Desexing your cat will prevent unwanted kittens, minimise feral populations, excessive roaming and territorial behaviour. Lifetime Registration of a desexed cat is \$53 or \$22 for eligible pensioners.

Cat Behaviour

By nature cats are predators who enjoy hunting for food. Cats also like to roam for mental and physical exercise. When cats are roaming they often urinate and defecate on lawns and gardens and can cause damage to private property. Your neighbours may not like you cat coming onto their property so it is best to keep your cat indoors or contained to your own yard area, especially at night.

Cat owners are responsible if their cat roams onto private property and causes damage, or if its noise interferes with the peace, comfort or convenience of another person.

What can you do to be a responsible cat owner:

- Keep your cat indoors, especially at night
- Desex your cat
- Have toys for your cat to keep it amused
- Provide a window seat for your cat to see outside
- Provide a clean litter tray
- Consider an outdoor enclosure
- Place physical limits on your yard such as cat proof fencing (this system uses rollers to cap fences to prevent cats scaling the boundary fencing – see www.oscillot.com.au)
- Attach 2 bells to your cats collar to prevent attacks on wildlife
- A study has found that putting a coloured scrunchie like collar on your cat has reduced the amount of native wildlife killed by more than half (these can be purchased online at www.cathaven.com.au and are called Birdsafe Cat Collars).

Cat owners are encouraged to keep their cat inside at night to reduce cat fights and cat noise, to protect native wildlife, to protect them from traffic and to prevent injuries to your cat and other cats.



Stray Cats

There is no legal notion of a stray cat, therefore there is no offence in a cat straying. Generally a cat should be left alone if it is not causing a nuisance. It is a known trait that cats cover a wide territory and will generally return to their home.

When to take a cat to the Animal Shelter:

- If the cat is causing damage to property, or
 - If it is necessary to catch the cat to prevent injury or death of another domestic animal or person.
- If you seize a cat it must be returned to its owner as soon as possible if the owner can be identified. If you cannot identify the owner you may deliver the cat to the Animal Shelter but you must have checked with a minimum of 4 neighbours that they do not own, or know who owns the cat. You must bring the names and addresses of the neighbours you checked with when delivering the cat.

You can trap a feral cat and deliver it to the Animal Shelter, however, you must be certain that it is feral otherwise you may be liable to prosecution. Cat traps are available for hire from the Animal Shelter.

Cat Troubles

If you are having trouble with cats in your neighbour Council suggests you follow these steps:

- Discuss the problem with the cat owner.
- Give the owner time to resolve the matter. It may not be an issue that can be resolved overnight.
- Contact Council to make a complaint about a nuisance cat. Council may take action under the Companion Animals Act by the issue of a Nuisance Cat Order on cat owner if Council are satisfied that sufficient evidence has been supplied by the complainant and other neighbours.
- Contact a Community Justice Centre to arrange a mediation session between you and your neighbours. Visit www.cjc.nsw.gov.au
- Take your own action under the Protection of the Environment Operations Act 1997 through the Local Court.

Wollondilly Animal Shelter is located on Wonga Road, Picton and is open on weekdays between 3pm and 4.30pm or on weekends between 10am and 1pm.

Frequently Asked Questions

What should I do if there is a noisy cat in my yard or neighbourhood?

Usually this will just be a phase associated with mating activity and should stop within a few days/nights. If the noise persists and you know who owns the cat, try and resolve through discussion with the cat owner. If there is no improvement and the noise continues to be a nuisance you should contact Council.

Nuisance Cat Process

In the first instance, a letter would be sent to the cat owner advising them a complaint has been made regarding their cat being a nuisance and requesting they take steps to alleviate the nuisance behaviour. You would also receive a letter acknowledging your complaint and providing a reference number for the matter. If this nuisance persists you can advise Council again and you will be required to complete a statement detailing what the nuisance is and the times/durations that it occurs. Having complaints from other residents in the neighbourhood will assist in demonstrating that the nuisance is present. Once it is clear that the nuisance exists and you have provided Council with the evidence required, a Nuisance Order can be issued on the owner of the cat.

If the owner of the cat cannot be identified then no action can be taken by Council and you should try and discourage the cat without causing pain or injury to the cat.

What should I do if there is a cat that repeatedly defecates in my yard?

Discourage the cat by gentle means such as deterrents and hosing. If the situation persists and you know who owns the cat, try and resolve through discussion with the cat owner. If there is no resolution and the nuisance persists, contact Council as the cat could be defined as a 'nuisance' cat if the behaviour is repeatedly damaging your property. The next step will be for Council to follow the Nuisance Cat Process as listed above.

What should I do if a cat repeatedly attacks my cat causing injuries?

If you can identify the cat's owner, contact them and try to agree on a solution to stop the attacks. Keeping the cats indoors and only allowing once out at a time to avoid clashes is a possibility. Desexing cats will reduce the risk of fights. You may only seize a cat if it is reasonable and necessary for the protection of any person or animal (other than vermin) from injury or death.

If you seize the cat it must be returned to its owner, or delivered to Wollondilly Animal Shelter as soon as possible. Failure to do so is an offence.

Cat trap hire is available from Wollondilly Animal Shelter.

What can I do if a cat is killing wildlife in my area?

If the area is a Wildlife Protection Area any cat found in that area can be seized for the cat's own protection and if the owner is not present. If the area is not a Wildlife Protection Area the cat can be seized if it is reasonable and necessary for the protection of any person or animal (other than vermin) from injury or death.

If you seize the cat it must be returned to its owner, or delivered to Wollondilly Animal Shelter as soon as possible. Failure to do so is an offence.

Cat trap hire is available from Wollondilly Animal Shelter.

What can I do if a cat is harassing my caged birds?

Try and ensure that the cage is placed in a safe and secure location. The cat can only be seized if it is reasonable and necessary for the protection of any person or animal (other than vermin) from injury or death.

If you seize the cat it must be returned to its owner, or delivered to Wollondilly Animal Shelter as soon as possible. Failure to do so is an offence.

Cat trap hire is available from Wollondilly Animal Shelter.

What should I do if someone has moved out of a property and left their cat(s) behind?

Make enquiries to ensure the cat(s) have been left behind and the owners are not just away and have someone feeding their animals for them. If you are satisfied that the cat(s) have been abandoned then contact the RSPCA or Animal Welfare League as it is an offence under the Prevention of Cruelty to Animals Act to abandon an animal.

Council will not go onto private property to animals without having first issued orders under the Local Government Act.

What should I do if I find a healthy stray cat?

As there is no legal notion of a stray cat, there is no offence in a cat straying. Generally you should leave the cat alone if it is not causing a nuisance. Cats cover a wide territory and will usually return home. You can encourage a cat to leave your property but this should not involve any cruelty.

What should I do if I find an injured cat?

If you can identify the owner return the cat to its owner immediately otherwise take the cat to a vet or an animal welfare organisation such as RSPCA or Animal Welfare League.

What should I do if a find a mother cat and kittens?

Try and determine if the cat and kittens are owned. If you cannot locate an owner contact an animal welfare organisation such as RSPCA or Animal Welfare League.

Can I keep the animal I found?

There are very limited circumstances under which anyone can pick up a 'straying' cat. If the owner can be identified, then you must return the cat to the owner, if not, you can bring the cat to the animal shelter along with the names and addresses of 4 neighbours within close proximity to where the cat was found that you have checked don't own or know who owns the cat. Once these details are collected Council can impound the cat and attempt to locate an owner. If the cat is not claimed, you can adopt the cat from Council and become the legal owner. All cats that are adopted are microchipped, lifetime registered, desexed and vaccinated.

What can I do about feral cats in my area?

Cat traps are available for hire from our Animal Shelter. You can hire a trap to catch the feral cat/s and then deliver the cat back to the Shelter in the trap. Council will require you to complete a statement advising why you believe the cat is feral and officers will also assess the cats behaviour to confirm if it is feral. All feral cats that are impounded are euthanased by a qualified vet.

What should I do if my cat has gone missing?

Contact Council to advise. If your cat is microchipped Council can update the Companion Animal Register. If it is not chipped, Council can add the details to our Lost & Found Register and contact you if we receive any reports about your cat. Once your cat is found ensure you advise Council.

What should I do if my cat dies?

If your cat is microchipped advise Council in writing so the Companion Animal Register can be updated.

What do I do if I move house?

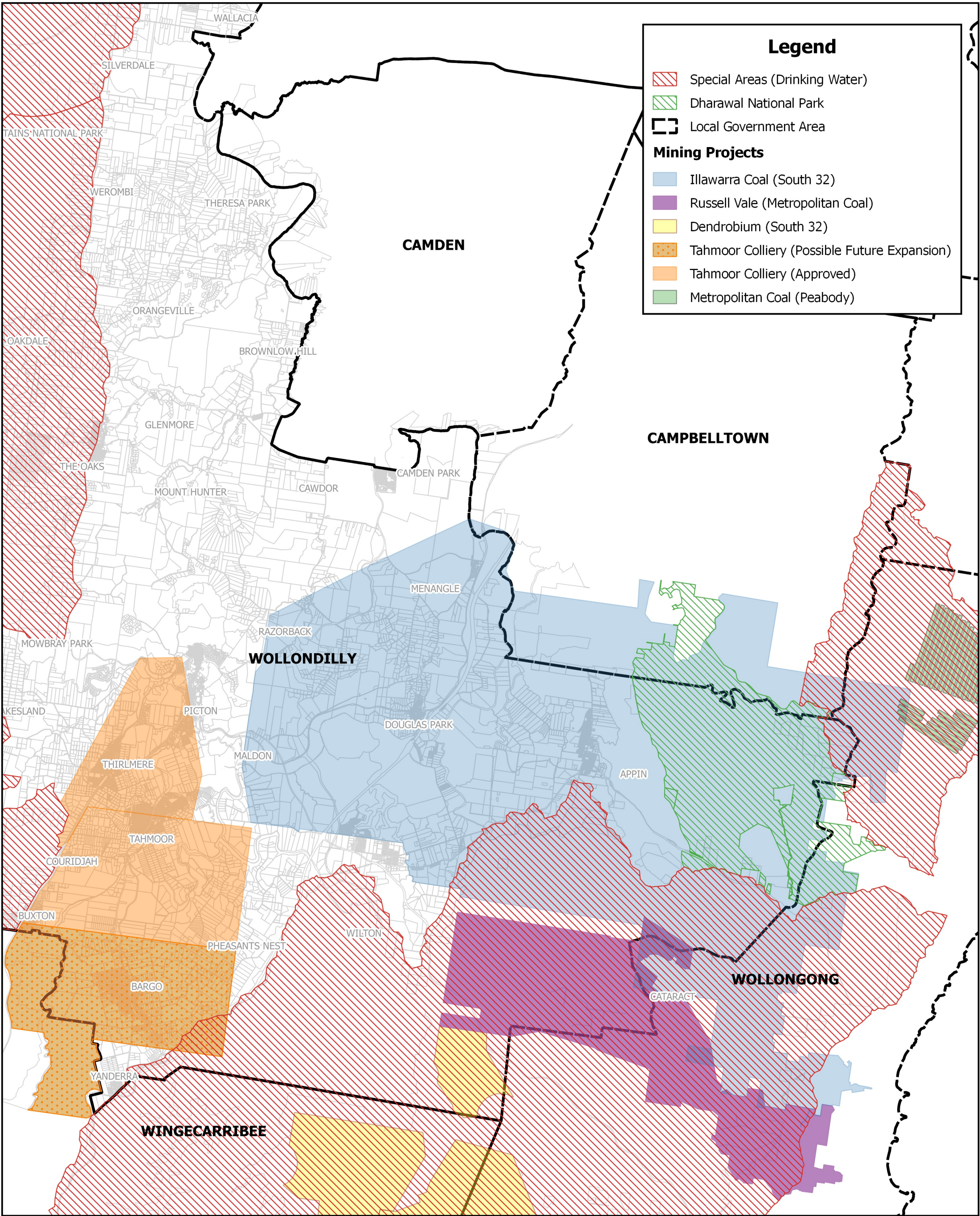
Advise Council is writing so the address details can be updated on the Companion Animal Register. Never leave your cat behind if you move house – it is an offence to abandon an animal.

EN1 Attachment

1. Location Map of mining operations within the Drinking Water Catchment.
2. Terms of Reference for the Independent Expert Panel for Mining in the Catchment.
3. Draft submission to the Independent Expert Panel for Mining in the Catchment.
4. List of current Council resolutions of relevance to mining.
5. Comments and recommended Council response to certain sub-items of Terms of Reference 1.

Monday 18 June 2018

EN1 – Submission to the Independent Panel for Mining
in the Catchment



Legend

- Special Areas (Drinking Water)
- Dharawal National Park
- Local Government Area

Mining Projects

- Illawarra Coal (South 32)
- Russell Vale (Metropolitan Coal)
- Dendrobium (South 32)
- Tahmoor Colliery (Possible Future Expansion)
- Tahmoor Colliery (Approved)
- Metropolitan Coal (Peabody)



Mining Operations in Relation to the Drinking Catchment



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 Bulli Seam Project Data © BHP 2014

Projection: GDA94 / MGA56
 Date Created: May 2018
 Prepared By: PWhitten
 File: MiningProjectsMay2018.qgs

Reports & Reviews

Independent Expert Panel for Mining in the Catchment

[IEPMC-Minutes_Meeting-2_-5-March-2018.pdf](#)

[IEPMC-Minutes_Meeting-3_-20-March-2018.pdf](#)

[IEPMC-Minutes_Meeting-4_-26-March-2018.pdf](#)

[IEPMC-Minutes_Meeting-5_-3-April-2018.pdf](#)

[IEPMC-Minutes_Meeting-6_-19-April-2018.pdf](#)

NSW Energy Security Taskforce

[Initial Report - May 2017](#)

[Final Report - December 2017](#)

Advisory Committee on Tunnel Air Quality

Independent Review of Coal Seam Gas Activities in New South Wales

[CSG Review News](#)

[Terms of Reference](#)

[Public Submissions](#)

[Background Papers](#)

[Initial Report: July 2013](#)

[Final Report: September 2014](#)

Independent Human Health Risk Assessment for the Lord Howe Island Rodent Eradication Program

[Final Report: July 2017](#)

Independent Review into the Decline of Koala Populations in Key Areas of NSW

Independent Review of Rail Coal Dust Emissions Management Practices in the NSW Coal Chain

[Public Submissions Rail Coal Dust Review](#)

NSW PFAS Expert Panel

Williamstown Contamination Expert Panel

[Home](#) > [Reports & Reviews](#) > [Independent Expert Panel for Mining in the Catchment](#)

Independent Expert Panel for Mining in the Catchment

The Independent Expert Panel has been established to provide informed expert advice to the Department of Planning and Environment (DPE) on the impact of mining activities in the Greater Sydney Water Catchment Special Areas, with a particular focus on risks to the quantity of water in the Catchment.

Advice will include, but is not confined to risks to the total water quantity and holding capacity of surface and groundwater systems, including swamps and reservoirs, and the types and reliabilities of methodologies used to predict, monitor, assess and report on mining effects, impacts and consequences.

As needed, the Independent Expert Panel will provide a source of expert advice to the Department of Planning and Environment on mining applications, including monitoring and management plans.

Terms of reference

The Independent Expert Panel will:

1. **Undertake an initial review and report on specific coal mining activities at the Metropolitan and Dendrobium coal mines in the Greater Sydney Water Catchment Special Areas**, including:
 - a. A review of the findings and recommendations of studies and reports deemed appropriate by the Panel, including but not confined to the reports:
 - i. *Height of Cracking – Area 3B*, prepared by PSM, dated 16 March 2017
 - ii. *2016 Audit of the Sydney Drinking Water Catchment*, prepared by Alluvium, dated June 2017.
 - b. A review of the types and reliability of prediction, monitoring and response methodologies (including mitigation, remediation and rehabilitation) currently used for assessing and managing the effects, impacts and consequences of mining activities at the Metropolitan and Dendrobium coal mines as they relate to water quantity, including having regard to historical data and performance.
 - c. Provide advice and recommendations on measures required to improve approaches to prediction, monitoring, responses and reporting at the Metropolitan and Dendrobium coal mines, including having regard to cumulative risks posed to the quantity of drinking water available in the Greater Sydney Water Catchment Special Areas.
 - d. Based on the outcomes TOR 1(a) to 1(c), provide advice to Government on how to respond to the findings and recommendations of reports reviewed as part of TOR 1a.
 - e. In developing its advice, the Panel will meet, undertake site visits, seek information and data, and consult as needed.
 - f. In delivering its report, the Panel will provide comment on and make observations or recommendations about any information or factors the Panel believes relevant; or further work that should be undertaken.
 - g. A progress update on the report is to be delivered no later than 30 April 2018 and the report is to be delivered no later than 31 July 2018.
2. **Undertake a review of current coal mining in the Greater Sydney Water Catchment Special Areas with a particular focus on risks to the quantity of water available, the environmental consequences for swamps and the issue of cumulative impacts**, including:
 - a. A review and update of the findings of the *2008 Southern Coalfield Inquiry (Impacts of Underground Coal Mining on Natural Features in the Southern Coalfield – Strategic Review)* for mining operations at the Dendrobium, Metropolitan, Russell Vale and Wongawilli mines, including recommending measures to improve the way mining effects, impacts and consequences in relation to water quantity are assessed and managed.
 - b. In developing its advice, the Panel will meet, undertake site visits, seek information and data, and consult as needed.
 - c. Establish a process for and invite public submissions, including from public authorities and special interest groups.
 - d. In delivering its report, the Panel will provide comment on and make observations or recommendations about any information or factors the Panel believes relevant, including requirements to strengthen monitoring networks or undertaking further scientific research.
 - e. The report is to be delivered no later than 31 December 2018.
3. **Provide advice as required to the Department of Planning and Environment on mining activities in the Greater Sydney Water Catchment Special Areas**, which may include but is not confined to:
 - a. A Subsidence Management Plan application for Longwall 16 at the Dendrobium mine.
 - b. An Extraction Plan application for Longwall 303 at the Metropolitan mine.
 - c. An Environmental Impact Statement for the Dendrobium Extension Project.
 - d. A Preferred Project Report for the Russell Vale Underground Expansion Project.
 - e. A modification application for the Wongawilli mine.

Chair and membership

Emeritus Professor Jim Galvin (Interim Chair)

Emeritus Professor (University of New South Wales) in Mining Engineering and former Member of the NSW Planning Assessment Commission (PAC), Professor Galvin is one of the world's foremost experts on underground coal mining and subsidence. Professor Galvin was a member of the Independent Panel for the Southern Coalfield Inquiry (2008) and several subsequent PAC reviews of mining projects in the Southern Coalfield. He has served as Chair of the Victorian Government Technical Review Board which advises the Minister on risks presented by quarrying and mining in Victoria and is currently the Chair of the Coal Innovation NSW Ministerial Advisory Council. He has also provided peer review advice on the Dendrobium Height of Cracking Study.

Dr Ann Young

Dr Young has a PhD in Upland Swamps on the Woronora Plateau and was previously a lecturer at the University of Wollongong's School of Earth and Environmental Sciences. Dr Young is the author of several academic books on environmental science, including *Upland Swamps in the Sydney Region* published in 2017. Over the last decade, she has made submissions to the NSW Government on the environmental assessment of underground coal mining and was a member of Community Consultative Committees at the Dendrobium and Russell Vale mines.

Professor Neil McIntyre

Professor of Regional Water and Land Resources at The University of Queensland, Professor McIntyre holds an MSc and PhD from Imperial College London. He has world-leading experience in impacts of land use and climate change on water yields, particularly in relation to mining. His roles have included serving on the British Hydrological Society committee, the Institution of Civil Engineer's Water Expert Panel and the Steering Committee of the Commonwealth Leading Practice Sustainable Development Program.

Mr Michael Williams

Former Principal Hydrogeologist for the NSW Office of Water and recipient of the Public Service Medal (PSM), Mr Williams has 40 years of experience in the NSW public sector and is one of the most distinguished groundwater practitioners in Australia. Mr Williams had lectured at the Australian Groundwater School for over 20 years and is currently providing independent advice to the NSW Government on the Narrabri Gas Project.

Dr Chris Armstrong, Acting NSW Chief Scientist & Engineer

Dr Chris Armstrong is the Acting NSW Chief Scientist & Engineer. A recipient of the Public Service Medal (PSM), Dr Armstrong has a PhD in chemistry from the University of Sydney. Dr Armstrong has over 14 years of experience in science and research portfolios in the NSW public sector. Dr Armstrong supported the previous Chief Scientist & Engineer on topics such as Coal Seam Gas, Thirlmere Lakes, and on measuring cumulative impacts in the catchment.

Secretariat

Secretariat support for the Independent Expert Panel is provided by the Office of the Chief Scientist & Engineer.

Meeting minutes

No.	Date	File
1	19 February 2018	View here
2	5 March 2018	View here
3	20 March 2018	View here
4	26 March 2018	View here
5	3 April 2018	View here
6	19 April 2018	View here

Public Submissions

Making a Submission

The Independent Expert Panel invites interested stakeholders from the community, industry, business and other sectors to make submissions to inform its inquiries.

Interested individuals and organisations are encouraged to make submissions by 30 September 2018.

Please ensure that submissions:

- Are no more than 10 pages long (excluding appendices)
- Have clear headings
- Succinctly address the issues or topics areas as they relate to the Terms of Reference

Submissions can be lodged electronically at catchment.panel@chiefscientist.nsw.gov.au.

Note: all submissions to the Independent Expert Panel will be published on this website unless marked "Confidential".

Published Submissions

	Name	Organisation	File
1	Anonymous	-	Confidential
2	Fiona Smith, Executive Manager, Water and Catchment Protection	WaterNSW	View

Reports

[Progress report on Term of Reference 1](#) (30 April 2018)

Contact

The secretariat can be reached by email at catchment.panel@chiefscientist.nsw.gov.au or telephone (02) 9338 6786.

Submission on the Terms of Reference for the Independent Expert Panel for Mining in the Catchment

The Terms of Reference (ToR's) for the Independent Expert Panel (the Panel), has strong relevance to a number of current and approved mining projects in the Wollondilly Local Government Area (LGA). The establishment of the Panel and intended provision of advice to the NSW Department of Planning and Environment (DPE) on the impacts of mining activities in the Greater Sydney Water Catchment Special Areas (Drinking Catchment) is welcomed by Council.

The responsibilities of Water NSW in the protection and regulation of water supplies within the Drinking Catchment is fully acknowledged by Council. However, the protection of water supplies and overall management of the Drinking Catchment has received a strong level of community feedback. This issue was also raised as part of consultation held during the preparation of Council's Community Strategic Plan. Council consequently considers it has responsibilities in advocating these community concerns to both the Panel and Government.

The comments within this submission are consistent with Council resolutions and issues raised in previous Council submissions on mining related applications and Government policies, The submission is divided into three broad components comprised of an overview of Council's position, support for intended advice based on the issued ToR's and comments on individual ToR items.

Part A: Overview of Council position regarding mining operations

The following provides an overview of the position of Council and sections of the local community in regard to water related impacts associated with mining operations within the Drinking Catchment. A full list of Council resolutions which defines its broad position in regard to mining related matters is presented in Attachment 1 to this submission.

1) Overview of mining operations

The Wollondilly LGA contains four existing underground longwall mining projects within the Drinking Catchment comprised of the Bulli Seam and Dendrobium (both operated by South 32), Russell Vale Colliery (operated by Wollongong Coal), and Metropolitan Colliery, (operated by PeaBody), Projects. The boundaries of approved or currently proposed mining operations associated with these projects in relation to the boundary of the Drinking Catchment is presented in Map 1 (Attachment 2). The Russell Vale Colliery proposed expansion, (depicted on this Map as being entirely located within the Drinking Catchment), is however noted to be not referenced in Terms of Reference 1. A response from the Panel over the reasons for this exclusion would be appreciated.

This Map also shows the location of the Tahmoor Colliery Project, (recently sold to SIMEC) is recognised as being outside the boundaries of the Drinking Catchment. This Project is however viewed as having indirect relevance to investigations by the Panel given the identical nature of operations to those projects in the Drinking Catchment referred to above. This submission consequently refers to studies currently being undertaken by Western Sydney University on the impacts associated with approved mining activities to creeklines, which are also considered relevant to the Panel's investigations.

2) Position of Council on water related impacts of mining operations

Concerns over the adequacy of the assessment of potential impacts on water resources (ground and water sources) by mining applications has been a common issue raised in a range of previous Council's submissions on mining applications as well as Government policies. These submissions have advocated the concerns of the community over the need for greater protection of water sources, (ground and surface), as well as enhanced levels of baseline data and scientific assessment.

The adequacy of assessing and protecting the ecological and hydrological of the high number of upland swamps from impacts associated with mining operations has also been a common issue raised. The Panel is requested to note that Council has not supported the NSW Government's *Policy Framework for Biodiversity Offsets for Upland Swamps and Associated Threatened Species Policy Framework* until demonstration from suitably qualified personnel that the hydrological and ecological functions will not be adversely impacted is provided.

3) Council position on the assessment framework for mining applications

Council has also previously raised a number of shortcomings in the assessment as well as approval process for State Significant Development (SSD) under the NSW Planning Assessment framework. These shortcomings are considered by Staff as being heightened by recent reforms to the *Environmental Planning and Assessment Act 1979* and the introduction of the *Biodiversity Conservation Act 2016*, which are both viewed as weakening provisions in regard to SSD approval provisions.

In relation to this matter, the introduction of the Water Trigger within the *Environment Biodiversity and Conservation Act 1999* has been welcomed as a means achieving increased rigor in the assessment of water related impacts associated with mining projects compared to NSW Government Legislation. Recent Council submissions have suggested on-going research and publications produced by the Commonwealth Independent Expert Scientific Committee (IESC) as a suitable scientific basis for Environmental Assessments associated with mining applications. The recently exhibited *Information Guidelines for Proponents preparing Coal Seam Gas and Large Mining Development Proposals*, prepared by this Committee, (IESC Guidelines), is viewed as being a particularly important document in achieving this scientific basis.

Part B: Council position/support regarding the Inquiry

1) Support for the Inquiry

The need for the establishment of the Panel and associated investigation is uncertain given the high level of existing studies and studies currently underway regarding the impacts of mining operations on water sources. However, Council would broadly support any investigations that provides greater scientific certainty in regard to the effects of mining operations on water sources and responds to community concerns regarding this matter.

The members of the Panel are recognised to have a high level of expertise in regard to issues requested to be investigated by the ToR and are also supported. Council Staff are consequently confident that the investigation by the Panel will produce strong scientifically rigorous recommendations and findings in its advice to the DPE.

However, the noted general absence of confidence in the DPE in adequately responding to investigations, (such as those by Planning Assessment Commissions), expressed by

community members are shared in broad terms by Staff. An example in this regard, occurred at Public Hearing held as part of the investigation into the proposed Russell Vale Colliery expansion, which was attended by a staff member. Community speakers at this Hearing expressed full support to the expertise of the Panel but a low level of confidence in the overall assessment/approval process for SSD. There are consequently strong concerns over the adequacy of the translation of the findings and recommendations in the Panel's final report into EA's and Determinations.

The Panel is therefore requested to note that Council has resolved to provide in-principle support to its investigation until such time that the assessment process for mining projects by the DPE has been demonstrably enhanced. The Panel is further requested to note that Council has resolved to notify the DPE of this position.

2) The scope and purpose of the Inquiry

The need for the overall focus of the Inquiry on assessing potential risks to the future supply of drinking water within the Greater Metropolitan Area is recognised. The statement accompanying the ToR's that "*advice, (by the Panel), will include, but is not confined to risks to the total water quantity and holding capacity of surface and groundwater systems, including swamps and reservoirs, and the types and reliabilities of methodologies used to predict, monitor, assess and report on mining effects, impacts and consequences*" is also recognised as being wide-ranging and is supported.

Council Staff however have the following concerns over aspects of the wording of the issued ToR's, consistent with Council's broad position on the effects of mining impacts on water sources detailed in preceding sections of this submission:

- The issued ToR's are considered to have a broad focus on responding to effects post approval rather than obtaining a detailed assessment of effects of mining on water sources as part of the application process.
- The issued ToR'S are considered restricted to monitoring the effects and not numerical and conceptual modelling as recommended by a range of studies including Planning Assessment Commissions and the IESC
- The issued ToR's are not considered to require a detailed analysis of the effects of mining operations on the quality of the surface and groundwater environment including the effects of these operations on the interconnectivity between these two environments.

Both Terms of Reference 1 and 2 are noted to contain a sub-item "*In delivering its report, the Panel will provide comment and make observations or recommendations about any information of factors the Panel believes relevant, or further work that should be undertaken*". This sub-item item is considered to provide a pathway for the investigation of the Panel into the potential shortcomings in the ToR's listed above. **However, the provision of advice from the Panel regarding the intended approach in relation to these matters would be appreciated.**

Part C: Terms of Reference

This section of the submission provides comments on aspects of the three Terms of Reference and sub-items as well as requested response by the Panel.

Terms of Reference 1

Undertake an initial review and report on specific coal mining activities at the Metropolitan and Dendrobium Coal Mines in the Greater Sydney Water Catchment Special Areas.

(Sub Item 1a): A review of the findings and recommendations of studies and reports deemed appropriate by the Panel.

The following studies and reports known to Council Staff, (in addition to those listed in the ToR'S), are recommended to be reviewed as part of the Investigation by the Panel:

- Report produced by the Planning Assessment Commission established to investigate the proposed Russell Vale Colliery Expansion Project (dated April 2016).
- The following documents/ advice provided by the Independent Expert Scientific Committee :
 - Project Advice on the Russell Vale Colliery Expansion (dated 11 March 2015).
 - Information Guidelines for Proponents preparing coal seam gas and large coal mining development proposals (IESC Guidelines).

In addition, the original Bulli Seam Project Application lodged in 2009 included mining precincts containing a number of upland swamps. BHP Billiton (South 32) subsequently advised that these precincts had been removed from the Project Area following a review of a report produced a PAC that investigated the Project Application to allow for more assessments and surveys. Staff are uncertain over the current short or long-term intent of South 32 in regard to this portion of the Project Area. However, the report produced by the PAC is considered an important reference document for review by the Panel as part of its investigation.

(Sub item 1b): A review of the types and reliability of prediction, monitoring and response methodologies currently used for assessing and managing the effects of mining activities as they relate to water quantity.

The provision of detailed comments regarding this ToR item is viewed as a matter for research organisations and Water NSW. The submission from this Government Agency on the website of the Office of Chief Scientist is viewed as providing sufficient comments to address the broad position of Council from a technical perspective. However, the following provides comments and recommended response by the Panel on issues associated with the relationship between water quantity and water quality and the assessment of impacts at the application stage that not directly referenced in the ToR item.

Assessment of water quantity and quality issues

Council Staff are aware of a number of research studies into the depletion of water quantity from a range of water sources, (including groundwater), related to fracturing associated with mining operations. Council is also aware of a number of research studies identifying the return (or partial return) of this depleted water to watercourses downstream with resulting impact to both water quality and associated in-stream and riparian environment. Staff understand in relation to this matter that the Western Sydney University has carried research associated with the Bulli Seam Project, (in the Drinking Catchment).

It is consequently the preferred view of Council Staff that the Panel *review of the types and reliability of prediction, monitoring and response methodologies* currently used for assessing and managing the effects of mining activities as they relate to water quality, (in regard to both surface and groundwater), as well as water quantity.

Assessing and managing the impacts of mining to water sources

The provision of specific comments regarding Prediction, Monitoring and Response methodologies currently commonly utilised by mining companies is also viewed as a matter

for Government Agencies and research organisations. However, the following provides comments based on the position of Council for each component of the approach as well as requested response by the Panel.

(a) Prediction of the effects of mining operations

The need for the prediction of likely effects to water sources is recognised as being important for mining companies, as well as Determining and Regulatory Authorities. However, issues have been observed by Staff in regard to the adequacy of this prediction, as well as its occurrence largely post Determination as part of the preparation of Subsidence Management Plans (SMP). The Panel is requested to note that Council's submissions have expressed the view that Subsidence Management Plans should be in the form of detailed Environmental Assessments.

In addition, Council has lodged detailed submissions on the NSW Integrated Mining Policy and the related DPE's Environmental Assessment Improvement Project for State Significant Development. These submissions have requested amendments to the draft Secretary Standard Assessment Requirements for mining applications consistent with the approach of IESC Guidelines. They have also opposed the observed reliance of Determinations for the management of impacts by subsidiary plans post approval (such as SMP's). Copies of these submissions can be provided to the Panel upon request.

The IESC Guidelines state in relation to this matter that "*modelling and extensive baseline data is needed to allow for an accurate review of the adequacy of referred mining applications in predicting the likely level of subsidence related impacts to water sources*" (by the Committee). The Panel is requested to note that the statement in the submission from the OEH on these Guidelines that the predictions in mining applications are often deficient in scientific basis is supported by Council Staff.

Council, as a broad position, would request that the Panel provide recommendations and advice to achieve an enhanced scientifically based prediction of likely subsidence levels and associated impacts to the quality and quantity of water sources at the application stage for mining projects in its response to the DPE.

(b) Monitoring the effects of mining operations

The undertaking of a detailed monitoring program by mining companies is recognised as being important regardless of the scientific basis of the predicted levels of subsidence. The IESC Guidelines is noted to provide a range of items for a monitoring program including the presenting of collected information in referred projects. **Council Staff would be broadly satisfied with a monitoring program required by a mining Determination that is consistent with these Guidelines.**

(c) Responding to identified effects of mining operations

It has been assumed that 'response' within this ToR item refers to the Trigger approach noted to be commonly adopted by mining companies and regulatory authorities where a response is triggered if exceedances of predicted subsidence levels are identified by monitoring. This approach is viewed as being broadly satisfactory in regard to responding to subsidence impacts to structures.

However, Staff view the 'trigger' approach has having shortcomings in the protection of water sources given its primary focus on responding to impacts subsequent to Determination. A preferred approach is for more emphasis to occur in the identification of measures that would

protect water sources (both surface and groundwater) from potential impacts associated with mining operations.

The report produced by the PAC which investigated the Russell Vale expansion project is noted to state in relation to this matter “*The trigger criteria are a concern as the cumulative effects and impacts of subsidence in the area are not known with certainty, which presents a challenge to setting trigger levels for responding to future subsidence*”. **The discussion over the views of the Panel over the ‘trigger’ approach would be appreciated at the meeting with Council Staff sought by this submission.**

In summary, the need for Prediction, Monitoring and Response methodologies in certain circumstances is recognised as being appropriate. However, the Panel is requested to provide advice in its report to the DPE over the adequacy of this approach in protecting both the quantity and quality of water supply within the Drinking Catchment and recommendations to improve this approach.

(Sub Item 1c); Provide advice and recommendations on measures required to improve approaches to predicting, monitoring, responses and reporting including having regard to cumulative risks posed to the quantity of drinking water available in the Greater Sydney Water Catchment Special Areas

The requirement for the Panel to improve approaches to cumulative risks presented to the quantity of drinking water available from mining operations is welcomed in principle. The apparent inclusion of the Russell Vale Colliery expansion in this ToR sub item, given the reference to the Greater Sydney Water Catchment Special Area, is also welcomed. However, as stated above in regard to ToR 1a), Council Staff have concerns over the reliability and adequacy of the ‘predict, monitor, and respond’ approach in protecting water sources from the impacts of mining operations.

Council has requested a range of issues to be assessed in regard to the impacts of mining operations on water sources in a wide range of submissions on mining related applications and NSW Government Policies. Council’s preferred view expressed in these submissions is that such impacts be accurately identified and be avoided or minimised at the application stage through:

- A comprehensive assessment of impacts to water quantity and water quality (including surface and groundwaters), utilizing conceptual and numerical modelling based on extensive baseline data. The approach detailed in the IESC Guidelines is viewed as a suitable basis for such an assessment.
- The establishment and enforcement of adequate mining exclusion zones adjacent to water courses. It is suggested the width of such zones be based on the Strahler Stream Classification System. (For example, a 10 metre exclusion zone for first order streams).

In relation to this matter, Council’s submission on the review of the *Mine Subsidence Compensation Act 1961* requested that it be expanded to also apply to subsidence impacts to watercourses. The Panel is requested to note that Council resolved at its meeting on 15 February 2016 to “*express its concern that compensation mechanisms for damage to the natural environment from mining impacts is not considered in the function of the Mine Subsidence Board and Council calls for this situation to be reviewed and remedied*”. **The investigation of possible means of funding compensation measures consistent with the above resolution by the Panel is suggested.**

(Sub Item 1d): The Panel will provide advice to Government on how to respond to the findings and recommendations of reports reviewed including the Height of Fracturing Report

The Height of Fracturing Report is noted to recommend a range of studies to verify its broad finding regarding the apparent absence of an impediment to the upward migration of impacts associated with fracturing to effect the condition of surface and shallow groundwaters. This recommendation for additional studies has a high level of synergy with the position of Council and views of the local community and is supported in principle. The provision of technical advice to the DPE on the response to specific recommendations is acknowledged as not being a matter for Council. **However, the Panel is requested to note the preferred position of Council that the DPE implement all recommendations of this report, which it is noted to have taken ownership.**

Terms of Reference 2

Undertake a review of current coal mining in the Greater Sydney Water Catchment Special Areas with a particular focus on risks to the quantity of water available, the environmental consequences for swamps and the issue of cumulative impacts.

The requirement for the Panel to investigate the 'environmental consequences' (of current coal mining) to swamps and 'cumulative risks' presented to drinking water available is welcomed. The research based sub-items for this ToR item is however noted to be restricted to "A review and update of the findings of the 2008 Southern Coalfields Inquiry, including recommending measures to improve the way mining effects, impacts and consequences in relation to water quantity are assessed and managed". There are concerns that the Term of Reference does not refer to the wide range of relevant research studies which have occurred subsequent to the Southern Coalfields Inquiry in 2008, including those by the IESC. **An assurance is sought from the Panel that all these studies will be reviewed as part of its investigation into this ToR.**

Environmental consequences of mining operations for swamps

The appointment of a person on the Panel with a recognised high level of expertise in the impacts of mining operations to the ecological and hydrological functions of upland swamps is strongly welcomed. Council is consequently satisfied that the investigation by the Panel and associated consultation with relevant expert stakeholders will produce strong recommendations to the DPE for responding to the environmental consequences of mining operations to upland swamps within the Drinking Catchment.

Council however has concerns over the adequacy of the response by the DPE to the Panel's Report based on observations of its response to relevant mining applications such as the Russell Vale Colliery Expansion Project. The report produced by the PAC established to investigate this Project was noted to state "the magnitude of potential water loss is also noted contested (by the Application). As a result of such uncertainty, the potential impacts on upland swamps are also uncertain as the swamps depends on the surface and shallow groundwater". It is suggested in this regard, that there is scope for the Panel to provide comment on this matter as part of its response to Term of Reference 1 d) "the Panel is to provide advice to Government on how to respond to the findings and recommendations of reviewed as part of ToR 1a)".

The Panel is requested to note that Council provided a submission on the Integrated Mining Policy in July 2015, which contained a *Policy Framework for Biodiversity Offsets for Upland Swamps and Associated Threatened Species Policy Framework (Swamp Policy Framework)*. The submission expressed opposition to the implementation of this Framework subject to the

receipt of suitably qualified independent advice that the Policy will not result in adverse outcomes to the values and functions of any upland swamp. It is suggested that the establishment of the Panel provides a suitable opportunity for the undertaking of investigations to produce such expert advice. **It is recommended that the Panel review the Swamp Policy Framework and provide advice over its adequacy and any identified improvements in its final report to the DPE.**

Managing cumulative impacts associated with mining operations

The assessment of cumulative impacts on water supplies within the Drinking Catchment is acknowledged as being highly important given the number of mining operations under different ownership. The absence of reference to cumulative water quality impacts in the ToR item is however noted with concern given the strong interrelationship between water quality and quantity identified by a range of research studies. The *“Cumulative Impacts of Activities which Impact Groundwaters and Surface waters within the Sydney Water Catchment Area” Report* produced by the NSW Office of the Chief Scientist and Engineer is noted to include the following recommendations of relevance to this matter:

- *That the Government develop a whole-of-Catchment environmental monitoring system.*
- *That the Government commission computational models which can be used to assess the impacts on quantity and quality of surface and groundwater.*

The above recommendations of the Chief Scientist in association with research studies known to Staff are viewed as highlighting the importance for the identification and management of the cumulative risks of mining operations to both water quantity and water quality. **The Panel is requested to provide advice and recommendations for the avoidance and minimisation of these risks in its final report to the DPE.**

Term of Reference 3

Provide advice as required to the Department of Planning and Environment on mining activities in the Greater Sydney Water Catchment Special Areas which may include but is not confined to:

- *A Subsidence Management Plan application for Longwall 16 at the Dendrobium Mine*
- *An Extraction Plan application for Longwall 33 at the Metropolitan Mine*
- *An Environmental Impact Statement for the Dendrobium Extension Project*
- *A Preferred Project Report for the Russell Vale Underground Expansion Project.*

The inclusion of a Term of Reference item that refers to current mining related applications within the Drinking Catchment Area is recognised as being appropriate in providing a level of certainty to the respective proponents. However, the above, (as well as any other), applications, is viewed as having strong relevance to the outcomes of the investigation by the Panel and its final Report. **It is consequently the preferred position of Council Staff that specific detailed advice regarding the above projects by the Panel be contained in its final report to the DPE.**

Terms of Reference 1e) and 2b): Consultation and site visits by the Panel

In developing its advice, the Panel will meet, undertake site visits, seek information on data, and consult as needed.

The impacts of mining operations on water sources within the Drinking Catchment, as well as in a more broader context, is of strong interest to Council (Staff and elected Councillors) and

the local community. The visit of members of the Panel to the Wollondilly LGA and Council would therefore be greatly appreciated. The involvement of Councillors in such a meeting would be preferable which may involve a presentation at an evening Workshop. A joint meeting with Staff from Wollondilly and Wollongong Councils could potentially be arranged if this would be of more convenience to the Panel.

The Tahmoor Colliery, (which has recently been sold to SIMEC), is acknowledged as being outside the Drinking Catchment Area. However, Staff are aware of a research paper by Western Sydney University in regard to a creekline recently traversed by a mining longwall associated with this Project that is nearing finalisation. The author of this Study has advised Staff of his willingness to discuss aspects of this Study following its publication in approximately mid-2018. It is suggested in this regard a site visit to this creekline by the Panel would be of benefit to its investigation.

PART D: CONCLUDING STATEMENT

This submission welcomes the establishment of the Independent Expert Panel as a means of obtaining enhanced scientific certainty over the impacts of mining operations on water sources within the Drinking Catchment and responding to community concerns regarding this matter. The submission provides in-principle support to the investigation as a result of concerns over aspects of the issued Terms of Reference for the Panel as well as uncertainty over the adequacy of the response by the NSW Department of Planning and Environment.

The submission also outlines issues requested to be reviewed and investigated consistent with the previous adopted position of Council and local community over the impacts of mining on water sources in general (both quantity of water and as well as water quality). The submission also seeks a meeting (and possibly a site visit if time permits), to the Wollondilly LGA to discuss issues raised.

ATTACHMENT 4

Resolutions of Council associated with Mining

Resolutions of Council at its meeting of 16th July 2007

1. *That Council make a formal submission and oral presentation to the Inquiry into Coal Mining in the Southern Coalfields.*
2. *That Council's submission stresses Council's opposition to any mining that affects our river systems.*
3. *That Council's submission emphasises the Mine Subsidence Board's responsibility to restore structures damaged as a result of mining activity.*
4. *That the Inquiry increase the pressure on the mining companies and the mining equipment suppliers to develop a method of disposing of the excess material back into the cavity as the mining is taking place.*
5. *That Council calls for the completion of the Maldon Dombarton rail link to transport coal.*
6. *That Council write to the Minister and express our disappointment that the panel hearing is being held in Camden.*
7. *That Council offer its facilities at Wollondilly.*

Resolutions of Council at its meeting of 16 March 2009

1. That Council write to the Minister and Shadow Minister for Mining requesting that Councils be compensated through mining royalties and the Mine Subsidence Board for the additional cost of infrastructure projects.
2. That Council support the Association of Mining Related Councils in their endeavour to get a percentage of the mining royalties for such instances.

Resolution of Council at its meeting of 14 August 2009

1. That Wollondilly Shire Council write to the Minister for Primary Industries and Shadow Minister for Climate Change and Environmental Sustainability expressing its concerns over the recent cracking of Myrtle Creek.

Resolution of Council at its meeting of 19 October 2009

1. That Wollondilly Shire Council write to the Minister for Planning and Shadow Minister for Planning calling for third-party appeals to be allowed for Part 3A processes or that Part 3A be removed from NSW Government Policy.

Resolution of Council at its meeting of 15 November 2010

1. That Council send correspondence to the Minister for Planning requesting that a new Part 3A application be lodged for the Bulli Seam Project, given the significant changes

to the original application by the proponent and the flaws in the original exhibition process.

Resolution of Council at its meeting of March 2013

1. That Wollondilly Council write to the Minister of Regional Infrastructure and Services requesting a review of the methodology used to classify the 'tiers' of Mining Affected Communities and expressing its concern at the relegation of Wollondilly's Community to Tier 3, excluding it from any support from the Resources for Regions Programs.

Resolution of Council at its meeting of 11 December 2014

1. That Council write to the Minister for Primary Industries and the Minister for Planning requesting that the impacts on communities and infrastructure from coal mine gas drainage be included in the criteria for Local Government assistance through the Resources to Regions Program.

Resolution of Council at its meeting of 16 March 2015

1. Council convene a meeting with invited community members of Douglas Park and representatives of Illawarra Coal to facilitate a consultation between the parties regarding Illawarra Coal's proposed gas extraction and power plant development in the Douglas Park area.

Resolution of Council at its meeting of 20 July 2015

1. That Council write to the Federal Minister for Environment, the Federal Minister for Agriculture, the NSW Minister for Planning, the NSW Minister for Primary Industries and the NSW Minister for Industry Resources and Energy in regard to the approval of the Shenhua Watermark mine on the Liverpool Plains to:
 - Express dismay regarding the approval of the mine on the Liverpool Plains by the Federal Government given the region's major role in Australia's food production balanced with a vulnerable environment and the unacceptable risk to this balance that the mine may cause.
 - Express its concerns that in a local context, the productive peri-urban areas of Sydney are also being threatened by unsympathetic land uses.

Resolutions of Council at its meeting of 20 July 2015

1. That Council endorse the submission on exhibited components of the draft Integrated Mining Policy.
2. That Council send correspondence to the NSW Minister for Planning that:
 - (a) Acknowledges the benefits in introducing the Integrated Mining Policy.
 - (b) Expresses disappointment that the exhibited Policy has not addressed issues raised in previous Council submissions.
 - (c) Advises that Council is not able to finalise its position until all documents associated with the Policy have been publicly exhibited and submissions received.
 - (d) Stresses the importance of the inclusion of all stakeholders in the notification process.

Resolutions of Council at its meeting of 21 September 2015

1. That Council continue to monitor the Douglas Park Mine Gas Drainage and Power Plant Proposal by South 32 and that Council continue to engage with residents of Douglas Park regarding their concerns about the proposal.
2. That Council throughout the process, advocate on behalf of the community, communicating their concerns to the consent authority, our state member, mining authority, and any other applicable minister/authority.

Resolutions of Council at its meeting of 15 February 2016

- That Council take a proactive role in advocating for the protection of the natural environment from impacts of mining under Redbank Creek.
- That Council write to the State Minister for Planning, the Minister for Environment and the Minister for Resources and Energy expressing its concern that compensation mechanisms for damage to the natural environment from mining impacts is not considered in the function of the Mine Subsidence Board and Council calls for this situation to be reviewed and remedied.
- That Council consider the allocation of resources in the third Quarterly Review to undertake advocacy regarding this issue.

Resolutions of Council at its meeting of 15 February 2016

- That Council take a proactive role in advocating for the protection of the natural environment from impacts of mining under Redbank Creek.
- That Council write to the State Minister for Planning, the Minister for Environment and the Minister for Resources and Energy expressing its concern that compensation mechanisms for damage to the natural environment from mining impacts is not considered in the function of the Mine Subsidence Board and Council calls for this situation to be reviewed and remedied.
- That Council consider the allocation of resources in the third Quarterly Review to undertake advocacy regarding this issue.

Resolutions of Council at its meeting of 21 March 2016

- That Council write to the NSW Minister for Environment and NSW Minister for Resources and Energy requesting:
 - The establishment of on-going funding for investigations and monitoring of the condition of watercourses that are identified as being impacted by subsidence associated with underlying operations.
 - Ongoing funding be made available to local governments, research organisations and community groups upon the lodgement of suitably detailed applications.

Resolutions of Council at its meeting of 16 May 2016

- That Council requests a copy of the report investigating possible non-compliance regarding the conditions of consent for the Bulli Seam Operation Project and the Extraction Plan for long-walls 901-904 from the Department of Planning and Environment Compliance Team and EPA.
- That Council also request information from South 32 as to what their approved setback from the Nepean River is.
- That copies of these requests be forwarded to the Local Member for Wollondilly, Jai Rowell and that a report come back to Council on the responses received.

Resolutions of Council at its meeting of 20 June 2016:

- Write to the relevant Federal and State Ministers, the Federal and State local members, the Greater Blue Mountains World Heritage Area Advisory Committee and UNESCO demanding that action be taken to further investigate the causes of continued water loss from the World Heritage listed Thirlmere Lakes. That this action includes the funding and support of rigorous and detailed research into:
 - The water loss patterns and trends in the past and over current times.
 - Predictive modelling of the consequences to the Lakes's biology and hydrology of continued or prolonged water loss.
 - Targeted investigation into the suggested cause of the water loss in relation to the Tahmoor Mine's operations in the past and future.
 - The potential of engineered options to reinstate and maintain water levels to protect the biodiversity and hydrology of the Lakes.
- That Council, through the oversight of the Minerals and Energy Resource Committee, undertake a facilitated solutions focused forum to investigate and identify solutions to the continued observed water loss from the World Heritage listed Thirlmere Lakes and that Glencore and other key stakeholders associated with the three tiers of government be invited to participate in this forum.

Resolutions of Council at its meeting of 18th July 2016

- The Executive include the following recommendations in the Business Paper of the next available meeting of the Association with a view to advocate the position of Council and the local community defined by the supplied resolutions:
 - i. The Association provide support to the resolutions of Wollondilly Shire Council regarding concerns over the continued observed water loss from the World Heritage listed Thirlmere Lakes and the conclusions of recent scientific studies regarding this matter.
 - ii. Pursuant to i), Correspondence be sent to the NSW Minister for Resources and Energy (the Hon Anthony Roberts) and the NSW Minister for Primary Industries (the Hon Niall Blair) advising of the support to the resolutions and requesting a prompt response.

ATTACHMENT 5

Comments and recommended Council response to certain sub-items of Terms of Reference 1.

ToR Sub Item	Paraphrased Terms of Reference Item whilst retaining intent of	Key recommendations of the draft submission
1 a)	A review of the findings of reports including but not confined to the Height of Cracking Report	The Panel specifically review a range of reports studies on the effects of mining operations on water sources prepared since the Southern Coalfields Inquiry in 2007. The Guidelines for Proponents preparing Coal Seam Gas and Large Coal Mining Development Proposals produced by the IESC (dated April 2018) is a highly suitable document but is not referenced in the Bibliography.
1 b)	A review of the types and methodologies currently used for assessing and managing the effects, impacts and consequences of mining activities as they relate to water quantity	The Panel investigate the effects and impacts on water quality (surface and groundwater) as part of its investigation. The Panel provide recommendations and advice over achieving an enhanced scientifically based prediction as part of the application process.
1 c)	Provide advice and recommendations on measures required to improve current methodologies, including having regard to cumulative risks to the quantity of available drinking water	The Panel review, investigate and identify appropriate setback distances that would prevent or minimise impacts to water sources. Identify measures consistent with IESC Guidelines and latest scientific research that would enhance current methods to predict subsidence related impacts
1 d)	The Panel provides advice to the NSW Government on how to respond to the recommendations of reviewed as part of ToR 1 a)	The Panel note the preferred view of Council that the DPE implement in full the recommendations of the Height of Cracking Report given their consistency with previous Council submissions for greater assessment.