



BUSINESS PAPER

ORDINARY MEETING OF COUNCIL

To be held at 6.00pm on

Monday 9 May 2016

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

Order of Business

- 1 Acknowledgement of Traditional Owners
- 2 Civic Prayer
- 3 Apologies
- 4 Disclosures of Pecuniary Interest
- 5 Petitions and Presentations
- 6 Confirmation of Minutes – Ordinary Council Meeting 4 April 2016
- 7 Public Access Forum
- 8 Call of the Agenda
- 9 Lord Mayoral Minute
- 10 Urgent Items
- 11 Notice of Motion(s)
- 12 Item Laid on Table 14 March 2016
- 13 Agenda Items

Members

Lord Mayor –
Councillor Gordon Bradbery OAM (Chair)
Deputy Lord Mayor –
Councillor John Dorahy
Councillor Michelle Blicavs
Councillor David Brown
Councillor Leigh Colacino
Councillor Chris Connor
Councillor Bede Crasnich
Councillor Vicki Curran
Councillor Janice Kershaw
Councillor Ann Martin
Councillor Jill Merrin
Councillor Greg Petty
Councillor George Takacs

QUORUM – 7 MEMBERS TO BE PRESENT

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ITEM A

NOTICE OF MOTION - COUNCILLOR MARTIN - PORT KEMBLA
COMMUNITY INVESTMENT FUND

Councillor Martin has submitted the following Notice of Motion –

“I formally move that –

- 1 Council initiate a proactive program to ensure the maximum benefit to the community of Port Kembla and the wider Wollongong community from the newly-established Port Kembla Community Investment Fund (PKCIF).
- 2 The program include, but not be limited to –
 - a A Community Planning Workshop to establish –
 - i Opportunities for community, business and Council-led projects that could be considered for funding over the years of the funding program and to ensure the funds are utilised to the maximum benefit of the community of Port Kembla and the wider Wollongong community, wherever possible;
 - ii Project ideas and opportunities where Council and the community could develop future projects, especially over the early years of the program.
 - b An annual Community Assist education and support program to assist communities in preparing their eligible applications so as to ensure the best possible results and ensure that applicants are provided with the maximum opportunity to be successful with eligible projects.
 - c A Project Partner Program between potential community fund applicants and Council to ensure –
 - i Project development and implementation in the Port Kembla Investment Fund area, especially where the project is developed in partnership with Council, on Council-owned land, or Council-managed sites; and,
 - ii Maximum benefit of projects; and
 - iii Projects are in keeping with Council’s commitment to work in partnership with the community wherever possible.”

Background provided by Councillor Martin:

The aim of this Notice of Motion is to ensure that Council plays a pivotal, supportive and strategic role to ensure the maximum benefit for the local Port Kembla community, and the overall community of Wollongong from this significant new funding initiative for the benefit of future generations, while providing for new infrastructure from Council's own assets in partnership with the Port Kembla community. The funding program, while focused on projects in the funding-mapped area of Port Kembla, is open to any

organisation, including business outside of Port Kembla, so long as the project is in Port Kembla.

The funding guidelines state the following:

"The objective of the PKCIF is to support projects that will reactivate, enhance or build community amenity in the suburb of Port Kembla. These projects will support environmental improvement, economic growth and positive social outcomes. PKCIF projects will play a key role in revitalising the community of Port Kembla that has supported heavy industrial and Port-related activities over numerous decades.

The desired outcomes of the PKCIF include:

- Increased economic activity in Port Kembla;
- Enhanced community amenity and activation of public spaces;
- Increased community interaction and engagement;
- Improved environmental quality of air, land and waterways; and
- A more prosperous and liveable Port Kembla community.

Projects funded under the PKCIF will positively contribute to one or more of these desired outcomes."

The funding program specifically encourages partnerships, and also identifies the need for projects to align with Wollongong City Council's community and strategic planning outcomes. The program will clearly benefit Wollongong Council in the future funding of projects in Port Kembla.

ITEM B

NOTICE OF MOTION - COUNCILLOR CRASNICH - NSW STATE
GOVERNMENT INITIATIVE FOR PORT KEMBLA AND REGION -
PORT KEMBLA COMMUNITY INVESTMENT FUND

Councillor Crasnich has submitted the following Notice of Motion –

“I formally move that Council write to the Member for Kiama, and Parliamentary Secretary for the Illawarra and South Coast, Mr Gareth Ward MP –

- 1 Acknowledging his work in helping secure the Port Kembla Community Investment Fund monies; and,
- 2 Request that he pass on Wollongong City Council's recognition and thanks to the Premier and Cabinet, for the opportunities that this NSW State Government initiative offers to the region, especially for the people of Port Kembla.”

ITEM C

ITEM LAID ON TABLE - COUNCIL MEETING 14 MARCH 2016 -
POLICY REVIEW: PRIVACY MANAGEMENT PLAN

On 14 March 2016, Council laid this Item on the table. Prior to laying the matter on the table, the following motion had been moved and seconded -

Moved by Councillor Colacino seconded Councillor Crasnich that -

- 1 *The revised Privacy Management Plan be adopted, subject to an amendment to Part 1.3 (What is Health Information?) to read 'personal information from a health professional about the physical....'.*
- 2 *A copy of the adopted Policy be forwarded to the Privacy Commissioner.*

This report outlines the review of and changes proposed to Council's Privacy Management Plan.

RECOMMENDATION

- 1 The revised Privacy Management Plan be adopted.
- 2 A copy of the adopted Policy be forwarded to the Privacy Commissioner.

ATTACHMENT

Draft Revised Privacy Management Plan

REPORT AUTHORISATIONS

Report of: Kylee Cowgill, Manager Governance and Information
Authorised by: Greg Doyle, Director Corporate and Community Services – Creative, Engaged and Innovative City

COMPLIANCE WITH OFFICE OF LOCAL GOVERNMENT GUIDELINES ON COUNCIL DECISION MAKING DURING MERGER PROPOSAL PERIODS

The recommendations in this report satisfy the requirements of the OLG Guidelines – *Council Decision Making During Merger Proposal Periods*.

BACKGROUND

Section 33 of the *Privacy and Personal Information Protection Act 1998* [PPIPA] requires all public sector agencies to prepare and implement a Privacy Management Plan (s33(1)), which they may review 'from time to time' (s33(4)). The Information and Privacy Commission (IPC) have released guidelines that recommend agencies review their plans on a regular basis, and at least every two years. When amending a Plan, an agency must send a copy of the amended Plan to the Privacy Commissioner, preferably with the changes highlighted.

A review of the Privacy Management Plan was undertaken against the IPC guidelines.

Changes proposed are for clarification purposes, in order to outline in more detail the way in which a person may access their own personal or health information. In addition, the way in which an authorised person may access another person's personal or health information was also included.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 goal "We are a connected and engaged community".

It specifically delivers on core business activities as detailed in the Governance and Administration Service Plan 2015-16.

CONCLUSION

The revised Privacy Management Plan meets the requirements outlined in the guidelines released by the Information and Privacy Commissioner.

ITEM 1 BEATON PARK PRECINCT NEEDS ASSESSMENT

The Beaton Park Precinct in Gwynneville encompasses a number of recreational areas, owned by Council, which are leased, licensed to third parties or operated directly by Council. The needs assessment was completed to identify options that will complement existing infrastructure at the site and provide for the future needs of the community.

RECOMMENDATION

- 1 Council note the Beaton Park Needs Assessment.
- 2 A review of the Plan of Management be included in the 2016/17 Annual Plan and appropriately resourced.
- 3 Investigations into the reclassification of identified land be commenced.
- 4 Investigations into the feasibility of acquisition of Defence Lands be commenced.
- 5 A staging plan be developed for implementation of the plan.
- 6 A further progress report be submitted to Council.

ATTACHMENTS

- 1 Beaton Park Precinct Needs Assessment Project – Final Report December 2015
- 2 Community versus Crown Land
- 3 Department of Defence Land
- 4 Portions of land to be rezoned from Community to Operational Land

REPORT AUTHORISATIONS

Report of: Peter Coyte, Manager Property and Recreation
Authorised by: Kylee Cowgill, Director Corporate and Community Services -
Creative, Engaged and Innovative City [Acting]

COMPLIANCE WITH OFFICE OF LOCAL GOVERNMENT GUIDELINES ON COUNCIL DECISION MAKING DURING MERGER PROPOSAL PERIODS

The recommendations of this report satisfy the requirements of the OLG Guidelines – *Council Decision Making During Merger Proposal Periods*.

BACKGROUND

Beaton Park Precinct incorporates Beaton Park and the adjacent Wiseman's Park. The precinct is located just two kilometres from Wollongong CBD and comprises Beaton Park Leisure Centre, Wollongong Tennis Club, Illawarra Basketball Stadium, Beaton Park Sports Ground, Wiseman's Park Sports Ground, Wiseman's Park Tennis Courts and Wiseman's Park Playground.

This precinct plays an important role in the lifestyles of many residents and visitors to Wollongong by providing significant opportunity as a leisure, sport and recreational hub. It has facilities and services to cater for the amateur to elite athlete as well as those looking for a variety of recreational opportunities in the one location.

The assessment included extensive reviews of existing facilities and input from key precinct stakeholders, tenant groups and regional and state sport associations to identify new opportunities that would complement existing facilities and generate greater interest in recreation, leisure and sport for the region at the site.

The objectives of the assessment were to:

- Provide an overall strategic approach for the Beaton Park precinct.
- Identify opportunities for complementary infrastructure and services to those currently present in the precinct.
- Identify opportunities to enhance existing stakeholder relationships and explore new potential stakeholders that could align to the vision for the Beaton Park Precinct.
- Identify potential funding and/or investment sources from current or potential stakeholders.
- Determine the feasibility of the establishment and integration of a 'Centre of Excellence' that enables community participation and engagement.
- Identify opportunities to inform Council's Capital Program to support the precinct strategy.
- Enhance community access, engagement and usage of the precinct.
- Inform a review of the Beaton Park Plan of Management.

Precinct History

- Wollongong City Council first formed Beaton Park in 1951 from the consolidation of two adjoining private land areas.
- **1957** The first major development on site was the creation of the Wollongong Tennis Lease and development of tennis courts.
- **1964** The Snake Pit (four court stadium) was developed on site and leased to Illawarra Basketball.
- **1973** Due to demand for more sports and recreation facilities, the park area was further expanded by 2.89 ha with Council acquiring more land.
- **1978** The park area was expanded again by 1.056 ha by linking adjacent excess railway land.
- **1980** The land area where Beaton Park Leisure Centre (BPLC) is located was purchased from the Department of Defence.
- **1981** BPLC was completed and consisted of indoor sport and recreation facilities.
- **1983** The BPLC outdoor heated pool was added to the facilities.

- **1986** The BPLC outdoor swimming pool was covered with a tension membrane roof.
- **1993** The synthetic athletics track and field areas were opened with the grandstand added on to the site in 2001.
- **2005** The playgrounds at Beaton Park and Wiseman's Park were both installed and are due for renewal in 2020.

All land in the precinct (Attachment 2) is classified as Community Land (shaded green) with the exception of Wiseman's Park Sports Ground, Tennis Courts and Playground, which are all located on Crown land (shaded blue).

All infrastructure is owned by Wollongong City Council, however, is operated and maintained by Council or leased/licensed to a third party (eg Illawarra Basketball Stadium, Wollongong Tennis Club).

The Beaton Park site currently has an overarching Plan of Management that dictates the land use and activities being conducted on this site.

Currently, a number of stakeholders operate from the precinct and include:

- Illawarra Basketball Association (lease)
- Illawarra Table Tennis Association
- Illawarra Badminton Association
- Wollongong City Little Athletics
- Illawarra Blue Stars
- Athletics Wollongong
- Kembla Joggers
- Wollongong Swim Club
- Chris Buchanan Swim Academy (licence)
- Illawarra Sports Medicine Clinic (lease)
- Tennis Wollongong
- Wollongong Tennis Club (lease)
- Illawarra Cricket Association
- Wollongong Olympic Junior Football
- Collegians Junior Rugby League Football Club

Demographic Trends

- The City's population has been increasing for a number of census periods and between 2006 and 2011 it increased from 184,209 to 192,418 people (ABS 2011). This was an increase of 8,209 people (+4.5%). It was estimated in June 2014 that the City's population had increased significantly to 206,724 people.
- The increased population trend will continue to impact on the project area with the Wollongong City population projected to increase to 243,156 by year 2036. This is a projected increase of 41,155 people (+21.6%).

- The population profile of Wollongong is aging, reflecting a nationwide trend with more people aged over 65 years. However, more than six out of 10 (65.6%) of the population are still in their most active years of 0 – 49. This indicates that the current pressure and demands being placed on Council to provide a range of leisure activities and facilities to meet the needs of the residents will continue.
- The local population living close to the Beaton Park Precinct was estimated in 2011 to be 65,360 people, which represented 32.1% of the total City's population.
- The local population living close to the Beaton Park Precinct is estimated to be 78,647 by 2036, which will see 13,287 more people living in the local area. This is a population increase of 20.3%.

As the increased development of high-density multi-story buildings brings more people into the CBD and the surrounding area to live, the need and requirement for more open space and recreation and sport facilities will increase. Beaton Park and Wiseman's Park are located within two km of the CBD and, currently, provide the majority of local and district indoor and outdoor sport and recreation facilities for this residential population. This need will, however, increase as the population grows. This is a key factor to why future redevelopment of this precinct area should be a major ongoing priority project as this valuable open space area will need to be able to cope with much higher use from current and new residents into the future.

Sport and Recreation Trends

The following highlights the range of general sport and recreation trends that are likely to impact on local communities in the future:

- *A gradual ageing of the population.* As life expectancy increases, birth rates stay low and the "baby boomers" of the 1950s and 1960s grow older. This is placing a new demand on providing specific older persons' programs.
- *Flexibility in the times when people recreate.* As demands on people's time increases, and work practices change, people are seeking to take their sport and recreation at different times, over a broad spread of hours and at facilities that offer a lot of activities under the one roof. Indoor pools and health and fitness facilities are particularly attractive and getting easier to use, as many are open 12 to 16 hours per day, seven days a week, with some now also open 24/7.
- *Increased variety in sport and recreation options.* People's sport and recreation options are changing towards newer more varied activities offered over a greater range of timeframes, compared to previous decades, where limited variety in activities and scheduling occurred. This has supported the trend to more multi-use facilities to attract a broader range of users as well as multiple programs to meet different needs at the one centre.
- *Constraints to sport and recreation participation.* Lack of time, lack of facilities close by, family and work constraints, health problems and cost of service, or use of facilities, are the main constraints to many people's sport and recreation participation. The development of targeted markets of users, programs and

services at many aquatic and health and fitness centres has assisted in reducing some of these participation constraints

- *Changing employment structures, trading and work hours.* These trends often make participation in traditional sport and recreation activities difficult and, therefore, people are looking for facilities that are open longer hours and have a lot of activity options at the one site. This makes opportunities, such as indoor pools, and health and fitness centres and indoor sports courts, attractive as their long opening hours and days open per year means usage can be made in a wide range of social, training, competition and educational settings.
- *Different people want different activities.* The different cultural, age, gender of the population sees the need for facilities to offer potential users a much more varied range of programs and services than previously offered. All year round, available indoor and outdoor sport and recreation facilities also provide the greatest diversity of activities throughout the different seasons impacted by the area's weather.
- *Provision of high standard and quality of facilities and services.* People are, more and more, looking for high standard, high quality facilities and services to meet their sport and recreation needs. This has also seen the trend for indoor facilities becoming very popular as they allow activity in safe and secure spaces in all weather and environmental conditions. This leads to indicating that building low standard, low cost facilities will not attract the maximum user market.
- *Desire for activities to be affordable.* The development of multi-purpose aquatic, fitness and indoor sport centres has enabled the high operating cost activities, such as aquatics, to be cross subsidised by more profitable activity areas such as health and fitness, food and beverage and entertainment areas. This has enabled many facilities to keep general entry fees low to encourage use, whilst seeking users who want special services to contribute at a greater level to the cost of such activities. In general, there is a greater reliance on locally accessed and lower cost opportunities by those without the resources to travel and pay for more expensive activities.
- *Recognition of strong links between physical activity and health.* Preventative health care and active lifestyles are very important to many people and aquatic and health and fitness and indoor and outdoor sport activities are becoming a large part of people's activity choices. There is increased recognition of the strong links between involvement in recreational activity and good health, and the development of appropriate activities and services, which support this.
- *Expectations of equity and access.* Today's society expects people with special needs to be catered for in public facilities. This has seen improved design features to increase accessibility to and within such facilities. Added to this is the growing array of programs and activities offered to people of all different abilities, physical condition and skill levels.
- *Sustainable Development.* In addition to the trends above, there are specific trends relating to leisure and sporting facility development, such as sport facility

planners, and operators need to respond to community demand for more sustainable and eco-friendly infrastructure.

A review of the most popular activities, in Australia and NSW, confirms that the Beaton Park Precinct has been, and will continue in the future to be, a significant sport and recreation precinct to people of all ages. Currently the combined facilities located in the precinct can cater for:

- 9 out of the top 12 adult activities participated in Australia 2012;
- 8 out of the top 10 male children's activities participated in Australia 2012; and
- 8 out of the top 10 female children's activities participated in Australia 2012.

Activity	National Participation Males #	National Participation Females #	NSW Participation Males #	NSW Participation Females #
Walking for Exercise	16.5%	30.4%	15.7%	31.3%
Fitness/Gym	15.1%	19.1%	16.1%	17.0%
Swimming/Diving	7.5%	8.0%	8.7%	8.6%
Cycling/BMX	9.8%	5.4%	7.8%	4.5%
Jogging/Running	8.7%	6.4%	9.4%	6.9%
Golf	8.2%	NA	9.3%	1.5%
Tennis	4.9%	3.4%	5.6%	3.9%
Soccer Outdoor	4.1%	NA	5.2%	1.9%
Cricket Outdoor	3.0%	NA	2.5%	NA
Basketball	2.8%	NA	2.0%	0.9%
Netball	NA	4.5%	NA	1.9%
Yoga	NA	3.3%	0.8%	3.5%
Dancing/Ballet	NA	2.5%	0.4%	2.5%
Bush Walking	NA	2.4%	2.4%	3.3%

Source: # Participation in Sport and Physical Recreation Australia 2011-12 (ABS) by males and females aged 15 years and over.

Male Activity Choices	2006#	2009#	2012#
Soccer Outdoor	19.6%	19.9%	21.7%
Swimming/Diving	16.5%	17.2%	16.5%
Australia Rules Football	13.8%	16.0%	14.9%
Basketball	7.4%	8.5%	9.2%
Cricket Outdoor	10.1%	9.7%	8.6%
Tennis	8.0%	9.4%	8.4%
Martial Arts	6.1%	7.5%	7.8%
Rugby League	7.9%	7.0%	7.5%
Rugby Union	3.9%	3.8%	4.0%
Athletics	2.6%	3.0%	3.2%

Source: # Participation in Sport and Physical Recreation Australia 2011-12 (ABS) by children aged 5 to 14 years outside of school hours

Female Activity Choices	2006#	2009#	2012#
Dancing	23.1%	26.3%	27.1%
Swimming/Diving	18.2%	19.8%	18.9%
Netball	17.3%	17.0%	16.2%
Basketball	5.7%	6.3%	6.6%
Soccer Outdoor	6.4%	6.2%	6.5%
Tennis	6.6%	6.3%	6.3%
Martial Arts	2.9%	3.7%	3.7%
Athletics	3.2%	3.5%	3.1%
Equestrian Activities	2.8%	2.4%	2.0%
Hockey	2.2%	2.4%	2.0%

Source: # Participation in Sport and Physical Recreation Australia 2011-12 (ABS) by children aged 5 to 14 years outside of school hours

Importantly, the key areas suggested for improvement in the precinct future strategy also relate to the highest choice participation activities being swimming, health and fitness facilities, indoor sport courts, outdoor sport fields and courts and open space areas for activities such as walking and jogging/running and play. Specifically, future facility improvement priorities need to take into account the increased participation in:

- Aquatic facility use especially indoor facilities, children's play and warm water program pools and the synergy for health and fitness and wellness activities.
- High use indoor sports courts that are multi-use especially for basketball, netball and indoor soccer with venues flexibly designed to be also used for entertainment and event activities.
- High use (synthetics as a part option) outdoor sport areas for a range of sports especially soccer, cricket and other football codes.
- Improved shared use linear trails and activity areas for cycling, walking, running and jogging.

Plan of Management

The Beaton Park Plan of Management was first developed in 1999 and provides an overarching direction for the precinct. It includes all areas located on community land including the leisure centre, sporting fields, tennis facilities and basketball stadium, however, does not include Wiseman's Park which is located on Crown land.

Whilst the Management Plan notes many of the facilities have been developed independently over the years, the end result has seen the development of a diverse sporting and recreation complex catering for a variety of sporting and recreation disciplines.

The plan was last updated in 2007 and highlighted Council's wishes to create the site as a major regional sporting precinct. The key principles of the Plan of Management are:

Sporting and Recreational Objectives

- Maximise the potential of Beaton Park as a venue for sporting and recreational activities at a regional level.
- Ensure that Beaton Park is able to accommodate increased patronage in relation to traffic, parking and other environmental pressures.

Landscaping and Design Objectives

- Ensure that landscaping creates a park like environment and integrates the different uses on the site.
- Ensure that buildings/hardstand areas blend with the landscape to reinforce the park setting.
- Provide for natural and informal areas, where appropriate, throughout the site.

Access and Parking Objectives

- Maximise accessibility to the site for all transport modes and minimise conflicts between them, eg pedestrians and motorists.
- Maximise car parking on site in a safe and environmentally friendly manner.
- Ensure access to the site is safe whilst minimising disruption to the surrounding neighbourhood.

Safety Objectives

- Ensure the safe use of the site's facilities by all visitors.
- Minimise Council's exposure to possible public liability litigation.

Management and Maintenance Objectives

- Manage Beaton Park in a way that ensures that the above objectives are fulfilled.
- Where feasible, enforce regulations to maximise people's enjoyment of the site's facilities.
- Minimise vandalism opportunities.
- Minimise long-term maintenance costs.

Needs Assessment

The needs assessment focused on how Council could better utilise the large open space and aged recreation and sport facilities within the Beaton Park Precinct. This was to ensure that the current population, who are looking for more and improved indoor and outdoor sport and recreation facilities, are catered for along with the development of modern facilities that can take much higher intensity and more flexible use from the increased area population.

The study findings indicate the Beaton Park Precinct is centrally located to inner city infill development areas where there will be more people in the future wanting to use the open space and facilities but, unfortunately, no more open space. This has been a

critical element that has guided the proposed master plans to cater for the future expanded population that will place greater pressure on open space areas and facilities due to increased population density from close by infill and high rise development.

Historically, the precinct has provided a mix of local, district and regional sport and recreation facilities that in the 1970s and 1980s were of high standard and well above contemporary facility provision in other areas. In 2015, many of these facilities are nearing the end of their operational life and, as the population in the area increases, there will be greater pressure to upgrade facilities to increase the range of use as well as intensity of use.

The current regional facilities on site include outdoor sports venues for tennis and athletics and indoor sport for basketball. District facilities include aquatics, health and fitness and wellness, and outdoor football and rugby facilities. The consultation completed with local clubs and associations using these facilities have all indicated they are at near to full capacity and are seeking facility upgrades to take greater and more flexible use. Added to this, are the identified population increases that have occurred as well as projected to continue for the area.

Beaton Park Precinct is also located in a very strategic location with the precinct being close to the university and TAFE and also linked from a linear trail perspective as part of the Fairy Creek Corridor.

The review has found no gaps or duplications in facilities but rather the need to upgrade and expand them, plus modify some spaces for new activity use to ensure greater use from more users. As such improvements are expected to require substantial capital funding, the Master Plan has taken the opportunity to cluster and connect like facilities to provide a more regional use that, in turn, can be used to attract funding from other levels of government.

PROPOSAL

Master Planning

The needs assessment sets out a long-term (2016 to 2036) future direction for both Beaton Park and Wiseman's Park. These have been separated into two distinct zones due to the clear differences in the level and standard of development and the environmental impacts of each area.

The following provides an overview of various considerations for each site that will assist in meeting the health and wellness need of both the local and regional population base into the future.

The precinct assessment findings have identified the following needs for the Beaton Park precinct area. They are based around the need to provide a regional centre of excellence, or high performance area, as well as event facilities to cater for large scale championship activities. It also looks to improve local open space and parkland areas as well as provide wellness areas to cater for the ageing population.

Beaton Park Leisure Centre

The redeveloped Beaton Park Leisure Centre will incorporate new as well as retrofitted areas, in association with long term new (replacement) indoor sport facilities, being added to this centre. These facilities have been recommended to significantly increase centre usage to a broader range of clients as well as improve the centres financial sustainability with new profitable activity areas ie wellness centre, more membership capacity. The improvements will also include new entry and food/beverage and retail services zones. The proposed BPLC extensions and upgrades are required to meet contemporary standards as well as increase capacity for the 13,000 more people moving into the area. Significant increased use will also help improve financial sustainability.

Specific areas proposed in the long-term master plan that see significant change to a more regional type use attractor and more sustainable business model include:

- Enlarging and adding more health and fitness areas to attract more members and users and improve financial sustainability;
- More aquatic leisure water facilities for family and children's use;
- Expanded/new improved wellness facilities as well as linking medical and health areas;
- New warm water pool area for older adults and warm water programs; and
- New food/beverage and merchandising areas plus central reception to control users.

New facilities would include:

- Water program pool and accessible spa to cater for older adults, water therapy, Learn-to-Swim (LTS) and exercise programs;
- LTS leisure pool to cater for LTS, school swimming and water familiarisation;
- Toddlers' water play area;
- Water Play and Splash Pool;
- Water slides;
- Sauna adjacent to program pool;
- Wet Area amenities;
- Plant Room;
- Storage;
- Expansion of gymnasium to cater for up to 1,000 new members;
- Renovation of existing hall to cater for group exercise;
- New front entry, reception, retail and improved circulation links;
- Wellness Centre with 10 treatment rooms and storage and reception areas linked to pool area;
- Redeveloped sports medicine clinic;

- Café and lounge area in main entry area; and
- Four indoor sports courts with change rooms, storage, spectator seating and ability to view adjacent tennis courts.

The Beaton Park Leisure Centre redevelopment plan has also taken the opportunity to re-use and re-organise internal spaces that are out of date as well as fix the poor customer circulation and customer service areas that are well below industry customer expectations. Improved childcare areas, meeting and staff spaces are also included in the BPLC redevelopment.

Illawarra Basketball Stadium

Long term redevelopment of indoor sports courts would see these being relocated at the leisure centre site to be consistent with key industry success trends of clustering and connecting similar managed activity facilities at the one site. This would only be triggered by the need to replace the aged basketball centre.

Locating the new indoor courts (four) as part of the Beaton Park Leisure Centre would also bring indoor courts closer to the tennis court area and the main court could also be used as a major events centre for a range of indoor sports including tennis. A retractable seating area is included to host major event facilities in this new indoor complex and to increase the sustainability and use of this area. Though this is a long term opportunity, master planning allows land to be reserved to ensure this development could occur in the future.

Kerryn McCann Athletics Track

Athletic facilities already meet regional facility status, however it is recommended to review opportunities to develop an improved field area adjacent to the track (to allow synthetic surface pitch to be installed) and increase length/size of grandstand to increase spectator viewing capacity and increase amenities/change areas. This would also cater for the needs of the adjacent playing fields. Lighting of the new synthetic arena and back straight of the track would also need to be prioritised to cater for competition level activities.

These improvements will increase the range of sports using the area and increase player and spectator areas as well as provide for use by the adjacent sporting fields.

Tennis Facilities

Current tennis facilities include 14 courts (10 hard/four synthetic courts) and eight hot shot courts. In the short term, it is recommended to upgrade amenities, expand court lighting to increase night time use and improve car parking whilst, in the longer term, adding two more courts to the south of the existing courts to meet regional status.

Outdoor Playing Fields

Upgraded Regional Outdoor Fields with upgraded surface, drainage and irrigation system on the outdoor fields and new amenities (linked to athletic track/BPLC

improvements). This will provide two reasonable size football fields to meet a regional football centre status as well as summer cricket on site.

Open Space

New Beaton Park community facilities including playground, picnic areas, internal and perimeter linear trails and children/youth activity area in and around the area north of the creek (current basketball stadium and Department Of Defence site).

In line with the valuable open space provided at this park, close to higher density dwelling development and the CBD, it is also proposed to complete a range of park land and open space improvements, including:

- Developing new perimeter shared use trail (cycle and walking) that links also to site interior trails and roadways;
- Linking new trails to future new major road crossing to Wiseman's Park and then link this to this park's new trails as well as link to Ferry Creek Corridor areas and trails;
- Developing new community playground and picnic area and improve landscape and plantings along water way and rear of residential properties;
- Considering (subject to need/provision in the area already) a major active youth and children's area that could include:
 - Skateboard park and amenities;
 - BMX track and scooter/cycle facilities; and
 - Open space parkland areas.
- Developing fun and fitness equipment along main perimeter trail and set up new signage and distance markers etc; and
- New Beaton Park Traffic Management Plan with redeveloped entry/exit and internal road network with linked car parks at key activity nodes. This may include a new entry and bridge link from Gipps Street and more parking at the Beaton Park Leisure Centre site, tennis courts and outdoor playing fields.

Wiseman's Park Precinct

Wiseman's Park has been identified in the project consultation and facility reviews as a local recreation reserve in an active zone of the park that has a low level standard playing field and aged pavilion, two tennis courts and shelter and a large tree and grassed environmental conservation area (in poor environmental condition).

The study's findings clearly indicate this area needs to be developed in two zones being:

- *Zone One Active/Developed Area* – Maintain as a local/district recreation and sport activity space catering for local clubs and surrounding residents. This encompasses the north-west corner of the park, where the open space area is currently mowed and maintained, and where facility development has occurred.

- *Zone Two Environmental Improvement Area* – Develop a long term plan to repair and improve the area in line with accepted environmental protocols and processes.

In summary, it is recommended that Wiseman's Park would benefit from the following:

- Complete detailed review of the area to support an environmental improvement plan for the area;
- Determine main trail location in this zone and then fence off remnant native grasses and tree areas to establish an environmental improvement program including removal of evasive weeds and exotics;
- Once fenced off, develop a nature-walking trail with new interpretative and historical signage at key points of interest with way finding signage;
- Develop a new perimeter shared use trail that links to new interior trails and these to be constructed to reduce maintenance and improve safe use. All other existing trails and paths to be fenced off and returned to natural landscape areas as part of a park landscape improvement plan;
- Link new perimeter trail to Beaton Park trails as well as links to Fairy Creek Corridor areas and trails;
- Upgrade pavilion to required standards for local team sports' use and school sport use;
- Continue to maintain and improve small local playground facility close to shopping area;
- Retention of Wiseman's Park Tennis Courts as local club and community facilities; and
- Consider opportunities to introduce new cycling theme for perimeter developed trails and main internal trail.

The recommended development recognises that the Beaton Park Precinct currently has a varied mix of local, district and regional sport and recreation facilities for local residents and visitors to the area. The recommended developments provide complimentary infrastructure and activity components to improve and expand current facilities so they can:

- Cater for more users as the surrounding area's population continues to increase;
- Attract more regular use and new revenue to help improve sustainability of facility operations;
- Provide opportunities for stakeholders to work with Council to improve and expand facilities;
- Provide a variety of activities to cater for the changing demographics of the area;
- Provide enhanced facilities for existing sports of tennis, athletics, and football;
- Provide enhanced facilities for the indoor sports of netball, basketball, volleyball, badminton, futsal and table tennis;

- Cater for high performance training through the provision of support areas such as indoor pools, spas/saunas, health and fitness, and conditioning facilities, and sports medicine and wellness services;
- Link in with Wollongong University's facilities and high performance support services to provide one of New South Wales Major Regional Sports Centre of Excellence that will attract more events and teams and athletes to Wollongong;
- Be able to be developed to a level that State and Federal Government and State/National Sports Associations would contribute funding or investment support for proposed staged development;
- Provide a more sustainable business model for the leisure centre through the provision of a more regional type facility which includes:
 - Enlarging and adding more health and fitness areas to attract new members and users and improve financial sustainability;
 - More aquatic leisure water facilities for family and children's use;
 - Key industry trends have guided expanded/new improved wellness facilities as well as linking medical and health areas;
 - New warm water pool area for older adults and warm water programs;
 - New food/beverage and merchandising areas plus central reception to control users; and
 - Integrated facilities such as the establishment of new indoor court facilities at the leisure centre site.
- Enhance community access and greater use of facilities as well as a broader range of programs and services being offered; and
- Provide for local and district users through modernised facilities at the Beaton Park Leisure Centre, the development of new walking trails, outdoor fun and fitness as well as the return of some hard surfaces back to park land.

Business Processes

In order to fulfil the requirements of the needs assessment, and be able to cater for the long term needs of the community, a number of fundamental changes need to occur at the site. These may not be required to be completed immediately however should be included when considering the future needs of the site:

- 1 Acquisition of Department of Defence land currently within the precinct area (Lot 1 700616) (Attachment 3). This area is located to the east of the basketball stadium and north of the leisure centre. With increased development in the precinct, and CBD area, pressures for open space will continue to grow as the population increases. This lot would add significant open space to the overall Beaton Park Precinct and allow for the future community needs to be catered for.
- 2 Reclassify portions of the precinct to Operational land to provide for opportunities for more commercial operations (Attachment 4). Currently, all area east of Foley Street is classified as Community Land. Restrictions around the use of the land are outlined in the Plan of Management for the site. Currently, this poses issues with

responding to community needs and demands as these change. It is, therefore, recommended that current 'commercial' areas be reclassified from Community to Operational land. This would include the leisure centre (part of Lot 104, DP 594259), tennis club (part of Lot 113, DP 788462), basketball stadium (Lot 105, DP 594259) as well as land between the track and Weerona College (part of Lot 401, DP 1128781 and part of Lot 113 DP 788462). The reclassification of the land to Operational will provide greater flexibility in ensuring the needs of the community are met in a timely fashion as well as provide for better commercial business decisions to be able to be made.

- 3 Updating of the Plan of Management to reflect the principles of the needs assessment. Following endorsement, an update of the Plan of Management will be made to reflect all agreed proposals for the Precinct.
- 4 Development of a staging plan supported by business proposals for implementation.

CONSULTATION AND COMMUNICATION

Individual meetings and presentations were conducted with a variety of key stakeholders in developing this assessment. These included:

Neighbourhood Forum Five	Illawarra Sports Medicine
Tennis Wollongong	Illawarra Academy of Sport
Football South Coast	Illawarra Hawks Basketball
Wollongong Olympic Junior Football	Beaton Park LC Kiosk Operator
Illawarra Basketball	Illawarra Blue Stars Athletics
Illawarra Badminton	Athletics Wollongong
Wollongong Swimming Club	Wollongong University
Illawarra Junior/Senior Cricket	Destination Wollongong
Illawarra District Table Tennis	People Care Health Insurers

During the meetings, each of the stakeholders identified current issues as well as future needs for their organisation within the Beaton Park precinct. The results of the feedback are below:

Stakeholder	Future Needs
Tennis Wollongong & City of Wollongong Tennis Club	<ul style="list-style-type: none"> Future strategic approach currently being developed by Tennis Wollongong and City of Wollongong Tennis Club to cover the interests of both entities and their use of Beaton Park facilities Supports a centre of excellence - discussing with Tennis NSW As a licensed club any tennis development/maintenance responsibility of City of Wollongong Tennis Club (COWTC) Move to night tennis participation will require additionally lit

Stakeholder	Future Needs
	<p>courts</p> <ul style="list-style-type: none"> Needs a traffic management plan More amenities to service all courts Consider a 3,000 show court in association with Basketball Refer to WCC 'Sports Field Strategic Plan' for possible additional information Will be considering shading over ACE courts
Illawarra Basketball	<ul style="list-style-type: none"> Illawarra Basketball has several years left on their current lease with Council in its current format and as such is responsible for its own developments and maintenance within the leased area (subject to Council approvals) May be interested in discussing a show court arrangement with Tennis but would need greater detail Current occupancy of the basketball stadium would not warrant extensions at this time
Football South Coast	<ul style="list-style-type: none"> Refer to Football NSW audit of facilities to be supplied Investigate potential development of synthetic pitches at Beaton Park Invest in competition lighting at Beaton Park for increased usage opportunities Seek an off-season partner to maximise investment outcomes in the future Street parking is currently generally adequate but if situation changes there may be some need for dedicated off street parking
Wollongong Olympic Junior Football	<ul style="list-style-type: none"> Allowing the discrete installation of a shipping container would alleviate the club's storage problems Investigate a proper WCC staff and stores facility at Beaton Park and free up the purpose built amenities and store areas next to the pitches or consider splitting the large shed in two Would like to see the amenities block upgraded in foreseeable future Increase the lighting with 2 additional lighting poles to service the pitches similar to the Kiama layout that does not impact on cricket pitches Needs an awning on the building to protect players and officials from weather and sun Club would like to fund building an enclosure on the existing fence line so goals could be stored without needing to be dismantled for every training and game situation
Illawarra Badminton	<ul style="list-style-type: none"> Develop a realistic strategy to supply a minimum of 6 badminton courts

Stakeholder	Future Needs
	<ul style="list-style-type: none"> • Illawarra has not investigated the potential to use the Illawarra Basketball Stadium • If Council is seeking additional use of Beaton Park facilities, it could recognise the sport of badminton lends itself to young and older players, men and women and is popular with many international students studying at the University of Wollongong (UoW)
Wollongong Swimming Club	<ul style="list-style-type: none"> • The development of a 51.5 m x 25 m x 3000 mm pool that completely meets the specifications of FINA at BPLC • Such a pool would support the local Learn to SCUBA dive industry • The Association would like to see the reintroduction of the Sports Consultative Committee to continue the discussions around their proposed FINA specified competition swimming pool
Illawarra Cricket Association	<ul style="list-style-type: none"> • Shade – An awning or veranda around the existing amenities building would be a valued addition to players and spectators • Capacity to operate or readily access a canteen to meet the players and spectators refreshment needs • Generally happy with the support given to Cricket at Beaton Park by Council • Funding opportunities may be considered but main strategy sees Cricket and AFL working in partnership with such developments
Illawarra Sports Medicine	<ul style="list-style-type: none"> • All loans are paid off and the Board is managing revenues to service asset maintenance and some research programs • Would like future lease arrangements to support sports medicine research funding • Would like to be supported by lease arrangements to introduce X-ray, diagnostic and other associated sports medicine services • Would like to see hydro therapy services introduced at Beaton Park and would be willing to discuss partnership and funding • Would like to continue to offer some Community Sport Organisations' services as currently occur such as services being supplied to the Wollongong Hawks
Illawarra District Table Tennis Association	<ul style="list-style-type: none"> • Seeking a commitment from Council to allocate a preferred site on the Plan of Management to enable the Association to develop a dedicated table tennis facility as part of Beaton Park • Association believes a dedicated facility will increase the usage of Beaton Park across the week across all demographic sectors
Illawarra Academy of Sport (IAS)	<ul style="list-style-type: none"> • IAS appreciate the support for the Athletes with Disability program that has been extended by Council • Opportunities identified by the interview include: <ul style="list-style-type: none"> – There could be some synergies in investigating a relationship between any future Beaton Park Centre of Excellence and the

Stakeholder	Future Needs
	<p>IAS and the UoW Sports Science Faculty</p> <ul style="list-style-type: none"> – The Beaton Park Leisure Centre has good strength and conditioning facilities but to use these better access to daytime training would need to be negotiated and as these are the busiest times that may be an issue – Access to the 25 m pool is good but a 50 m pool would also be beneficial to the IAS – There may be scope for synergies with the Illawarra Sports Medicine Centre at Beaton Park
Illawarra Blue Stars Athletics	<ul style="list-style-type: none"> • A more cooperative planning model for club needs across all Council Departments • Additional storage as per ‘Barn’ style shed proposals previously submitted to Council • Construct ‘dugouts’ on the inner track fence lines to reduce cost and time associated with setting up shelters for every event. Located at 100 m start and finish, 1 x 200 m start and 1 x field sports precinct • Suggest Council investigate possible funding assistance for the Athletics Centre development needs through the Healthy Cities program.
Athletics Wollongong & Wollongong City Little Athletics Centre	<ul style="list-style-type: none"> • Storage is the Number 1 priority of all athletics clubs • Opportunities to increase patronage by encouraging seasonal/annual memberships that eliminate single entry pay as you go costs but promote frequent use and participation by not just athletics’ participants but cross training opportunities for AFL, Rugby codes, Football, Boot camp and Cross Fit training sessions within the facility • Council establish a card system to record users and frequency of use of the Athletics facilities
University of Wollongong (UoW)	<ul style="list-style-type: none"> • The UoW supports improved aquatic, fitness and indoor sport facilities at Beaton Park • Priority facilities at BPLC would be learn to swim, water and warm water program pool • Outdoor 50 m heated pool has capacity for more use by clubs and athletes looking to train in long course water • Improved indoor sports courts could be linked with the University’s Sports Hub (three courts) and URAC (two courts) and for regional indoor sports event bids. This was also supported by Destination Wollongong as a key area where the City is missing out on major indoor sport events business • UoW can also link in its sports science and high performance services for teams and athletes visiting the area

Stakeholder	Future Needs
Peoplecare Heath Insurers	<ul style="list-style-type: none"> • Strong support to upgrade and expand BPLC to include more multi-use activity areas as well as new health and wellness facilities • Would consider developing services and programs at redeveloped BPLC • Significant trend to be proactive in educating and helping people with health risks to improve their health
Destination Wollongong	<ul style="list-style-type: none"> • Strong support to upgrade BPLC and to work in association with UoW to jointly bid for indoor and outdoor events and high performance teams to visit/held in area • Major gap in the area is a major versatile multi-purpose indoor stadium that can become an event and exhibition centre. Need to have retractable seating for 1,000 to 4,000 people. This could be a four court model and replace the Snake Pit facility • Tennis and Athletics are both regional centres and need to be upgraded as they can be major event draw card facilities • Linking low use/unused Department of Defence land is a great idea to open up more parkland and facilities • Land adjacent to Wiseman's Park would make a great bike skills course that could link very well to the world class mountain bike park development being proposed. Skills area would be easy to access from the City's walking and bike trails and could include mountain bike/BMX and general cycle areas that could fit well into the existing landscape • Potential commercial accommodation opportunity for serviced apartments on land adjacent to the Athletics Track and the University's accommodation units • Support improved parkland, perimeter and internal trails and expanded playgrounds
Tennis NSW (TNSW)	<ul style="list-style-type: none"> • Tennis NSW has seven regions, 'South/East Region' covers Illawarra region • Listed Wollongong Tennis Centre upgrade as a Top 5 priority with NSW Sport and Recreation • Facility would be seen as Tennis Australia Regional Centre • Strong potential for administration base with 1 full-time development staff member and other staff placements • Potential to adapt to the NSW National Academy and player development pathway • Build on relationship with Illawarra Academy of Sport • Potential upgrade to host major events which profile Wollongong region • Capable of hosting up to 90% of TNSW events • Could be one of only two facilities of state significance in the

Stakeholder	Future Needs
	<p>state (planning for six long term)</p> <ul style="list-style-type: none"> Shared show court at leisure centre (3,000 to 5,000 seats) could be used to host Fed Cup and/or Davis Cup
Football NSW (FNSW)	<ul style="list-style-type: none"> FNSW has three regions outside Metro Sydney; Southern covers Wollongong area Interest in potential synthetic field to service the region and establish a centre of excellence South Coast Football could be based from the facility to service the region (currently investigating Dapto facility – seeking funding) South Coast Football responsible for player pathway programs
Swimming NSW (SNSW)	<ul style="list-style-type: none"> SNSW has 12 regions, South/Eastern Swimming Association covers Wollongong area Interest in Centre of Excellence concept for the region, but it would be limited by 25 m pool ‘Podium Pools’ scheme conducted by Swimming Australia provides up to \$100,000 per year based on coaches and athletes – requires long course pool Potential short course events and coaching/development opportunities exist and could be explored further
Basketball NSW	<ul style="list-style-type: none"> Classed as Southern Region Strong interest in potential upgrade/redevelopment of an indoor sports centre at Beaton Park Listed “Wollongong New/Upgrade Multi-Court Venue” as top five priority with NSW Sport and Recreation Current facility is tired and does not meet specifications Strong interest in working with local Association and Council to establish a ‘regional centre’ Substantial event opportunities particularly with other supporting facilities nearby (Berkeley) Shared show court with tennis
Little Athletics NSW (LANSW)	<ul style="list-style-type: none"> Classed as Region 4 (extends from Wollongong out to Wagga) Currently viewed as a regional facility (only synthetic track in region) Support Association’s stance regarding track resurface – required for the facility to maintain its position as regional facility LANSW would look to have a second synthetic track in Wagga (listed as top five priority) Facility does and can hold zone, regional and state multi-events (other state events are held at SOP)

The following Council representatives were also consulted:

Commercial Business – identification of the needs for the leisure centre into the future.

Recreation Services – identification of the needs of local sport utilising the facilities as well as issues around use.

Environment Strategy and Planning - were involved in discussions around the natural areas at Wiseman's Park and current strategies in place for this area as well as rezoning opportunities.

Infrastructure Strategy and Planning – discussions held on possible implications for the capital program into the future.

PLANNING AND POLICY IMPACT

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

Community Strategic Plan	Delivery Program 2012-2017	Annual Plan 2015-16
Strategy	5 Year Action	Annual Deliverables
5.1.6 Urban areas are created to provide a healthy living environment for our community	5.1.6.2 Provide an appropriate and sustainable range of quality passive and active open spaces and facilities	Explore opportunities outlined in needs assessment developed for the Beaton Park Precinct

Ecological Sustainability

As the Wiseman's Park area is an endangered ecological community area, these plans ensure its longer term sustainability by providing a variety of recommendations to preserve the current environment, whilst still providing active and passive recreation areas, for the community.

RISK ASSESSMENT

The precinct currently provides a variety of facilities to cater for the needs of the community. There currently, however, is no integration of services or strategic direction for the whole site. Whilst it currently meets the needs of users, greater potential and, therefore, return is seen through a well thought out and planned approach for the precinct that integrates services and facilities to meet consumer demand.

FINANCIAL IMPLICATIONS

The master plans have an integrated main facility development at Beaton Park to enable it to become a ‘Regional Sports Centre of Excellence’. This will allow Council to stage development with a range of partners and for each stage seek funding from both State and Federal Government funding schemes.

The staged projects can be positioned as developments of regional significance and, therefore, could qualify for funding support for a number of schemes including:

- 1 Federal funding could be sought by application to the National Strengthening Regions Fund (NSRF). The NSRF has a budget allocation of \$1 billion and is now closed for the second round application phase. The scheme guidelines indicate there are two more application phases during the current 4-year budget period of the Federal Government. The scheme currently has a maximum grant ceiling of \$10 million, which must be matched/or higher contribution by the Local Government Area or applicant.
- 2 The NSW State Government is also in the process of setting up a sport and recreation facilities grant scheme with guidelines and application details due in early in 2016. Indications are that this scheme will have a grant budget of \$500 million with \$10 million also as maximum grant allocation . Once guidelines are released, applications should be developed that meet the scheme's guidelines.
- 3 Both national tennis and football organisations have set up facility improvement development schemes and, in the future, may also be the source of funding assistance for high performance and event facilities.

These funding opportunities may see potential funding schemes contributing up to \$20 million towards staged works if Wollongong City Council can match such funding.

CONCLUSION

The needs assessment has identified the requirement for Wollongong City Council to ensure recreational facilities in the area are well planned to cater for the increasing growth and ageing population which will be experienced in the coming years in the area.

Current facilities provide a strong foundation in which to build on and be able to cater for the community for years to come, however, strategic investment is required to ensure the long term commercial success of the area.

The first stage of advancing the outcomes from the needs assessment is to review the Plan of Management to accommodate the proposed improvements. This would include the proposed reclassification of the identified 'commercial' areas from Community to Operational.

ITEM 2

DRAFT PLANNING PROPOSAL: LOT 1 DP 534849 STAFF ROAD,
CORDEAUX HEIGHTS

A draft Planning Proposal request has been submitted for Lot 1 DP 534849 Staff Road, Cordeaux Heights, which seeks to facilitate the subdivision of the land into approximately 90 large residential lots and the establishment of a BioBanking Agreement for the remainder of the land to re-vegetate and protect in perpetuity the riparian corridor in the south of the site. This site was considered in the Farmborough Heights to Mt Kembla Concept Plan that was endorsed by Council (9 December 2013) and the Department of Planning (20 March 2014) to guide future development potential for this area.

This report presents the preliminary assessment of the draft Planning Proposal request and recommends that Council resolve to submit a draft Planning Proposal to the NSW Department of Planning and Environment seeking a Gateway Determination to enable public exhibition.

RECOMMENDATION

- 1 A draft Planning Proposal be submitted to the NSW Department of Planning and Environment for Lot 1 DP 534849 Staff Road Cordeaux Heights seeking a Gateway determination to:
 - a rezone 7.3 hectares of the site from E3 Environmental Management to E4 Environmental Living with a Minimum Lot Size of 1,000m² and Floor Space Ratio of 0.3:1;
 - b retain 30.4 hectares of the site as E3 Environmental Management zoning, changing the minimum lot size to 5,000m²;
 - c rezone the southern riparian corridor and part of the site in the north west and north east (17.3 hectares) from E3 Environmental Management to E2 Environmental Conservation with a Minimum Lot Size of 39.99ha; and
 - d update the Riparian Land and Natural Resource Sensitivity–Biodiversity Maps.
- 2 A BioBanking Agreement be established between the landowner and the Office of Environment and Heritage for the riparian corridor area in the south of the site to be rezoned E2 Environmental Conservation to re-vegetate and protect in perpetuity the riparian corridor (to be dedicated to Council once the BioBank site is under full active management);
- 3 The draft Planning Proposal be exhibited for a minimum period of 28 days; and
- 4 The Department of Planning and Environment be requested to issue authority to the General Manager to exercise plan making delegations in accordance with Council's resolution of 26 November 2012.

ATTACHMENTS

- 1 Site Locality Map and Current Zoning
- 2 Extract from endorsed Concept Plan and accompanying Planning Principles
- 3 Indicative subdivision layout
- 4 Proposed Zoning, Minimum Lot Size, Floor Space Ratio, Riparian Land and Natural Resource Sensitivity-Biodiversity Maps

REPORT AUTHORISATIONS

Report of: Renee Campbell, Manager Environment Strategy and Planning
Authorised by: Andrew Carfield, Director Planning and Environment – Future, City and Neighbourhoods

COMPLIANCE WITH OFFICE OF LOCAL GOVERNMENT GUIDELINES ON COUNCIL DECISION MAKING DURING MERGER PROPOSAL PERIODS

The recommendations of this report satisfy the requirements of the OLG Guidelines – *Council Decision Making During Merger Proposal Periods*.

BACKGROUND

In September 2015 a Planning Proposal request was submitted by Cardno on behalf of the landowner for Lot 1 DP 534849 Staff Road, Cordeaux Heights, with additional information submitted in December 2015 and January 2016. The site comprises 54.98 hectares and is currently zoned E3 Environmental Management. The site is bounded by land zoned R2 Low Density Residential in the south, E4 Environmental Living in the north and east, and E3 Environmental Management zoned land to the west (Attachment 1).

The site is located at the end of Staff and Callistemon Roads, and also has an accessway to Blueberry Place (Farmborough Heights), and Taminga Crescent and Kallara Link (Cordeaux Heights). There is no dwelling house on the property. The owner has a dwelling house on the adjacent lot to the west, and the property is currently used for the grazing of cattle. A paper road goes through the site to the lot in the west and a high voltage electricity easement transverses the site. The site is located at elevations between 80 metres and 130 metres, and there are known areas of landslip on part of the property.

The property has a long planning history, with proposals to rezone land to permit residential and rural subdivision in the wider area having been under consideration since 1994. Over that period various studies have been undertaken with many adopted by Council. Following is a summary of the key studies and resolutions by Council that have been undertaken for the wider Farmborough Heights to Mt Kembla area:

- 1994 Council invited landowners to collectively investigate rezoning opportunities of Farmborough Heights to Mount Kembla (Fair Trading Policy);

- 1996 Council commissioned Forbes Rigby to prepare *Farmborough Heights to Mount Kembla Planning Study 1996* and *Farmborough Heights Local Environmental Study*;
- 1997 Council endorsed the Farmborough Heights to Mount Kembla Strategic Planning study and landowners requested to prepare individual re-zonings for each property;
- 1999 Illawarra Escarpment Commission of Inquiry and moratorium placed on re-zonings within the Escarpment;
- 2004 Exhibition of draft Illawarra Escarpment Strategic Management Plan (IESMP) arising from the Commission of Inquiry;
- 2005 Council resolved that land owners be included in the master planning for the Farmborough Heights to Mount Kembla area. Final IESMP endorsed by Council and forwarded to NSW Department of Planning for review and endorsement prior to adoption;
- 2006 IESMP endorsed by Minister. This endorsement effectively lifted the moratorium on re-zonings;
- 2007 Revised *Farmborough Heights to Mount Kembla Strategic Study: Land Capability Assessment* completed by Cardno Forbes Rigby. This study proposed 160 dwelling lots for the wider study area;
- 2007 *Illawarra Escarpment Land Use Review Strategy* adopted by Council to inform the draft Wollongong LEP;
- 2008 Decision made that Council will review all relevant information in order to develop a Master Plan for all undeveloped allotments between Cordeaux Road and Farmborough Road;
- 2010 Wollongong LEP 2009 approved by the Minister for Planning. Public exhibition of draft Concept Plan to allow residential development and conservation of sensitive escarpment lands. On 23 November 2010 Council resolved that a Planning Proposal should be submitted to the Department of Planning for a Gateway Determination on the concept and further studies required to rezone a number of sites in the Farmborough Heights to Mount Kembla area - if approved by the Gateway Panel then the requested studies are to be completed prior to the draft Planning Proposal being exhibited;
- 2011 Department of Planning determine that a Planning Strategy prepared by Council would provide a framework to properly consider the re-zoning proposals;
- 2012 Council resolved to prepare a draft Planning Strategy for the Farmborough Heights to Mount Kembla area;
- 2013 Farmborough Heights to Mt Kembla Concept Plan completed (GHD P/L) and endorsed by Council (9 December 2013) and the Department of Planning (20 March 2014) to guide future development potential for this area;
- 2015 Revised Illawarra Escarpment Strategic Management Plan exhibited and adopted by Council.

This site at Staff Road Cordeaux Heights was considered in the Farmborough Heights to Mt Kembla Concept Plan that was endorsed by Council and the Department of Planning to provide a strategic framework to guide future development potential for this

area in the context of active conservation. The key objectives of the Concept Plan were to provide certainty for the community by identifying land suitable for conservation and potential development within the study area, as well as provide the opportunity to implement a number of mechanisms that will conserve and manage the environmental attributes of the foothills of the Illawarra Escarpment.

The endorsed Concept Plan is importantly consistent with and complements the Illawarra Escarpment Strategic Management Plan (IESMP 2015) and the Illawarra Escarpment Land Use Review Strategy (IELURS 2007), which consider limited development may be possible having regard to the environmental sensitivity of the receiving environment and provided there are mechanisms in place to drive rehabilitation and restoration of the land and its surrounds. The Concept Plan is also consistent with the objectives and targets of regional strategies including the Illawarra Biodiversity Strategy (2011), Illawarra Regional Strategy 2006-31 (2007) and the Illawarra Shoalhaven Regional Plan (2015), with a focus on priority vegetation and important habitat corridors.

The endorsed Concept Plan identified potential to rezone this site to permit additional large lot residential development, subject to satisfying the accompanying Planning Principles and demonstration that an improved environmental outcome could be achieved for the land. The Concept Plan recommends an E4 Environmental Living zoning for the site with 50% of the developable area to have a minimum lot size of 5000m², 25% with a minimum lot size of 2,000m² and 25% with a minimum lot size of 1,000m², which would enable approximately 91 lots/dwellings. An E2 Environmental Conservation zoning was recommended for the riparian corridor in the south of the site. The Concept Plan identified the opportunity to rehabilitate the riparian corridor in order to re-establish an east west biodiversity corridor (Attachment 2).

The Concept Plan additionally identified the need to demonstrate adequate access to individual lots and through site connectivity. Development would be subject to the preparation of a geotechnical impact assessment at the development application stage that confirms resolution of any geotechnical issues on the site.

PROPOSAL

The draft Planning Proposal request includes an indicative subdivision layout which depicts 90 lots (53 at 1,000m² and 37 at 5,000m²) and the conservation of 17.3 hectares of the site (Attachment 3). To facilitate the proposed development, the draft Planning Proposal request seeks to amend the Wollongong Local Environmental Plan 2009 as follows:

- 1 Rezone 7.3 hectares of the site from E3 Environmental Management to E4 Environmental Living with a Minimum Lot Size of 1,000m² and Floor Space Ratio of 0.3:1;
- 2 Retain 30.4 hectares of the site as E3 Environmental Management zoning, changing the minimum lot size to 5,000m²;

- 3 Rezone the remainder of the site (17.3ha) from E3 Environmental Management to E2 Environmental Conservation with a Minimum Lot Size of 39.99ha in recognition of the environmental attributes and potential to contribute to an improved biodiversity outcome, establishing a BioBanking Agreement for in perpetuity protection of the riparian corridor; and
- 4 Update the Riparian Land and Natural Resource Sensitivity – Biodiversity Maps to reflect the updated environmental studies submitted in support of the Planning Proposal request (Attachment 3).

It is noted that numerically, more than 91 lots could be achieved using the minimum lot sizes. The indicative subdivision plan contains a range of lot sizes. The development strategy contained in the draft Planning Proposal states that the southern section of the site will be subject to a BioBanking Agreement for the long term management, protection and enhancement of the identified environmental qualities, and accordingly zoned E2 Environmental Conservation.

Access to the majority of the proposed new allotments will be gained via an extension of Staff and Callistemon Roads, Cordeaux Heights. Three proposed lots would be accessed through an extension of Blueberry Place in the south of the site, and the indicative subdivision plan proposes a new road from an adjacent subdivision in the north to access four lots.

Full urban reticulation services (power, sewer, water and telecommunications) can be provided to the site. A transport/access review was undertaken as part of the development of the Concept Plan, which found that the site is well serviced by the surrounding road network and that there is capacity within the existing network to accommodate the anticipated development on this site.

Other supporting documents submitted with the draft Planning Proposal request included:

- Ecological Constraints Assessment (EcoPlanning 2015)
- Bushfire Assessment (EcoLogical 2015)
- Landscaping Plan (Cardno 2015)
- Slope Stability Assessment (Douglas Partners 2012)
- Assessment of Visual Impacts (Cardno 2015), and
- Supplementary Slope Stability Assessment (Douglas Partners 2014)

The proponent has undertaken consultation with Council officers and the Office of Environment & Heritage (OEH), to provide input into the development of the Council endorsed Concept Plan and inform the preparation of this resultant draft Planning Proposal request.

KEY ISSUES FOR CONSIDERATION

The following key issues are relevant to the evaluation of the Planning Proposal request:

Consistency with Endorsed Farmborough Heights to Mt Kembla Concept Plan

The endorsed Concept Plan identifies potential for additional residential development on this site in conjunction with scope to rehabilitate the riparian corridor in the south of the site. The recommended zoning for the potential developable areas is E4 Environmental Living, given the proximity to the escarpment and the desire for any development to be rural residential in character. This zoning controls for a more limited range of permitted land uses appropriate to the surrounding environmental setting and importantly this E4 zoning won't allow further subdivision for dual occupancies and multi dwelling houses. The Concept Plan recommended an E2 Environmental Conservation zoning to protect and restore the riparian land in the south of the site, and in recognition of the potential value of rehabilitating the east west riparian corridor.

Larger minimum lots sizes were envisaged in the Concept Plan, identifying the potential for 1000m² lots immediately adjacent to the existing residential development and an overall gradation of lot sizes from east to west (up to 5,000m² lots), in line with the accompanying Planning Principles (Attachment 2).

The submitted Planning Proposal is seeking a rezoning to the recommended E4 Environmental Living zoning for land proposed to be developed adjacent to the existing residential development (at the western end of Staff and Callistemon Roads), and seeks to retain the current E3 Environmental Management zoning for land identified for development potential in the west of the site. The Planning Proposal identifies that the riparian zone would be best rehabilitated, conserved and managed for the long term in accordance with the objectives of the E2 Environmental Conservation zoning, and protected under a BioBanking Agreement. In line with the Concept Plan, an E2 Environmental Conservation zoning is also proposed for part of the site in the north west and north east in recognition of the need to protect significant vegetation (including EECs).

In line with the Concept Plan recommendations, a minimum lot size of 1000m² is proposed for that part of the site proposed to be developed adjacent to the existing residential development at the end of Staff and Callistemon Roads (with an E4 Environmental Living zoning) and 5,000m² lots are proposed for land to be retained as E3 Environmental Management zoning in the west of the site. The proposed minimum lot sizes for the developable area of the site therefore represent a departure from the Concept Plan in that the Planning Proposal is requesting 81% of the developable area to have 5,000m² lots and 19% to contain lots of 1,000m² (see Table 1 below). This increase in the proportion of larger lots is consistent with the need to provide a gradation of lot sizes toward the escarpment, and to reflect geotechnical and bushfire site constraints. The indicative subdivision plan additionally aims to limit development on ridgelines through the use of larger lots (5,000m² as opposed to 2,000m² identified in the Concept Plan) and the location of indicative building envelopes away from ridge tops to minimise visual impacts of development.

Table 1: Lot Size Distribution across Developable Area

Concept Plan	Planning Proposal Request
5,000m ² : 50%	5,000m ² : 81%
2,000m ² : 25%	2,000m ² : N/A
1,000m ² : 25%	1,000m ² : 19%

The riparian corridor in the south of the site would be zoned E2 Environmental Conservation with a minimum lot size of 39.99ha, consistent with the Concept Plan recommendations. A minor amendment to the Riparian Land Map, and an amendment to the Natural Resource Sensitivity – Biodiversity Map, is recommended to reflect the findings from the updated environmental study submitted (EcoPlanning 2015), and to reflect the increased areas to be rezoned E2 Environmental Conservation. The submitted draft Planning Proposal request would result in approximately 90 residential lots, depending on further investigations and finalisation of a subdivision plan at the development application phase.

The Planning Proposal request is consistent with the Planning Principles contained in the IESMP and IELURS, and further developed through community consultation on the Farmborough Heights to Mt Kembla Concept Plan.

Proposed Conservation Plan

The Farmborough Heights to Mt Kembla Concept Plan identifies that there is potential and capacity for appropriately scaled and located development on the interface of the escarpment provided that this development is considered within the context of active conservation.

The endorsed Concept Plan for the wider Farmborough Heights to Mt Kembla study area identified approximately 213 hectares as potential future conservation areas, and concluded that ongoing management of proposed conservation areas will be required in order to improve and maintain biodiversity values. The Concept Plan acknowledges that management is likely to be linked to specific development via a conservation offset strategy that would specify titling, management and funding arrangements. The Concept Plan stated that individual Planning Proposals would be required to be prepared by each land owner detailing how any rezoning on that property will lead to an overall conservation improvement for the escarpment or foothills.

The Planning Proposal request seeks large lot low density residential development opportunity on land identified in the Concept Plan with little ecological value (areas dominated by cleared land, grazing disturbance and exotic vegetation), and proposes to undertake ecological conservation and rehabilitation works associated with the riparian corridor in the south of the site. The Planning Proposal would result in the retention of the largest patch of native vegetation on the Allans Creek tributary in a single lot for the purpose of conservation (14 hectares). The Office of Environment and Heritage (OEH) has identified that the subject site represents a strategically important linkage

opportunity in the context of the foothills and escarpment, and strongly support a long term conservation outcome being achieved for the site through establishing the proposed conservation area.

The Planning Proposal request initially proposed an Environmental Land Trust structure to own and manage conservation land in private ownership (two large environmental trust lots – 135,959m² and 7229m²). The Planning Proposal request indicated that a sum in the order of \$1,127,500 would be dedicated to conservation capital works to be undertaken by the developer (to be funded through a levy on land sales). However, following preliminary notification, the OEH conducted a site visit and suggested that a BioBanking Agreement under the *NSW Threatened Species Conservation Act 1995* would be a more suitable and preferred mechanism for the long term protection of conservation values as it would secure the ongoing vegetation and habitat management and funding in-perpetuity. The OEH stressed that suitable arrangements should be made for securing fully funded management of the proposed conservation lots in perpetuity at the time the land is rezoned rather than at the development application stage.

Rehabilitation of riparian corridors can incur significant costs and as such a suitable mechanism for management and funding is required. The OEH concluded that a one off levy on any future lot sale could be used to generate the estimated \$1.2m Total Fund Deposit required to activate a BioBanking Agreement for the site (EcoPlanning 2015), however the long term ownership of the conservation lots should be resolved as part of the Planning Proposal. OEH suggested that the land could be dedicated to Council ownership once a BioBanking Agreement was established for the site and the fund deposit collected, as a BioBanking Agreement for the site would provide in-perpetuity management payments to the landowner for conservation works. The BioBank site could be dedicated to Council once the BioBank site was under full active management. Full active management is triggered when 80% or greater of the Total Fund Deposit (approximately \$1.2 million) has been satisfied through credit retirement.

The BioBank site would conserve approximately 10 hectares of native vegetation, including 1.3 hectares of the endangered ecological community Illawarra Subtropical Rainforest (ISR) and potential habitat for a range of threatened species and one threatened flora species. Additionally, the BioBank site would conserve approximately 4 hectares of currently cleared and disturbed land, involving revegetation works to increase native vegetation cover.

A revegetation and vegetation management plan is required for the rehabilitation of the riparian zone. An assessment of the biodiversity values of the proposed conservation lots using the BioBanking Assessment Methodology (BBAM 2014) would be required for the establishment of BioBank site under a BioBanking Agreement. Any required asset protection zones (APZs) must be located outside the proposed conservation lots, and excluded from any BioBank site footprint. It is anticipated that this assessment of biodiversity values using the BBAM would occur following the Gateway determination, with a BioBanking Agreement in place prior to notification of any LEP amendment.

Implementation of a BioBanking Agreement in association with low density limited residential development provides both the legal and financial mechanisms to ensure the long term conservation and enhancement of the identified biodiversity values and rehabilitation of an important east-west corridor. This would be in line with the Concept Plan and associated planning principles (2013), where any rezoning on a property must lead to an overall conservation improvement.

A focus on riparian conservation to improve the ecological value of the watercourse is consistent with Council's Illawarra Biodiversity Strategy (2011), which highlights the degradation of native riparian vegetation and invasion of exotic weeds as major threats to biodiversity in the Illawarra, and identifies the importance of Council encouraging conservation and restoration efforts on private land in this regard. A network of regional biodiversity corridors has been mapped as part of the Biodiversity Strategy, with the value of landscape connectivity well recognised by various state, regional and local policies, including Australia's Biodiversity Conservation Strategy (2009), the Southern Rivers Catchment Action Plan (2013-23), and the Illawarra-Shoalhaven Regional Plan (2015). Maintaining connectivity and enhancing existing connectivity within corridors by regenerating or revegetating missing links, is also one of the three recommended approaches to managing biodiversity in the face of climate change.

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

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

The proposed Biobanking Agreement includes binding provisions to carry out management actions to improve biodiversity values on the site (including EEC and threatened species habitat) and not undertake activities that would reduce the biodiversity values of the BioBank site. The proposed Biobanking Agreement will be supported by a site specific site restoration strategy that will provide guidance on a range of standard and other management actions. Standard management actions will include:

- Weed control of noxious and environmental weed species;
- Revegetation to restore native vegetation cover over an area of cleared and disturbed pasture on the northern part of the proposed BioBank site, expanding and improving the existing corridor values;
- Supplementary planting in areas of sparse native vegetation cover and regeneration areas;
- Implementation of fire management regime that that is designed to provide improved ecological function;
- Sediment and erosion controls;

- Vertebrate pest management; and
- Maintenance of natural flow regimes in the riparian zone.

Depending on the site conditions, a Biobanking Assessment may identify additional management actions to those highlighted above to contribute to the improvement of biodiversity values.

Bushfire

The site is identified as bushfire prone with slopes ranging from 0-18 degrees. A Bushfire Planning Constraints review was undertaken by EcoLogical (2015) to inform the preparation of an indicative subdivision plan, providing bush fire protection recommendations to ensure suitability of part of the subject lands for residential land use. The report recommended a number of bushfire protection measures in line with the NSW Rural Fire Services (RFS) document *“Planning for Bush Fire Protection 2006”*, however noted that more detailed and site specific investigation of setbacks will be required as part of future subdivision applications.

The specific recommendations included appropriate Asset Protection Zones to be provided to all future dwelling houses; a perimeter road between the hazard to the south and dwellings proposed along the extension of Callistemon Road; access for firefighting operations to be constructed in accordance with the specifications of Section 4.1.3 (1) of *Planning for Bushfire Protection 2006*; provision of street water hydrants compliant with Australian Standard AS 2419.2; and appropriate construction standards to be applied to all future dwelling houses. The EcoLogical report also recommended a secondary access point for a proposed cul-de-sac that exceeds 200m in length in the north-west corner of the site. A revised indicative subdivision plan has replaced this cul-de-sac with a proposed new road to the north of the site. Details of any proposed access from the north will be assessed at the subdivision stage.

The Rural Fire Service (RFS) publication *Planning for Bushfire Protection 2006* recommends that residential developments be separated from bushland via a perimeter road, and that residential developments situated more than 200 metres from a public through road require an additional access road and dead ends should not be more than 200 metres in length and are not recommended. These requirements will need to be addressed in the preparation of the final subdivision layout (particularly in relation to designing appropriate access to the larger 5,000m² lots proposed), in consultation with the RFS.

The RFS has undertaken a preliminary review of the Planning Proposal and raised the following concerns:

- The indicative subdivision layout will require modification to provide a perimeter road between the residential lots proposed at the end of Callistemon Road and the bushfire hazard; and
- The proposed cul-de-sac in the north-west corner of the site exceeds 200m in length, requiring a secondary access point for safe evacuation in the event of a bush fire.

These concerns were addressed through a modification of the indicative subdivision plan, to include a perimeter road off Callistemon Road and replace the proposed cul-de-sac with a new road from the adjacent subdivision in the north. The RFS will be provided with further opportunities at the development application and detailed subdivision stage to work with the proponent to ensure that safe access and egress in a bushfire event can be achieved. In line with the Planning Principles accompanying the Concept Plan, no clearing of native vegetation is proposed for dwelling sites or Asset Protection Zones (APZs).

Geotechnical

Various geotechnical assessments have been undertaken on the site by Jeffery & Katauskas (1988, 1989, 1992 and 1993), Southern Geotechnics (2006) and Douglas Partners (2012 and 2015) to identify the site constraints and guide the indicative subdivision. The topography of the site encourages a higher density of residential development towards the central eastern portion of the site. Larger lot sizes were recommended in the Concept Plan (up to 5000m²) in the vicinity of areas mapped with a geotechnical instability constraint, to provide for an appropriate building footprint. The development concept (indicative subdivision plan) accompanying the Planning Proposal request illustrates geotechnically suitable building areas and indicative building envelopes within these areas. An updated detailed geotechnical report will be required at the development application stage to support the engineering designs for any proposed subdivision.

Internal consultation additionally has indicated that Council would be unlikely to take on a road asset in a geotechnically constrained area and, should the subdivision proceed, a Community Title subdivision may be required for the areas proposed for larger lot development, incorporating a private road access.

Visual Impact

The Planning Principles adopted with the Concept Plan identify the need for development to be located with full consideration of its visual context within a precinct. A visual impact analysis (Cardno 2015) was submitted with the Planning Proposal request, and while the indicative subdivision plan aims to limit development on ridgelines through the use of larger lots (5,000m²) and the location of indicative building envelopes away from ridge tops to minimise visual impacts of development, further visual impact analysis may be required at the development application stage when finalising a subdivision layout.

The potential visual impact of a subdivision on the upper ridges of the site should be carefully considered at the development application stage with respect to the principles and strategies outlined in the IESMP, given the heritage significance of the Illawarra Escarpment and the cultural significance of Mt Kembla.

CONSULTATION AND COMMUNICATION

Preliminary agency consultation was carried out as part of the assessment of the draft Planning Proposal request, which involved referral to the Office of Environment and Heritage, Roads and Maritime Services, NSW Rural Fire Service, Department of Primary Industries, Sydney Water and relevant internal divisions of Council. The Office of Environment and Heritage attended a site visit and a subsequent meeting was arranged to discuss BioBanking as a mechanism for the long term conservation of the riparian corridor in the south of the site. Preliminary community consultation has not been conducted as extensive consultation occurred with the development of the Farmborough Heights to Mt Kembla Concept Plan.

Comments were provided on the draft Planning Proposal, as follows:

Issue Raised	Council Officer Response
<p>Office of Environment & Heritage (OEH):</p> <p>Strongly support a long term conservation outcome being achieved for the site through establishing the proposed conservation area. Preferred mechanism for securing and managing the conservation lots is a BioBanking Agreement under the NSW Threatened Species Conservation Act 1995, to ensure ongoing management and funding security. Suitable arrangements should be made for securing fully funded management of the proposed conservation lots in perpetuity at the time the land is rezoned rather than at the development application stage. Long term ownership of the conservation lots should also be resolved as part of the Planning Proposal. Council may consider ownership as a BioBanking Agreement would provide in-perpetuity management payments to the landowner.</p> <p>Recommend E2 Environmental Conservation zoning for the conservation lots as this zone more appropriately reflects the long term conservation outcome to be secured. E2 zone provides enhanced environmental protection and prohibits land uses that are not conducive to a long term conservation outcome.</p> <p>Concerned about proposed development lots within areas of high ecological constraint in the site's south eastern corner. Allowing the EEC to be contained within multiple ownership is problematic given the resulting fragmentation, which can cause further degradation of the ISR EEC's integrity. Also concerned that associated APZ clearing would lead to further degradation, rather than rehabilitation, of</p>	<p>Noted</p> <p>E2 Environmental Conservation zoning also recommended by Council officers (in line with Concept Plan) and agreed to by proponent.</p> <p>Indicative subdivision plan has removed these proposed lots – area proposed for E2 Environmental Conservation zone to be included in a BioBanking Agreement. Final subdivision plan will take account of required APZs in the context of the BioBanking Agreement.</p>

Issue Raised	Council Officer Response
<p>this already disturbed area of high ecological constraint – need to consider the proposed E4 lot layout in this area to preserve the current intact nature of the ISR EEC corridor.</p> <p>Acknowledges that the site is largely cleared, with the remaining vegetation cover concentrated on steep slopes and within riparian gullies. Illawarra Subtropical Rainforest (ISR), listed as an endangered ecological community (EEC) under the NSW Threatened Species Conservation Act 1995, is mapped on the site – these areas of ISR EEC are included within the high environmental value lands identified by the Illawarra Regional Strategy and Illawarra Shoalhaven Regional Plan (the site is identified within a biodiversity corridor).</p> <p>Further detailed biodiversity assessment will be required should the proposed conservation lots be secured by virtue of a BioBanking Agreement. To minimise ongoing removal and /or modification of vegetation on site (in particular ISR EEC), it is recommended that all building envelopes and asset protection zones (APZs) should be set outside the applicable 10/50 Code area (minimum 50m from outside edge of the riparian zone). Support the recommendation of the ecological constraints analysis (Ecoplanning 2015) that further riparian top of bank mapping should be undertaken to inform the final subdivision layout. Concern for proposed lots 45-54 which feature building envelopes sited directly adjacent a drainage line north of the Staff Road extension. In addition to potential environmental impacts, these lots may also be subject to localised flooding.</p> <p>Aboriginal cultural heritage assessment of the proposed development area in accordance with OEH guidelines is encouraged at an early stage of the planning process. In addition to archaeological values, there may be broader cultural values applicable to the subject area associated with the cultural landscape and travel routes between Mt Kembla and the coastline.</p>	<p>In the context of the foothills and escarpment, the subject site represents a strategically important linkage opportunity and therefore the development of the site presents a significant opportunity to revegetate the riparian zone to recreate linkage between the vegetated areas to the east and the escarpment to the west.</p> <p>A BioBanking Agreement will be established for rehabilitation works to the riparian corridor, planting native vegetation identified as EECs and other measures as identified in the Agreement in association with OEH. The final subdivision plan will take account of required APZs in the context of the BioBanking Agreement.</p> <p>The site is not identified as containing any Aboriginal heritage items. However, due to the site context and location of the watercourse, an Aboriginal Heritage investigation will be carried out to inform the subdivision development application. OEH agrees that the Aboriginal cultural heritage investigation may be undertaken at the DA stage, although encourages the conduct of these assessments at an early stage of the planning process.</p>

Issue Raised	Council Officer Response
<p>Roads & Maritime Services (RMS):</p> <p>No objections to the planning proposal in principle.</p>	<p>Noted</p>
<p>NSW Rural Fire Service (RFS):</p> <p>The indicative subdivision layout will require modification to provide a perimeter road between the residential lots proposed at the end of Callistemon Road and the bushfire hazard.</p> <p>The proposed cul-de-sac in the north-west corner of the site exceeds 200m in length, requiring a secondary access point for safe evacuation in the event of a bush fire.</p>	<p>The proponent has submitted an updated Concept Development Layout (indicative subdivision plan) to address RFS concerns:</p> <ul style="list-style-type: none"> • includes a perimeter road off Callistemon Road; and • the cul-de-sac is replaced by a proposed new road from the adjacent subdivision in the north (to be assessed at DA stage).
<p>Sydney Water:</p> <p>Water and wastewater connections are available from the western boundary of Staff Road and Callistemon Road – these existing systems have sufficient capacity to facilitate the proposed development. The developer will be required to construct localised water mains to facilitate the development. The proposed development site is traversed by a 300 mm drinking main – where proposed works are in close proximity to a Sydney Water asset, the developer may be required to undertake additional works to protect the water main.</p>	<p>Noted</p>
<p>Department of Primary Industries - Water:</p> <p>Further ground truthing of the watercourses on site is required to confirm which mapped drainage lines are considered Waterfront Land as defined by the Water Management Act 2000 and to inform the rehabilitation of riparian corridors. DPI supports the proposal for the preparation of a riparian corridor Vegetation Management Plan.</p> <p>Flood modelling and bushfire management for the site is to account for fully structured vegetation within riparian corridors and any proposed riparian corridor encroachment will require offsetting in accordance with the Guidelines.</p> <p>Public ownership of riparian corridors is considered to be the most effective mechanism for ensuring appropriate long term management of the function</p>	<p>Noted</p> <p>Planning proposal updated to replace the Environmental Trust mechanism with a BioBanking Agreement for the</p>

Issue Raised	Council Officer Response
and health of these areas (noting that the draft planning proposal seeks to manage riparian land through the establishment of an Environmental Trust and via private ownership).	site to protect in perpetuity the riparian corridor in the south (as per OEH recommendations).

Council's natural resources staff inspected the site to determine support for the proposed dedication to Council with on-going funding of the riparian E2 land as part of a BioBanking Agreement. Support was indicated for this BioBanking initiative and dedication with funding.

Internal consultation identified the need to defer support for the proposed lot layout (including potential building envelopes) until such time as sufficient information is presented that addresses the existing flooding constraints in line with Council's floodplain policies.

While there were no traffic related objections to the planning proposal, internal consultation has indicated that Council would be unlikely to take on a road asset in a geotechnically constrained area. Should the subdivision proceed, a Community Title subdivision incorporating a private road access may be required for that part of the site proposed for larger lot development (proposed E3 zoned land containing 5,000m² lots). Prior to submitting a development subdivision application, the applicant will also be required to undertake further detailed design of the road network to demonstrate it is trafficable by a large rigid vehicle (LRV) and that waste collection and emergency vehicles are able to turn safely within the proposed cul-de-sacs.

Internal consultation has identified the need for an Aboriginal Archaeological and Cultural Heritage Assessment of the site to inform the subdivision layout and design, including consultation with the local Aboriginal Community. Additionally, a European archaeological assessment should be prepared to consider the likely significance of potential archaeological sites related to the past uses of the site (dairy and mining). The existing fig trees (one Morton Bay and two other figs) grouped on the ridge near the bend of the existing access drive offer a significant landmark planting and should be retained within any future subdivision of the area. The potential visual impact of a subdivision on the upper ridges of the site should be carefully considered at the development application stage with respect to the principles and strategies outlined in the IESMP, given the heritage significance of the Illawarra Escarpment and the cultural significance of Mt Kembla.

Should Council resolve to prepare a draft Planning Proposal for the subject lands the proposal will be forwarded to the NSW Department of Planning and Environment for a Gateway determination. The Gateway determination, if granted, permits Council to publicly exhibit the draft Planning Proposal and provides a directive as to the relevant public authorities to be consulted.

It is recommended that consultation should occur with the Escarpment Planning Reference Group, Heritage Reference Group and Aboriginal Reference Group during

the public exhibition period, should the draft Planning Proposal receive a favourable Gateway determination.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 objective *“The Natural environment is protected and enhanced”*, under the Community Goal *“We value and protect our environment”*.

Community Strategic Plan	Delivery Program 2012-2017	Annual Plan 2015-16
Strategy	5 Year Action	Annual Deliverables
1.6.1 Our urban environment minimises impacts on habitat and biodiversity and areas of high conservation value are protected.	1.6.1.1 Review planning controls for environmentally sensitive locations.	Continue to assess Planning Proposals against environmental strategies, including the Illawarra Biodiversity Strategy and the Illawarra Escarpment Strategic Management Plan.

The draft Planning Proposal request is consistent with the recommendations contained in the Farmborough Heights to Mt Kembla Concept Plan (2013) which was informed by the Illawarra Escarpment Commission of Inquiry (1999), Illawarra Escarpment Strategic Management Plan (2006), Illawarra Escarpment Land Use Review Strategy (2007) and the Illawarra Biodiversity Strategy (2011). The draft Planning Proposal request is also consistent with the more recently adopted Illawarra Escarpment Strategic Management Plan (2015).

CONCLUSION

Implementation of a BioBanking Agreement in association with low density residential development will provide a suitable development outcome for this site whilst significantly enhancing the biodiversity values of an important riparian and habitat corridor. The Office of Environment and Heritage has acknowledged the potential for net conservation gains at this site and provided in principle support for the establishment of a BioBanking approach to provide the legal and financial mechanisms to ensure the long term conservation and protection of the biodiversity values on the site.

It is recommended that Council resolve to prepare a draft Planning Proposal for Lot 1 DP 534849 Staff Road, Cordeaux Heights and submit it to the NSW Department of Planning and Environment seeking a Gateway Determination, prior to public exhibition.

ITEM 3

STEWART STREET EAST CAR PARK - LICENCE TO WIN SPORTS AND ENTERTAINMENT CENTRES

Council has received a request from WIN Sports and Entertainment Centres (WSEC) to increase the parking charge at Stewart Street East Car Park (SSECP) to \$10 per vehicle during WSEC major event nights.

RECOMMENDATION

Council agree to the request from WIN Sports and Entertainment Centres to increase the parking charge at Stewart Street East Car Park to \$10 per vehicle, during WSEC major event nights.

ATTACHMENTS

- 1 Council Resolution and Report of 24 August 2015
- 2 WSEC letter to Council dated 6 February 2016

REPORT AUTHORISATIONS

Report of: Peter Coyte, Manager Property and Recreation
Authorised by: Greg Doyle, Director Corporate and Community Services – Creative, Engaged and Innovative City

COMPLIANCE WITH OFFICE OF LOCAL GOVERNMENT GUIDELINES ON COUNCIL DECISION MAKING DURING MERGER PROPOSAL PERIODS

The recommendation of this report satisfies the requirements of the OLG Guidelines – *Council Decision Making During Merger Proposal Periods*.

BACKGROUND

Council at its meeting on 24 August 2015 (see Attachment 1) resolved that:

“A licence be issued to Illawarra Venues Authority for the WIN Sports and Entertainment Centre on the following basis:

- *Term of five years;*
- *Rental fee of \$4,500 with an increase by CPI on each anniversary; and*
- *General Conditions as outlined under Proposal in this report.”*

The report outlined the General Conditions of a proposed licence which included a reference to a parking charge of \$5 per vehicle.

Council is in receipt of a letter (refer Attachment 2) from the WSEC requesting the parking charge per vehicle be increased to \$10 per vehicle. The basis of this request was that, *“...the proposed Licence Fee of \$4,500 per annum and estimated costs of management being \$6,500 does not leave sufficient contingency for other costs*

(management and administration time, signage renewal, parking ticket production, staff on-costs etc) to make this a going concern...”

Council's Property Services Manager (PSM) questioned the WSEC regarding their request by pointing out that their request to increase fees by 100% may not necessarily increase their revenue from parking charges.

Figures provided by the WSEC indicated that in the 2014/15 Financial Year the average number of cars using the car park during major events was 83.94 cars which equates to an occupancy rate of 40.9%. The PSM queried whether the 100% parking charge increase would affect the occupancy rate to the extent where the revenue derived from car parking may not increase at all or would be negligible at best.

The WSEC advised they had considered the PSM's point at the Illawarra Local Venues Council (ILVC) meeting of 4 February 2016 and it was resolved:

“That increasing the fee would not (in the opinion of the ILVC) reduce usage on event days due to the convenience of the car park.”

It should be noted that the WSEC uses the car park for their sponsors on site free of charge which contributes to the low occupancy rate on major event nights.

PROPOSAL

It is proposed that the WSEC increase their parking charge from \$5 to \$10 per vehicle on WSEC major event nights as part of their licence conditions. The increase will cover the proposed licence fee of \$4,500 per annum, estimated costs of management being \$6,500 and other costs (management and administration time, signage renewal, parking ticket production, staff on-costs etc).

Other private providers of event parking are currently charging \$10 per car.

CONSULTATION AND COMMUNICATION

WIN Sports and Entertainment Centres (refer Attachment 2).

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 goal under the Objective - *“Wollongong's Central Business District continues to expand as the regional centre for commercial services, health services and other higher order services, retail, entertainment and dining to stimulate and retain local employment - Community Goal – We have an innovative and sustainable economy”*.

It specifically delivers on the core business activities as detailed in the Property Services Service Plan 2015-16.

RISK ASSESSMENT

The risk for the WSEC, should Council not agree to the increased parking charge, is that they may not be able to fulfil their contractual arrangements with their major users and, therefore, place those events at risk of loss to the City. To mitigate that risk, the WSEC would need to acquire land and construct a car park. Given the lack of land in the immediate vicinity, this would be difficult. The strategy developed by Council and WSEC has been that the Stewart Street East Car Park has the capacity to provide parking for both day-time and night-time uses. The proposed use by WSEC is during very low levels of use by the community other than to attend WSEC events. WSEC identified a need to contribute to parking in their recent submission seeking funding for refurbishment of the Centre.

FINANCIAL IMPLICATIONS

There are no financial implications to Council other than increased income from the licence.

CONCLUSION

The WSEC consider that to ensure the viability of the licence, they need to increase fees to \$10 per vehicle. They are confident that the current occupancy rate will not be impacted.

ITEM 4

EXTENSION OF FUNDING AGREEMENT FOR THE ROUND 3 LOCAL INFRASTRUCTURE RENEWAL SCHEME - WEST DAPTO ACCESS

In February 2015, Council was successful in gaining a three percent (3%) interest rate subsidy on a \$15M loan under Round 3 of the NSW Government's Local Infrastructure Renewal Scheme (LIRS) to part fund the design and construction of the West Dapto Access – Princes Highway/Fowlers Road to Fairwater Drive project.

This report seeks delegation to finalise and execute a variation to the LIRS (Round 3) Funding Agreement, which was presented to Council by the Honourable Paul Toole MP, Minister for Local Government, in early April 2016. The variation increases the total quantum of the LIRS interest subsidy (over the term of the loan) from \$2.5M to \$3.23M; a total additional subsidy of \$729,000. The additional \$729,000 provides Council the option of an additional drawdown of approximately \$5.50M.

RECOMMENDATION

- 1 The information contained in the report, relating to the variation of the LIRS borrowing program interest subsidy, be received.
- 2 Council approve the borrowing of an amount of \$5.5M at a fixed rate over an 8.25 year term with a quarterly repayment schedule.
- 3 Council's General Manager be delegated authority to negotiate appropriate loan terms in accordance with this report and resolution.
- 4 Authority be granted to affix the Common Seal of Council to the loan documents, LIRS (Round 3) 'Variation of Agreement' and Loan Interest Subsidy Variation and any other documents required to give effect to the loan agreement.

ATTACHMENTS

- 1 Letter of Offer from The Honourable Paul Toole, MP; Minister for Local Government
- 2 Variation of Agreement

REPORT AUTHORISATIONS

Report of: Mike Dowd, Manager Infrastructure Strategy and Work
Authorised by: Glenn Whittaker, Director Infrastructure and Works – Connectivity, Assets and Liveable City (Acting)

COMPLIANCE WITH OFFICE OF LOCAL GOVERNMENT GUIDELINES ON COUNCIL DECISION MAKING DURING MERGER PROPOSAL PERIODS

The recommendations of this report satisfy the requirements of the OLG Guidelines – *Council Decision Making During Merger Proposal Periods*.

BACKGROUND

As part of its NSW 2021 State Plan, the NSW Government committed to increasing expenditure on critical infrastructure. One of the strategies to achieve this objective is the implementation of Local Infrastructure Renewal Scheme (LIRS) which provides the opportunity for Councils to access interest subsidies for the purpose of funding infrastructure backlogs. The subsidy aims to provide an incentive to Councils to make greater use of debt funding to accelerate investment in infrastructure backlogs and augment funding options already available to Councils.

The LIRS (Round 3) provides a three percent (3%) interest subsidy for this purpose. Under this program, Council initially applied for the 3% interest subsidy, on a \$21.5M loan, that would be used over a five year period to part fund the design and construction of the Princes Hwy/Fowlers Road to Fairwater Drive road link; the primary flood accessible route into West Dapto.

The Office of Local Government advised that the application was successful; however, the loan amount for the interest subsidy has been capped at \$15M and provided a draft funding agreement to this extent.

In April 2016, the Honourable Paul Toole MP, Minister for Local Government, issued a letter to Wollongong City Council (WCC) extending an offer to vary the existing LIRS (Round 3) Agreement subsidy by an additional \$729,000 (ex. GST). These funding grants had previously been allocated to two NSW Councils that no longer require them and the Minister's first preference for re-distribution is to Wollongong City Council. As the subsidy is an extension to the existing agreement, which has 8.25 years remaining, the term of the loan will need to match the remaining period.

Over the full 10 year subsidy agreement term, the total interest paid by Council will now be subsidised to the value of \$3.23M (ex. GST), instead of the \$2.5M awarded under the original LIRS (Round 3) Funding Agreement. The additional \$729,000 provides Council the option of an additional drawdown of approximately \$5.5M when aligning terms of the previous loan. This means the new loan will be taken over a period of approximately 8.25 years to align the maturity with the original loan.

PROPOSAL

LIRS Funding Agreement Extension

It is proposed that Wollongong City Council (WCC) execute the 'Variation to Agreement' to the existing LIRS (Round 3) Funding Agreement. This variation operates under the

existing terms and conditions of the previously signed LIRS (Round 3) Funding Agreement (executed 30th of January, 2015).

In order to execute the funding agreement extension, the extension is to be signed by the General Manager and Lord Mayor with the Common Seal of Council affixed.

Loan Agreement

It is proposed that Council borrow the \$5.5M in the current year at best value from one of the four major banks or NSW Treasury Corporation (T-Corp). It is noted that T-Corp are now able to lend to Council's deemed *Fit for the Future*.

A request has been made for indicative quotations to borrow \$5.5M at a fixed rate over an 8.25 year term based on a quarterly repayment schedule from the following banks and T-Corp:

- Commonwealth Bank Australia (CBA)
- National Bank Australia (NBA)
- Westpac
- Australia New Zealand Bank (ANZ)
- NSW Treasury Corporation (T-Corp)

Pricing is indicative and is based on rates as at April 2016 and will be subject to change as each quote will be re-priced at the exact date the deal is executed.

Responses from the banks are outlined in the table below.

Institution	Loan Term	Quarterly P & I Repayments	Fixed Interest Rate
Commonwealth Bank Australia	8 years 3 months	\$168,760	3.86%
National Australia Bank	8 years 3 months	\$173,107	4.50%
Westpac	8 years 3 months	\$175,166	4.80%
NSW Treasury Corporation	8 years 3 months	\$163,683	3.10%

- ANZ were unable to provide a rate in the time available.

Fixed or Variable Rate

The decision on whether to enter into a fixed or variable loan is difficult given the volatility of the current financial landscape and differing views of economists. The CBA recently reported that although the increasing Australian dollar is a cause for concern for the RBA it was still unlikely to cut rates. (Reference: SMH, 30 March 2016). The ANZ has joined this growing view that the RBA is done easing rates by scrapping a prediction of two more cuts this year. However, there are plenty of economists expecting one more cut this year. This is reflected in financial markets which have priced an 84% chance of a cut in 2016 (Reference: SMH, 23 March 2016).

Overall, a recommendation to fix the interest rate of the loan has been made, primarily based on a historically low official cash rate. It is considered that while there is potential for rates to drop further in the short term the potential downside is limited given the 3% subsidy available. It is more likely that rates will return to higher levels during the 9.5 year term of the loan. Further to this major banks have shown a propensity to lift rates

independently of the RBA (Reference: SMH, 13 January 2016). Fixing the rate will provide cost certainty to the budgeting process throughout the term of the loan and subsidy. Variability will remain on the income side of the analysis as revenues from unexpended loans will vary over time.

CONSULTATION AND COMMUNICATION

The program of works was the subject of community consultation via the Annual Planning process.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 - Goal 4 'We are a connected and engaged community'. It specifically delivers on the following:

Community Strategic Plan	Delivery Program 2012-2017	Annual Plan 2015-16
Strategy	5 Year Action	Annual Deliverables
4.4.5 Finances are managed effectively to ensure long term financial sustainability.	4.4.5.9 Continue to actively seek grants and contributions to deliver core community infrastructure and services.	Continue to seek external funding to support delivery of core community infrastructure projects.

RISK ASSESSMENT

There is a risk that the final interest rate offered by the successful bank or TCorp may be higher than the initial quote. The capital contingencies over the period are sufficient to fund any reduction in the subsidy amount and/or accelerate loan repayments as necessary to maintain the effective subsidy amount.

FINANCIAL IMPLICATIONS

The required changes to the Budget to reflect the extension to the interest subsidy will be introduced through the March 2016 Quarterly Review process. The required changes to the Capital Budget will be introduced, in stages, over the term of the agreement in accordance with the required expenditure projections.

CONCLUSION

The extension of subsidised debt funding, under LIRS, aids in accelerating the delivery of significant asset renewal and improvement programs for community facilities and provides Council with another means of reducing:

- the funding gap for the delivery of the assets; and
- construction and cost risks associated with multi-year staged implementation.

ITEM 5 IPART REVIEW OF THE LOCAL GOVERNMENT RATING SYSTEM

In December 2015, the Premier of NSW requested that Independent Pricing and Regulatory Tribunal (IPART) undertake a review of the Local Government Rating Systems. On 13 April 2016, IPART released the Issues Paper based on the findings of the review. This report to Council contains the Issues Paper and a draft submission responding to those recommendations.

RECOMMENDATION

Council endorse the Draft Submission (Attachment 2) as Council's response to the call for submissions from the IPART.

ATTACHMENTS

- 1 IPART - Issues Paper April 2016
- 2 Draft submission response

REPORT AUTHORISATIONS

Report of: Brian Jenkins, Manager Finance
Authorised by: Greg Doyle, Director Corporate and Community Services – Creative, Engaged and Innovative City

COMPLIANCE WITH OFFICE OF LOCAL GOVERNMENT GUIDELINES ON COUNCIL DECISION MAKING DURING MERGER PROPOSAL PERIODS

The recommendation of this report satisfies the requirements of the OLG Guidelines – *Council Decision Making During Merger Proposal Periods*.

BACKGROUND

IPART has been asked to undertake the review under section 9 of the *Independent Pricing and Regulatory Tribunal Act 1992* in accordance with the terms of reference (ToR) provided by the Premier.

The review was to consider the current rating system and recommend reforms that aim to enhance councils' ability to implement sustainable and equitable fiscal policy, and recommend a legislative or regulatory approach to achieve the Government's policy that there will "be no change to the existing rate paths for newly merged councils for four years".

IPART released the report on 13 April 2016, are conducting a public hearing on 26 April 2016, and have invited written submissions from interested stakeholders by 13 May 2016. An interim report to the Minister is planned by 17 June, 2016 with further consultation, through public hearings and written submission from August to September 2016 before the Final report is provided to the Minister by December 2016.

PROPOSAL

The Issues Paper that has been released by IPART provides an outline of the current rating system in NSW; recognises the principles of taxation; analyses the current method of setting rates with recommendations to alternate methods of valuations on property; examines the current exemptions and mandatory pensioner concessions and offers alternate ways of structuring the granting of these; provides an interpretation to the Government's policy of freezing existing rate paths for newly merged Councils and options allowed to merged Council's in establishing equitable and new rating structures in an efficient and timely manner.

In consideration of local issues within the Wollongong area there are issues and opportunities that come out of this paper. The major points are listed below:

- There are potential benefit and issues with the two main valuation methods proposed, being unimproved land value (UV) and capital improved value (CIV). It is argued that there are 'equity' and 'ability to pay' arguments that the distribution of rates based on UV between single dwelling property and multi dwelling housing, strata plans, or residential flat buildings is unbalanced in some areas. The application of CIV potentially better represents the "ability to pay" principle in areas where there are 'asset rich and 'cash poor' owners such as the northern areas of Wollongong and other seaside properties.
- The current categorisation system allows for four types of rates, being Residential, Farmland, Mining, and Business. The current premise under the LGA that a Business property is one that does not fit within the other three categories creates some anomalies in Wollongong:
 - Where land that is undevelopable due to environmental sensitivity, size, zoning, etcetera it must currently be classified as Business. Two options available would be to allow sub-categorisation of business rates by means other than 'Centre of Activity' as these properties are numerous and spread throughout the LGA, or by creating a new category for "Other" property.
 - Properties that are zoned environmental or recreation may technically allow residents but the owners are unable to build on the property due to size and other restrictions. Correct application of the LGA requires these to be classified as Residential as they are vacant and zoned to allow residents. It is considered that such property should be classified into a new 'Other' category to better represent the principles of rating.
- In relation to debt recovery the Issues Paper commented on the Department of Justice communication on 5 April 2016 statement that over 80% of (legal) claims are for amounts of \$2,000 or less. For Wollongong City Council this would normally be almost two years of rates. We consider that Wollongong has fair and equitable recovery policies that allow considered and reasonable options for ratepayers. There are clear hardship provisions allowing for special circumstances where immediate payment is not possible due to financial hardship. Council uses

legal recovery as a last resort. Options available to Council to improve recovery and reduce the need for legal action include the collection of contact details such as email and phone numbers to enable initial contact to be made.

- The review paper includes a set of uses of property that should override broader exemptions on land, being where:
 - The exemption does not provide sufficient public benefit for the local community;
 - Commercial activity is being carried out on the land;
 - The use of the land is contributing to substantial extra costs for Council;
 - The land owner is receiving substantial private benefit from Council services.
 - While accepting these principles it is argued that a 5th element to non-exempt use should be added where:
 - Land is predominately used for residential purposes.
- The current mandatory rebate of \$250 in NSW is the only pensioner rebate scheme in Australia that requires funding by the local community through rates. It has been well argued in the review and previously that this is not the optimal outcome for local communities and should be funded from other levels of Government. The inequality in this is exacerbated in seaside areas such as Wollongong that has higher and increasing pensioner representation than many areas. It is also argued that pension rebates need to be appropriately indexed in line with real costs.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 goal. It specifically delivers on the following:

Community Strategic Plan	Delivery Program 2012-2017	Annual Plan 2015-16
Strategy	5 Year Action	Annual Deliverables
4.4.5 Finances are managed effectively to ensure long term financial sustainability	4.4.5.12 Pursue alternative funding options to deliver Council services and facilities	Implement approved rating structures

CONCLUSION

The IPART review of NSW rating legislation is in its initial stages and the draft submission by Council is a first step in our involvement in the consultation. Council will also be represented at the Public Hearing on 26 April by Council officers. It is intended that further information and reports will be forthcoming as the process moves through the various stages towards a revised legislation.

ITEM 6 FINANCIAL ASSISTANCE POLICY - LARGE CULTURAL GRANTS

The Financial Assistance Policy makes provision for Wollongong City Council to assist the community in multiple ways. The Annual Plan 2015-16 introduced Ward-based Community Cultural Development Grants to support local arts-based community cultural development projects and programs created by collaborations between communities and artists that result in a wide range of artistic and development outcomes.

This report provides information on the successful recipients of the inaugural Large Cultural Grants process in accordance with Council's Financial Assistance Policy Part J – Large Cultural Grants.

RECOMMENDATION

Council receive the report and note the successful recipients/projects (as attached).

ATTACHMENT

Large Cultural Grants 2015-16 Successful Recipients (includes Unsuccessful Applications)

REPORT AUTHORISATIONS

Report of: Sue Savage, Manager Community, Cultural and Economic Development [Acting]
Authorised by: Kylee Cowgill, Director Corporate and Community Services – Creative, Engaged and Innovative City [Acting]

COMPLIANCE WITH OFFICE OF LOCAL GOVERNMENT GUIDELINES ON COUNCIL DECISION MAKING DURING MERGER PROPOSAL PERIODS

The recommendation of this report satisfies the requirements of the OLG Guidelines – *Council Decision Making During Merger Proposal Periods*.

BACKGROUND

Wollongong City Council introduced Large Cultural Grants as part of its Financial Assistance Policy. The aim of the grants is to grow community cultural development programs across the city to help support artists and local arts-based community cultural development projects and programs. The grants will be awarded to successful applicants, equally across each of Council's three Wards. 23 applications were received requesting a total of \$412,074.

PROPOSAL

It is proposed the recommendations for successful projects be received and noted by Council.

CONSULTATION AND COMMUNICATION

The following consultation and communication has taken place in the call for applications:

- Information session held on 16 December 2015
- Advertisements in Council's pages of The Advertiser
- Information and applications were available on Council's website
- Social Media activity
- Cultural Services' Arts Newsletter.

In accordance with Council's Financial Assistance Policy, the applications were assessed by the Cultural Grants Assessment Panel consisting of two members of the Cultural Reference Group and two Council officers (ie Community and Cultural Development Manager and Coordinator Cultural Services).

The recommendations of the Panel were then discussed, and supported by, the Manager Community, Cultural and Economic Development and General Manager.

PLANNING AND POLICY IMPACT

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

Community Strategic Plan		Delivery Program 2012-2017	Annual Plan 2015-16
Strategy		5 Year Action	Annual Deliverables
3.1.2	Artists and innovators are employed, mentored and supported.	3.1.2.1 Provide support to existing and emerging arts works and their networks	Pursue projects that will advance the delivery of the Cultural Plan.
3.4.2	Using community cultural development practices, our places and space reflect the creativity and identity of our people	3.4.2.1 Develop a new Cultural Plan	Deliver key strategies from the Cultural Plan

RISK ASSESSMENT

- All funding recipients are required to supply evidence of their public liability insurance with their signed agreement and any supporting documentation including permission letters from any property owners whose property is used. This includes acknowledgement of any ongoing maintenance of the project or property owner. The project recipients will be required to provide a report post event showing the outcomes of the activity. Recipients of the funding will be required to acknowledge Council's contribution during the project. This information is included in each individual agreement and is done so in accordance with Council's Financial Assistance Policy.

FINANCIAL IMPLICATIONS

The funding for the Large Cultural Grants is an existing allocation in the 2015-16 approved budget.

CONCLUSION

Community Cultural Development Programs aim to build community capacity to improve the quality of life and sense of belonging for individuals and the wider community. The Large Cultural Grants will provide opportunities for the development and delivery of a range of projects that inspire our community.

ITEM 7

TENDER T16/11 – CONSTRUCTION OF A SEA WALL AND
ROCK WALL AT JUDBOOLEY PARADE, WINDANG

This report recommends acceptance of a tender for the construction of a Sea wall and Rock wall near the entrance channel to Lake Illawarra that runs parallel to Judbooley Parade, Windang in accordance with the requirements of the Local Government Act 1993 and the Local Government (General) Regulation 2005.

Due to numerous years of deterioration, the existing timber retaining wall and natural bank along the lakes edge requires replacement and upgrading to improve access to the foreshore and maintain stability of the bank.

RECOMMENDATION

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Dynamic Civil Pty Ltd for construction of a Sea wall and Rock Wall at Judbooley Parade, Windang, in the sum of \$499,270.00, excluding GST.
- 2 Council delegate to the General Manager the authority to finalise and execute the contract and any other documentation required to give effect to this resolution.
- 3 Council grant authority for the use of the Common Seal of Council on the contract and any other documentation, should it be required to give effect to this resolution.

ATTACHMENT

Location Plan

REPORT AUTHORISATIONS

Report of: Robert Ryan, Manager Project Delivery (Acting)
Authorised by: Glenn Whittaker, Director Infrastructure Strategy and Planning –
Connectivity, Assets and Liveable City (Acting)

COMPLIANCE WITH OFFICE OF LOCAL GOVERNMENT GUIDELINES ON COUNCIL DECISION MAKING DURING MERGER PROPOSAL PERIODS

The recommendations in this report satisfy the requirements of the OLG Guidelines - *Council Decision Making During Merger Proposal Periods*.

BACKGROUND

Historical Work at Judbooley Reserve

The existing seawall at Judbooley Parade, Windang has been in place since well before 2001.

In 2010, Council built the small upper retaining wall to the west of the fishing platform to improve the access to the foreshore.

In 2013, the then Lake Illawarra Authority and Department of Primary Industries undertook works including construction of a new timber fishing platform, a sea wall to the east of the new platform and a fish cleaning table. At the same time, Council completed works including demolition of a brick house to the east of the public wharf, pathways and lighting.

Today, the ageing block of flats at 17 Judbooley Parade, to the west of Judbooley Reserve remains in place and, along with the foreshore land adjacent to Oaklands Village further east, is owned and managed by NSW Department of Primary Industries – Crown Lands.

Current Project

Council is planning to construct a replacement sea wall on Council land to the west of the public wharf and to rebuild a section of rock wall to the east of the public wharf. This section of sea wall was identified by Council in November 2015 as requiring essential remediation works. The area to the west of the public wharf was not included in the 2013 works. It has temporary fencing installed to address the immediate safety risk to recreational anglers along the wall. Temporary fencing will remain in place until permanent works commence.

These works are needed to improve foreshore access and protect Judbooley Reserve from erosion. In doing so, the project will ensure that the Aboriginal heritage is not impacted and there is no significant impact on sea grasses or water quality in the vicinity of the sea wall. Council is required to consult with State agencies prior to conducting this work. To ensure that these works comply with the State agencies requirements, much of the works will be undertaken from a barge in the Lake. This work will then be dependent on tides and weather conditions.

Tenders were invited by the open tender method with a close of tenders of 10.00 am on 24 March 2016.

Five tenders were received by the close of tenders and all tenders have been scrutinised and assessed by a Tender Assessment Panel constituted in accordance with Council's Procurement Policies and Procedures and comprising representatives of the Finance, Governance and Information, Property and Recreation, Human Resources and Project Delivery Divisions.

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

- 1 Cost to Council - 40%
- 2 Appreciation of scope of works and construction methodology - 10%
- 3 Demonstrated experience and satisfactory performance in undertaking projects of similar size, scope and risk profile - 15%

- 4 Staff qualifications and experience - 5%
- 5 Proposed sub-contractors – 5%
- 6 Demonstrated strengthening of local economic capacity - 5%
- 7 Project schedule - 10%
- 8 Workplace Health and Safety documentation - 5%
- 9 Environmental management policies and procedures - 5%

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

TABLE 1 – SUMMARY OF TENDER ASSESSMENT

Name of Tenderer	Ranking
Dynamic Civil Pty Ltd	1
Abergeldie Pty Ltd	2
Cadifern Pty Ltd	3
Harbour Constructions Pty Ltd	4
Affective Services Pty Ltd	5

PROPOSAL

Council should authorise the engagement of Dynamic Civil Pty Ltd to carry out the construction of the Sea wall and Rock Wall at Judbooley Parade, Windang in accordance with the scope of works and technical specifications developed for the project.

The recommended tenderer has satisfied the Tender Assessment Panel that it is capable of undertaking the works to Council's standards and in accordance with the technical specification.

Referees nominated by the recommended tenderer have been contacted by the Tender Assessment Panel and expressed satisfaction with the standard of work and methods of operation undertaken on their behalf.

CONSULTATION AND COMMUNICATION

In February 2016, Council undertook a community engagement program including:

Generation of a media story to raise awareness of the project

- Direct consultation with identified stakeholders including Aboriginal groups
- On-site kiosk

All groups were in favour of the project.

- 1 Members of the Tender Assessment Panel
- 2 Nominated Referees

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 under the Objective 5.3 'The public domain is maintained to a high standard' under Community Goal 5 'We are a healthy community in a liveable city'.

It specifically addresses the Annual Plan 2015-16 Key Deliverables to deliver 85% of Council's capital investment into our asset renewal program which forms part of the Five Year Action to manage and maintain a community infrastructure portfolio with a focus on asset renewal contained within the Revised Delivery Program 2012-17.

RISK ASSESSMENT

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

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

FINANCIAL IMPLICATIONS

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

2015/2016 and 2016/2017 Capital Budget

CONCLUSION

Dynamic Civil Pty Ltd has submitted an acceptable tender for this project. Council should endorse the recommendations of this report.

ITEM 8 TENDER T16/07 – LEASE OF THE MARKET STREET CAR PARK

This report recommends acceptance of a tender for the lease of the Market Street Car Park (Identifier 602/812146) in accordance with the requirements of the Local Government Act 1993 and the Local Government (General) Regulation 2005.

The current lease for the car park is due to expire on 30 June 2016. Council went to tender to get best market value for the lease renewal. Two tenders were received throughout the course of the tender period, and this report recommends Council accept the tender submitted by Secure Parking Pty Ltd.

RECOMMENDATION

- 1 In accordance with Clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Secure Parking Australia Pty Ltd for the lease of the Market Street Car Park, in the sum of \$585,000.00 (GST Exclusive) plus outgoings.
- 2 Council delegate to the General Manager the authority to finalise and execute the agreement and any other documentation required to give effect to this resolution.
- 3 Council grant authority for the use of the Common Seal of Council on the contract and any other documentation, should it be required to give effect to this resolution.

ATTACHMENTS

There are no attachments for this report

REPORT AUTHORISATIONS

Report of: Peter Coyte, Manager Property and Recreation
Authorised by: Kylee Cowgill, Director Corporate and Community Services–
Creative, Engaged and Innovative City (Acting)

COMPLIANCE WITH OFFICE OF LOCAL GOVERNMENT GUIDELINES ON COUNCIL DECISION MAKING DURING MERGER PROPOSAL PERIODS

The recommendations of this report satisfy the requirements of the OLG Guidelines – *Council Decision Making During Merger Proposal Periods*.

BACKGROUND

Tenders were required to be invited for the lease of the Market Street Car Park located at 37 Market Street Wollongong (Identifier 602/812146).

Tenders were invited by the open and selective tender method with a close of tenders of 10.00 am on Thursday 21 March 2016.

Two tenders were received by the close of tenders and all tenders have been scrutinised and assessed by a Tender Assessment Panel constituted in accordance with Council's Procurement Policies and Procedures and comprising representatives of Property and Recreation, Infrastructure, Supply Chain and Logistics and Corporate Governance Divisions.

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

- 1 Proposed Rent Payable to Council – 55%
- 2 Demonstrated experience in car park operation and details of recent clients:
 - a Number of car parks under Management – 15%; and
 - b Years in service – 15%.
- 3 Demonstrated Strengthening of Local Economic Capacity 5%
- 4 Workplace Health and Safety Management System 10%

Mandatory Criteria

- Acknowledgement – Confirmation of Acceptance of Draft Lease
- Acknowledgment – Confirmation of Acceptance of Disturbance in the form of necessary upgrade works to be conducted on the carpark to commence July 2016 and that abatement in rental will be negotiated for the works period
- Demonstrated Financial Capacity
- Demonstrated Customer Service Policies
- Referee (minimum of 2)

The two submissions received complied with all mandatory and assessable criteria.

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

TABLE 1 – SUMMARY OF TENDER ASSESSMENT

Name of Tenderer	Ranking
Secure Parking Australia Pty Ltd	1
Wilsons Parking Australia 1992 Pty Ltd	2

Secure Parking operates in excess of 1,000 carpark around the world and Council is comfortable the recommended tenderer has the financial capacity to meet the annual rental. In addition, Secure Parking is the current tenant of the property and has consistently met financial commitments throughout the term of the existing lease.

Council has also engaged a registered valuer to conduct a market rental assessment of the subject property to determine a benchmark rental. The independent appraisal has determined that the recommended tender represents good value to Council.

The recommended tenderer has satisfied the Tender Assessment Panel that it is capable of becoming the lessee of the Market Street Car Park.

Referees nominated by the recommended tenderer have been contacted by the Tender Assessment Panel and expressed satisfaction with meeting financial and contractual obligations.

PROPOSAL

Council authorise the engagement of Secure Parking Pty Ltd ranked number 1 in the tender as the tenant for the lease of the Market Street Car Park. The panel is satisfied of its ability to operate the car park and comply with the conditions of the draft lease.

Lessor:	The Council of the City of Wollongong
Lessee:	Secure Parking Australia Pty Ltd
Term of Lease:	5 years
Base Rent:	\$585,000.00 per annum plus GST plus outgoings
Commencing Date:	1/07/2016
Term:	5 Years
Terminating Date:	30/06/2021
Commencement of Rent Payments:	Commencing date and thereafter monthly in advance for the Term of the Lease
Rent Review:	4% annually
Permitted Use:	Commercial Car Park
Permitted hours of Trading:	24 hours, seven days a week
Further Term:	Rental abatement to be negotiated for the period of safety upgrades
Performance Bond:	\$292,500.00 (equal to six months' rent) plus GST

CONSULTATION AND COMMUNICATION

- Members of the Tender Assessment Panel
- Luke McNamara;
- Paul Dorahy;
- Brian Turnbull;
- Nicola Mackay;
- Chris Hayne;
- Deborah Arney; and
- Peter Weber.

2 Nominated Referees

- Mr Steve Norcott – Sydney Olympic Park Authority

3 External Consultants

- Mr Heath Craig – Valuers LMW

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 goal “We have an innovative and sustainable economy”. It specifically delivers on the following:

Community Strategic Plan	Delivery Program 2012-2017	Annual Plan 2015-16
Strategy	5 Year Action	Annual Deliverables
2 We have an innovative and sustainable economy.	2.1.2.1 Ensure that Wollongong is attractive to diverse companies for business expansion, establishment and relocation.	Review Inner City Parking Strategy and implement any identified necessary adjustments.

RISK ASSESSMENT

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

FINANCIAL IMPLICATIONS

The terms of the proposed lease are that \$585,000.00 (plus GST) is to be received in the first year of the lease term with the provision that the lease amount will increase by 4% per annum.

Upgrade works

Council will be undertaking safety upgrades to the car park commencing first quarter of 2016/2017. These works are required to ensure the facility meets the latest building and safety standards. Use of 80% of the car park will still be available at all times throughout the period of works, however, a level of disturbance will mean any future operator of the car park cannot operate at full capacity during this period of necessary upgrades which is estimated to take six months.

As part of the tender, an acknowledgment of the works and an agreement that rental abatement will be negotiated for the period of works formed part of the essential criteria.

CONCLUSION

Council endorse the recommendations of this report.

ITEM 9

TENDER T15/26 – TELEPHONE INTERACTIVE VOICE RESPONSE (IVR) AND WEB PAYMENT SERVICES

This report recommends acceptance of a tender for Telephone Interactive Voice Response (IVR) and Web Payment Services in accordance with the requirements of the Local Government Act 1993 and the Local Government (General) Regulation 2005.

Council has a number of payment options for customers to pay their accounts; BPay, BPay View, Australia Post over the counter, Australia Post's My POST, Australia Post's PostBillPay (Telephone IVR and Web payments) and Council's Telephone (IVR), Web, over the counter and mail. On 19 December 2015, Council went out to tender for a third party provider to supply our telephone (IVR) or Web in order for customers to be able to pay their accounts using either bank accounts or credit cards.

RECOMMENDATIONS

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of the Commonwealth Bank for Telephone (IVR) and Web payment services, in the sum of \$72,033.44 per year for a two year contract with an option of one plus one, excluding GST.
- 2 Council delegate to the General Manager the authority to finalise and execute the contract and any other documentation required to give effect to this resolution.
- 3 Council grant authority for the use of the Common Seal of Council on the contract and any other documentation, should it be required to give effect to this resolution.

ATTACHMENTS

There are no attachments for this report

REPORT AUTHORISATIONS

Report of: Brian Jenkins, Manager Finance
Authorised by: Kylee Cowgill, Director Corporate and Community Services–
Creative, Engaged and Innovative City [Acting]

COMPLIANCE WITH OFFICE OF LOCAL GOVERNMENT GUIDELINES ON COUNCIL DECISION MAKING DURING MERGER PROPOSAL PERIODS

The recommendations in this report satisfy the requirements of the OLG Guidelines - *Council Decision Making During Merger Proposal Periods*.

BACKGROUND

Council currently provides a service where customers can pay their accounts over the telephone (IVR) or Web using their bank accounts. IVR technology allows payment of rates and debtors over the telephone by a combination of voice and touch-phone

technology. Similar backend technology is provided for internet payments with a user interface from Wollongong City Council Web site. The customer is provided with a receipt number at the time of processing the payment. The current incumbent, the Commonwealth Bank, has provided this service to Council for the last three years.

Tenders were required to be invited to provide services for the telephone (IVR) and Web payments.

Tenders were invited by the open tender method with a close of tenders of 10.00 am, 28 January 2016.

Four tenders were received by the close of tenders and all tenders have been scrutinised and assessed by a Tender Assessment Panel constituted in accordance with Council's Procurement Policies and Procedures and comprising representatives of the Finance, Governance Information and Customer Service Divisions.

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

- 1 Cost to Council – 55%
- 2 Demonstrated ability and capacity to provide Telephone (IVR) and Web payment services in accordance with Council's specification – 20%
- 3 Implementation plan for Telephone (IVR) and Web payment services to Council – 10%
- 4 Qualifications and experience of key personnel proposed to be engaged in relation with this contract – 5%
- 5 Efficiencies and innovation with your system (eg, Variations and adding new services) – 5%
- 6 Demonstrated strengthening of local economic capacity – 5%

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

TABLE 1 – SUMMARY OF TENDER ASSESSMENT

Name of Tenderer	Ranking
Commonwealth Bank	1
National Australia Bank	2
Advam	3
Australia Post	4

PROPOSAL

Council authorise the engagement of the Commonwealth Bank to carry out the Telephone (IVR) and Web Payment services in accordance with the scope of works and technical specifications developed for the project.

The recommended tenderer has satisfied the Tender Assessment Panel that it is capable of undertaking the works to Council's standards and in accordance with the technical specification.

Referees nominated by the recommended tenderer have been contacted by the Tender Assessment Panel and expressed satisfaction with the standard of work and methods of operation undertaken on their behalf.

CONSULTATION AND COMMUNICATION

Members of the Tender Assessment Panel

Nominated Referees

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 goal *"We are a connected and engaged community"*.

It specifically delivers on core business activities as detailed in the Financial Services Service Plan 2015-16.

RISK ASSESSMENT

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

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

FINANCIAL IMPLICATIONS

It is proposed that the total project be funded from the following source/s as identified in the Management Plan: the total project will be funded from the current operating budget.

CONCLUSION

The Commonwealth Bank has submitted an acceptable tender to carry out the services as tendered. Accordingly, Council should endorse the recommendations of this report.

ITEM 10 TENDER T16/12 – KEIRA CRICKET CLUB PAVILION AND AMENITIES

This report recommends acceptance of a tender for the construction of the Keira Cricket Club Pavilion and Amenities project in accordance with the requirements of the Local Government Act 1993 and the Local Government (General) Regulation 2005.

This project was approved through the Sports Planning Process and was supported by the Sports and Facilities Reference Group.

RECOMMENDATION

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Patterson Building Group Pty Ltd for the construction of the Keira Cricket Club Pavilion and Amenities project, in the sum of \$298,118.00 excluding GST.
- 2 Council delegate to the General Manager the authority to finalise and execute the contract and any other documentation required to give effect to this resolution.
- 3 Council grant authority for the use of the Common Seal of Council on the contract and any other documentation, should it be required to give effect to this resolution.

ATTACHMENT

Location Plan

REPORT AUTHORISATIONS

Report of: Robert Ryan, Manager Project Delivery (Acting)
Authorised by: Glenn Whittaker, Director Infrastructure and Works – Connectivity, Assets and Liveable City (Acting)

COMPLIANCE WITH OFFICE OF LOCAL GOVERNMENT GUIDELINES ON COUNCIL DECISION MAKING DURING MERGER PROPOSAL PERIODS

The recommendations of this report satisfy the requirements of the OLG Guidelines – *Council Decision Making During Merger Proposal Periods*.

BACKGROUND

Tenders were required to be invited for the construction of a new single-storey building with a glass viewing wall, including an accessible toilet and kitchenette at Keira Village Park, Mt Keira.

The project was initiated by both cricket and AFL sporting clubs who utilise Keira Oval and was supported by funding from both the NSW Cricket and AFL Associations to develop the design and approvals for the project. The Keira Cricket Club then submitted a successful application in 2014 through Council's Sports (Infrastructure

Funding) Priority program to fund the final design and construction of the project where it was identified as the highest priority.

Tenders were invited by the selective tender method using the Wollongong City Council Builders Panel (T15/08) with a close of tenders of 10.00 am on Thursday, 24 March 2016.

Four tenders were invited and two tenders were received by the close of tenders and these have been scrutinised and assessed by a Tender Assessment Panel constituted in accordance with Council's Procurement Policies and Procedures and comprising representatives of the Project Delivery, Governance and Information, Property and Recreation, Finance and Human Resources Divisions.

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

- 1 Cost to Council – 55%
- 2 Appreciation of Scope of Works and Construction Methodology – 10%
- 3 Demonstrated Experience and Satisfactory Performance in Undertaking Projects of Similar Size, Scope and Risk Profile – 10%
- 4 Project Schedule – 10%
- 5 Workplace Health and Safety Documentation – 5%
- 6 Environmental Management Policies and Procedures – 5%
- 7 Demonstrated Strengthening of Local Economy Capacity – 5%

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

TABLE 1 – SUMMARY OF TENDER ASSESSMENT

Name of Tenderer	Ranking
Patterson Building Group Pty Ltd	1
Malsave Pty Ltd	2

PROPOSAL

Council should authorise the engagement of Patterson Building Group Pty Ltd to carry out the construction of the Keira Cricket Club Pavilion and Amenities project in

accordance with the scope of works and technical specifications developed for the project.

The recommended tenderer has satisfied the Tender Assessment Panel that it is capable of undertaking the works to Council's standards and in accordance with the technical specification.

Referees nominated by the recommended tenderer have been contacted by the Tender Assessment Panel and expressed satisfaction with the standard of work and methods of operation undertaken on their behalf.

CONSULTATION AND COMMUNICATION

- 1 Members of the Tender Assessment Panel
- 2 Nominated Referees
- 3 External Consultants – Imagescape Design Studios

PLANNING AND POLICY IMPACT

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

Community Strategic Plan		Delivery Program 2012-2017	Annual Plan 2015-16
Strategy		5 Year Action	Annual Deliverables
5.5.2	A variety of quality public spaces and opportunities for sport, leisure, recreation, learning and cultural activities in the community	5.5.2.2 Implement Council's Planning, People, Places Strategy	Develop and implement the Sports Grounds and Sporting Facilities Strategy 2015-25

RISK ASSESSMENT

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

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

FINANCIAL IMPLICATIONS

It is proposed that the cost of constructing the project be funded from the following source/s as identified in the Management Plan –

2015/16 and 2016/17 Capital Program - Sports Priority Program

CONCLUSION

Patterson Building Group Pty Ltd has submitted an acceptable tender for this project. Council should endorse the recommendations of this report.

ITEM 11 MARCH 2016 FINANCIALS

The result for the year to date to March is favourable compared to phased budget over most indicators. The Operating Result (pre capital) is favourable by \$2.2M while the Funds Result shows a favourable variance compared to the phased budget of \$7.6M.

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

Council has expended \$47.7M on its capital works program representing 54% of the annual budget. The year to date budget for the same period was \$52.6M.

RECOMMENDATIONS

- 1 The report be received and noted.
- 2 Proposed changes in the capital works program be approved.

ATTACHMENTS

- 1 Income and Expense Statement – March 2016
- 2 Capital Project Report – March 2016
- 3 Balance Sheet – March 2016
- 4 Cash Flow Statement – March 2016

REPORT AUTHORISATIONS

Report of: Brian Jenkins, Manager Finance
Authorised by: Kylee Cowgill, Director Corporate and Community Services–
Creative, Engaged and Innovative City [Acting]

COMPLIANCE WITH OFFICE OF LOCAL GOVERNMENT GUIDELINES ON COUNCIL DECISION MAKING DURING MERGER PROPOSAL PERIODS

The recommendations in this report satisfy the requirements of the OLG Guidelines - *Council Decision Making During Merger Proposal Periods*.

BACKGROUND

This report presents the Income and Expense Statement, Balance Sheet and Cash Flow Statement for March 2016. Council's current budget has a Net Funding (cash) deficit of \$10.2M, an Operating Deficit [Pre Capital] of \$2.7M and a capital expenditure of \$87.9M. At the end of March, Council remains on target to meet or exceed the operational components of this result.

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

FORECAST POSITION		Original Budget	Revised Budget	YTD Forecast	YTD Actual	Variation
KEY MOVEMENTS		1-Jul	25-Mar	25-Mar	25-Mar	
Operating Revenue	\$M	249.5	250.5	185.6	185.5	(0.1)
Operating Costs	\$M	(255.9)	(253.2)	(184.6)	(182.3)	2.3
Operating Result [Pre Capital]	\$M	(6.4)	(2.7)	1.0	3.2	2.2
Capital Grants & Contributions	\$M	14.5	19.7	17.1	22.4	5.4
Operating Result	\$M	8.1	17.0	18.1	25.6	7.5
Funds Available from Operations	\$M	54.6	54.6	42.2	44.1	1.9
Capital Works		86.3	87.9	52.6	47.7	4.9
Contributed Assets		-	-	-	4.2	(4.2)
Transfer to Restricted Cash		-	7.1	7.1	7.1	-
Funded from:						
- Operational Funds	\$M	54.6	54.6	42.2	44.1	1.9
- Other Funding	\$M	34.9	36.6	23.8	28.8	5.0
Total Funds Surplus/(Deficit)	\$M	(3.1)	(10.2)	0.9	8.5	7.6

Financial Performance

The March 2016 Operating Result [pre capital] shows a positive variance compared to budget of \$2.2M. The major variations in income includes positive variations in Commercial Tipping (\$0.5M), offset by income timing issues including windstorm work reimbursement payments (\$0.5M).

The improvement in Operational Costs (\$2.3M) is partly due to timing as well as a number of improvements in operating costs such as street lighting, fuel and waste. The favourable movements are partially offset by an increased level of depreciation expenditure compared to phased budget (\$0.8M) and lower utilisation of internal resources on capital works (\$0.6M).

The Operating Result includes \$4.2M for the recognition of the capital contribution to the value of contributed assets. These contributed assets are comprised of transport (\$1.9M) and stormwater (\$1.7M) largely from development contributions, transfer of Community Transport buses from Shellharbour Council (\$0.4M) and artwork (\$0.2M). This positive variation does not flow through to the funds result as it is offset by increased acquisitions being recognised for the same amount.

Funds Result

The Total Funds result as at 25 March 2016 shows a positive variance of \$7.6M that is due to the cash component of the operating variance (\$1.9M) and a lower level of Council funded capital expenditure compared to phased budget (\$5.7M).

Capital Budget

As at 25 March 2016, Council had expended \$47.7M or 54% of the approved annual capital budget of \$87.9M. This report proposes a reduction in the overall capital expenditure program of \$3.8M, which relates to the rephasing of the delivery of some funded projects (\$2.9M) and the reclassification of some building renewal works from capital to operational. The additional building operational expenditure will be introduced as part of the March Quarterly Review. This approach was discussed during the 2016-17 Annual Plan development. Further details of the proposed changes are included in the capital report in Attachment 2.

Liquidity

Council's cash and investments decreased during March 2016 to holdings of \$163.3M compared to \$170.0M at the end of February 2016. This reflects normal trends for this time of the year.

Council's cash, investments and available funds positions for the reporting period are as follows:

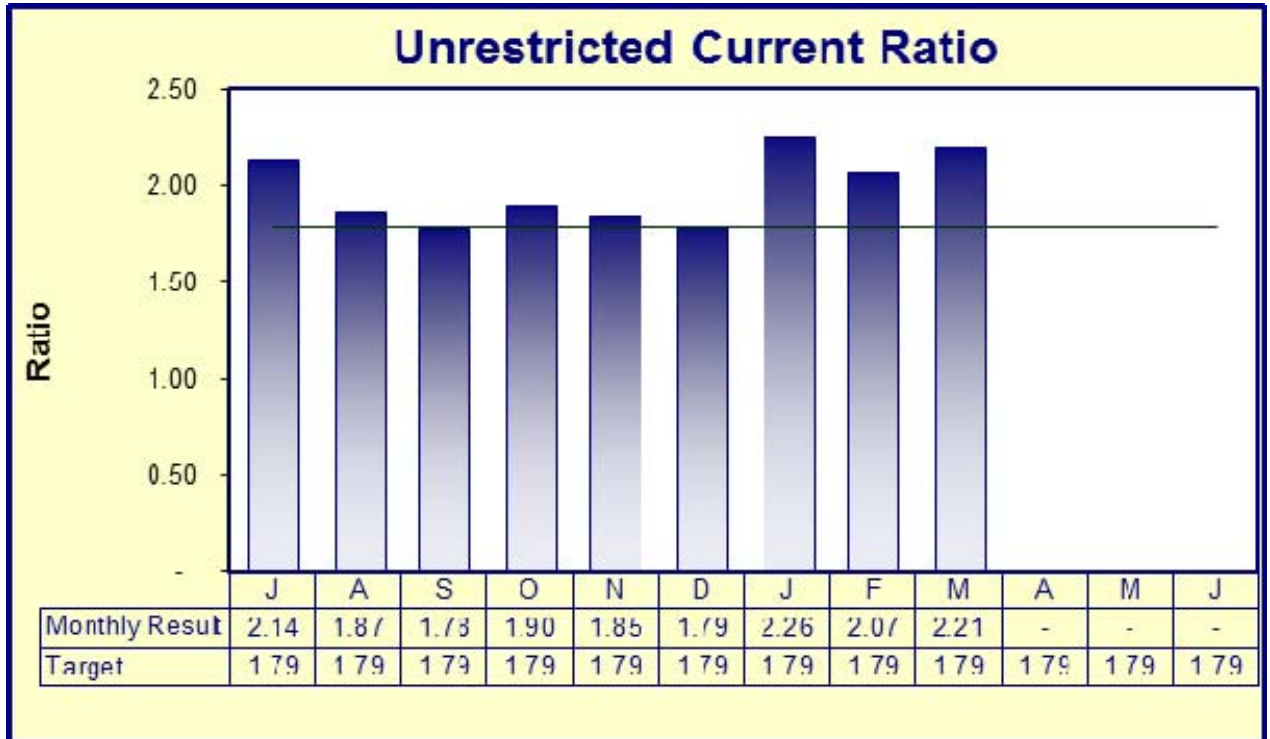
CASH, INVESTMENTS & AVAILABLE FUNDS					
	Actual 2014/15 \$M	Original Budget 2015/16 \$M	September QR 2015/16 \$M	December QR 2015/16 \$M	Actual Ytd 25 March 2016 \$M
Total Cash and Investments	144.7	109.6	123.1	129.8	163.3
Less Restrictions:					
External	77.7	60.9	62.8	68.6	72.1
Internal	42.0	41.9	40.8	48.9	57.7
Total Restrictions	119.7	102.8	103.6	117.5	129.8
Available Cash	25.0	6.9	19.5	12.3	33.5
Adjusted for :					
Current payables	(29.9)	(23.0)	(23.1)	(25.5)	(29.2)
Receivables	26.4	27.7	25.3	27.2	22.9
Other	4.3	1.7	4.4	4.4	3.0
Net Payables & Receivables	(3.4)	4.7	2.2	1.7	(3.3)
Available Funds	21.6	11.5	21.7	14.0	30.1

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

The Available Funds forecast is marginally above Council's Financial Strategy target of 3.5% to 5.5% of Operational Revenue [pre capital]. Based on the Adopted 2015-16 Annual Plan, the target Available Funds is between \$8.7M and \$13.7M for year ending

30 June 2016. The actual Available Funds at 25 March 2016 is impacted by the progress of planned expenditure to date.

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



Receivables

Receivables are the amount of money owed to Council or funds that Council has paid in advance. At March 2016, receivables totalled \$22.9M, compared to receivables of \$25.4M at March 2015.

Payables

Payables (the amount of money owed to suppliers) of \$29.2M were owed at March 2016 compared to payables of \$28.8M at March 2015. The difference in payables relate to goods and services and capital projects delivered but not yet paid for, rating income received in advance and timing of the Financial Assistance Grant payments.

Debt

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

Council's Financial Strategy includes provision for additional borrowing in the future and Council will consider borrowing opportunities from time to time to bring forward the completion of capital projects where immediate funding is not available. In 2009-10, Council borrowed \$26M interest free to assist in the delivery of the West Dapto Access Plan. Council has also been successful in securing loan funds under the Local Government Infrastructure Renewal Scheme of \$20M in 2012-13 and \$4.3M in 2013-14 that will be used over a five year period to accelerate the Citywide Footpaths and Shared Path Renewal and Missing Links Construction Program and building refurbishment works for Berkeley Community Centre, Corrimal Library and Community Centre and Thirroul Pavilion and Kiosk respectively. A further \$15M was drawn down in 2014-15 under Round Three of the LIRS program that provides a subsidy of 3% that will be used to support the West Dapto Access – Fowler's Road to Fairwater Drive project.

Council's Debt Service Ratio forecast for 2015-16 is approximately 1.9% which is still below Council's target of 4% and remains low in comparison to the Local Government's benchmark ratio of <10%. It is noted that non-cash interest expense relating to the amortisation of the income recognised on the West Dapto Access Plan Loan is not included when calculating the Debt Service Ratio.

During April, Council received advice from the Office of Local Government that additional funding had become available under LIRS 3 that would be made available to Wollongong City Council as its initial request for funding of the West Dapto Access – Fowler's Road to Fairwater Drive project was only partially approved. A proposal for consideration of this offer will be presented to Council at its May meeting.

Assets

The Balance Sheet shows that \$2.5B of assets are controlled and managed by Council for the community as at 25 March 2016. The 2015-16 capital works program includes projects such as the Cordeaux Road shared path, Berkeley Community Centre upgrade, civil asset renewals including roads, car parks and buildings and purchase of library books. At the end of March, capital expenditure amounted to \$47.7M.

PLANNING AND POLICY IMPACT

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

Community Strategic Plan	Delivery Program 2012-17	Annual Plan 2015-16
Strategy	5 Year Action	Annual Deliverables
4.4.5 Finances are managed effectively to ensure long term financial sustainability	4.4.5.1 Effective and transparent financial management systems are in place	Provide accurate and timely financial reports monthly, quarterly and via the annual financial statement
		Continuous Budget Management is in place, controlled and reported
		Manage and further develop compliance program
		Monitor and review achievement of Financial Strategy

CONCLUSION

The results for March 2016 are generally within projections over a range of financial indicators and it is expected that Council will achieve the forecast annual results.

ITEM 12 STATEMENT OF INVESTMENTS - MARCH 2016

This report provides an overview of Council's investment portfolio performance for the month of March 2016.

Council's average weighted return for March 2016 was 3.39% which was above the benchmark return of 2.31%. The result was primarily due to the positive marked to market valuation of the Floating Rate Notes and the NSW Treasury Corp Growth Facility. The remainder of Council's portfolio continues to provide a high level of consistency in income and a high degree of credit quality and liquidity.

RECOMMENDATION

Council receive the Statement of Investments for March 2016.

ATTACHMENTS

- 1 Statement of Investments – March 2016
- 2 Investment Income Compared to Budget 2015-16

REPORT AUTHORISATIONS

Report of: Brian Jenkins, Manager Finance
Authorised by: Kylee Cowgill, Director Corporate and Community Services–
Creative, Engaged and Innovative City [Acting]

COMPLIANCE WITH OFFICE OF LOCAL GOVERNMENT GUIDELINES ON COUNCIL DECISION MAKING DURING MERGER PROPOSAL PERIODS

The recommendation in this report satisfies the requirements of the OLG Guidelines - *Council Decision Making During Merger Proposal Periods*.

BACKGROUND

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

Council's Responsible Accounting Officer is required to sign the complying Statements of Investments contained within the report, certifying that all investments were made in

accordance with the Local Government Act 1993 and the Local Government Regulation 2005.

Council's investment holdings as at 25 March 2016 were \$168,094,403 (Statement of Investments attached) [27 March 2015 \$144,836,110].

During March, Council posted a weighted average return of 3.39% (annualised) compared to the benchmark return of 2.31% (annualised Bloomberg Bank Bill Index).

The result was primarily due to the positive marked to market valuation of the Floating Rate Notes and the NSW Treasury Corp Growth Facility. The remainder of Council's portfolio continues to provide a high level of consistency in income and a high degree of credit quality and liquidity.

At 25 March 2016, year to date interest and investment revenue of \$3,731,990 was recognised compared to the year to date budget of \$3,384,798.

Council's CBA Zero Coupon Bond recorded an increase in value for March of \$5,760. The valuation methodology used by Laminar (Council's investment consultants) discounts the bond using a margin for a straight four year CBA obligation but also considers the illiquidity premium, this being a restructured deal and there being limited bids on the security. As this bond gradually nears maturity, movements in interest rates and liquidity will have less of an impact on the securities valuation. While there will be short term fluctuations along the way, the investments valuation will gradually increase to its \$4M maturity value. During the month, Council purchased a 3 year \$3M WBC floating rate note. Council's eight floating rate notes had a net increase in value of \$27,090 for March.

Council holds two Mortgaged Backed Securities (MBS) recorded a net decrease in value of \$3,915 for March. These investments continue to pay higher than normal variable rates. While the maturity dates are outside Council's control, the investment advisors had previously indicated that capital is not at risk at that stage and recommended a hold strategy due to the illiquid nature of the investment.

The NSW T-Corp Long-Term Growth Facility recorded an increase in value of \$39,772 in March. The fluctuation is a reflection of the current share market volatility both domestically and internationally.

During the March 2016 RBA meeting, the official cash rate remained unchanged at 2.00%. The RBA has advised that it would continue to assess the outlook and adjust policy as needed to foster sustainable growth in demand and inflation outcomes consistent with the inflation target over time. The current inflation rate is consistent with the 2 to 3% target.

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

PLANNING AND POLICY IMPACT

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

Community Strategic Plan	Delivery Program 2012-17	Annual Plan 2015-16
Strategy	5 Year Action	Annual Deliverables
4.4.5 Finances are managed effectively to ensure long term financial sustainability	4.4.5.1 Effective and transparent financial management systems are in place	Provide accurate and timely financial reports monthly, quarterly and via the annual financial statement
		Continuous Budget Management is in place, controlled and reported
		Manage and further develop compliance program
		Monitor and review achievement of Financial Strategy

ITEM 13

CITY OF WOLLONGONG TRAFFIC COMMITTEE - MINUTES OF
MEETINGS HELD 13 APRIL AND 4 MAY 2016

Meetings of the City of Wollongong Traffic Committee were held on 13 April 2016 and 4 May 2016.

Items 1 to 10 and 12 to 17 of the meeting held on 13 April 2016 have been adopted by Council through delegated authority.

Subsequent to the meeting on 13 April, Council received an application for road closures on 22 May, associated with The Color Run™. Due to the timeline, this application was listed on the agenda of the monthly meeting which took place on 4 May 2016. Items 1 to 9 and 11 to 12 of the meeting held on 4 May 2016 have been adopted by Council through delegated authority.

Item 11 of 13 April and Item 10 of 4 May 2016 must be determined by Council. This report recommends approval of both items for the temporary regulation of traffic on public roads for works or events by independent parties.

RECOMMENDATION

In accordance with the powers delegated to Council, the minutes and recommendations of the City of Wollongong Traffic Committee Meetings held on 13 April and 4 May 2016 in relation to Regulation of Traffic be adopted.

ATTACHMENTS

- 1 Standard Conditions for Road Closures
- 2 Illawarra Triathlon Club – Race dates for 2016/17
- 3 The Color Run Sunday 22 May 2016

REPORT AUTHORISATIONS

Report of: Mike Dowd, Manager Infrastructure, Strategy and Planning
Authorised by: Glenn Whittaker, Director Infrastructure and Works – Connectivity, Assets and Liveable City (Acting) (Meeting of 13 April 2016)
Authorised by: Mike Hyde, Director Infrastructure and Works – Connectivity, Assets and Liveable City (Meeting held on 4 May 2016)

COMPLIANCE WITH OFFICE OF LOCAL GOVERNMENT GUIDELINES ON COUNCIL DECISION MAKING DURING MERGER PROPOSAL PERIODS

The recommendation of this report satisfies the requirements of the OLG Guidelines – *Council Decision Making During Merger Proposal Periods*.

BACKGROUND

Traffic Committee Meeting held on 13 April 2016:

11 **PORT KEMBLA** **Illawarra Triathlon Club – Race Dates for 2016/2017**

Background

The Illawarra Triathlon Club has submitted a new application for the 2016/17 events to be held on Gloucester Boulevard Port Kembla on the following Sundays:

2016	2017
Sunday 28 th August	Sunday 22 nd January
Sunday 20 th November	Sunday 19 th February
Sunday 18 th December	Sunday 9 th April

The closures take place between 8.00am – 11.00am on each of the race days and only affect traffic on Gloucester Boulevard between the car park at MM Beach and Gallipoli Street, Port Kembla.

PROPOSAL SUPPORTED UNANIMOUSLY

The proposed road closures be approved subject to the submitted traffic management plans (Attachment 2) and Council's Standard Conditions for Road Closures (Attachment 1).

Traffic Committee Meeting held on 4 May 2016:

10 **WOLLONGONG** **The Color Run™ Sunday 22 May 2016**

Background

The Color Run™ event has been held over this course in 2014 and 2015 and the traffic management plans are the same as previous plans. The organisers neglected to contact Council with respect to the road closures until 3 May 2016 and this special item has been considered by members of the Traffic Committee.

Council's Standard Conditions for Road Closures require the organisers to advertise the closures and contact residents and business owners in the areas affected by the closures.

The event involves the closure of Marine Drive, Endeavour Drive, Cliff Road, Bourke Street, Kembla Street (north of Bourke Street) and the southbound carriageway of George Hanley Drive. The road closures take place between 5am and 1pm on the day but Marine Drive and part of Endeavour Drive are expected to be re-opened by 10.30am.

The runners pass through a series of colour stations where vegetable starch colour is thrown onto the course and the event finishes in Stuart Park. The 1pm

re-opening time for the roadways takes into account the time required for the colours to be cleared from the public roads.

The organisers have arranged for the Gong Shuttle to be diverted along Virginia Street and Bourke Street and then to Corrimal Street until 11am. The route bus services otherwise will be permitted to access Marine Drive throughout the event. Route Service 65 will be unaffected as the traffic controllers will be instructed to assist its passage through the affected streets, Kembla and Blackett.

PROPOSAL SUPPORTED UNANIMOUSLY

The proposed road closures be approved subject to the submitted Traffic Management Plans (Attachment 3), and:

- a Council's Standard Conditions for Road Closures (Attachment 1);
- b Approval from NSW Roads and Maritime Services for the road closures at the signalised intersections; and,
- c Approval from Transport for NSW for changes to the bus route.

PLANNING AND POLICY IMPACT

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

It specifically delivers on core business activities as detailed in the Transport Services Plan 2015 -16.

ITEM 14

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

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

RECOMMENDATION

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

ATTACHMENTS

Returns of Disclosures of Interests and Other Matters (to be tabled)

REPORT AUTHORISATIONS

Report of: Kylee Cowgill, Manager Governance and Information
Authorised by: Greg Doyle, Director Corporate and Community Services – Creative, Engaged and Innovative City

COMPLIANCE WITH OFFICE OF LOCAL GOVERNMENT GUIDELINES ON COUNCIL DECISION MAKING DURING MERGER PROPOSAL PERIODS

The recommendation in this report satisfies the requirements of the OLG Guidelines - *Council Decision Making During Merger Proposal Periods*.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 goal “*We are a connected and engaged community*”.

It specifically delivers on core business activities as detailed in the Governance and Administration Service Plan 2015-16.

MINUTES

ORDINARY MEETING OF COUNCIL

at 6.00 pm

Monday 4 April 2016

Present

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

In Attendance

General Manager – D Farmer, Director Corporate and Community Services – Creative, Engaged and Innovative City – G Doyle, Director Infrastructure and Works – Connectivity, Assets and Liveable City – M Hyde, Director Planning and Environment – Future, City and Neighbourhoods – A Carfield, Manager Governance and Information – K Cowgill, Manager Finance – B Jenkins, Manager Property and Recreation – P Coyte, Manager Community Cultural and Economic Development – K Hunt and Manager City Works and Services – M Roebuck

Apologies

- 29 COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Dorahy seconded Councillor Brown that the apologies tendered on behalf of Councillors Merrin and Petty be accepted.

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DISCLOSURE OF INTERESTS

Councillor Martin declared a non-significant, non-pecuniary interest in Item 2 as it was a draft planning proposal that may or may not make its way to her employer, the NSW Department of Planning and Environment. Councillor Martin advised that she would remain for discussion of the item.

Councillor Brown declared a significant, pecuniary interest in Item 2 as a close family member is employed by one of the companies listed in the report.

Councillor Kershaw declared a significant, pecuniary interest in Item 2 as she has a close relative employed by the party involved in this proposal. Councillor Kershaw advised that she would depart the Chambers during debate and voting on this matter.

Councillor Blicavs declared a non-significant, non-pecuniary interest in Item 2 as she is a Director on the Top Blokes Foundation Board, where a Co-Director is the Chief Executive Officer of an organisation mentioned in the paper. She advised she would remain for debate and voting on the item.

The Lord Mayor declared a pecuniary interest in Item 2 as he is Chair of a Community Consultative Committee on pollution matters and the operations of BlueScope Steel, which was a remunerated position. The Lord Mayor advised that he would vacate the Chair during the debate and voting on this matter.

Councillor Connor declared a significant, conflict of interest in Item 7 as he is the Principal of a school who receives a yearly Community Grant from the organisation who is the subject of the report. Councillor Connor advised that he would depart the Chambers during debate and voting on this matter.

CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 14 MARCH 2016

- 30 COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Colacino that the Minutes of the Ordinary Meeting of Council held on Monday, 14 March 2016 (a copy having been circulated to Councillors) be taken as read and confirmed.

CALL OF THE AGENDA

- 31 COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Connor that the staff recommendations for Items 3, 6, 8-19 inclusive, be adopted as a block.

MATTER OF GREAT URGENCY – PORT KEMBLA COMMUNITY INVESTMENT FUND

Councillor Crasnich advised that he wished to put forward a motion which he considered to be a matter of great urgency.

The Lord Mayor ruled Councillor Crasnich's request to be out-of-order as he considered the matter not to be of great urgency.

Councillor Crasnich MOVED a MOTION OF DISSENT on the Lord Mayor's ruling and on a show of hands, the Lord Mayor's ruling was upheld.

ITEM A – ITEM LAID ON TABLE – COUNCIL MEETING 14 MARCH 2016 – POLICY REVIEW: PRIVACY MANAGEMENT PLAN

On 14 March 2016 a MOTION was MOVED by Councillor Colacino seconded Councillor Crasnich that –

- 1 The revised Privacy Management Plan be adopted, subject to an amendment to Part 1.3 (What is Health Information?) to read “personal information from a health professional about the physical....”.
- 2 A copy of the adopted Policy be forwarded to the Privacy Commissioner.

A PROCEDURAL MOTION was MOVED by Councillor Brown seconded Councillor Blicavs that the matter be taken off the table and all speaking rights be reinstated and debate recommence on this Item. PROCEDURAL MOTION on being PUT to the VOTE was CARRIED.

A PROCEDURAL MOTION was MOVED by Councillor Colacino seconded Councillor Connor that this matter lay on the table. The PROCEDURAL MOTION was CARRIED.

DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 1, Councillor Curran departed and returned to the meeting, the time being from 6.48 pm to 6.50 pm.

ITEM 1 – EXHIBITION – DRAFT ANNUAL PLAN 2016-17

32 COUNCIL'S RESOLUTION – RESOLVED on the motion of Councillor Brown seconded Councillor Connor that Council endorse the draft Annual Plan 2016-17, including:

- 1 Attachment 1 – Draft Budget 2016-17 subject to inclusion of an options annexure of up to \$700,000 to be appropriated from the Strategic Projects Restricted Fund for the purposes of a synthetic football pitch at Ian McClelland Park, Kembla Grange. This contribution be:
 - i a one off contribution with no ongoing liabilities for Council beyond \$700,000;
 - ii subject to a Council approved maintenance and replacement program for the pitch. This program is to be undertaken by Football South Coast in consultation with Council to ensure no ongoing liabilities for any future Council;
 - iii subject to the project being jointly funded by the NSW Government through ClubGrants (\$500,000) and Football South Coast (\$600,000) and be project managed by Council; and
- 2 Attachment 2 – Draft Revenue Policy, Fees and Charges 2016-17, for public exhibition between the period of 7 April and 5 May 2016.

Variation *A variation to the Motion moved by Councillor Bradbery was accepted by the mover and seconder that the following be added to point 1:*

- '1 Attachment 1 – Draft Budget 2016-17 subject to include the expenditure of up to \$700,000 to be appropriated from the Strategic Projects Restricted Fund for the purposes of a synthetic football pitch at Ian McClelland Park, Kembla Grange. This contribution be:*
- i a one off contribution with no ongoing liabilities for Council beyond \$700,000;*
 - ii subject to a Council approved maintenance and replacement program for the pitch. This program is to be undertaken by Football South Coast in consultation with Council to ensure no ongoing liabilities for any future Council;*
 - iii subject to the project being jointly funded by the NSW Government through ClubGrants (\$500,000) and Football South Coast (\$600,000) and be project managed by Council; and'*

Variation *A further variation to the Motion was added by Councillor Brown (to remove the words 'expenditure of' in point 1 and add 'inclusion of an options annexure of up to').*

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Councillor Brown's MOTION on being PUT to the VOTE was CARRIED.

- In favour** Councillors Kershaw, Connor, Brown, Martin, Blicavs, Dorahy, Colacino, Crasnich, Curran and Bradbery
- Against** Councillor Takacs

DEPARTURE OF COUNCILLORS

Due to prior disclosures of interests –

- The Lord Mayor vacated the Chair and departed the Chamber, and Deputy Lord Mayor, Councillor Dorahy, assumed the Chair.
- Councillors Kershaw and Brown departed the meeting, the time being 7.00 pm.

DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 2, Councillor Connor departed and returned to the meeting, the time being from 7.25 pm to 7.27 pm.

ITEM 2 – DRAFT PLANNING PROPOSAL – PORT OF PORT KEMBLA

33 COUNCIL'S RESOLUTION – MOVED by Councillor Martin seconded Councillor Connor that –

- 1 A draft Planning Proposal be prepared to amend the State Environmental Planning Policy (Three Ports) 2013, for the Port Kembla precinct to:
 - a permit a Community Facility (Men's Shed) on part of Lot 1 DP 606434 off Visitor Road, Springhill Road, Port Kembla;
 - b permit a car park associated with a Place of Worship on part of Lot 1 DP 606432 (Nos 1-3) Newcastle Street, Cringila;
 - c introduce a heritage map showing the location of the heritage listed items;
 - d delete the heritage listing of 'Gardens around Former House and Adjacent Driveway' at 2 Electrolytic Street (Gloucester Boulevard);
 - e permit a range of Exempt and Complying development on the non-leased lands within the SEPP area;

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- f permit the use of surplus administration buildings within the BlueScope site (as described in the report) for temporary Office premises, provided:
 - i the additional use ceases if the premise is sold;
 - ii the additional use ceases within 10 years;
 - iii the reconstruction or replacement of the building is not permitted.
 - g permit the use of surplus industrial buildings, warehouses and hard stand areas within the BlueScope site (as described in the report) for temporary light industrial, storage and distribution, and warehousing uses, provided:
 - i retail premises are not permitted;
 - ii the additional use ceases if the premise is sold;
 - iii the additional use ceases within 10 years;
 - iv the reconstruction or replacement of the building is not permitted.
- 2 The draft Planning Proposal be referred to the NSW Department of Planning and Environment for a Gateway determination and, if approved, exhibited for a minimum period of 28 days.
- 3 Council advise the NSW Department of Planning and Environment that it is willing to accept plan making delegation should the Department agree.

A PROCEDURAL MOTION was MOVED by Councillor Curran that Council suspend Standing Orders and move into Committee of the Whole in Open Council in order to find wording that will suit Councillor Crasnich's proposed variation to the motion. The PROCEDURAL MOTION was CARRIED.

In favour Councillors Martin, Colacino, Crasnich, Curran and Dorahy
Against Councillors Connor, Takacs and Blicavs

A PROCEDURAL MOTION was MOVED by Councillor Connor that Council resume Standing Orders. The PROCEDURAL MOTION was CARRIED.

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An AMENDMENT was MOVED by Councillor Crasnich seconded Councillor Curran that –

- 1 A draft Planning Proposal be prepared to amend the State Environmental Planning Policy (Three Ports) 2013, for the Port Kembla precinct to:
 - a permit a Community Facility (Men's Shed) on part of Lot 1 DP 606434 off Visitor Road, Springhill Road, Port Kembla;
 - b permit a car park associated with a Place of Worship on part of Lot 1 DP 606432 (Nos 1-3) Newcastle Street, Cringila;
 - c introduce a heritage map showing the location of the heritage listed items;
 - d delete the heritage listing of "Gardens around Former House and Adjacent Driveway" at 2 Electrolytic Street (Gloucester Boulevard);
 - e permit a range of Exempt and Complying development on the non-leased lands within the SEPP area;
 - f permit the use of surplus administration buildings within the BlueScope site (as described in the report) for temporary Office premises, provided:
 - i the additional use ceases if the premise is sold;
 - ii the additional use ceases within 10 years;
 - iii the reconstruction or replacement of the building is not permitted.
 - g permit the use of surplus industrial buildings, warehouses and hard stand areas within the BlueScope site (as described in the report) for temporary light industrial, storage and distribution, and warehousing uses, provided:
 - i retail premises are not permitted;
 - ii the additional use ceases if the premise is sold;
 - iii the additional use ceases within 10 years;
 - iv the reconstruction or replacement of the building is not permitted.
- 2 The draft Planning Proposal be referred to the NSW Department of Planning and Environment for a Gateway determination and, if approved, exhibited for a minimum period of 28 days.

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- 3 Council advise the NSW Department of Planning and Environment that it is willing to accept plan making delegation should the Department agree.
- 4 That the future use of BlueScope lands may include projects to be funded from the new Port Kembla Community Investment Fund and as a result of the new uses included as permissible in the SEPP from the planning proposal be the subject of a separate acknowledgement to Gareth Ward, Parliamentary Secretary to the Premier, Illawarra and South Coast and the New South Wales State Government for new funding.

Councillor Crasnich's AMENDMENT on being PUT to the VOTE was LOST.

In favour
Against

Councillors Martin, Crasnich and Curran

Councillors Connor, Takacs, Blicavs, Dorahy and Colacino

Councillor Martin's MOTION was then PUT to the VOTE and CARRIED UNANIMOUSLY.

ATTENDANCE OF COUNCILLORS AND RESUMPTION OF CHAIR

At this stage, the time being 7.36 pm, Councillors Kershaw and Brown and the Lord Mayor returned to the meeting. The Lord Mayor resumed the Chair.

ITEM 3 – WHARTONS CREEK, BULLI ENTRANCE MANAGEMENT STUDY AND PLAN – POST EXHIBITION REPORT –

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 31).

COUNCIL'S RESOLUTION – The Whartons Creek Entrance Management Study and Plan be adopted.

Minute No.

ITEM 4 – DRAFT POLICY – CROWN STREET MALL ACTIVITY

34 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor Takacs seconded Councillor Blicavs that –

- 1 Council endorse the draft Crown Street Mall Activity Policy to be placed on public exhibition for a period of 28 days.
- 2 Post the public exhibition period, the draft Policy, together with a summary of submissions, be presented to Council for endorsement.

ITEM 5 – DRAFT DISABILITY INCLUSION ACTION PLAN 2016-2020

35 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Curran that –

- 1 Council:
 - a Receive the draft Disability Inclusion Action Plan 2016-2020 – Engagement Summary.
 - b Endorse the public exhibition of the draft Disability Inclusion Action Plan 2016-2020 from 6 April to 6 May 2016 (inclusive).
- 2 Following exhibition, the final version of the Disability Inclusion Action Plan be presented to the Council meeting in June 2016 for consideration and endorsement.

ITEM 6 – WOLLONGONG HERITAGE STRATEGY 2015-2017

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 31).

COUNCIL'S RESOLUTION that –

- 1 The Wollongong Heritage Strategy 2015-2017 (Attachment 2) be adopted as Council Policy.
- 2 The Wollongong Heritage Implementation Plan Proposals 2015-2017 be noted.

DEPARTURE OF COUNCILLOR

Due to prior disclosures of interest on Item 7, Councillor Connor departed the meeting, the time being 7.41 pm.

Minute No.

ITEM 7 – HELENSBURGH LANDFILL SITE REHABILITATION – SUPPLY OF CAPPING MATERIALS

36 COUNCIL'S RESOLUTION – RESOLVED on the motion of Councillor Colacino seconded Councillor Crasnich that –

- 1 Pursuant to Section 55(3)(i) of the Local Government Act 1993 tenders not be invited for the supply of capping materials for rehabilitation works to Council's former Helensburgh Waste Disposal Depot for the reason that there is a local supplier of the material with the ability and capacity to supply sufficient quantities of the material to the standard required by the NSW Environment Protection Authority at no cost to Council and it is considered that a satisfactory result would not be achieved by inviting tenders.
- 2 Council delegate to the General Manager the authority to negotiate and finalise the terms of the contract with Metropolitan Coal Pty Ltd for the supply of material relating to rehabilitation works to Council and to execute the contract on behalf of Council, subject to receipt of detailed material testing results and NSW Environment Protection Authority approval of the material for use in the rehabilitation works.
- 3 Council grant authority for the use of the Common Seal of Council on the contract and any other documentation, should it be required, to give effect to this resolution.

In favour Councillors Kershaw, Brown, Martin, Takacs, Blicavs, Dorahy, Colacino, Crasnich and Bradbery

Against Councillors Curran

ITEM 8 – TENDER 15/40 – PROPOSED LEASE AND LICENCE FOR BRIGHTON LAWN KIOSK AND OUTDOOR SEATING

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 31).

COUNCIL'S RESOLUTION –

- 1 In accordance with the Local Government (General) Regulation 2005, Clause 178 (1) (a), Council accept the tender of Delldem Pty Ltd for lease and licence of Brighton Lawn Kiosk and Outdoor Seating, in the sum of \$260,260.00 per annum (excluding GST) for a 10 year lease term.
- 2 Council delegate to the General Manager the authority to finalise and execute the contract and any other documentation required to give

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effect to this resolution.

- 3 Council grant authority for the use of the Common Seal of Council on the contract and any other documentation, should it be required, to give effect to this resolution.

ITEM 9 – QUOTATION E4557 FOR PROPOSED LEASE AND LICENCE FOR THIRROUL BEACH KIOSK AND OUTDOOR SEATING AREAS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 31).

COUNCIL'S RESOLUTION –

- 1 Council accept the submission received from PBLB Pty Ltd for the lease and licence to operate the Thirroul Beach Kiosk in the sum of \$143,000 per annum, plus GST, for the lease term of 10 years.
- 2 Subject to the Minister administering the Crown Lands Act, 1989 approval, authority be granted for the lease and licence to be entered into for part Folio identifiers 30/3/2185 and 31/3/2185 within Reserve 89099 for Public Recreation to PBLB Pty Ltd on the terms set out in the report.
- 3 Council delegate to the General Manager the authority to finalise and execute the lease and any other documentation required to give effect to this resolution.
- 4 Council grant authority for the use of the Common Seal of Council on the lease and the licence and any other documentation, should it be required to give effect to this resolution.

ITEM 10 – TENDER T15/09 – PROVISION OF LEGAL SERVICES TO COUNCIL

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 31).

COUNCIL'S RESOLUTION –

- 1 In accordance with the Local Government (General) Regulation 2005, clause 178(1)(a), Council accept the tenders of Bartier Perry, Kells the Lawyers, Marsdens Law Group and Sparke Helmore to provide legal services to Council for a term of five years.

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- 2 Council delegate to the General Manager the authority to finalise and execute the contracts and any other documentation required to give effect to this resolution.

ITEM 11 – TENDER T16/04 – STUART PARK PEDESTRIAN BOARDWALK

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 31).

COUNCIL'S RESOLUTION –

- 1 In accordance with the Local Government (General) Regulation 2005, Clause 178 (1) (a), Council accept the tender of Select Civil Pty Ltd for construction of the Stuart Park Pedestrian Boardwalk and associated civil and landscaping works, in the sum of \$452,251.63 excluding GST.
- 2 Council delegate to the General Manager the authority to finalise and execute the contract and any other documentation required to give effect to this resolution.
- 3 Council grant authority for the use of the Common Seal of Council on the contract and any other documentation, should it be required, to give effect to this resolution.

ITEM 12 – TENDER T16/05 WOONONA ROCK POOL – CONCOURSE REPLACEMENT

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 31).

COUNCIL'S RESOLUTION –

- 1 In accordance with the Local Government (General) Regulation 2005, Clause 178 (1) (a), Council accept the tender of GC Group Company Pty Ltd for Woonona Rock Pool Concourse Replacement, in the sum of \$619,028.00 excluding GST.
- 2 Council delegate to the General Manager the authority to finalise and execute the contract and any other documentation required to give effect to this resolution.
- 3 Council grant authority for the use of the Common Seal of Council on the contract and any other documentation, should it be required, to give effect to this resolution.

ITEM 13 – TENDER T16/01 – THIRROUL LIFEGUARD STORAGE

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 31).

COUNCIL'S RESOLUTION –

- 1 In accordance with the Local Government (General) Regulation 2005, Clause 178 (1) (a), Council accept the tender of Batmac Constructions Pty Ltd for Thirroul Lifeguard Storage, in the sum of \$152,904, excluding GST.
- 2 Council delegate to the General Manager the authority to finalise and execute the contract and any other documentation required to give effect to this resolution.
- 3 Council grant authority for the use of the Common Seal of Council on the contract and any other documentation, should it be required, to give effect to this resolution.

ITEM 14 – BEATON PARK POOL - PROCUREMENT OF REPLACEMENT POOL FILTER

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 31).

COUNCIL'S RESOLUTION –

- 1 Pursuant to section 55(3)(i) of the Local Government Act 1993 tenders not be invited for the supply of the recommended pool filter to Council for the reason that there is only one Australian distributor of this equipment known to Council and a satisfactory result would not be achieved by inviting tenders.
- 2 Council delegate to the General Manager the authority to negotiate and finalise the terms of the contract with Prime Pools and Spas Pty Ltd (trading as Neptune Benson Australia) for the supply of the recommended Defender Regenerative Ultrafine Filtration (UFF) unit to Council and to execute the contract on behalf of Council.
- 3 Council grant authority for the use of the Common Seal of Council on the contract and any other documentation, should it be required to give effect to this resolution.

ITEM 15 – PROPOSED GRANT OF EASEMENT FOR OVERHEAD POWERLINES OVER LOTS 24 AND 25 DP 737238 CORDEAUX ROAD, MOUNT KEMBLA

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 31).

COUNCIL'S RESOLUTION –

- 1 Council authorise the grant of an Easement for Overhead Powerlines 9m wide and variable over Lots 24 and 25 DP 737238, as shown on the attachment to this report.
- 2 Council be responsible for all costs in the creation of the easement.
- 3 Authority be granted to affix the Common Seal of Council to the easement creation documents and any other documents required to give effect to this resolution.

ITEM 16 – RESCHEDULING OF 20 JUNE 2016 COUNCIL MEETING

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 31).

COUNCIL'S RESOLUTION –

- 1 The Council meeting scheduled for 20 June 2016 be rescheduled to 27 June 2016 in place of a Councillor Briefing Session scheduled on that date.
- 2 A Councillor Briefing be held on 20 June 2016 in place of the rescheduled Council meeting.

ITEM 17 – FEBRUARY 2016 FINANCIALS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 31).

COUNCIL'S RESOLUTION –

- 1 The report be received and noted.
- 2 Proposed changed in the capital works program be approved.

ITEM 18 – STATEMENT OF INVESTMENTS – FEBRUARY 2016

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 31).

COUNCIL'S RESOLUTION – Council receive the Statement of Investments for February 2016.

ITEM 19 – CITY OF WOLLONGONG TRAFFIC COMMITTEE – MINUTES OF MEETING HELD 9 MARCH 2016

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 31).

COUNCIL'S RESOLUTION – In accordance with the powers delegated to Council, the minutes and recommendations of the City of Wollongong Traffic Committee Meeting held on 9 March 2016 in relation to Regulation of Traffic be adopted.

THE MEETING CONCLUDED AT 7.48 PM

Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on 9 May 2016.

Chairperson

BACKGROUND

This policy has been developed in order to outline that Council collects and holds personal and health information for the purpose of facilitating its business. It is important that the use of this information is confined to the purpose for which it is acquired. In order to properly manage the personal information it holds, it is essential for the provisions of this policy to be observed by Councillors, employees, contractors and volunteers.

The *Privacy and Personal Information Protection Act 1998* [PPIPA] requires all public sector agencies to prepare, implement and review their Privacy Management Plan on a regular basis. The Information and Privacy Commission guidelines for Privacy Management Plans recommend review at least every two years. This policy outlines how Wollongong City Council complies with the legislative requirements of the PPIPA, the *Health Records and Information Privacy Act 2002* [HRIPA] and the *Privacy Code of Practice for Local Government* [Code].

OBJECTIVE

The main objectives of this policy are to inform the community and educate staff on access to personal information and to introduce Council policies and procedures to maximise compliance with the PPIPA and the HRIPA.

POLICY STATEMENT

Wollongong City Council is committed to protecting the privacy of our customers, business contacts, Councillors, employees, contractors and volunteers.

This policy aims to ensure Wollongong City Council manages the personal and health information it collects, stores, accesses, uses and discloses in the course of its business activities.

STATEMENT OF PROCEDURES

CONTENTS

DRAFT

PART 1 - INTRODUCTION

1.1 WHAT IS PERSONAL INFORMATION?

Personal information is defined as:

“information or an opinion about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion. This information can be on a database and does not necessarily have to be recorded in a material form”

1.2 WHAT IS NOT PERSONAL INFORMATION?

Personal information does not include information about an individual that is contained in a publicly available publication. Personal information, once it is contained in a publicly available publication, ceases to be covered by the PPIPA.

Where the Council is requested to provide access or make a disclosure and that information has already been published, then the Council will rely on the provisions of the relevant Act that authorises Council to hold that information and not the PPIPA (for example, a formal or informal request under the *Government Information (Public Access) Act 2009* [GIPAA]).

In accordance with GIPAA, when inviting public submissions Council will advise people that their submission, including any personal information in the submission, may be made publicly available.

1.3 WHAT IS HEALTH INFORMATION?

Health information is defined in the HRIPA as:

“personal information that is information or an opinion about the physical or mental health or a disability (at any time) of an individual or an individual’s express wishes about the future provision of health services to him or her or a health service provided or to be provided to an individual”.

1.4 APPLICATION OF THIS PLAN

The PPIPA, [HRIPA](#) and this Plan apply, wherever practicable, to:

- Councillors;
- Council employees;
- Consultants and contractors of the Council;
- Volunteers;
- Council owned businesses; and
- Council Committees (including those which may be established under section 355 of the *Local Government Act 1993* (LGA)).

1.5 PERSONAL AND HEALTH INFORMATION HELD BY COUNCIL

The Council holds personal information concerning Councillors, such as:

- personal contact information;
- complaints and disciplinary matters;
- disclosure of interest returns; and
- entitlements to fees, expenses and facilities;

The Council holds personal and health information concerning its customers, ratepayers and residents, in records such as:

- rates records;
- customer requests;
- library lending records;
- fitness testing records;
- burial and cremation records;
- community service utilisation e.g. Community Transport;
- CCTV footage;
- donation, grant and sponsorship applications;
- submissions and information collected as part of Council's community engagement and consultation activities;
- public access forum applications; and
- development applications and related submissions.

The Council holds personal and health information concerning its current and former employees in records such as:

- recruitment material;
- pre-employment medical information;
- workers compensation investigations;
- public interest disclosure investigations;
- leave and payroll data;
- personal contact information;
- performance management plans;
- disciplinary matters;
- disclosure of interest returns; and
- wage and salary entitlements.

1.6 UNSOLICITED INFORMATION

Unsolicited information is personal or health information received by Council in circumstances where Council has not asked for or required the information to be provided. It includes gratuitous or irrelevant information received. Such information is not deemed to have been collected by Council but the retention, use and disclosure principles of the information will apply to any such information in Council's possession. Personal information contained in petitions received in response to a call for submissions or unsolicited petitions tabled at Council meetings will be treated the same as any other submission and be made available for release to the public.

Personal or health information disclosed publicly and recorded for the purposes of webcasting at Council Meetings is not deemed to have been collected by Council. Retention and Use Principles of this information will apply to such information in Council's possession, however Disclosure Principles will not apply as the information was voluntarily disclosed with the prior knowledge that it would be recorded, broadcast via the internet to the public and made available by Council for public viewing.

PART 2 - PUBLIC REGISTERS

2.1 DEFINITION

A public register is defined as *"a register of personal information that is required by law to be, or is made, publicly available or open to public inspection (whether or not on payment of a fee)".*

Council holds public registers under the LGA, including:

- Land Register
- Records of Approvals
- Register of Disclosures of Interests

*Note — this is purely indicative. Council may, by virtue of its own practice, hold other public registers, to which PPIPA applies.

Council holds public registers under the *Environmental Planning and Assessment Act 1979 [EPA]*:

- Register of consents and certificates
- Record of building certificates

Council holds a public register under the *Protection of the Environment Operations Act 1997 [POEO]*:

- Public register of licences

Council holds a public register under the *Impounding Act 1993 [IA]*:

- Record of impounding

The purpose for each of these public registers is set out in this Plan.

2.2 DISCLOSURE OF PERSONAL INFORMATION CONTAINED IN PUBLIC REGISTERS

Personal information contained in a public register, other than where required by legislation, will only be disclosed where Council is satisfied that it is to be used for a purpose relating to the purpose of the register.

Disclosure in relation to personal information not contained in a public register must comply with the Information Protection Principles as outlined in this Plan.

A person seeking a disclosure concerning someone else's personal information from a public register must make application to Council and outline their reasons and purpose.

2.3 PURPOSES OF PUBLIC REGISTERS

Land Register — The primary purpose is to identify all land vested in Council, or under its control. The secondary purpose includes a consideration of public accountability as to the land held by Council. Third party access is therefore a secondary purpose.

Records of Approvals — The primary purpose is to identify all approvals granted under the LGA.

Register of Disclosures of Interests — The primary purpose of this register is to determine whether or not a Council official has a pecuniary interest in any matter with which the council is likely to be concerned. There is a corresponding public accountability purpose and third party access is a secondary purpose.

Register of consents and certificates — The primary purpose is to identify applications for development consent and other approvals, confirm determinations on appeal and identify applications for complying development certificates.

Record of building certificates — The primary purpose is to identify all building certificates.

Public register of licences — The primary purpose is to identify all licences granted under the POEO.

Record of impounding — The primary purpose is to identify any impounding action by Council.

2.4 SECONDARY PURPOSE OF ALL PUBLIC REGISTERS

Council aims to be open and accountable and it is considered that a secondary purpose for which all public registers are held by Council includes the provision of access to members of the public. Disclosure of specific records from public registers would normally be permitted.

Requests for access, copying or the sale of the whole or a substantial part of a public register will not necessarily fit within this purpose. Council will make an assessment as to the minimum amount of personal information that is required to be disclosed with regard to any request.

2.5 OTHER REGISTERS

Council may keep other registers that are not public registers. The Information Protection Principles, this Plan, the Code and PPIPA apply to the use and disclosure of information in those registers.

A register that Council keeps that is not a public register is the rates record and Council's position on this record is as follows:

Rates Record - The primary purpose is to record the value of a parcel of land and record rate liability in respect of that land. The secondary purpose includes recording the owner or lessee of each parcel of land. For example, a disclosure on a rating certificate that a previous owner was a pensioner is considered to be allowed, because the

secondary purpose is “a purpose relating to the purpose of the register”. Public access to the rates record will only be granted where the purpose of the access is to obtain information necessary for a statutory purpose such as the service of a notice under the *Dividing Fences Act 1991*. The rates record will also be used by Council to notify relevant land owners of development applications and other matters where Council is required or wishes to consult its local community.

2.6 APPLICATIONS FOR ACCESS TO OWN PERSONAL OR HEALTH INFORMATION

Informal request

~~A person wishing to have access to Council's records to confirm or amend their own personal or health information, such as updating contact details should submit a Confirm Personal Information Application and if the person wishes to alter their personal information they should submit a Change of Personal Information Application can do so by contacting Council either in person or in writing. Council will take steps to verify the identity of the person requesting access or changes to information.~~

A formal application may not be necessary and is only used as a last resort.

Formal Application

Individuals wanting to access or amend their own personal or health information must put the request to Council in writing. This application must contain the following information:

- The full name, date of birth¹ and contact details of the person making the request
- State whether the application is under the PPIP Act (personal information) or HRIP Act (health information)
- Explain what personal or health information the person wants to access or amend
- Explain how the person wants to access or amend it, including (but not limited to) the following methods:
 - Copies of the information (copy charges may apply, see Council's Fees and Charges)
 - Viewing the information, but not taking copies or taking notes.
- Confirmation of the applicant's identity

2.7 ACCESSING OR AMENDING OTHER PEOPLE'S PERSONAL OR HEALTH INFORMATION

Council is restricted from giving individuals access to someone else's personal and health information unless that person provides us with written consent. An "authorised" person must confirm their identification to act on behalf of someone else.

There may be other reasons Council may be authorised to disclose personal and health information, such as in the event of a serious and imminent threat to the life, health and safety of the individual, to find a missing person or for compassionate reasons. A third party could also consider making an application for access to government information under the GIPA Act.

2.78 APPLICATIONS FOR SUPPRESSION OF PERSONAL INFORMATION IN A PUBLIC REGISTER

A person about whom personal information is contained (or is proposed to be contained) in a public register, may request Council to have the information removed from or not placed on the register by submitting an application in the form of a Statutory Declaration.

If Council is satisfied that the safety or well-being of any person would be affected by not suppressing the person's personal information, Council will suppress the information in accordance with the request unless Council is of the opinion that the public interest in maintaining public access to the information outweighs any individual interest in suppressing the information.

The information may still be used in the exercise of Council functions, but it cannot be disclosed to other parties.

PART 3 – POLICIES AND LEGISLATION

Policies and legislation affecting the processing of information and related to this plan include:

¹ A date of birth may assist Council in distinguishing between individuals with the same or similar names.

- Council's *Public Access to [Documents and Information held by Council](#) policy*
Public access to information and documents held by Council is facilitated by Council's *Public Access to [Documents and Information held by Council](#) policy*. This policy has regard to the *Government Information (Public Access) Act 2009*, *Government Information (Public Access) Regulation 2009* and the *Local Government Act 1993*.

This Plan should be read in conjunction with the *Public Access to [Documents and Information Held by Council](#) policy*, the *Privacy Code of Practice for Local Government*, together with Council's *Publication Guide*.

The above documents are available for viewing at www.wollongong.nsw.gov.au
- Environmental Planning and Assessment Act 1979 (EPAA)

The EPAA contains provisions that require Council to make development applications and accompanying information publicly available and provides a right for people to inspect and make copies of elevation plans during the submission period.

The EPAA is available for viewing at www.austlii.edu.au/
- Health Records and Information Privacy Act 2002 (HRIPA)

The HRIPA governs both the public and private sector in NSW. It contains a set of 15 Health Privacy Principles and sets up a complaints mechanism to ensure agencies abide by them.

The HRIPA is available for viewing at www.ipc.nsw.gov.au
- Privacy and Personal Information Protection Act 1998 (PPIPA)

In addition to requirements covered in this plan, the PPIPA prohibits disclosure of personal information by public sector officers that are not done in accordance with the performance of their official duties. These provisions are generally directed at corrupt or irregular disclosure of personal information staff may have access to at work and not inadvertent failure to follow procedures or guidelines. Corrupt or irregular disclosure can include intentionally disclosing or using personal information accessed in doing our jobs for an unauthorised purpose, or to offer to supply personal information that has been disclosed unlawfully. Offences can be found listed in s62-68 of the PPIPA, are considered serious and may, in some cases, lead to imprisonment.

The PPIPA is available for viewing at www.ipc.nsw.gov.au
- Public Interest Disclosures Act 1994 (PIDA)

The definition of personal information under PPIPA excludes information contained in a public interest disclosure. This means that a person cannot seek review of the use or disclosure of a public interest disclosure or be prosecuted for unauthorised disclosure of public interest disclosure information under PPIPA. However, this plan is still able to address strategies for the protection of personal information disclosed under PIDA.

The PIDA is available for viewing at www.legislation.nsw.gov.au – further information can be obtained from the NSW Ombudsman at www.ombo.nsw.gov.au

PART 4 - INFORMATION PROTECTION PRINCIPLES

4.1 Council complies with the Information Protection Principles (IPPs) prescribed under PPIPA and Health Privacy Principles (HPPs) prescribed under HRIPA as follows:

IPP 1 & HPP 1 Lawful collection

Council will collect personal and/or health information that is reasonably necessary and for a lawful purpose that is directly related to its functions and/or activities. Such personal and health information may include names, residential address, phone numbers, email addresses, signatures, medical certificates, photographs and video footage (CCTV).

IPP 2 & HPP 2 Direct collection

Personal information will be collected directly from the individual, unless that person consents otherwise. Parents or guardians may give consent for minors.

Health information will be collected directly from the person concerned, unless it is unreasonable or impracticable to do so.

Collection may occur via phone, written correspondence to Council, email, facsimile, Council forms or in person.

IPP 3 & HPP 3 Requirements when collecting

- 1 Council will inform individuals that their personal information is being collected, why it is being collected and who will be storing and using it. Council will also inform the person how they can view and correct their information. A Privacy Statement is published on Council's website, intranet, included on forms where personal or health information is collected and available as a handout to the public.
- 2 Council will inform persons why health information is being collected about them, what will be done with it and who might see it. Council will also inform the person how they can view and correct their health information and any consequences if they do not provide their information. If health information is collected about a person from someone else, reasonable steps will be taken to ensure that the person has been notified as above.

IPP 4 & HPP 4 Relevance of collection

Personal and health information collected will be relevant to Council's functions and services, accurate, up-to-date, complete and not excessive. The collection will not unreasonably intrude into the individual's personal affairs.

Council will in normal circumstances rely on the individual to supply accurate, complete information, although in special circumstances some verification processes may be necessary.

IPP 5 & HPP 5 Secure storage

Council will store personal information securely, for no longer than as required by the General Retention and Disposal Authorities for Local Government Records issued by State Records Authority of NSW, and will be disposed of appropriately. It will be protected from unauthorised access, use or disclosure by application of appropriate access levels to Council's electronic data management system and staff training.

If it is necessary for the information to be given to a person in connection with the provision of a service to the Council (e.g. consultants and contractors), everything reasonably within the power of the Council is done to prevent unauthorised use or disclosure of the information.

IPP 6 & HPP 6 Transparent access

Council will provide reasonable detail about what personal and/or health information is stored on an individual. Council stores information for the purpose of carrying out its services and functions and in order to comply with relevant records keeping legislation.

Individuals have a right to request access to their own information to determine what, if any information is stored, how long it will be stored for and how it is stored (e.g. electronically with open or restricted access to staff, in hard copy in a locked cabinet etc.).

IPP 7 & HPP 7 Access to own information

Council will ensure individuals are allowed to access their own personal and health information without unreasonable delay or expense by way of implementation of appropriate procedures for access to this information.

IPP 8 & HPP 8 Right to request to alter own information

Council will, at the request of a person, allow them to make appropriate amendments (i.e. corrections, deletions or additions) to their own personal and health information:

Changes of name, address and other minor amendments require appropriate supporting documentation. Where substantive amendments are involved, an application form will be required and appropriate evidence must be provided as to why the amendment is needed.

IPP 9 & HPP 9 Accurate use of information collected

Taking into account the purpose for which the information is proposed to be used, Council will ensure that personal and health information is accurate before using it. Council will ensure that the information it proposes

to use is the most recent information kept on file, is not unreasonably out of date or where it is reasonable and necessary to do so, write to the individual to whom the information relates.

IPP 10 & HPP 10 Limits to use of information collected

Council will only use personal and health information for the purpose for which it was collected, for a directly related purpose or for a purpose for which a person has given consent. It may also be used without consent in order to deal with a serious and imminent threat to any person's life, health or safety, for the management of a health service, for training, research or to find a missing person. Additionally, a secondary purpose includes investigation of suspected unlawful activity, to exercise complaint handling functions or investigative functions

IPP 11 & HPP 11 Restricted and Limited disclosure of personal and health information

Council will only disclose personal and health information with the individual's consent or if the individual was told at the time of collection that it would do so. Council may also disclose information if it is for a related purpose and it considers that the individual would not object. Personal and health information may also be used without the individual's consent in order to deal with a serious and imminent threat to any person's life, health, safety, for the management of a health service, for training, research or to find a missing person. Additionally, a secondary purpose includes investigation of suspected unlawful activity, to exercise complaint handling or investigation functions.

IPP 12 Special limits on disclosure

Council will not disclose sensitive personal information relating to an individual's:

- ethnic or racial origin
- political opinions
- religious or philosophical beliefs
- trade union membership
- health or sexual activities unless the disclosure is necessary to prevent a serious or imminent threat to the life or health of the individual concerned or another person.

Council will not disclose this information to any person or body who is in a jurisdiction outside New South Wales unless:

- a relevant privacy law that applies to the personal information concerned is in force in that jurisdiction, or
- the disclosure is permitted under a *Privacy Code of Practice*

SPECIFIC HEALTH INFORMATION PRIVACY PRINCIPLES

Health information is given a higher level of protection regarding use and disclosure than is other personal information. In addition to the privacy principles, above, that apply to both personal and health information, the following four additional principles apply specifically to health information.

The specific Health Privacy Principles are:

HPP 12 Unique Identifiers

Council will only assign identifiers to individuals if the assignment of identifiers is reasonably necessary to enable the Council to carry out any of its functions efficiently.

HPP 13 Anonymity

Wherever it is lawful and practicable, individuals must be given the opportunity to not identify themselves when entering into transactions with or receiving any health service(s) from Council.

HPP 14 Transborder data flow

Health information must only be transferred outside NSW if Council reasonably believes that the recipient is subject to laws or obligations substantially similar to those imposed by the HRIPA or consent has been given or transfer is under a contract between Council and the individual or transfer will benefit the individual or to lessen a serious threat to an individual's health and welfare, or steps have been taken to ensure that the information will not be handled inconsistently with the HRIPA or transfer is permitted or required under any other law.

HPP 15 Cross-organisational linkages

Council will seek the express consent of individuals before participating in any system that links health records across more than one organisation. Health information or the disclosure of their identifier for the purpose of the health records linkage system will only be included if the person has given express consent.

4.2 How the Privacy Code of Practice for Local Government affects the IPPs

With regard to IPPs 2, 3, 10 and 11 the Code makes provision for Council to depart from these principles where the collection of personal information is reasonably necessary when an award, prize, benefit or similar form of personal recognition is intended to be conferred upon the person to whom the information relates.

With regard to IPP 10, in addition to the above, the Code makes provision that Council may use personal information for a purpose other than the purpose for which it was collected where the use is in pursuance of Council's lawful and proper function/s and Council is satisfied that the personal information is reasonably necessary for the exercise of such function/s.

With regard to IPP 11, in addition to the above, the Code makes provision for Council to depart from this principle in the circumstances described below:

- 1 Council may disclose personal information to public sector agencies or public utilities on condition that:
 - (i) the agency has approached Council in writing;
 - (ii) Council is satisfied that the information is to be used by that agency for the proper and lawful function/s of that agency, and
 - (iii) Council is satisfied that the personal information is reasonably necessary for the exercise of that agency's function/s.
- 2 Where Council is requested by a potential employer, it may verify that a current or former employee works or has worked for Council, the duration of that work, and the position occupied during that time. This exception shall not permit Council to give an opinion as to that person's suitability for a particular position with any potential employer unless Council is satisfied that the person has provided their consent for Council to provide a reference, which may include an opinion as to that person's suitability for the position for which he/she has applied.

PART 5 – DISSEMINATION OF THE PRIVACY MANAGEMENT PLAN**5.1 Compliance strategy**

During induction and on a regular basis all employees will be made aware of this Plan and it will be made available for on Council's Intranet and Council's website.

Councillors, employees, contractors and volunteers will be regularly acquainted with the general provisions of the PPIPA and HRIPA and, in particular, this Plan, the Information Protection Principles, the Public Register provisions, the Privacy Code of Practice for Local Government and any other applicable Code of Practice.

5.2 Communication strategy

Council informs its employees, Councillors and the community of their rights under PPIPA and this Plan by:

- publishing the Privacy Management Plan and associated documents on Council's website together with a link to the Information & Privacy Commission website;
- including privacy statements on application forms and invitations for community engagement; and;
- publishing a Privacy Handout advising how to access information on an individual's rights under PPIPA, HRIPA and this Plan.

PART 6 – COMPLAINTS AND PROCEDURES FOR INTERNAL REVIEW

6.1 Internal Review

Any person is entitled to obtain access to any personal information that Council holds about them. They may request alterations be made to their personal details or request information on the way their personal details have been used.

If an individual is not satisfied with Council's conduct in relation to their privacy request, disclosure of personal information on a public register or believe Council is contravening a privacy principle or privacy code of practice they can make an application for internal review of Council's conduct or decision by writing to Council's Privacy Contact Officer.

The written application must be addressed to Council, include a return postal address in Australia and be received by Council within 6 months of the individual becoming aware of the conduct or decision that is the subject of the application.

6.2 How does the process of Internal Review operate?

The Privacy Contact Officer will appoint a Reviewing Officer to conduct the internal review. The Reviewing Officer will report their findings to the Privacy Contact Officer.

The review is to be completed within 60 days of receipt of the application. The applicant will be notified of the outcome of the review within 14 days of its determination.

The Privacy Commissioner will be notified by the Privacy Contact Officer of a review application as soon as is practicable after it is received. Council will brief the Privacy Commissioner on the progress of an internal review and notify them of the outcome.

The role of the Privacy Commissioner in the internal review process

The Privacy Commissioner may make submissions to Council in relation to the subject matter of the application for internal review. Council may, if it deems it appropriate, ask the Privacy Commissioner to conduct the internal review.

6.3 What happens after an Internal Review?

If the applicant remains dissatisfied with the outcome of a review, an application may be made to the Administrative Decisions Tribunal for a review of Council's conduct.

If the applicant is dissatisfied with an order or decision made by the Tribunal they may make an appeal to an Appeal Panel of the Tribunal.

6.4 Alternative to lodging an application for internal review

If a person does not want to lodge an application for internal review with Council, they may contact the Privacy Commissioner directly.

PART 7 - SPECIFIC EXEMPTIONS IN PPIPA AND HRIPA RELEVANT TO COUNCIL

There are a number of exemptions from compliance with the PPIPA and HRIPA that apply directly to Council. These relate to situations where:

- information is collected in connection with proceedings (whether commenced or not) before any Court or Tribunal;
- information is collected for law enforcement purposes;
- information is used for a purpose reasonably necessary for law enforcement purposes or to protect the public revenue;
- Council is authorised or required by a subpoena or search warrant or other statutory instrument;
- Council is investigating a complaint that may be referred or made to an investigative agency;
- Council is permitted by a law or Act not to comply;
- compliance would prejudice the interests of the individual to whom the information relates;

- the individual to whom the information relates has given express consent to Council not to comply; or
- disclosure is permitted under the Privacy Code of Practice for Local Government.

PART 8 - OTHER INFORMATION

Wollongong City Council

Privacy Contact Officer

Locked Bag 8821

WOLLONGONG DC NSW 2520

Phone: (02) 4227 7111

Fax: (02) 4227 7277

Email: council@wollongong.nsw.gov.au

Information & Privacy Commission

GPO Box 7011

SYDNEY NSW 2001

Phone: 1800 472 679

Email: ipcinfo@ipc.nsw.gov.au

Web: www.ipc.nsw.gov.au

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SUMMARY SHEET	
Responsible Division	Governance and Information
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Authorised by	Director Corporate and Community Services



Beaton Park Precinct Needs Assessment Project

Final Report

December 2015



Prepared by SGL Consulting Group Australia Pty Ltd in association with Graphite Architects



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Executive Summary

1.1 Introduction

Beaton Park Precinct incorporates Beaton Park and the adjacent Wisemans Park. The Beaton Park precinct is located just 2km from Wollongong CBD. It comprises Beaton Park Leisure Centre, Wollongong Tennis Club, Illawarra Basketball Stadium, Beaton Park Sports Ground, Wisemans Park Sports Ground, Wisemans Park Tennis Courts and Wisemans Park Playground.

This precinct plays an important role in the lifestyles of many residents and visitors to Wollongong by providing significant opportunity as a leisure, sport and recreational hub. It has facilities and services to cater for the amateur to elite athlete as well as those looking for a variety of recreational opportunities in the one location.

This study has been completed to investigate already planned facility and park improvements in association new opportunities that the study has identified that will complement existing facilities and generate greater interest in recreation, leisure and sport for the region at the site.

The project has included extensive reviews of existing facilities and input from key precinct stakeholders, tenant groups and State and Regional Sport Associations.

1.2 Precinct History and Management Overview

The project history review indicates:

- Playing fields were first developed at Wisemans Park in 1925 whilst Beaton Park has a shorter history having been reserved for sport and recreation purposes from around 1952.
- Base facilities were developed at Beaton Park between the late 1950s (Tennis Club formation) and early 1960s (Basketball Stadium built) with the main sport and leisure facilities built in the 1970/80's.
- All land in the precinct is classified as Community Land with the exception of Wisemans Park Sports Ground, Tennis Courts and playground, which are all located on Crown Land.
- All infrastructure is owned by Wollongong City Council however are operated and maintained by Council or leased/licensed to a third party (e.g.; Illawarra Basketball Stadium, Wollongong Tennis Club).

1.3 Project Objectives

The objectives set for the project include:

- To provide an overall strategic approach for the Beaton Park precinct
- Identification of opportunities for complementary infrastructure and services to those currently present in the precinct
- Identify opportunities to enhance existing stakeholder relationships and explore new potential stakeholders that could align to the vision for the Beaton Park Precinct
- Identification of potential funding and/or investment sources from current or potential stakeholders
- Feasibility of the establishment and integration of a 'Centre of Excellence' that enables community participation and engagement
- Opportunities to inform Council's capital program to support the precinct strategy.
- Enhanced community access, engagement and usage of the precinct.
- Inform a review of the Beaton Park Plan of Management.

1.4 Study Key Findings

The key study findings are highlighted from the research and consultation completed in sections 1 to 3 of this report. They include:

1.4.1. Demographic Trends

- The Cities population has been increasing for a number of census periods and between 2006 and 2011 the city's population increased from 184,209 to 192,418 people (ABS 2011). This was an increase of 8,209 people (+4.5%). Council uses profile i.d for its demographic profiling and they estimate at June 2014 the city's population had increased significantly to 206,724 people.
- The increased population trend will continue to impact on the project area with the WCC population projected to increase to 243,156 by year 2036. This is a projected increase of 41,155 people (+21.6%).
- The population profile of Wollongong is aging, reflecting a nationwide trend with more people aged over 65 years. However, more than six out of 10 (65.6%) of the population is still in their most active years of 0 – 49. This indicates that the current pressure and demands being placed on Council to provide a range of leisure activities and facilities to meet the needs of the residents will continue
- The local population living close to the Beaton Park Precinct was estimated in 2011 to be 65,360 people, which represented 32.1% of the total cities population.
- The local population living close to the Beaton Park Precinct is estimated to be 78,647 by 2036, which will see 13,287 more people living in the local area. This is a population increase of 20.3%.
- These trends indicate that there will be greater local people user demand on the Beaton Park Precinct Facilities as the area population increases.

1.4.2. Precinct Location and Facility Reviews

The precinct location and facility reviews indicate:

- The project area is well placed and provides a centrally located large indoor/outdoor aquatic, sport, recreation and open space activity precinct. The precinct is also well located due to its close proximity to:
 - The expanding population coming to the CBD and park surround areas,
 - Wollongong University and Its major indoor aquatic, sport courts and health and fitness facilities as well as its outdoor sport facilities.
 - Wollongong TAFE College so surrounding current and future facility provision needs to also be taken into account.
- Linking both Beaton Park and Wisemans Park though improved linear trails is a good fit as these areas are also linked either end by other linear trails through the Fairy Creek Corridor open space areas.
- The Fairy Creek Corridor also provides potential linked access to three suburbs and other sport and recreation and parkland activity areas.
- The WCC area is experiencing continuing increases in multi-story and infill development and associated population increases so in the future the area will be used by more people whilst there will be limited options for provision of more open space and activity areas.
- This requires prioritising future facility improvements and services that can be modified to have capacity for more use whilst also being attractive for people to use.

1.5. Recommended Future Beaton Park Precinct Master Plans

The project team in association with the project officer management team has developed long-term (2016 to 2036) future development directions for both Beaton Park and Wisemans Park and these have then been listed into site layout and future development plans detailed in section 6.4 of this report.

These have been developed as two separate zones due to the clear differences in the level and standard of development and the environmental impacts of each area.

1.5.1 Beaton Park Future Development Direction

The precinct needs assessment findings have lead the project team to developing the following aim and scope of works for future redevelopment of Beaton Park:

Aim: *“Develop Beaton Park as a Regional Centre of Excellence with High Performance and Event Facilities that are complimented with also improved local open space/parkland areas”*

Two linked development zones are recommended for the following long-term master plan initiatives:

Beaton Park Zone 1. Regional Centre of Excellence/High Performance/Event Facilities

- **Tennis facilities** with 14 courts (10 hard/4 synthetic courts and 8 hot shot courts) meets regional facility status so in the short term recommend need to upgrade amenities, expand court lighting to increase nighttime use and improved car parking with in the longer term 2 more courts added to the south of the existing courts (16 courts will meet regional status).
- **Athletic facilities** already meet regional facility status and review opportunities to develop improved field area adjacent to track (to allow synthetic surface pitch to be installed) and increase length/size of grandstand to increase spectator viewing capacity and increase amenities/change areas. Lighting of the new synthetic arena and back straight of the track also to be prioritised.
- **Redevelopment of BPLC** to add new staged aquatic program, water play and adventure water areas, health and fitness extensions, café and merchandise areas and expanded wellness/medical services areas to attract broader range of users and improve sustainability and financial operating performance. These works would include retrofitting some existing areas and constructing new areas. Future plan could also incorporate new 4 court indoor sport, event and entertainment area to replace the “Snake pit”.
- **Redevelopment of the outdoor playing fields** to include improved grassed playing surface for football and cricket and consider new amenities linked off the BPLC expansion/athletics centre grandstand expansion. This will provide 2 reasonable size football fields to meet a regional football centre status as well as summer cricket to still remain on site.
- **Redevelop entry roadways** (with new bridge linking Gipps Street entry and car park) and more parking at the BPLC site, tennis courts/outdoor playing fields.
- **Consider options to return the “Snake Pit” site/parking to parkland** areas to increase green space on the reserve.

Beaton Park Zone 2. Improved Local Open Space and Parkland Areas

- **Develop new perimeter shared use trail** (cycle and walking) that links also to interior site trials and roadways.
- **Link new trails to future new major road crossing to Wiseman Park** trails as well as link north to designated Ferry Creek Corridor areas and trails.
- **Develop new community playground and picnic area** (in the long term on “snake pit” stadium car park) and improve landscape and plantings along water way and rear of residential properties.
- **Develop fun and fitness equipment** along main perimeter trail and set up new signage and distance markers etc.
- **Develop new way finding signage/park information** and heritage signposting of areas.

- **Consider (subject to need) a major active youth and children's area** on land between the athletics track and university student accommodation or the army reserve land/Snake Pit Stadium area (once renewal is warranted) that could include:
 - Skateboard park and amenities
 - BMX track and scooter/cycle facilities.
 - Open space parkland areas

1.5.2 Wisemans Park Future Development Direction

The precinct needs assessment findings have lead the project team to developing the following aim and scope of works for future redevelopment of Beaton Park:

It is recommended the works are considered as part of two linked development zones and include the following long-term master plan initiatives:

Aim: *“Develop Wiseman Parks constructed and maintained areas as an improved active local open space/parkland area that links to Beaton Park and Fairy Creek Corridor Areas and also significantly improves the Endangered Ecological Community areas with fencing off and major replanting and repair to eroded and weed infested areas”.*

Wisemans Park Zone 1: Endangered Ecological Community Area and Internal/Perimeter Trail

Key actions include:

- Complete detailed review of the area to support environmental improvement plan for the area.
- Determine main trail location in this zone and then fence off remnant native grasses and treed areas to establish an environmental improvement program including removal of evasive weeds and exotics.
- Once fenced off develop a nature-walking trail with new interpretative and historical signage at key points of interest with way finding signage.
- Develop a new perimeter shared use trail that links to new interior trails and these be constructed to reduce maintenance and improve safe use. All other existing trails and paths to be fenced off and returned to natural landscape areas as part of a park landscape improvement plan.
- Link new perimeter trail to Beaton Park trails as well as links to Fairy Creek Corridor areas and trails.

Wisemans Park Zone 2. Active Sports and Recreation Zone Maintained Area

Key actions include:

- Upgrade pavilion to required standards for local team sports use and school sport use.
- Continue to maintain and improve small local playground facility close to shopping area.
- Retain Wisemans Park Tennis Courts as local club and community facilities
- Consider opportunities to Introduce new cycling theme for perimeter developed trails and main internal trail.

1.6 Beaton Park Precinct Funding Opportunities

The master plans have integrated main facility development at Beaton Park to enable it to become a ‘Regional Sports Centre of Excellence’. This will allow Council to stage development with a range of partners and for each stage and seek funding from both State and Federal Government funding schemes.

Many of the larger staged projects can be positioned as development of regional significance and therefore could qualify for funding support for a number of schemes including:

- Federal funding could be sought by application to the National Strengthening Regions Fund (NSRF). The NSRF has a budget allocation of \$1 Billion and is now closed off the second round application phase. The scheme guidelines indicate there are two more application phases during the current 4-year budget period of the federal government. The scheme currently has a maximum grant ceiling of \$10M, which must be matched/or higher contribution by the LGA or applicant.
- The NSW State Government is also in the process of setting up a sport and recreation facilities grant scheme with guidelines and application details due in early in 2016.
Indications are that this scheme will have a grant budget of \$500M with \$10m also as maximum grant allocation. Once guidelines are released applications should be developed that meet the schemes guidelines.
- Both National Tennis and Football organisations have set up facility improvement development schemes and in the future may also be source of funding assistance for high performance and event facilities.

These funding opportunities may see potential funding schemes contributing up to \$20M towards staged works if WCC can match such funding.

It will therefore be critical that once the master plans are adopted that a staged development plan is detailed up to include concept plans, capital budgets, business modeling and economic and community benefit analysis is completed so a project funding strategy can be developed.

1.7 Staged Future Improvement Works and Plan of Management

This report now provides identification of future opportunities for complimentary infrastructure and services that build off the successful facilities at the park. The master plans cover a large range of future redevelopment improvements and these have not been tested or discussed with park tenant groups or community users.

It is therefore essential that Council engage with key park tenants to seek feedback and buy in on the master plans as well as also engage with community users of facilities and the park.

The Beaton Park Plan of Management is now well out of date so this studies research and consultation in association with future master plan review engagement would form an excellent base for a new plan of management for the park to be completed.

The master plans provide for a number of immediate and shorter-term initiatives that need to be detailed up, capital costing estimated and business planning completed to enable staging and funding strategies to be development and implemented.

Following a master plan review process with park tenants and users it is recommended that Council develop a 10 year staged improvement plan that will detail up priority short term, medium and longer term works and allow for identification of potential best placed funding support schemes to assist with funding the development.

A notional timeline of key actions is listed in table 5.1 in section 5.7. of the report as a guide to how Council could progress this major project over the next year and then for the short, medium and longer terms.



1 Background and Project Area

1.1 Project Background

The project brief indicates Beaton Park Precinct plays an important role in the lifestyles of many residents and visitors to Wollongong. The area provides significant opportunity as a leisure, sport and recreational hub, with facilities and services to cater for the amateur to elite athlete as well as those looking for a variety of recreational opportunities in the one location.

Council proposes to investigate new opportunities that complement existing facilities and generate greater interest in recreation, leisure and sport for the region at the site. This would be achieved through the identification of potential stakeholders as well as funding opportunities that may be available for investment/development within the precinct area.

The project history highlights:

- The Beaton Park precinct is located just 2km from Wollongong CBD. It comprises Beaton Park Leisure Centre, Wollongong Tennis Club, Illawarra Basketball Stadium, Beaton Park Sports Ground, Wisemans Park Sports Ground, Wisemans Park Tennis Courts and Wisemans Park Playground.
- All facilities were built in the 1970/80's and therefore are limited in their current capacity in regards to design and services provided.
- All land in the precinct is classified as Community Land with the exception of Wisemans Park Sports Ground, Tennis Courts and playground, which are all located on Crown Land.
- All infrastructure is owned by Wollongong City Council however are operated and maintained by Council or leased/licensed to a third party (e.g.; Illawarra Basketball Stadium, Wollongong Tennis Club).

1.2 Project Requirements

The project requirements include:

- Provide an analysis of current and future social indicators
- Identify gaps and duplications of provision within the community
- Identify opportunities for further exploration with current and future stakeholders including the Identification of any risks involved
- Provide a range of development options including funding sources (infrastructure and operational)

1.3 Project Objectives

The objectives set for the project include:

- To provide an overall strategic approach for the Beaton Park precinct
- Identification of opportunities for complementary infrastructure and services to those currently present in the precinct

- Identify opportunities to enhance existing stakeholder relationships and explore new potential stakeholders that could align to the vision for the Beaton Park Precinct
- Identification of potential funding and/or investment sources from current or potential stakeholders
- Feasibility of the establishment and integration of a 'Centre of Excellence' that enables community participation and engagement
- Opportunities to inform Council's capital program to support the precinct strategy.
- Enhanced community access, engagement and usage of the precinct.
- Inform a review of the Beaton Park Plan of Management.

The expected benefits that need to come from the study outputs includes:

- A comprehensive and integrated direction for future planning of the precinct area
- An increase in the health and wellbeing of users through better integrated facilities and services
- Ability to provide for recreational and leisure needs of the greater Wollongong community now and into the future
- Increased health and wellbeing of the community by:
- Providing a variety of leisure, recreational and health opportunities.
- Engagement of a greater number of people in activities within the Beaton Park precinct.
- Increasing awareness of services and facilities provided within the Beaton Park precinct

1.4 Project Methodology

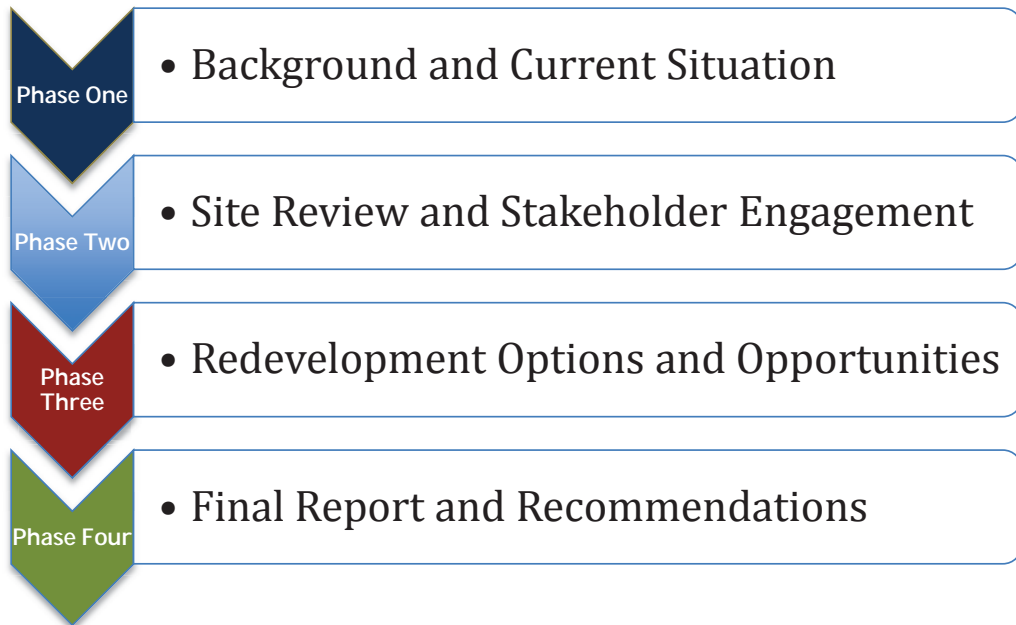
SGL Consulting Group Australia Pty Ltd (SGL) was appointed to complete the project in January 2015. The project methodology that was developed and completed by SGL was based on a four-phase study.

The methodology was set up to deliver quality outcomes, which are based on a sound research approach to the project. It included:

- Project background and clarifying current operational, management and financial situations.
- Documented review of project sites, associated infrastructure and assets.
- Analysis and implications report on Wollongong City Council demographic profile and future trends.
- A stakeholder engagement plan developed in partnership with the Project Officer and the Project Steering Committee.
- A preliminary site and facility redevelopment 'Options and Opportunities' report in the first half of the project.
- Preliminary concept and layout plans for the Park and key facilities.
- A notional funding strategy
- A recommended development strategy and cost benefit analysis
- Business planning review including identification of realistic commercial development and funding opportunities.
- Final reports incorporating all aspects described above and any agreed amendments or further inclusions to the Draft Reports.

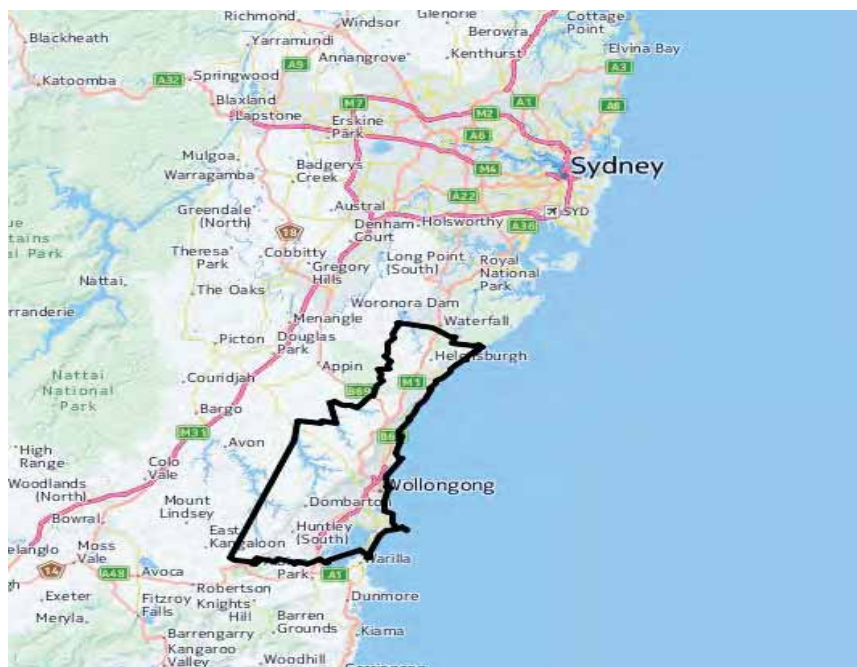
The four phases of the study are listed in the following graphic.

Beaton Park Precinct Needs Assessment Methodology Phases



1.5 The Project Area

The Wollongong City Council (WCC) is located in the Illawarra region of New South Wales, Australia. It is situated adjacent to the Tasman Sea, the Southern Freeway and the South Coast railway line.



Located 80 kilometres south of Sydney central business district, the City of Wollongong covers 714 square kilometres and occupies a narrow coastal strip bordered by:

- The Royal National Park to the north,
- Lake Illawarra to the south,
- The Tasman Sea to the east and
- The Illawarra escarpment to the west.

Beaton Park and Wiseman Park are located approximately 2km from Wollongong CBD. Beaton Park is considered a regional/district sport and recreation facility whilst Wisemans Park is a local recreation and sport facility

1.6 LGA Demographic Profile

This section looks at the current and future population trends of the City of Wollongong as background to the project area and its demographic profile.

The demographic overview report is sourced from the Australian Bureau of Statistics (ABS) or online population analysis website .id.

Between 2006 and 2011 the population of the Wollongong City Council area increased from 184,209 people to 192,418 people. This equates to an approximate population growth of 4.5% (8,209 people).

1.6.1 Population Age Profile

The age profile of residents in 2011 compared to regional NSW was estimated as follows:

Table 1.1 Population Age Profile of Wollongong City Council

	2011			2006			Change 2006 to 2011
	Number	%	Regional NSW %	Number	%	Regional NSW %	
0 to 4	12,073	6.3	6.3	11,327	6.1	6.1	+746
5 to 9	11,660	6.1	6.3	11,864	6.4	6.8	-204
10 to 14	11,925	6.2	6.7	12,283	6.7	7.3	-358
15 to 19	12,829	6.7	6.6	12,394	6.7	6.9	+435
20 to 24	14,438	7.5	5.6	13,468	7.3	5.5	+970
25 to 29	12,474	6.5	5.2	11,367	6.2	5.0	+1,107
30 to 34	11,749	6.1	5.2	12,238	6.6	5.8	-489
35 to 39	12,874	6.7	6.1	12,440	6.8	6.5	+434
40 to 44	12,747	6.6	6.5	13,437	7.3	7.1	-690
45 to 49	13,251	6.9	6.9	13,111	7.1	7.4	+140
50 to 54	12,979	6.7	7.2	11,813	6.4	6.9	+1,166
55 to 59	11,383	5.9	6.7	10,860	5.9	6.7	+523
60 to 64	10,568	5.5	6.5	8,881	4.8	5.6	+1,687
65 to 69	8,633	4.5	5.4	7,883	4.3	4.7	+750
70 to 74	7,371	3.8	4.3	6,960	3.8	3.9	+411
75 to 79	6,232	3.2	3.4	6,209	3.4	3.5	+23
80 to 84	4,974	2.6	2.7	4,538	2.5	2.5	+436
85 and over	4,258	2.2	2.3	3,136	1.7	1.9	+1,122
Total	192,418	100.0	100.0	184,209	100.0	100.0	+8,209

Source: Australian Bureau of Statistics, Census of Population and Housing 2006 and 2011

Analysis of the five-year age groups of Wollongong CC in 2011 compared to regional NSW shows that there were a lower proportion of people in the younger age groups (under 15 years) as well as a lower proportion of people in the older age groups (65+ years).

Overall, 18.5% of the population was aged between 0 and 15 years old, and 16.4% were aged 65 years and over, compared with 19.4% and 18.0% respectively for regional NSW. The major differences between Wollongong and regional NSW were:

- A *larger* percentage of people aged 20 to 24 (7.5% compared to 5.6%)
- A *larger* percentage of people aged 25 to 29 (6.5% compared to 5.2%)
- A *larger* percentage of people aged 30 to 34 (6.1% compared to 5.2%)
- A *smaller* percentage of people aged 60 to 64 (5.5% compared to 6.5%)

The largest changes in age structure in this area between 2006 and 2011 were in the age groups:

- 60 to 64 (+1,687 persons)
- 50 to 54 (+1,166 persons)
- 85 and over (+1,122 persons)
- 25 to 29 (+1,107 persons)

The table below details the gender profile of Wollongong CC residents:

Table 1.2 Gender Division of Wollongong City Council

	2011			2006			Change 2006 to 2011
	Number	%	Regional NSW %	Number	%	Regional NSW %	
Population (excluding O/S visitors)	192,418	100.0	100.0	184,209	100.0	100.0	+8,209
Males	95,247	49.5	49.3	91,102	49.5	49.4	+4,145
Females	97,171	50.5	50.7	93,107	50.5	50.6	+4,064

Source: Australian Bureau of Statistics, Census of Population and Housing 2006 and 2011

The review indicates there are slightly more females than males within the Wollongong population (50.5% compared to 49.5%) which is relatively consistent with the rest of regional NSW.

This represents a consistent ratio of females to males within the Wollongong population between 2006 and 2011.

1.6.2 Country of Birth

The share of the population born overseas and the diversity in their country of origin can give an indication of how diverse the population is within the community.

An analysis of the country of birth data for the Wollongong area shows that there is a higher level of diversity with a much higher percentage of the population born overseas when compared to regional NSW. Of the residents that were born overseas, the majority of them were born in the United Kingdom (5.5% of the Wollongong population).

The table below details the country of birth of residents:

Table 1.3 Most Common Countries of Birth

	2011			2006			Change 2006 to 2011
	Number	%	Regional NSW %	Number	%	Regional NSW %	
Australia	141,103	73.3	83.8	132,880	73.1	83.7	+8,223
United Kingdom	10,601	5.5	3.7	11,053	6.0	3.7	-452
Former Yugoslav Republic of Macedonia	3,139	1.6	0.2	3,396	1.8	0.2	-257
Italy	2,911	1.5	0.4	3,214	1.7	0.4	-303

	2011			2006			Change 2006 to 2011
	Number	%	Regional NSW %	Number	%	Regional NSW %	
China	2,561	1.3	0.3	1,542	0.8	0.2	+1,019
New Zealand	1,968	1.0	1.1	1,679	0.9	1.1	+289
Germany	1,229	0.6	0.5	1,317	0.7	0.5	-88
Croatia	990	0.5	0.1	1,034	0.6	0.1	-44
Portugal	935	0.5	0.1	948	0.5	0.1	-13
Serbia / Montenegro (fmr Yugoslavia)	927	0.5	0.1	1,050	0.6	0.1	-123
Philippines	851	0.4	0.3	758	0.4	0.2	+93
Greece	849	0.4	0.1	867	0.5	0.1	-18
India	841	0.4	0.3	471	0.3	0.2	+370
Netherlands	823	0.4	0.3	918	0.5	0.3	-95
Vietnam	680	0.4	0.1	609	0.3	0.1	+71

Source: Australian Bureau of Statistics, Census of Population and Housing 2006 and 2011

The table below identifies the main language spoken in the countries of birth of residents of the Wollongong area:

Table 1.4 Languages Spoken in Country of Birth

	2011			2006			Change 2006 to 2011
	Number	%	Regional NSW %	Number	%	Regional NSW %	
Total Overseas born	41,884	21.8	10.8	39,628	21.5	10.3	+2,256
Non-English speaking backgrounds	27,437	14.3	5.2	25,380	13.8	4.9	+2,057
Main English speaking countries	14,447	7.5	5.6	14,248	7.7	5.4	+199

Source: Australian Bureau of Statistics, Census of Population and Housing 2006 and 2011

The share of the population born overseas in Wollongong was higher than that found in regional NSW (21.8% compared to 10.8%). The majority of these were born in countries that do not speak English as their main language.

1.6.3 Languages Spoken at Home

The Wollongong City Council has a significantly lower percentage of residents that speak only English (79.4%) when compared to regional NSW (90.4%). This is reflective of the number of residents born overseas. The table listed below shows the primary language spoken at home:

Table 1.5 Language Spoken at Home

	2011			2006			Change 2006 to 2011
	Number	%	Regional NSW %	Number	%	Regional NSW %	
Speaks English only	152,696	79.4	90.4	145,998	79.3	91.0	+6,698
Non-English total	32,098	16.7	5.1	29,661	16.1	4.5	+2,437
Not stated	7,623	4.0	4.5	8,549	4.6	4.5	-926
Total Population	192,417	100.0	100.0	184,208	100.0	100.0	+8,209

Source: Australian Bureau of Statistics, Census of Population and Housing 2006 and 2011

The five top languages other than English spoken within Wollongong in 2011 were:

- Macedonian
- Italian
- Arabic

- Mandarin
- Greek

1.6.4 Income Levels

The table below lists the personal weekly income levels of Wollongong residents:

Table 1.6 Weekly Individual Gross Income Levels for Wollongong area

	2011		
	Number	%	Regional NSW %
Negative Income/ Nil income	12,915	8.2	6.5
\$1-\$199	12,476	8.0	7.6
\$200-\$299	20,453	13.0	13.0
\$300-\$399	18,756	12.0	12.9
\$400-\$599	18,807	12.0	13.7
\$600-\$799	14,341	9.1	10.8
\$800-\$999	10,973	7.0	7.6
\$1000-\$1249	10,627	6.8	6.6
\$1250-\$1499	7,814	5.0	4.3
\$1500-\$1999	10,691	6.8	5.3
\$2000 or more	8,220	5.2	3.9
Not stated	10,673	6.8	7.7
Total persons aged 15+	156,746	100.0	100.0

Source: Australian Bureau of Statistics, Census of Population and Housing 2011 and 2011

Analysis of individual income levels in Wollongong in 2011 compared to regional NSW shows that there was a high proportion of people earning a high income (those earning \$1,500 per week or more) as well as a higher proportion of low income earners (those earning less than \$400 per week).

Overall, 12.1% of the population earned a high income, and 41.2% earned a low income, compared with 9.2% and 40.0% respectively for regional NSW.

The major differences between Wollongong's individual incomes and regional NSW were:

- A *larger* percentage of people who earned negative income/nil income (8.2% compared to 6.5%)
- A *larger* percentage of people who earned \$1500-\$1999 (6.8% compared to 5.3%)
- A *smaller* percentage of people who earned \$400-\$599 (12.0% compared to 13.7%)
- A *smaller* percentage of people who earned \$600-\$799 (9.1% compared to 10.8%)

1.6.5 Vehicle Ownership

The number of vehicles per household is detailed in the below table:

Table 1.7 Vehicle Ownership

	2011		
	Number	%	Regional NSW %
No motor vehicles	8,349	11.2	7.6
1 motor vehicle	27,028	36.3	36.0
2 motor vehicles	24,414	32.8	34.4
3 or more motor vehicles	10,101	13.6	15.5
Not stated	4,514	6.1	6.5
Total households	74,406	100.0	100.0

Source: Australian Bureau of Statistics, Census of Population and Housing 2006 and 2011

A household's ownership of vehicles can be used as an indicator of an individual's ability to independently access leisure facilities without the reliance on public transport or utilizing other modes of transport.

A review of the vehicle ownership in Wollongong indicates that the majority of residents, 82.7%, own one or more vehicles indicating an ability to independently access leisure activities.

1.6.6 WCC Future Population Predictions

It is expected that the population within Wollongong City Council will increase from 202,041 people in 2011 to 243,156 in 2036, which is an increase of in excess of 41,155 (+21.6% increase).

The below table highlights the projected increase in population between 2011 and 2036.

Table 1.8 WCC Future Population Prediction

	2011	2016	2021	2026	2031	2036
Total Population	202,041	208,565	217,132	225,975	234,540	243,156
Change in Population	2011 to 2016	2016 to 2021	2021 to 2026	2026 to 2031	2031 to 2036	
Net	+6,524	+8,567	+8,843	+8,565	+8,616	
Average Annual Growth Rate	0.7%	0.8%	0.8%	0.8%	0.7%	

Source: forecast.id

There is predicted to be a steady increase in the population in WCC between 2011 and 2036. The average annual population growth rate is predicted to vary from 0.7% to 0.8%.

The following table demonstrates the likely change in age groupings of the projected population of Wollongong CC across age groups.

Table 1.9 Future Population Age Distribution

Years	2011		2016		2021		2026		2031		2036	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
0-4	12,467	6.2	12,499	6.0	13,185	6.1	13,603	6.0	13,973	6.0	14,407	5.9
5-9	12,155	6.0	12,777	6.1	13,185	6.1	13,970	6.2	14,465	6.2	14,949	6.1
10-14	12,224	6.1	12,275	5.9	12,977	6.0	13,563	6.0	14,250	6.1	14,780	6.1
15-19	13,410	6.6	13,672	6.6	13,902	6.4	14,582	6.5	15,197	6.5	15,870	6.5
20-24	16,014	7.9	15,594	7.5	15,962	7.4	16,273	7.2	16,930	7.2	17,574	7.2
25-29	13,828	6.8	14,494	6.9	14,550	6.7	14,920	6.6	15,286	6.5	15,838	6.5
30-34	12,536	6.2	13,181	6.3	13,807	6.4	14,138	6.3	14,538	6.2	14,973	6.2
35-39	13,457	6.7	13,044	6.3	13,661	6.3	14,239	6.3	14,630	6.2	15,085	6.2
40-44	13,220	6.5	13,649	6.5	13,639	6.3	14,260	6.3	14,825	6.3	15,314	6.3
45-49	13,746	6.8	13,304	6.4	13,797	6.4	13,919	6.2	14,503	6.2	15,061	6.2
50-54	13,626	6.7	13,612	6.5	13,435	6.2	13,913	6.2	14,115	6.0	14,667	6.0
55-59	11,949	5.9	13,038	6.3	13,185	6.1	13,153	5.8	13,613	5.8	13,875	5.7
60-64	10,928	5.4	11,583	5.6	12,599	5.8	12,869	5.7	12,943	5.5	13,421	5.5
65-69	9,031	4.5	10,413	5.0	11,091	5.1	12,001	5.3	12,317	5.3	12,487	5.1
70-74	7,595	3.8	8,392	4.0	9,616	4.4	10,247	4.5	11,039	4.7	11,376	4.7
75-79	6,437	3.2	6,741	3.2	7,482	3.4	8,474	3.7	9,032	3.9	9,718	4.0
80-84	5,097	2.5	5,291	2.5	5,622	2.6	6,185	2.7	6,891	2.9	7,347	3.0
85 & over	4,322	2.1	5,005	2.4	5,439	2.5	5,666	2.5	5,994	2.6	6,415	2.6
Total	202,041	100	208,565	100	217,132	100	225,975	100	234,540	100	243,156	100

Source: forecast.id

These results indicate there is expected to be a number of significant changes in the distribution of the population across the age groups between 2011 and 2036.

The age groups that are expected to experience the biggest decline in percentage are the 20 – 24 and 50 – 54 year age brackets that are expected to fall 0.7% (7.9% to 7.2% and 6.7% to 6.0% respectively). Despite this, the 20 – 24 years age group is still expected to remain the largest age group of the population.

The age bracket that is expected to increase the most is the 70 – 74 years group which is expected to grow from 3.8% to 4.7% of the total population, which will also make it the age group with the most residents in it.

The table on the next page lists the current WCC population by main suburbs/areas and also shows the projected change in population between the 2011 (ABS) and 2036.

Table 1.10 Current and Future WCC Population by Suburb/Area

	Forecast year						Change 2011-2036
	2011	2016	2021	2026	2031	2036	
Austinmer	2,623	2,624	2,623	2,660	2,708	2,765	142
Balgownie - Tarrawanna - Fernhill	8,587	8,640	8,716	8,810	8,909	8,987	400
Bellambi	4,245	4,143	4,073	4,053	4,064	4,083	-162
Berkeley	7,613	7,652	7,683	7,712	7,699	7,693	80
Bulli	5,816	6,342	6,825	7,055	7,064	7,069	1,253
Coniston - Mount Saint Thomas	3,989	4,059	4,092	4,094	4,085	4,069	80
Cordeaux Heights - Mount Kembla - Kembla Heights	6,087	5,866	5,702	5,584	5,524	5,508	-579
Corrimal	6,693	7,212	7,423	7,641	7,843	8,091	1,398
Cringila	2,189	2,148	2,137	2,152	2,185	2,237	48
Dapto - Penrose - Brownsville	13,244	13,288	14,095	14,555	15,056	15,527	2,283
East Corrimal	3,315	3,342	3,375	3,414	3,453	3,513	198
Fairy Meadow	7,606	8,249	8,526	8,684	8,827	8,974	1,368
Farmborough Heights	4,361	4,231	4,126	4,073	4,059	4,071	-290
Figtree	11,217	11,789	12,045	12,115	12,202	12,339	1,122
Gwynneville	2,681	2,794	2,958	3,101	3,242	3,399	718
Helensburgh - Otford	6,496	6,453	6,367	6,366	6,410	6,499	3
Horsley	7,351	7,532	8,802	9,313	9,203	9,143	1,792
Kanahooka	5,470	5,538	5,727	5,737	5,768	5,816	346
Keiraville - Mount Keira	5,111	5,331	5,333	5,335	5,347	5,351	240
Koonawarra	3,629	3,797	3,877	4,154	4,440	4,629	1,000
Lake Heights	3,569	3,867	3,950	3,985	4,000	4,005	436
Mangerton	2,893	2,882	2,886	2,931	2,990	3,053	160
Mount Ousley - Mount Pleasant	2,892	2,946	2,979	2,998	3,033	3,055	163
North Wollongong	2,258	2,531	2,589	2,679	2,790	2,914	656
Port Kembla - Spring Hill	5,112	5,298	5,383	5,432	5,442	5,438	326
Rural Balance	1,611	1,958	3,800	6,455	9,097	11,650	10,039
Stanwell Park - Stanwell Tops - Coalcliff	2,209	2,151	2,100	2,065	2,046	2,038	-171
Thirrourl	5,898	6,128	6,188	6,242	6,341	6,465	567
Towradgi	3,242	3,312	3,322	3,343	3,361	3,378	136
Unanderra - Kembla Grange	6,232	6,282	6,553	8,342	10,441	12,435	6,203
Warrawong	5,037	5,113	5,365	5,390	5,387	5,375	338
West Wollongong	5,012	5,102	5,129	5,192	5,284	5,390	378
Windang - Primbee	4,393	4,467	4,495	4,548	4,594	4,641	248
Wollongong	17,478	19,351	21,659	23,384	25,057	26,712	9,234
Wombarra - Coledale - Scarborough - Clifton	2,437	2,436	2,408	2,390	2,390	2,411	-26
Woonona - Russell Vale	13,447	13,706	13,819	13,989	14,196	14,432	985

These results indicate there is predicted to be a shift in the population by WCC suburbs/area between 2011 and 2036. The suburbs that are expected to experience the largest increase in total population numbers are:

- Wollongong (+9,234 residents),
- Unanderra, Kembla, Grange (+6,203 residents)
- Dapto, Penrose, Brownsville (+2,283 residents).

The following suburbs/areas are expected to see a decrease in the number of residents living there:

- Cordeaux Heights, Mount Kembla, Kembla Heights (-579 residents)

- Farmborough Heights (-290 residents)
- Stanwell Park, Stanwell Tops, Coalcliff (-171 residents)
- Bellambi (-162 residents)

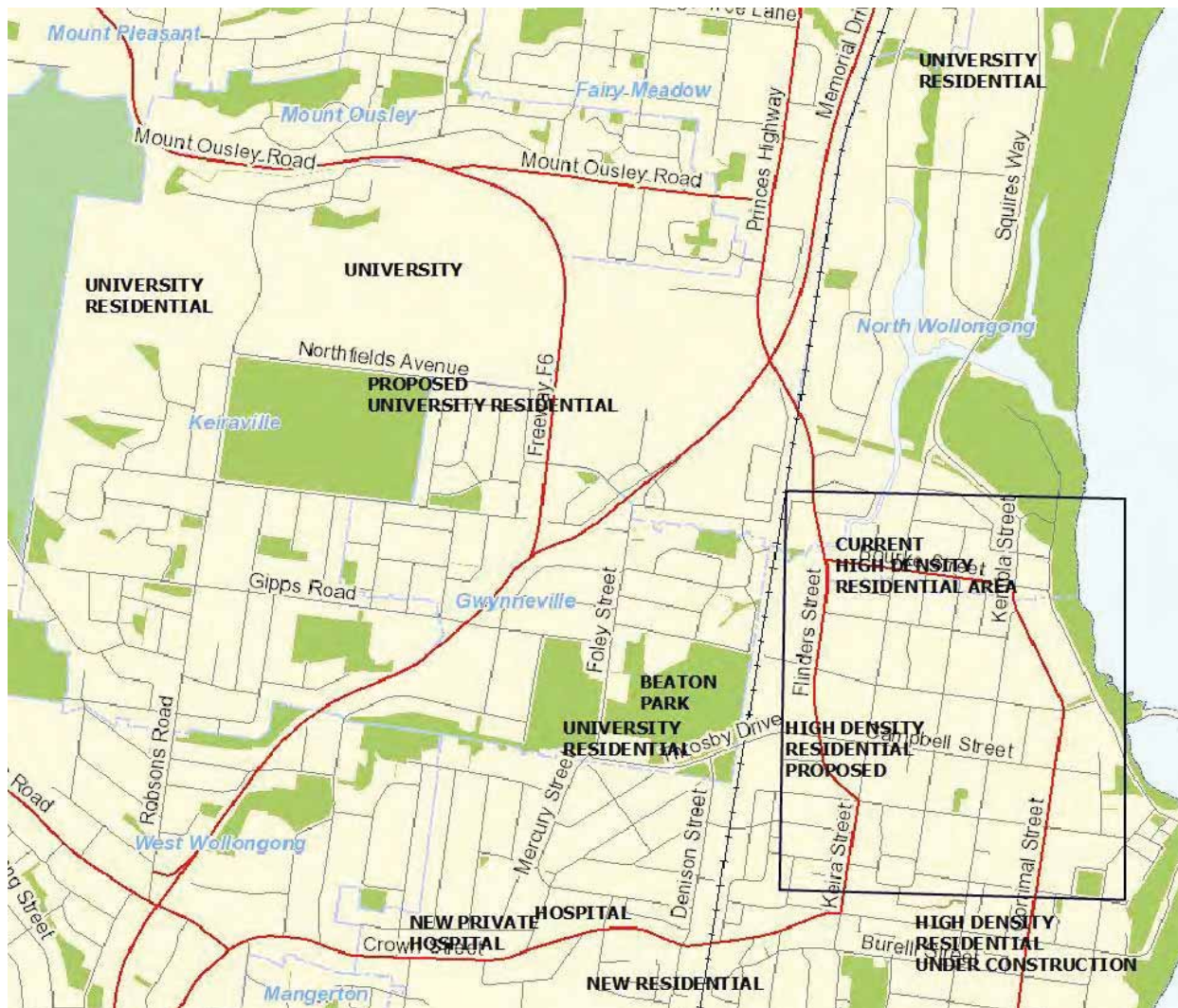
The suburbs/areas that will account for the largest percentage of the population in 2036 in WCC will be Wollongong (11.0% of the population) followed by Dapto, Penrose, Brownsville (6.4% of the population), and Woonona, Russell Vale (5.9% of the population).

A significantly higher proportion of the population will be living in rural areas that are not covered by suburbs (4.8% of the population in 2036 compared to 0.8% in 2011).

1.7 WCC Urban Area Population Increase

The Wollongong City Council area is experiencing population growth especially with significant urban infill (unit development) close to the CBD area. By 2036 there is projected to be a further 41,151 (+21%) more people living in WCC with 25% of these expected to be living within or surrounding the WCC CBD.

The following graphic on the next page highlights the location of the Beaton Park Precinct to the CBD and some recent/planned major residential development.



The graphic highlights in the black edged square located to the right of Beaton Park where the majority of future high-density development will occur, which shows how close this will be to the Beaton Park Precinct.

This is significant, as the increased development of high-density multi-story buildings will bring more people into the CBD and surrounding area to live and to use open space and recreation and sport facilities.

Beaton Park and Wiseman Park are only located 2 km from the CBD and currently provide the majority of local and district indoor and outdoor sport and recreation facilities for this residential population.

This is a key factor to why future redevelopment of this precinct area should be a major ongoing priority project for Council as this valuable open space area will need to be able to cope with much higher use from current and new residents in the future.



2 Overview of Beaton Park Precinct Facilities

2.1 Project Area Overview

The Beaton Park Precinct is located 2km from Wollongong CBD and incorporates a range of facilities:

- Beaton Park Leisure Centre,
- Wollongong Tennis Club,
- Illawarra Basketball Stadium,
- Beaton Park Sports Ground,
- Wisemans Park Sports Ground,
- Wisemans Park Tennis Courts and Wisemans Park Playground.

All facilities were built in the 1970/80's and therefore are limited in their current capacity in regards to design and services provided. All land in Beaton Park is classified as Community Land whilst Wisemans Park Sports Ground, Tennis Courts, playground and open space is Crown Land.

Wollongong City Council owns all infrastructure however some are operated and maintained by Council or leased/licensed to a third party (e.g.; Illawarra Basketball Stadium, Wollongong Tennis Club). The following aerial photograph highlights the total project area.



2.2 Review of Beaton Park

Beaton Park is located in the suburb of Gwynneville, approximately 1.5 km from the Wollongong CBD and comprises of an area of approximately 15 ha of land. The site fronts Gipps Street, Foley Street and Throsby Drive and borders the South Coast Railway Line.

The aerial photo below highlights the Beaton Park area and facilities.



Wollongong City Council owns Beaton Park and is managed in line with the Beaton Park Plan of Management 2007 (BPPOM), which was first adopted in 1999 (modified 2007). The park is made up of the following lots:

- Lot 104 DP 594259
- Lot 105 DP 594259
- Lot 2 DP 700616
- Lot 102 DP 611233
- Lot 113 DP 788462
- Part Lot 114 DP 788462
- Lot 501 DP 738427

Wollongong City Council is the registered proprietor of these lots and each lot has been classified as Community Land under the Local Government Act 1993.

The BPPOM indicates Throsby Drive and Denison Street have been constructed over part of Lot 114 DP 788462 and lot 501 DP 738427 although the formal boundaries of these roads have never been surveyed.

There are two portions of lot 114 located to the south of Throsby Drive and are occupied by a childcare centre and a youth centre. These portions of Lot 114 are excluded from the plan of management.

In 2007 the current leases were noted as:

- Lot 105 DP 594259 was leased to the Illawarra Basketball Association for a period of 21 years with the current lease terminating on the 30 June 2010.
- Lot 113 DP 788462 is leased to the City of Wollongong Tennis Club Ltd for a period of 21 years with the current lease terminating on 31 December 2009.
- The Leisure Centre, which is constructed on Lot 104 DP 594259 is the subject of a licence for the kiosk and the lease of office space and consulting rooms to the South Coast Workers Medical Co-op Society who operate a sports medicine clinic.

From a public transport perspective the park is accessible by rail, bus and car and is connected to Council's cycleway network. It is located five minutes walk from the main northern bus route along Flinders Street and is serviced directly by a bus route running along Throsby Drive and Foley Street.

The complex is conveniently located for rail commuters being only 700 metres from Wollongong Railway Station.

2.2.1 History of the Beaton Park Area

Key development history of the Beaton Park area has been identified from reviewing a number of reports and completing website searches. The review has highlighted historically:

- Wollongong Council first formed Beaton Park in 1951 from consolidation of two adjoining private land areas.
- First major development on site was the creation of the Wollongong Tennis Lease in 1957 and development of tennis courts.
- The Snake Pit (4 court stadium) was developed on site following the Illawarra Basketball Stadium lease in 1964.
- Due to demand for more sports and recreation facilities the park area was further expanded by 2.89ha in 1973 with Council acquiring more land
- The park area was further expanded by 1.056ha in 1978 by linking in excess adjacent railway land
- The land area where Beaton Park Leisure Centre (BPLC) is located was purchased from the Department of Defence in 1980/1981.
- BPLC was completed in 1981 and consisted of indoor sport and recreation facilities.
- The BPLC outdoor heated pool was added to the facilities in 1983
- The BPLC outdoor swimming pool was covered with a tension membrane roof in 1986.
- The Synthetic Athletics track and grandstand and field areas was opened in 1993

2.2.2 Beaton Park Plan of Management 2007

The Beaton Park Plan of Management 2007 notes a number of other land uses exist within the same street block as Beaton Park including:

- The Army Reserve Depot on Gipps Street,
- The University of Wollongong's Weerona Campus on Throsby Drive,

- The Eloneria Montessori School on Foley Street,
- Scout and Girl Guides Halls on Foley Street as well as a mixture of dwellings and medium density developments.

Whilst the Management Plan notes many of the facilities have been developed independently over the years, the end result has seen the development of a diverse sporting and recreation complex catering for a variety of sporting and recreation disciplines.

The opportunity for Council to further develop Beaton Park into a major regional sporting precinct is also noted in the plan and the key development objectives in 2007 were guided by:

Sporting and Recreational Objectives

- Maximise the potential of Beaton Park as a venue for sporting and recreational activities at a regional level.
- Ensure that Beaton Park is able to accommodate increased patronage in relation to traffic, parking and other environmental pressures.

Landscaping and Design Objectives

- Ensure that landscaping creates a park like environment and integrates the different uses on the site.
- Ensure that buildings/hardstand areas blend with the landscape to reinforce the park setting.
- Provide for natural and informal areas where appropriate throughout the site.

Access and Parking Objectives

- Maximise accessibility to the site for all transport modes and minimise conflicts between them, e.g. pedestrians and motorists.
- Maximise car parking on site on a safe and environmental friendly manner.
- Ensure access to the site is safe whilst minimising disruption to the surrounding neighbourhood.

Safety Objectives

- Ensure the safe use of the site's facilities by all visitors.
- Minimise Council's exposure to possible public liability litigation.

Management and Maintenance Objectives

- Manage Beaton Park in a way that ensures that the above objectives are fulfilled.
- Where feasible, enforce regulations to maximise people's enjoyment of the site's facilities.
- Minimise vandalism opportunities.
- Minimise long-term maintenance costs.

The Plan of Management 2007 recommended the following improvements:

1. Access and Parking

The plan provided for the construction of a sealed car parking area over the existing watercourse. This development will also eliminate the existing causeway crossing and provide for more practical vehicular and bus access between Foley Street and Gipps Street.

It was estimated an additional 281 car parking spaces can be provided by undertaking this development.

The existing access road off Gipps Street adjacent to the Army Depot will be upgraded and car parking will be formalised along both sides of this road. Angle parking in the Gipps Street road reserve is also proposed. A total of 837 parking spaces (including 19 coach/bus spaces) will be provided in this plan, which is an increase of 328 over the existing capacity.

It is proposed to construct a parking area accessible by Throsby Road that will be available to the general public and Weerona College students as an overflow car parking area.

It is estimated that the Throsby parking improvements would create at least 99 parking spaces.

2. Weerona Proposal

The plan originally provided for an area of the existing reserve to be set aside to enable the extension of the Weerona Campus onto an area of land located immediately south of the lease boundary for the Tennis Club and fronts onto Throsby Drive.

This proposed extension of the Weerona Campus was to increase the residential accommodation and upgrade the facilities, including car parking, to provide for greater flexibility in their use.

However, as a result of further investigation by the University and subsequent discussion with Council and the Academy of Sport, the proposed residential extension of Weerona College is to be constructed within the existing boundaries of the college grounds although the college is requesting that an area within Beaton Park be set aside for overflow car parking for the students of the college.

3. Tennis Club

The plan provides for the construction of an exhibition court to the east of the existing clubhouse with an additional four (4) courts being constructed within the existing lease boundaries immediately east of the Weerona Campus.

Part of the Tennis Club site has been designated for future car parking that will form a link between the Weerona Campus and the main vehicular exit from Beaton Park onto Foley Street.

4. Beaton Park Leisure Centre

The plan provides for additional swimming facilities that could include either a new 50 metre indoor heated swimming pool with associated spectator seating or general/all purpose recreational water space.

Subject to project feasibility and securing funds, these additional swimming facilities would be part of a redevelopment of the existing aquatic centre that would allow Beaton Park Leisure Centre to accommodate multiple uses and users groups at different times of the day/evening with the ability to change the pool floor depths and lane configurations.

The redevelopment would at a minimum provide the possibility of 50 metre pool lanes dependent on community needs as determined by Council. A revised main entrance to the Leisure Centre in the form of a porte cochere is also proposed.

Athletics Track

The plan provides for the construction of a grandstand along the northwestern perimeter of the track. Apart from spectator seating, this facility should also include change room and toilet facilities for both athletes and officials.

Basketball Association

The plan provides for the formal marking of the car parking area adjacent to the basketball stadium with a bus turning area and 17 designated bus parking bays.

Illawarra Table Tennis Association

The plan provides for the Association to establish its headquarters as a newly built addition to the existing amenities block. The expansion of the amenities block may not exceed 240 sq. in area.

Playing Fields

The plan provides for the retention of the existing soccer fields and cricket pitch. Additional landscaping and reshaping of the spectator mound will enhance this area and retain an area of land that is suitable for passive recreational use by the community.

Children's Playground

The plan provides for a children's playground to be constructed at a central location at the Northeast corner of the area leased by the Tennis Club.

2.2.3 Current Beaton Park Facility inventory

A review of the site indicates the following facilities are currently located at Beaton Park:

Beaton Park Leisure Centre

- Fully equipped gymnasium including 29 piece cardio facility
- 24 piece bicycle studio
- Circuit room off main gym
- 25m x 6 lane indoor heated swimming pool with L Shape program pool area
- Multi-purpose sports hall with storage
- Air conditioned activities/meeting room
- Spa and sauna facilities accessible from change areas
- Childcare room and outdoor play area
- Wet change and amenities area (male/female and DDA change x 1) linked to pool hall
- Dry change area (male/female and 2 x DDA/family amenities).
- Front of house foyer, reception, retail display and offices.
- Swimming pool office and staff change
- Portable building café (leased space).
- Plant rooms
- Illawarra Sports Medicine Clinic, Incorporating physiotherapists, sports physicians, dieticians treatment rooms x 4, 2 offices, reception area, exercise and rehabilitation area and kitchen and toilet (leased space)

Kerryn McCann Athletics Centre

- Synthetic all weather athletics track
- 600 seat grandstand
- Amenities and change x 2 and storage under the grandstand
- Inner track field and jumps area
- Front straight lighting

Wollongong Tennis Club (leased)

- 10 Pexipaved tennis courts
- 4 Synthetic grassed tennis courts
- 8 Mini-tennis courts
- Licensed Club facilities

- Pavilion and change facilities

Beaton Park Sports Grounds

- 2 Football fields/1 cricket oval
- Amenities and change room block
- 1 synthetic cricket pitch

Snake Pit (Basketball Stadium) (leased)

- 4 indoor basketball courts
- Office and kiosk
- Amenities and change areas
- Storage
- Portable buildings (offices/administration areas)

Appendix Two provides a photographic summary of the main facilities at Beaton Park

2.3 Review of Wisemans Park

Wisemans Park is Crown land and Wollongong City Council is the Committee of Management of this land area. The following aerial photo highlights the park and associated facilities.



Wiseman's Park is located on Crown Land and although currently not included in the Plan of Management for the area, is considered to play an integral part in planning for a precinct approach strategy for the area.

Please note the Bowling club facilities are not part of this studies area as they are privately owned. Wiseman Park is located within the Fairy Creek Corridor and geographically the land in this open space corridor is linear in nature and it is largely 'landlocked' as it is surrounded by private residences with narrow fingers of land connecting the area into the surrounding road system.

Functionally the area is also diverse including at Beaton Park and at Wiseman Park formal active sport and recreation activities of cricket, tennis, football, bowling, and informal recreation such as

walking, running, cycling and playgrounds.

The natural environment provides activities such as education and bush care. Commuting is also another important function as residents, university students, school students and others use the corridor to connect to a range of facilities, areas and services.

2.3.1 Current Wisemans Park Facility inventory

Key facilities at the park include:

1. Wisemans Park Sports Ground

- Playing field used as a cricket oval (1 x synthetic pitch) and a rugby league-training field (can take AFL use as well). The field is fenced in an oval shape.
- Amenities block

2. Wisemans Park Tennis Club

- 2 tennis courts
- Pavilion/shelter

3. Wisemans Park (developed areas)

- Children's playground and parkland
- Formal and informal walking/access trails
- Perimeter car parking

4. Wisemans Park (undeveloped areas)

- Fairy Creek and surrounds with riparian zone linking waterways and land
- Bush land and tree areas
- Large range of non planned and poorly constructed pathways and trails with large areas of eroded and weed infested zone.

Wiseman's Park and the adjacent bush reserve have examples of local flora and fauna. Patches of remnant native grasses dot the park, and a number of native species grow there including:

- Grey Ironbark (*Eucalyptus paniculate*)
- Turpentine (*Syncarpia glomulifera*)
- Prickly paperbark (*Melaleuca styphelioides*)
- Blackbutt (*Eucalyptus pilularis*)
- Woollybutt (*Eucalyptus longifolia*)
- White stringybark (*Eucalyptus eugenioides*)
- Forest Redgum (*Eucalyptus tereticornis*) (*Davis, 1992*).

Currently the oval is used by a range of community sport clubs and also by Saint Brigid's Parish School as its outdoor playing space during school hours.

Photographs of the Wisemans Park are listed on the next page and record key site features (adopted from has the Fairy Creek Corridor Site Analysis Report 2013).



The Fairy Creek Corridor Site Analysis Report 2013 notes that a large portion of Wisemans Park is undeveloped and contains areas that are classified as Endangered Ecological Communities (EEC's) of Illawarra Coastal Grassy Woodland.

Two vegetation types are designated as EEC's in the area and they are the Coastal Grassy Red Gum Forest and Alluvial Swamp Mahogany Forest.

There are currently two bush care groups active in the Fairy Creek Corridor study area to conserve and protect the EEC forest communities. One is at Wiseman Park and one at Greenacre Road Reserve.

2.3.2 History of Wiseman Park

The park history that has been identified includes:

- Parkland area reservation date is not able to be determined from the history search but the park and surrounding bushland is located in an area originally named Gwynne Ville after the Gwynne family who owned the property.
- It was sold in two large lots, both of which were subdivided. The first area, owned by Mr. John Gwynne, consisted of 86 allotments, and went to auction on the 3rd of March 1886. The second section, being bordered by Northfields Avenue, Gipps Rd and Murphy's Lane, was auctioned in 47 allotments by Mr. William J Gwynne on the 27th of November 1886.
- The first notation of the park receiving formal active use was in 1925 with the sports oval opened and future planning for a school of arts was commenced.
- School of arts was not built at the site but on adjacent land at Beaton Park
- The bowling green was opened in 1948 and a second green built in 1952.



3 Market Research and Consultation Summary

3.1 Introduction

This section covers the range of consultation and research completed to inform the future Beaton Park Precinct Needs Assessment and associated master plans. It covers:

- Previous research review
- Site and facility review workshop
- Consultation with project key informants

3.2 Previous Research Review

There were a large range of supporting and guiding documents that have been reviewed to help formulate the Future Beaton Park Precinct Needs Assessment and Development Plan. These include:

- Wollongong 2022 Our Community Strategic Plan
- WCC -The Future of Our Pools Strategy 2014-2024
- Beaton Park LC Business Plan 2013 to 2018
- Fairy Creek Corridor Site Analysis Report 2013
- Wollongong 2022 Our Community Strategic Plan
- Beaton Park Plan of Management 2007
- Destination Wollongong Development Plan
- Open Space and Recreation Study 2006

The following information is a summary of the reviewed documentation that has provided future strategic direction for recommended strategies for the project:

3.2.1 Wollongong 2022 – Our Community Strategic Plan

Wollongong 2022 under the key strategic goal of 'We are a healthy community in a live able city' identifies the need to provide sport, recreational and leisure opportunities to meet the needs of the WCC community. This is highlighted under the key study objectives:

- There is an increase in the physical fitness, mental health and emotional wellbeing of all our residents (section 5.1)
- Participation in recreational and lifestyle activities is increased (section 5.5).

Identified strategies to achieve these objectives are:

- Provide a variety of quality public spaces and opportunities for sport, leisure, recreation, learning and cultural activities in your community.
- Well maintained assets are provided that meet the needs of current and future communities
- Healthy, active ageing programs are promoted in partnership with government agencies and community organizations

- Provide support for not for profit organizations via provision of affordable Council assets and community facilities
- Deliver affordable active senior programs at leisure centres
- Deliver healthy community initiatives.

These strategies will be achieved through:

- Providing public access to community recreational pursuits at all centre's
- Providing learn to swim tuition
- Provide health and exercise programs and advisory service for all sectors
- Provide affordable and equitable access to services
- Operate and maintain a heated swimming pool
- Achieve active senior affordability

The 2022 strategy also identifies that the population in 10 years will be living even longer than today with growth of 33.3% in the over 65 year age group and a 50.1% growth of over 85 years.

The leisure centres will therefore continue to play a significant part in providing services and activities to cater for these groups needs as well as at the same time keeping them healthier through movement and exercise.

Also of significance is the increase in the under 15 years age group with growth estimates at 11.4% on current levels. The leisure centres currently cater for both of these groups through a variety of programs including learn to swim and gymnastics as well as Active Senior programs. These programs provide access to the targeted groups at affordable prices.

3.2.2 Planning People Places

Planning People Places is a document that was commissioned by Council in 2007 to identify the sporting, recreational and leisure needs of the WCC community.

It specifically highlighted the following required actions in relation to the Beaton Park precinct:

- Improve quality of Beaton Park and review indoor sport and aquatic provision
- Need for redesign and upgrade at Beaton Park as a key city wide facility
- Undertake a detailed review and develop a longer-term direction for the Snake Pit at Beaton Park.
- Undertake a review of city-wide tennis facilities

3.2.3 Strategic Plan for Council Swimming Pools (2014-2024)

Council Swimming Pools form a major part of Councils active living facilities and residents and visitors to the area highly regard the network of local and district swimming facilities. This major report identified the need for diverse ranges of aquatic recreation opportunities to be available for all to enjoy, assisting in promoting healthy living.

The report noted the Beaton Park Leisure Centre Aquatic Facilities were Councils highest used and best financially performing swimming pool. Future recommendations for this facility included:

- Prepare a master plan for pool expansion/upgrading Beaton Park as the premier year round facilitate and program pool in Wollongong LGA
- Explore program opportunities and innovative activity options to encourage healthy living, enhance user experience and increase patronage and new revenue streams
- Explore innovative and interactive water/leisure play options

3.2.4 Beaton Park Plan of Management 2007

A Plan of Management is a requirement under the Local Government Act 1993 for areas of community land and has specific legislated requirements regarding leases, objectives, and identified current uses and future possible improvements.

The Beaton Park Plan of Management (BPPOM) was developed in association a park and resident user group working party and was first adopted by Council in 1999. It was amended slightly in 2007 to provide for a table tennis facility. **Detailed proposed improvement works covered in the 2007 plan are listed in section 2.2.2 of this report.**

Though now dated the Beaton Park Plan of Management includes Plan of Management excerpts regarding current permissible uses, planned improvements, user surveys and parking needs.

The document review indicates the plan is well out of date and is reflective of community needs and demands that are 15 years old+ and produced in a different financial and social climate

Consultation and market research completed as part of this study can form the key stakeholders input into an updated Plan of Management.

3.2.5 Beaton Park Leisure Centre Business Review 2013 to 2018

This document provides a review of the Beaton Park Leisure Centre operations over the previous 5 years and includes a suggested 5 year plan for implementation with a list of recommended future improvements

The review noted there is currently no formalized capital replacement plan existing for Beaton Park Leisure Centre. An informal listing of areas required to be upgraded or replaced (was listed in report as Appendix E) was developed. This identifies areas that are near end of life and require upgrading, however it does not guarantee capital input in future years.

As an aging facility of 30 years, design changes and expansion over the coming years are essential in ensuring the facility is able to cater not only for their current clientele but also with any increases in patronage in the future. This is especially important with increasing membership numbers and increasing expectations from the market.

The fitness industry is always evolving with new trends, new equipment and new programs coming into the market. Delays in not being able to jump on to these new areas, leaves us generally behind our competitors and again struggling to meet patron expectations.

The industry is also evolving in relation to regulations and best practice. More recently this has included changes to water turnover rate requirements as well as fresh air turnover rates within pool environments. These types of changes need to be acted upon quickly to ensure that the required standards are implemented.

For business growth to continue and to ensure quality facilities can be sold to our patrons some key infrastructure investment needs to be considered in the near future. These key areas include:

1. Asset Improvement Fund

The current process of annually lodging required improvements with Council's infrastructure division, or through the business improvement process, though designed to allocate funding on a business case scenario, still does not leave any guarantees for upgrade or improvement.

As a commercial business, the leisure centres need to ensure that equipment will be replaced and money imputed into the business to satisfy growing membership and expectations, otherwise patrons will take their money elsewhere, and ultimately the business will suffer.

Unfortunately untimely investment in the past has led to a deterioration in product and services offered and therefore a decrease in visitation to the centres as more business savvy, small operators continue to saturate the market. Membership drives are bringing new members to the centre, but unfortunately aging infrastructure has made the task of keeping them hard.

2. Specific Facility Component Improvements:

These included:

- **Introduction of a program pool** – to facilitate learn to swim program at a more adequate temperature for teaching swimming and rehabilitation. With two new learn to swim businesses opening within the last five years; one north and one south of Beaton Park, Learn to Swim numbers have decreased by 30%. A significant proportion of these numbers have been in our preschool program where pool temperature is of significant importance. Current pool temperature is maintained at 27.5 degrees to provide a moderate temperature for a broad range of users. Being able to provide a separate pool at a warmer temperature for programs would significantly increase business and provide opportunity to build on current learn to swim numbers.
- **Transferring the sauna/spa to the pool area** – integrate an ageing area with the pool environment for safer control and greater ability to comply with NSW Health Guidelines for Public Swimming Pools and Spas. Location of the spa and sauna currently affects revenue with inability to adequately monitor use. Current location also provides no obvious supervision points making it a liability to Council in event of an incident. Further advantages also include opportunity for promotion through use of sauna, spa, and pool on one entry ticket.
- **Lighting on back straight of athletics track** – Comply with standards for training and provide a safer environment for training. Currently the athletics track is lit along the main straight only. In winter this significantly restricts usage and provides an unsafe environment for all users.
- **Covered walkway linking pool with main centre** – provide a more comfortable and safe environment for patrons utilising the pool. Currently access to the pool is via the open from the main building. Entering and leaving the pool area during wet weather is hazardous as well as a major inconvenience for parents bringing children to the centre.
- **Mezzanine Level in Gym** – Over the old squash court area to increase gymnasium size to cater for increasing membership. The centre is currently at saturation levels at peak times due to significant increases in membership over the last three years. An increase in floor space would allow further growth during these times.

3.2.6 Sports Ground and Facility Strategy (2007)

This document is currently being updated and current provides limited information on strategy for the sports fields and facilities within the Beaton Park precinct.

3.2.7 Fairy Creek Corridor Site Analysis Report 2013

This report provides information on the Fairy Creek Corridor, which provides a large linear link through the project site and to surrounding areas either side of Beaton Park and Wisemans Park.

The report indicates the Fairy Creek Corridor (West Wollongong/Gwynneville) is a dynamic and diverse study area that is highly valued by the local community, for its natural, cultural, historical and aesthetic qualities. It provides a green corridor in a built up urban environment.

The close proximity of the study area to the Wollongong CBD, University and TAFE College is driving the continuing development in the areas around this part of the Fairy Creek Corridor.

This continuing increase in density of population/development will only serve to increase the intrinsic value of the green corridor of the study area. A graphic on the next page provides area context.



The report notes this continuing increase in density of population and development will only serve to increase the intrinsic value of the green corridor of the study area.

The spine of the study area is the riparian zone of the creek, which is a tributary of Fairy Creek. Parts of the creek have been manipulated to create storm water detention basin infrastructure.

There are areas of remnant Illawarra Coastal Grassy Woodland, which have been classified as Endangered Ecological Communities. Natural areas also include scattered trees in grass, open grass areas, and weed infested areas.

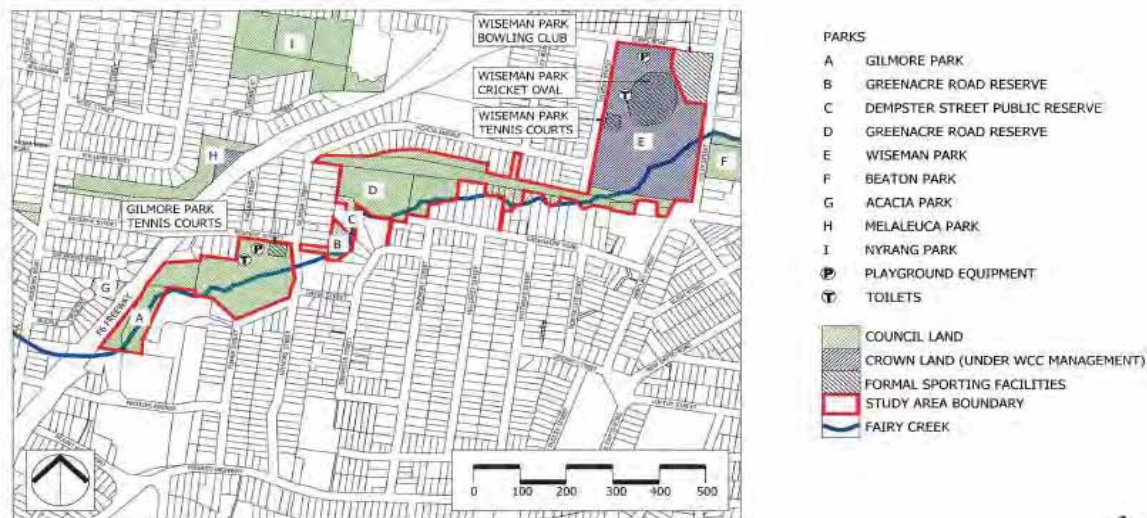
Developed areas of the corridor include tennis courts, sports grounds, bowling club, children's playgrounds, formed pathways and toilets. These facilities provide for formal and informal recreation.

The Fairy Creek Corridor:

- Spans three suburbs,
- Includes several parks and reserves,
- Is owned by four authorities,
- Is controlled by three Local Environmental Plan zonings.

The study area is used as an informal transit corridor, and has potential to provide improved connectivity to this part of the city.

The following graphic on the next page shows the parks located in the Fairy Creek Corridor area and the potential linear trail linked to Wisemans Park and Beaton Park from the west. The linear link also connects from the end of Beaton Park to the north east.

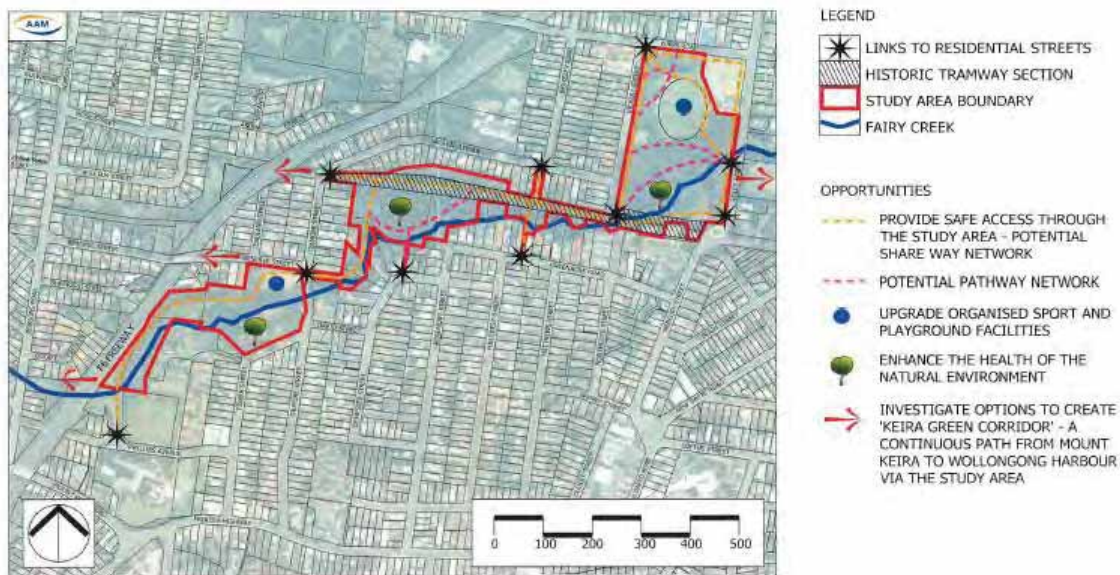


The report notes that a large portion of Wisemans Park is undeveloped and contains areas that are classified as Endangered Ecological Communities of Illawarra Coastal Grassy Woodland. Two vegetation types are designated as EEC's being Coastal Grassy Red Gum Forest and Alluvial Swamp Mahogany Forest.

'An Endangered Ecological Community (EEC) is an ecological community identified as facing a high risk of extinction. The NSW Threatened Species Conservation Act 1995 (TSC Act), and the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) are the two pieces of legislation that identify EECs in NSW.

These Acts also list threatened species, endangered populations, critical habitat and key threatening processes.' 'Endangered Ecological Communities are threatened by weeds, clearing of native vegetation, habitat degradation, pest animals, disease, climatic changes and high frequency fires.'

Based on these designations there will be limited future development recommended at Wisemans Park. The following graphic highlights the recommended development and environment protection future opportunities to be considered within the Fairy Creek Linear Corridor.



3.3 Site and Facility Review Workshop

A workshop with facility management and project team members identified the following opportunities for exploration within the site and were provided as background to the study and were required to be considered in future master plans for the Beaton Park Precinct:

- Increasing passive recreational space within the precinct including:
 - Bike track
 - Outdoor fitness equipment
 - Outdoor games – bocce, table tennis etc.
- Redesign of aquatic facilities to:
 - Increase water space to provide increased opportunities for rehabilitation, seniors and children's programs
 - An interconnected aquatics area, which includes recreational, rehabilitation and leisure space to support the local community need.
- Opportunities for the development of partnerships with sporting and allied health groups.
- Identification of funding opportunities with various stake holders
- Identification of land acquisition requirements of the precinct to ensure the future sporting, leisure and recreational needs of the community can be met
- Identification of the need for allied health services and the best mix for the site and community
- Provide an integrated entrance to the leisure facility that supports all services provided on site
- Provision of café/kiosk facilities that can service a wider area of the precinct
- Increase in professional office space for casual/permanent hirers, for sporting organisations and for allied health services
- Opportunities for the provision of services to cater for a centre of excellence

3.4 Key Informant and Stakeholder Interviews

The project brief required a large range of current tenant groups and stakeholders to be interviewed and the table below highlights the local groups interviewed.

Stakeholder	Stakeholder
Wollongong City Council Reps	Illawarra Sports Medicine
Tennis Wollongong	Illawarra Academy of Sport
Football South Coast	Illawarra Hawks Basketball
Wollongong Olympic Junior Football	Beaton Park LC Kiosk Operator
Illawarra Basketball	Illawarra Blue Stars Athletics
Illawarra Badminton	Athletics Wollongong
Wollongong Swimming Club	Wollongong University
Illawarra Junior/Senior Cricket	Destination Wollongong
Illawarra District Table Tennis	Peoplecare Health Insurers

A summary of key issues from each interview is listed on the following pages.

Table 3.1 Project Area Local Stakeholder Interviews

Stakeholder	Overview	Reported Issues	Future Needs
Tennis Wollongong: (D Wilson – Committee) NSW Tennis: (W. Saville – Director) City of Wollongong Tennis Club: (C. Watson – Manager)	<p>Tennis Wollongong (TW) is the centre for tennis in the City of Wollongong district and its surrounds. Competitions, Tournaments and Championships at all levels. Beaton Park precinct was developed by Tennis Wollongong in the 1960s.</p> <p>2015 membership is 1200. Has been fluctuating between 700 and 1200. Historically has been as high as 7000 active members</p> <p>The City of Wollongong Tennis Club (COWTC) is a licensed club based at Beaton Park and which includes 16 tennis courts, 4 lit grass courts and 12 hard courts (2 recently redeveloped for Learn To Ace Tennis programs)</p>	<ul style="list-style-type: none"> • Wollongong District Tennis Association and the Wollongong tennis club have had a history of management and operational issues over the years. • Future strategic approach currently being developed by TW and COWTC currently under development will cover the interests of both entities and their use of Beaton Park facilities. • Main current site or facility issues identified as: <ul style="list-style-type: none"> ◦ Lack of access and disbursement frequent congestion given only one entry point of the main road; ◦ General parking issues associated with all Beaton Park major events; ◦ Inadequate amenities; only 1 male and 1 female shower 	<ul style="list-style-type: none"> • Future strategic approach currently being developed by TW and COWTC to cover the interests of both entities and their use of Beaton Park facilities; • Supports a COE - discussing with Tennis NSW; • As a licensed club any tennis development/maintenance responsibility of COWTC; • Move to night tennis participation will require additional lit courts; • Needs a traffic management plan; • More amenities to service all courts; • Consider a 3000 show court in association with Basketball; • Refer to WCC 'Sports Field Strategic Plan' for possible additional information; • Will be considering shading over ACE courts; • Have investigated aquatic needs and will be Further researching the development of more programmable water based on previous WCC aquatic facilities report (see Strategic Leisure report 2013/14)
Jenny Tower Acting Business Manager Wollongong City Council	<p>Site inspections and general overview of Beaton Pak Sport, Recreation and Leisure Precinct.</p>	<ul style="list-style-type: none"> • Lack of indoor programmable water space; • Issues with closing 25M pool to public between 3:30pm – 6:30pm during LTS periods (Delivering 1600 LTS classes per week); • Location of café/kiosk in terms of servicing the greater precinct; • Storage requirements across the precinct and particularly demands on the athletic track and soccer field. 	
Illawarra Basketball (Kevin Marsh)	<p>Illawarra basketball leases the facility ('the Snakepit') from Council and is totally responsible for its operations and maintenance.</p>	<ul style="list-style-type: none"> • No issues reported during preliminary discussions. • Management would be happy to conduct a telephone interview to expand on the preliminary inspection of the facilities but did not want to make a written submission. 	<ul style="list-style-type: none"> • Illawarra Basketball has several years left on their current lease with Council in its current format and as such is responsible for its own developments and maintenance within the leased area (subject to Council approvals); • May be interested in discussing a show court arrangement with Tennis but would need greater detail. • Current occupancy of the basketball stadium would not warrant extensions at this time.

Stakeholder	Overview	Reported Issues	Future Needs
Football South Coast (Ann-Marie Balianna)	<p>Football South Coast is the governing body for the 12,000 players based in the Illawarra region.</p> <p>Beaton Park is home to Wollongong Olympic Juniors with 300 members/Senior Men's Team.</p> <p>FSC is currently investigating the development of regional centre to be built; potentially at Dapto.</p> <p>An audit of every football field in the region has been completed (Wollongong Olympic Juniors is chasing up details 27/03/15).</p>	<ul style="list-style-type: none"> • Sport of Football is growing rapidly and needs a plan for new facilities; • Beaton Park has inadequate amenities, storage and lighting; • Region is looking for the development of synthetic pitches (circa \$1.4 million per pitch) to enable greater program and scheduling flexibility; • Competition compliant lighting for increased PM training and competitions 	<ul style="list-style-type: none"> • Refer to Football NSW audit of facilities to be supplied; • Investigate potential development of synthetic pitches at Beaton Park; • Invest in competition lighting at Beaton Park for increased usage opportunities; • Seek an off-season partner to maximise investment outcomes in the future. • Street parking is currently generally adequate but if situation changes there may be some need for dedicated off street parking.
Wollongong Olympic Junior Football (Marchello Chiodo)	<p>Olympic Junior Football (OJF) is one of the larger junior clubs in the Illawarra with 400 members and growing by 12.5% per annum over recent times.</p> <p>Recent success has attracted U 15, 14, 13 and 10's players from around the region to join the club.</p> <p>Big increase in female participation and teams.</p> <p>Strong feeders from several Wollongong schools and colleges.</p>	<ul style="list-style-type: none"> • No 1 issue is the lack of lighting (ideally replicate Kiama fields); • Trouble managing demand and carrying capacity on weekends with only two fields; • Would value the opportunity to use inner field of Athletics Track if practical? • Current club shed needs renovation to make space for more teams – Some areas have been lost to grounds staff/equipment store areas • Home shed has to store all the clubs equipment; • Parking is not considered an issue with any complaints on match days and good relationship with the community. 	<ul style="list-style-type: none"> • Allowing the discrete installation of a shipping container would alleviate the clubs storage problems; • Investigate a proper WCC staff and stores facility at Beaton Park and free up the purpose built amenities and store areas next to the OJF pitches or consider splitting the large shed in two? • Would like to see the amenities block upgraded in foreseeable future; • Increase the lighting with 2 additional lighting poles to service the pitches similar to the Kiama layout that does not impact on cricket pitches; • Needs an awning on the building to protect players and officials from weather and sun; • Club would like to fund building an enclosure on the existing fence line so goals could be stored without needing to be dismantled for every training and game situation.
Illawarra Badminton (Eric Bradley) -	<p>Badminton Illawarra has been operating for over 30 years in the region.</p> <p>In the past operated 6 permanent badminton courts near the current Entertainment Centre in Crown St.</p> <p>Currently have 4 courts hired from the Leisure Centre on Tuesday nights.</p>	<ul style="list-style-type: none"> • Can't accommodate a junior program or grow the sport due to limited hours and cost per hour; • There is a high turnover of membership due to popularity with University students (50%) who regularly move on after graduating; • Floor has been slippery and lighting and alignments often not adequate for the sport. 	<ul style="list-style-type: none"> • Develop a realistic strategy to supply a minimum of 6 badminton courts; • Staff to set up the hall for hirers given the hourly rates charged to hire the hall; • Illawarra has not investigated the potential to use the Illawarra Basketball Stadium.

Stakeholder	Overview	Reported Issues	Future Needs
Illawarra Badminton (Cont.)		<ul style="list-style-type: none"> Needs an agreed maintenance program. The sport is very susceptible to issues associated with slippery floors and inadequate/inappropriate lighting. Note floor is currently good. Continue to investigate options to develop minor sports facilities as part of the planning and development of Dalton Park Indoor sports Centre project? 	<ul style="list-style-type: none"> If Council is seeking additional use of Beaton Park facilities, it could recognise the sport of badminton lends itself to young and older players, men and women and is popular with many international students studying at the UOW.
Wollongong Swimming Club (Col Bruton)	<p>The Wollongong Swimming Club meets at the Beaton Leisure Centre Swimming Club on Friday nights.</p> <p>The Clubs representative provided three detailed submissions that have been prepared in the past in support of the development of a FINA specification Olympic swimming pool at Beaton Park.</p> <p>Those documents are shown as attachments to this report.</p>	<ul style="list-style-type: none"> There is no true FINA sanctioned Olympic swimming pool in Wollongong; The club has been championing the need for a 51.5M x 25m x 3000mm deep facility for many years; Concerns that the current 25M indoor pool cannot be used by the public due to the popularity and enrolments in the Learn To Swim program Monday to Friday during the year; The club believes if a fully compliant FINA Olympic swimming pool was built at Beaton Park Leisure Centre, the facilities would attract state and National events; 	<ul style="list-style-type: none"> The development of a 51.5M x 25m x 3000mm that completely meets the specifications of FINA at Beaton Park Leisure Centre; Such a pool would support the local Learn to SCUBA dive industry; The Association would like to see the reintroduction of the Sports Consultative Committee to continue the discussions around their proposed FINA specified competition swimming pool.
Illawarra Junior/Senior Cricket (Mark Johnstone)	<p>Main use of the Beaton Park cricket facilities is by the Kirra Cricket Club and some lower grade University teams;</p> <p>Both playing fields are used throughout the season.</p> <p>Association is satisfied with WCC replacement cycle for the synthetic wickets used Beaton Park;</p> <p><i>Current main cricket venue is located at Fairy Meadow (Nth Dalton) but if a major new venue were to be developed, the logical location would be Dalton Park.</i></p>	<ul style="list-style-type: none"> Occasional overlap with soccer (football) start and end of seasons but no real issues for actual games; Improved amenities and club facilities but no serious issues as the players are generally satisfied with what they have; Outfield is considered to be spongy; Newcastle is currently the first choice for any COE based on Cricket NSW strategic planning, followed by Dubbo and the Illawarra Region probably third on the list. 	<ul style="list-style-type: none"> Shade – An awning or verandah around the existing amenities building would be a valued addition to players and spectators; Capacity to operate or readily access a canteen to meet the players and spectators refreshment needs; Generally happy with the support given to Cricket at Beaton Park by Council. Funding opportunities may be considered but main strategy sees Cricket and AFL working in partnership with such developments.

Stakeholder	Overview	Reported Issues	Future Needs
Illawarra District Table Tennis Association (Alan Russell)	<p>Illawarra District Table Tennis Association (IDTTA) uses the sports hall in the Beaton Park Leisure centre two nights a week. (Monday and Thursday 7:20 – 10:30pm) for practice and competition.</p> <p>Serves the communities from Helensberg to Nowra as there is no dedicated TT facility in Southern NSW. IDTTA has approx. 70 active competition members and 20/30 social players.</p> <p>IDTTA is looking for a development partner. It has \$127k in the bank and wants to develop a dedicated 5 table venue to grow the sport 7 days a week including juniors, seniors and schools development programs and competitions.</p> <p>IDTTA has had discussions with the management of the Illawarra Basketball Association but these were not progressed based on the fact the proposed fifth court was not progressed.</p> <p>Currently the Association allows use of its tables for free by other Leisure Centre groups in exchange for free storage.</p>	<ul style="list-style-type: none"> Table Tennis is one of several Olympic sports that does not have a dedicated facility in Wollongong; IDTTA currently use 12 tables in the existing sports hall of the Leisure Centre. Games are not time controlled and two nights a week only allow a limited membership. It has been determined the demographic of Wollongong needs permanent access to 2 – 4 competition tables; In 2008 the Association reports it received approval from Council to develop a new facility on at Beaton Park on a \$ for \$ basis with Council. Council reportedly withdrew the offer at a later date. Association has commitments from several schools to use any dedicated facility; It is reported that the age group 50 – 60 years will double in the medium term; Table Tennis serves the age demographic and keeps them active and if a dedicated facility was available the Association would promote services such as a free shuttle bus for seniors during the day; 	<ul style="list-style-type: none"> Seeking a commitment from Council to allocate a preferred site on the Plan of Management to enable the association to develop a dedicated table tennis facility as part of Beaton Park; Association believes a dedicated facility will increase the usage of Beaton Park across the week across all demographic sectors.
Illawarra Sports Medicine (Ros Grant - Manager Daniel McGoldrick - Board Member)	<p>The Illawarra Sports Medicine Clinic (ISM) was originally established in the late 1978 with the intention of alleviating the need for clients having to travel to the Lewisham Centre in Sydney.</p> <p>The Clinic was moved from CBD by the Board and purpose built facility was developed at Beaton Park as a Not for Profit organisation in 1981. Board Members all serve in a voluntary capacity. In February 2015 the Clinic employed 16 staff.</p>	<ul style="list-style-type: none"> Concerns the ISM is not shown on the current Master Plan; Current debate about what constitutes 'market rates' on Beaton Park land; If applied, CBD assessed market rates would eat into reserves and the operating performance of the ISM which could then lead to issues with the Boards ASIC obligations etc.; The ISM Board do not consider there is any scope between the Clinic's operations and the future development of a Centre of Excellence; 	<ul style="list-style-type: none"> All loans are paid off and the Board is managing revenues to service asset maintenance and some research programs; Would like future lease arrangements to support sports medicine research funding. Would like to be supported by lease arrangements to introduce Xray, diagnostic and other associated sports medicine services; Would like to see hydro therapy services introduced at Beaton Park and would be willing to discuss partnership and funding

Stakeholder	Overview	Reported Issues	Future Needs
Illawarra Sports Medicine (Cont.)	<p>Council initially offered a 15 year rent-free period (presumably to acknowledge the capital improvement costs afforded by the asset on Beaton Park site), reverting to 'market value' after that.</p> <p>Objective is to serve the community and advance research into sports medicine and injury treatment/prevention.</p> <p>To operate the Board has diversified the services offered by introducing ancillary health services such as physio, dietician and weight loss services to supplement the core business of sports medicine.</p> <p>The ISM Board is currently in negotiations with WCC regarding the assessment of what constitutes 'market rates' at the Beaton Park site.</p>		<ul style="list-style-type: none"> • Would like to continue to offer some CSO services as currently occur such as services being supplied to Wollongong House.
Illawarra Academy of Sport (Shannon Fraser - GM Andrew Barrett – Program and Athlete Development Manager)	<p>The Illawarra Academy of Sport (IAS) was set up by several local LGA's and interested organisations in 1986 and is currently located at the University of Wollongong</p> <p>Currently supports five LGA areas with 70% of the IAS athletes coming from Wollongong;</p> <p>Currently the Illawarra Academy of Sport offers golf, netball, hockey, cricket, rugby union, cycling, swim sports, lawn bowls, tennis and individual special athletes program.;</p> <p>WCC currently supports the Athletes with a Disability program from Beaton Park Leisure Centre.</p>	<p>There are no current issues associated Beaton Park and the IAS appreciate the Councils support and access to the Leisure Centre.</p>	<ul style="list-style-type: none"> • IAS appreciate the support for the Athletes with Disability program that has been extended by Council <p>Opportunities identified by the interview include:</p> <ul style="list-style-type: none"> • There could be some synergies in investigating a relationship between any future Beaton Park COE and the IAS and the UOW Sports Science Faculty; • The Beaton Park Leisure Centre has good strength and conditioning facilities but to use these better access to daytime training would need to be negotiated and as these are the busiest times that may be an issue? • Access to the 25 pool is good but a 50 metre pool would also be beneficial to the IAS; • There may be scope for synergies with the Illawarra Sports Medicine Centre at Beaton Park;

Stakeholder	Overview	Reported Issues	Future Needs
Beaton Park Kiosk (Dianne Mitchell)	<p>Used to operate from the current occasional child minding facility at front of the centre.</p> <p>Is happy with current arrangements but have seen redevelopment plans.</p>	<ul style="list-style-type: none"> • Has seen plans for new kiosk facilities that would be incorporated from existing pool offices area; • Has a proposal that uses a smaller footprint than the current plan; • No other issues or concerns reported. 	<p>Would like to see future rentals of any new facility consistent with current arrangements plus annual CPI.</p>
Illawarra Blue Stars Athletics (Valmai Loomes)	<p>Illawarra Blue Stars Athletics (IBSA) was formed in 1953 and offers training and competition for persons Under 8 to Masters and Veterans.</p> <p>IBSA utilise the Beaton Park athletics track, swimming pool, and gym but primarily use Beaton Park as an Athletics Club with 135 members. Membership has been static for the past 5 years.</p> <p>The club appreciates that the athletics track exists in Wollongong and that they can access such a facility.</p> <p>Clubs reportedly supplied the majority of funds for the track and grandstand with WCC contributing \$400k.</p>	<ul style="list-style-type: none"> • Cost to hire the track for events is considered too high; • Region lost the NSW Country championships because other clubs reportedly boycotted the \$1200+ a day track hire compared to Newcastle facilities which were supplied free of charge and were set up by track staff; • Insufficient storage for four (4) clubs operating from the same venue; • Acknowledge Little Aths have their own dedicated storage area; • Insufficient infrastructure such as scoring facilities, tents, shelters etc; • Toilets are too small for large events and there are no showers; 	<ul style="list-style-type: none"> • A more cooperative planning model for club needs across all Council departments; • Additional storage as per 'Barn' style shed proposals previously submitted to Council; • Construct 'dugouts' on the inner track fence lines to reduce cost and time associated with setting up shelters for every event. Located at 100M start and finish, 1 x 200M start and 1 x field sports precinct. • Suggest Council investigate possible funding assistance for the Athletics Centre development needs through the Healthy Cities program.
Athletics Wollongong (Phil Frkovic) Wollongong City Little Athletics Centre (Chris McCabe) Participated in a joint meeting, and made a written submission to the study	<p>Athletics Wollongong (AW) and Wollongong Little Athletics (WLA) use Kerryn McCann Athletic Centre (KMAC) at Beaton Park as the main athletic facility and only synthetic track in the region offering all track and field disciplines.</p> <p>Memberships 350 Seniors and 250 Juniors all with steady growth;</p> <p>Usage of KMAC also includes individuals and groups for training purposes throughout the year. These numbers are growing but differentiating the various user types is unknown.</p>	<ul style="list-style-type: none"> • Clubs have received feedback that people won't participate because of the single use fee and no access to membership or seasons pass option; • Track replacement will not occur until 2018 and this means a 12 – 13 year replacement strategy. Should be 10 years or less; • Council should investigate the Campbelltown management and pricing model. Clubs need storage that is sustainable and affordable as per previous submissions to Council (refer attachment A for further details on both comments); • Athletics Centres normally generate the bulk of their revenues from school carnivals; 	<ul style="list-style-type: none"> • Storage is the Number 1 priority of all athletics clubs; • Refer Attachment A for list of other priority actions sought by the clubs; • Opportunities to increase patronage by encouraging seasonal/annual memberships that eliminate single entry pay as you go costs but promote frequent use and participation by not just athletics participants but cross training opportunities for AFL, Rugby codes, Football, Boot camp and Cross Fit training sessions within the facility; • Council establish a card system to record users and frequency of use of the Athletics facilities

Stakeholder	Overview	Reported Issues	Future Needs
University of Wollongong	<p>Main campus is located close by and has a large range of sport and recreation facilities available for student and public use.</p> <p>These include the University Recreation and Centre (URAC) that has:</p> <ul style="list-style-type: none"> • Two Health Clubs: URAC Health Club & iC health • High Performance Training Zone & Boxing Gym • 50m outdoor heated swimming pool • 2 multi-purpose sports halls catering for a wide range of sports and activities including basketball, netball, badminton, roller derby, futsal and volley ball. • 4 ovals with lighting • Cricket Nets • All weather hockey surface • 4 tennis courts (2 hard/2 grass courts) • 3 squash courts • 3 function rooms <p>The following other sports facilities are also available for community use:</p> <ul style="list-style-type: none"> • Sports Hub – 2,400m² indoor sport court area (3 courts) and 1,700m² first floor area. • Playing Fields – 5 grassed field areas • Hockey Field – synthetic grass pitch • Tennis Courts – 4 courts (2 synthetic) 	<ul style="list-style-type: none"> • All University sports facilities are available for community as well as student and staff use. • Major community programs include learn to swim, older adults exercise classes, health and fitness memberships and group fitness classes. • URAC and Sports Hub are recognised as an NSWIS regional training facility for their athletes and the University of Wollongong is listed as an Elite Athlete Friendly University. • Elite sports teams including St George Illawarra Dragons, Sydney Swans, NSW Waratahs and the Matildas as well as many international and national swimming and triathlon squads and visiting national and international sports teams have used the university sport facilities. 	<ul style="list-style-type: none"> • The University supports improved aquatic, fitness and indoor sport facilities at Beaton Park. • Priority facilities at BPLC would be learn to swim water and warm water program pool. • Outdoor 50m heated pool has capacity for more use by clubs and athletes looking to train in long course water. • Improved indoor sports courts could be linked with the Universities Sports Hub (3 courts) and URAC (2 courts) and for regional indoor sports event bids. This was also supported by Destination Wollongong as a key area where the city is missing out on major indoor sport events business. • University can also link in its sports science and high performance services for teams and athletes visiting the area.
Peoplecare Health Insurers	<p>Local Health Insurance Provider that supports a large range of community health programs.</p> <p>Significant interest in supporting community sport and recreation facilities that also can include community health and wellness programs.</p>	<ul style="list-style-type: none"> • WCC area and surrounding LGAs have high health issues with low levels of physical activity and high levels of major health disadvantage. • Many residents have significant health issues and key aim is to provide health services and advice 	<ul style="list-style-type: none"> • Strong support to upgrade and expand BPLC to include more multi-use activity areas as well as new health and wellness facilities. • Would consider developing services and programs at redeveloped BPLC. • Significant trend to be proactive in educating and helping people with health risks to improve their health

Stakeholder	Overview	Reported Issues	Future Needs
Destination Wollongong	Destination Wollongong is an organisation that promotes the area for events, conferences and tourism.	<ul style="list-style-type: none"> • Beaton Park facilities have aged and are low grade compared to many areas Wollongong competes for events and competitions • Key issues impacting on the precinct that also impact on use or selection for major events include: <ul style="list-style-type: none"> ▪ Management model has got a lot of the facilities separately managed so it is hard to coordinate event use across a range of facilities. ▪ Access and Parking is a major issue not only for events but when a number of local competitions are on. In the future it is critical that more parking be provided and better use is made of parking adjacent to the railway line. For special events use of the Defence Department Land is also a good idea. ▪ Snakepit is past its use by date and needs to be replaced. ▪ Playground near the tennis centre is aged and needs upgrade. 	<ul style="list-style-type: none"> • Strong support to upgrade BPLC and to work in association with Wollongong University to jointly bid for indoor and outdoor events and high performance teams to visit/held in area. • Major gap in the area is a major versatile multi-purpose indoor stadium that can become an event and exhibition centre. Need to have retractable seating for 1,000 to 4,000 people. This could be a four court model and replace the Snakepit facility. • Tennis and Athletics are both regional centres and need to be up graded as they can be major event draw card facilities. • Linking low use/unused Department of Defence land is a great idea to open up more parkland and facilities. • Land adjacent to Wisemans Park would make a great bike skills course that could link very well to the world class mountain bike park development being proposed. Skills area would be easy to access from the cities walking and bike trails and could include mountain bike/BMX and general cycle areas that could fit well into the existing landscape. • Potential commercial accommodation opportunity for serviced apartments on land adjacent to Athletics Track and University accommodation units. • Support improved parkland, perimeter and internal trails and expanded playgrounds

3.4.1 State Sport Informant Interviews

The following NSW State Sport Association interviews were completed and are summarized in table 3.2 on the next page.

Table 3.2 State Sport Association Interviews

Association	Representative(s) Interviewed	Key Issues
Tennis NSW	Adam Renfrey, Jackson Hills	<ul style="list-style-type: none"> Tennis NSW has 7 regions, 'South/East Region' covers Illawarra region Listed Wollongong Tennis Centre upgrade as a Top 5 priority with NSW Sport and Recreation Facility would be seen as Tennis Australia Regional Centre Strong potential for administration base with 1 full-time development staff member and other staff placements Potential to adapt to the NSW National Academy and player development pathway Build on relationship with Illawarra Academy of Sport Potential upgrade to host major events which profile Wollongong region Capable of hosting up to 90% of TNSW events Could be one of only two facilities of state significance in the state (planning for 6 long term) Shared show court at Leisure centre (3,000 to 5,000 seats) could be used to host Fed Cup and/or Davis Cup
Football NSW	Riccardo Piccioni	<ul style="list-style-type: none"> FNSW has 3 regions outside Metro Sydney; Southern covers Wollongong area Interest in potential synthetic field to service the region and establish a centre of excellence South Coast Football could be based from the facility to service the region (currently investigating Dapto facility – seeking funding) South Coast football responsible for player pathway programs
Swimming NSW	Mark Heathcote	<ul style="list-style-type: none"> SNSW has 12 regions, South/Eastern Swimming Association covers Wollongong area Interest in Centre of Excellence concept for the region, but it would be limited by 25m pool 'Podium Pools' scheme conducted by Swimming Australia provides up to \$100,000 per year based on coaches and athletes – requires long course pool Potential short course events and coaching/development opportunities exist and could be explored further
Basketball NSW	Tim Whealing	<ul style="list-style-type: none"> Classed as Southern Region Strong interest in potential upgrade/redevelopment of an indoor sports centre at Beaton Park Listed "Wollongong New/Upgrade Multi Court Venue" as top 5 priority with NSW Sport and Recreation Current facility is tired and does not meet specifications Strong interest in working with local association and council to establish a 'regional centre' <ul style="list-style-type: none"> Substantial event opportunities particularly with other supporting facilities nearby (Berkeley) Shared show court with tennis

Association	Representative(s) Interviewed	Key Issues
Little Athletics NSW	Chantelle Grills	<ul style="list-style-type: none"> Classed as Region 4 (extends from Wollongong out to Wagga) Currently viewed as a regional facility (only synthetic track in region) Support association's stance regarding track resurface – required for the facility to maintain its position as regional facility LANSW would look to have a second synthetic track in Wagga (listed as top 5 priority) Facility does and can hold zone, regional and state multi-events (other state events are held at SOP)
Netball NSW	Nikki Horton and Sonia Gouveia	<ul style="list-style-type: none"> Player pathway development with Illawara Academy of Sport which could be based at Beaton Park Existing netball facility will remain event focus due to court numbers
Table Tennis NSW	Ted Davis	<ul style="list-style-type: none"> Support local association's position for expanded and improved facilities to attract additional players Table Tennis caters well for ageing population (contributes to physical and mental health well-being) Limited potential for centre of excellence model due to lack of development officers and coach availability State events have around 80-100 participants and national events 250-450 participants

3.5 Sport and Recreation Trends

The following section provides a summary of current sport and recreation trends that may impact upon the development and future recreation, sport and open space provision in Beaton Park Precinct area.

General sport and recreation trends impacting on people and their demand for recreation, sport and leisure activities have been developed using SGL's extensive Australian Leisure Trends Database as well as reviewing a range of sport and recreation participation research documents including:

1. Sport and Recreation: A Statistical Overview Australia December 2012 – Australian Bureau of Statistics.
2. Sport and Recreation: A Statistical Overview Australia December 2013 – Australian Bureau of Statistics.
3. Participation in Sport and Physical Recreation Australia 2011/12 and 2013/14 – New South Wales Tables: Australian Sports Commission.
4. The Crawford Report 2009 on the Future of Sport in Australia

A combination of the documents findings in relation to wider general sport and recreation participation and facility provision trends in Australian Society over the past decade is highlighted in the following sections.

3.5.1 National Sport and Physical Recreation Participation Trends

The ABS Sport and Recreation: A Statistical Overview of Australia Reports for 2012 and 2013 indicates of the Australian population aged 15 years and over, an estimated 60% (11.1 million people) reported that they had participated in sport and physical recreation at least once during the 12 months prior to the interview in 2013/14, compared with 65% in 2011-12.

Participation generally decreased with age. People aged 15–17 years reported the highest participation rate in sport and physical recreation (74%), while people aged 65 years and over had the lowest (47%). Male and female participation rates were similar, except in the 25-34 age group where participation rates were higher for males (67%) than females (61%).

The highest participation rate for sport and physical recreation was in the Australian Capital Territory (73%), while the other states ranged from 54% in Queensland to 67% in Tasmania.

Walking for exercise was the most popular physical recreational activity, with 19% of people aged 15 years and over walking for exercise at least once in the 12 months prior to interview.

Females were more likely to walk for exercise than males (25% and 14% respectively). Fitness and gym were the next most popular activity (17%) again with more females than males participating (19% and 16% respectively). Males were more likely than females to play golf (6.6% and 1.4% respectively) or participate in cycling and BMXing (8.5% and 4.0% respectively).

People can be involved in organised sport and physical activity as:

- Players, participants or competitors, or in non-playing roles.
- Non-playing roles include: coach, instructor or teacher; referee or umpire; committee member or administrator; scorer or timekeeper; medical support; and other roles.
- A person can be involved in more than one kind of sport or physical activity and in more than one role.

In the 12 months prior to interview, an estimated 5.2 million people aged 15 years and over (28%) reported that they were involved in organised sport and physical activity. This included 4.7 million people involved in playing roles (26% of persons aged 15 years and over), and 1.4 million people involved in non-playing roles (7.7%).

Involvement in organised sport and physical activity generally decreased with age. People aged 15-24 years had the highest rate of involvement in a playing role (43%) and the highest rate of involvement overall (44%). In comparison, people aged 55-64 and 65 years and over had the lowest rate of involvement in a playing role (18% and 17% respectively) and the lowest involvement overall (19% and 18% respectively).

Of the 5.2 million people involved in organised sport and physical activity, 6.8% received some type of payment for their involvement. People involved as a coach, instructor or teacher were more likely to receive some payment (26%) than people in a playing role (2.8%).

3.5.2 Trends Impacting on Sport and Recreation Participation and Facilities

The following highlights the range of general sport and recreation trends that are likely to impact on local communities in the future.

- **A gradual ageing of the population.** As life expectancy increases, birth rates stay low and the “baby boomers” of the 1950s and 1960s grow older. This is placing a new demand on providing specific older persons programs.
- **Flexibility in the times when people recreate.** As demands on people’s time increases and work practices change, people are seeking to take their sport and recreation at different times, over a broad spread of hours and at facilities that offer a lot of activities under the one roof. Indoor pools and health and fitness facilities are particularly attractive and getting easier to use, as many are open 12 to 16 hours per day, 7 days a week, with some now also open 24/7.
- **Increased variety in sport and recreation options.** People’s sport and recreation options are changing towards newer more varied activities offered over a greater range of timeframes compared to previous decades where limited variety in activities and scheduling occurred. This has supported the trend to more multi-use facilities to attract a broader range of users as well as multiple programs to meet different needs at the one centre.
- **Constraints to sport and recreation participation.** Lack of time, lack of facilities close by, family and work constraints, health problems and cost of service or use of facilities are the main constraints to many peoples sport and recreation participation. The development of targeted markets of users, programs and services at many aquatic and health and fitness centres has assisted in reducing some of these participation constraints
- **Changing employment structures, trading and work hours.** These trends often make participation in traditional sport and recreation activities difficult and therefore people are looking for facilities that are open longer hours and have a lot of activity options at the one site. This makes opportunities such as indoor pools and health and fitness centres and indoor sports courts attractive as their long opening hours and days open per year means usage can be made in a wide range of social, training, competition and educational settings.
- **Different people want different activities.** The different cultural, age, gender of the population sees the need for facilities to offer potential users a much more varied range of programs and services than previously offered. All year round available indoor and outdoor sport and recreation facilities also provide the greatest diversity of activities throughout the different seasons impacted by the areas weather.

- **Provision of high standards and quality of facilities and services.** People are more and more looking for high standard, high quality facilities and services to meet their sport and recreation needs. This has also seen the trend for indoor facilities becoming very popular as they allow activity in safe and secure spaces in all weather and environmental conditions. This leads to indicating that building low standard, low cost facilities will not attract the maximum user market.
- **Desire for activities to be affordable.** The development of multi-purpose aquatic, fitness and indoor sport centres has enabled the high operating cost activities, such as aquatics, to be cross subsidised by more profitable activity areas such as health and fitness, food and beverage and entertainment areas. This has enabled many facilities to keep general entry fees low to encourage use whilst seeking users who want special services to contribute at a greater level to the cost of such activities. In general there is a greater reliance on locally accessed and lower cost opportunities by those without the resources to travel and pay for more expensive activities.
- **Recognition of strong links between physical activity and health.** Preventative health care and active lifestyles are very important to many people and aquatic and health and fitness and indoor and outdoor sport activities are becoming a large part of people's activity choices. There is increased recognition of the strong links between involvement in recreational activity and good health, and the development of appropriate activities and services, which support this.
- **Expectations of equity and access.** Today's society expects people with special needs to be catered for in public facilities. This has seen improved design features to increase accessibility to and within such facilities. Added to this is the growing array of programs and activities offered to people of all different abilities, physical condition and skill levels.
- **Sustainable Development.** In addition to the trends above there are specific trends relating to leisure and sporting facility development such as sport facility planners and operators need to respond to community demand for more sustainable and eco-friendly infrastructure.

All sports and recreation providers are operating in an environment of change. There are many challenges that will need to be dealt with including:

- **Consumer Expectations:** As a result of consumers being exposed to high quality programs, events and services through the media and other leisure industry providers they are expecting more and more from their sport and recreation programs. This includes quality of facilities, support amenity, player and spectator comfort, quality of service, coaching and expecting the service to be provided when they want it. However this has meant that significantly less program space can be achieved per investment dollar.
- **Changing population demographics:** Australia's population is ageing. The percentage of population of 5 to 14 year olds will continue to decrease with the greatest growth in the 55+ age group. This will create a demand for programs and services in sport that go well beyond a focus on junior sport.
- **Competition for participants:** All Australia's sporting codes have recognised the need to recruit young players into their sport at an early age. Many of the sports face competition from large, well-funded junior programs and high profile sports as well as other forms of entertainment competing for the time and interest of young people. A key challenge for many sports and recreational activities is the retention of those recruits beyond their mid-teen years.
- **Reliance on external revenues:** participants provide a large proportion of funding for most sport and recreation activities, programs and services. Competition is intense for funding, sponsorship, spectators, profile and members. Providers will need to clearly differentiate and market products and benefits to seek to access other revenue streams. This is particularly important in the development and upgrade of facilities and equipment.

- **Facilities:** Maintaining and developing new facilities is a major challenge for the sport and recreation industry. The future may require sporting and recreation providers to partner in multi-sport/recreational developments either in local government or commercially built complexes.
- **Well-trained personnel:** volunteers predominantly service most sports. Recruiting and retaining paid staff and volunteers are critical to operations. In an increasingly regulated world, volunteers need and demand access to training and education in a flexible delivery model that responds to their busy lives. Coaches, officials and administrators must be supported to ensure the delivery of quality programs and competitions. Supporting and recognising volunteers is a task not to be underestimated.

The 2009 Crawford Report on the Future of Sport in Australia identified a range of challenges for all sports including stating that:

- "The infrastructure of community sport, made up of both people and facilities, is under threat. The supply of volunteers, often the lifeblood of any club or association is under pressure. There is no coherent approach to building community sports and the physical facilities they need.
- If participation levels are to grow or even be sustained, policy makers and sports administrators must find new ways to encourage and support volunteerism. Governments at all levels need to increase investment in community facilities if grass roots sport is to flourish.
- "The tradition of volunteering is a competitive advantage for Australia, and is not replicated in many other countries. But sports organisations report increasing difficulties in securing enough volunteers. Modern lifestyles and flexible working hours do not fit easily into the schedules for community sport."

3.5.3 Most Popular Adult Activities

The tables below detail the top 10 most popular activities for people 15 years or older for the National and NSW State participation trends by gender.

1. People 15 years or Older

Table 3.3 Top 10 Most Popular Activities for People 15 years or Older

Activity	National Participation Males #	National Participation Females #	NSW Participation Males *	NSW Participation Females *
Walking for Exercise	16.5%	30.4%	15.7%	31.3%
Fitness/Gym	15.1%	19.1%	16.1%	17.0%
Swimming/Diving	7.5%	8.0%	8.7%	8.6%
Cycling/BMX	9.8%	5.4%	7.8%	4.5%
Jogging/Running	8.7%	6.4%	9.4%	6.9%
Golf	8.2%	N/A	9.3%	1.5%
Tennis	4.9%	3.4%	5.6%	3.9%
Soccer Outdoor	4.1%	N/A	5.2%	1.9%
Cricket Outdoor	3.0%	N/A	2.5%	N/A
Basketball	2.8%	N/A	2.0%	0.9%
Netball	N/A	4.5%	N/A	1.9%
Yoga	N/A	3.3%	0.8%	3.5%
Dancing/Ballet	N/A	2.5%	0.4%	2.5%
Bush Walking	N/A	2.4%	2.4%	3.3%

Source: # Participation in Sport and Physical Recreation Australia 2011-12 *Participation in Sport and Physical Recreation Australia 2011-12 New South Wales Tables

3.5.4 Most Popular Children's Activities 2006 to 2012

The tables below detail the top 10 most popular activities for people aged 5 years to 14 years for the National participation trends by gender for 2006, 2009 and 2012.

a) Males

Table 3.4 Top 10 Most Popular Male Children's Activities

Male Activity Choices	2006#	2009#	2012
Soccer Outdoor	19.6%	19.9%	21.7%
Swimming/Diving	16.5%	17.2%	16.5%
Australian Rules Football	13.8%	16.0%	14.9%
Basketball	7.4%	8.5%	9.2%
Cricket Outdoor	10.1%	9.7%	8.6%
Tennis	8.0%	9.4%	8.4%
Martial Arts	6.1%	7.5%	7.8%
Rugby League	7.9%	7.0%	7.5%
Rugby Union	3.9%	3.8%	4.0%
Athletics	2.6%	3.0%	3.2%

Source: # Participation in Sport and Physical Recreation Australia 2011-12 *

b) Females

Table 3.5 Top 10 Most Popular Female Children's Activities

Female Activity Choices	2006#	2009#	2012
Dancing	23.1%	26.3%	27.1%
Swimming/Diving	18.2%	19.8%	18.9%
Netball	17.3%	17.0%	16.2%
Basketball	5.7%	6.3%	6.6%
Soccer Outdoor	6.4%	6.2%	6.5%
Tennis	6.6%	6.3%	6.3%
Martial Arts	2.9%	3.7%	3.7%
Athletics	3.2%	3.5%	3.1%
Equestrian Activities	2.8%	2.4%	2.0%
Hockey	2.2%	2.4%	2.0%

Source: # Participation in Sport and Physical Recreation Australia 2011-12

3.5.5 Sport and Recreation Trends and Beaton Park Precinct

A review of the most popular activities in Australia and NSW confirms that the Beaton Park Precinct has been and will continue in the future to be a significant sport and recreation precinct to people of all ages. Currently the combined facilities located in the precinct can cater for:

- 9 of the top 12 adult activities.
- 8 out of the top 10 male children's activities
- 8 out of the top 10 female children's activities

Importantly the key areas suggested for improvement in the precinct future strategy also relates to the highest choice participation activities being swimming, health and fitness facilities, indoor sport courts, outdoor sport fields and courts and open space areas for activities such as walking and jogging/running and play. Specifically future facility improvement priorities need to take into account the increased participation in:

- Aquatic facility use especially indoor facilities, children's play and warm water program pools and the synergy for health and fitness and wellness activities.
- High use indoor sports courts that are multi-use especially for basketball, netball and indoor soccer with venues flexible design to be also used for entertainment and event activities.
- High use (synthetics as a part option) outdoor sport areas for range of sports especially soccer, cricket and other football codes.



4 Beaton Park Precinct Future Master Plan Component Brief

4.1 Introduction

This section of the report highlights the key findings of the study and relates these to the key outcomes required in the project brief.

These findings are then used to develop a future Beaton Park Precinct Future Master Plan Component Brief that has been guided by the project brief vision and values highlighted for the area.

The project brief required the project team to develop future master plans that could meet the following vision and values.

Vision:

“To foster and promote healthy lifestyle choices for the whole community through a diverse and affordable range of quality recreational, sporting, health and leisure opportunities”

Values:

To establish Beaton Park as a major regional focus for organized sport, recreational and health and wellbeing activities through:

- Affordable and well-designed facilities, services and programs that provide greater accessibility to the community
- Facilities that are presented to the highest quality standards
- The development of a financially sustainable precinct
- Increasing utilization by providing a mix of sport, recreational, health and wellbeing opportunities
- Flexible design that can grow and develop with changing community needs

4.2 Key Study Findings

The key study findings are summarised from the research and consultation completed in sections 1 to 3 of this report. They include:

1. Demographic Trends

- The Cities population has been increasing for a number of census periods and between 2006 and 2011 the city's population increased from 184,209 to 192,418 people (ABS 2011). This was an increase of 8,209 people (+4.5%). Council uses profile i.d for its demographic profiling and they estimate at June 2014 the city's population had increased significantly to 206,724 people.
- The increased population trend will continue to impact on the project area with the WCC population projected to increase to 243,156 by year 2036. This is a projected increase of 41,155 people (+21.6%).

- The population profile of Wollongong is aging, reflecting a nationwide trend with more people aged over 65 years. However, more than six out of 10 (65.6%) of the population is still in their most active years of 0 – 49. This indicates that the current pressure and demands being paced on Council to provide a range of leisure activities and facilities to meet the needs of the residents will continue
- The Beaton Park Precinct is located in Gwynneville. The last ABS (2011) and future (2036) population projections indicate the local and surrounding population (suburbs within 3km approx.) was estimated at 65,360 in 2011 and this is projected to increase to 78,647 (+13,287) by 2036. This is summarized in the table below.

Suburb	2011 Population	2036 Estimated Population	Increase in Population between 2011 and 2036
Gwynneville	2,681	3,399	+718
West Wollongong	5,012	5,390	+378
Fig Tree	11,217	12,339	+1,122
Mount Saint Thomas/Coniston	3,989	4,069	+80
Mangerton	2,893	3,053	+160
Wollongong	17,478	26,712	+9,234
North Wollongong	2,258	2,914	+656
Kieraville/Mount Keira	5,111	5,351	+240
Mount Ousley/Mount Pleasant	2,892	3,055	+163
Fern Hill/Balgownie	8,587	8,987	+400
Towradgi	3,242	3,378	+136
Total Population	65,360	78,647	+13,287

- The local population living close to the Beaton Park Precinct was estimated in 2011 to be 65,360 people, which represented 32.1% of the total cities population.
- The local population living close to the Beaton Park Precinct is estimated to be 78,647 by 2036, which will see 13,287 more people living in the local area. This is a population increase of 20.3%.
- These trends indicate that there will be greater local people user demand on the Beaton Park Precinct Facilities as the area population increases.

2. Precinct Location

The precinct location reviews indicate:

- The project area is well placed and provides a centrally located large indoor/outdoor aquatic, sport, recreation and open space activity precinct. The precinct is also well located due to its close proximity to:
 - The expanding population coming to the CBD and park surround areas,
 - Wollongong University and its major indoor aquatic, sport courts and health and fitness facilities as well as its outdoor sport facilities.
 - Wollongong TAFE College so surrounding current and future facility provision needs to also be taken into account.
- Linking both Beaton Park and Wisemans Park though improved linear trails is a good fit as these areas are also linked either end by other linear trails through the Fairy Creek Corridor open space areas.
- The Fairy Creek Corridor also provides potential linked access to three suburbs and other sport and recreation and parkland activity areas.
- The WCC area is experiencing continuing increases in multi-story and infill development and associated population increases so in the future the area will be used by more people whilst there will be limited options for provision of more open space and activity areas.
- This requires prioritising future facility improvements and services that can be modified to have capacity for more use whilst also being attractive for people to use.

Beaton Park provides district to regional facilities and associated services whilst Wisemans Park services local and district facilities and services.

This indicates the need to develop separate future master plan component briefs for each park and then a project area master plan that shows the precinct linkages. The consultant team has therefore listed the studies key findings under each of the park areas.

- The project area provides a centrally located large indoor/outdoor aquatic, sport, recreation and open space activity precinct. The precinct is also located in close proximity to the CBD, University, TAFE College so surrounding current and future facility provision needs to also be taken into account.
- Linking Beaton Park and Wisemans Park is a good fit as these areas are also linked by a large range of open space and activity areas through the Fairy Creek Corridor green space that provides potential linked access to three suburbs and other sport and recreation and parkland activity areas. (See area map next page).
- The WCC area is experiencing continuing increases in multi-story and infill development and associated population increases so in the future the area will be used by more people but limited options for provision of more open space and activity areas.
- This requires prioritising facility improvements and services that can be modified to have capacity for more use whilst also being attractive for people to use.

3. Beaton Park Facilities and Infrastructure

The inspection of facilities and interviews with key users and tenants indicates in the future master plan for this area:

- Beaton Park Leisure Centre (BPLC) requires significant extensions and upgrades to meet contemporary standards as well as increase capacity for more use to improve financial sustainability. Key development highlighted from previous studies/project team review include:
 - Warm water program pool for older adults (possible moveable floor for maximum programing and changing water depths)
 - New spa and sauna area
 - New Learn to swim pool
 - Water play and splash pad
 - Expanded health and fitness area
 - New wellness and health consulting areas
 - New front of house, café, retail and offices
 - Refit out of indoor sport court.
 - Redevelopment of sports medicine clinic
 - New plant rooms and storage areas.
- Illawarra Basketball Stadium (The Snake Pit" layout, facilities spectator facilities, amenities and services are well past it's use by date and need in the longer term to be replaced with modern full size stadia. If this does occur in the long term the best location for new indoor sport courts are as an extension to the BPLC.
- Both Tennis and Athletic facilities are regional standard facilities that can be improved with minimal upgrades and both state sport organisations support and will assist in funding part developments.
- The outdoor playing field area is of poor standard with no irrigation system, uneven surface, worn surface from high use and aged pavilion. Opportunity to develop as an improved grassed oval and 2 football fields and link to new synthetic field inside athletic track so providing 3 high use outdoor playing areas in close proximity.

- Development of improved and linked playing fields helps justify improvements to the grandstand (extended seating area) and development of new change and amenities to replace the current pavilion at the playing fields.
- Large areas of open space taken up with separate zone car parks and internal roadways so rationalization of this needs to be looked at as does new internal and perimeter trail system linked to playgrounds and passive parkland areas.
- Department of Defence land takes up a large open space for the low use made of it but at this stage is not being considered as able to be redeveloped as extended park land as Commonwealth Government still see it as a required used space. This should continue to be monitored.

4. Wisemans Park Facilities and Infrastructure

The inspection of facilities and interviews with key users and tenants indicates in the future master plan for this area indicates there are two distinct zones that need to be maintained being:

a) Active/Developed Zone.

This covers the oval, tennis courts, playground and maintained parkland in the northwest corner of the park. Facilities include:

- Large playing field suitable for cricket, AFL, Soccer, Rugby but is local facility standard only.
- Adjacent pavilion on western side of oval is low standard
- 2 tennis courts and fencing are low local facilities standard
- Children's playground
- Concrete pathway and eroded walkways

b) Conservation and Flora Repair Zone:

The land to the south west of the developed and maintained areas is noted as 'An Endangered Ecological Community (EEC) and includes the open grass areas with varied sloped land and riparian zone linking waterways. The review indicates there is a large number of native species growing including:

- Grey Ironbark (*Eucalyptus paniculate*)
- Turpentine (*Syncarpia glomulifera*)
- Prickly paperbark (*Melaleuca styphelioides*)
- Blackbutt (*Eucalyptus pilularis*)
- Woollybutt (*Eucalyptus longifolia*)
- White stringybark (*Eucalyptus eugenioides*)
- Forest Redgum (*Eucalyptus tereticornis*) (*Davis, 1992*).

The site has been registered as an EEC area and is currently very depredated with highly eroded pathways dotted throughout the site with un-organised and poorly constructed pathways and trails which because of no restricted access have supported large areas of eroded and weed infested zones.

Key future development in this area of the park should be limited and based on the repair and conservation requirements of an EEC area. Key actions will require settlement of one or two trails (that can link to Beaton Park and the Fairy Creek Corridor and then complete extensive fencing off and replanting of areas where eroded trails and weed infested areas need repair.

4.2.1 Beaton Park Precinct Future Development Directions

The study findings have assisted in developing long-term (2016 to 2036) future development directions for both Beaton Park and Wisemans Park.

These have been highlighted as two separate zones due to the clear differences in the level and standard of development and the environmental impacts of each area.

The recommended development aims and suggested future development directions are listed in the following key area summaries.

4.2.2 Beaton Park Future Development Direction

The precinct needs assessment findings have lead the project team to developing the following aim and scope of works for future redevelopment of Beaton Park:

BEATON PARK

Aim: Develop Beaton Park as a Regional Centre of Excellence with High Performance and Event Facilities that are complimented with also improved local open space/parkland areas

It is recommended the works are considered as part of two linked development zones and include the following long-term master plan initiatives:

Zone 1. Regional Centre of Excellence/High Performance/Event Facilities

- **Tennis facilities** with 14 courts (10 hard/4 synthetic courts and 8 hot shot courts) meets regional facility status so in the short term recommend need to upgrade amenities, expand court lighting to increase nighttime use and improved car parking with in the longer term 2 more courts added to the south of the existing courts (16 courts will meet regional status).
- **Athletic facilities** already meet regional facility status and review opportunities to develop improved field area adjacent to track (to allow synthetic surface pitch to be installed) and increase length/size of grandstand to increase spectator viewing capacity and increase amenities/change areas. Lighting of the new synthetic arena and back straight of the track also to be prioritised.
- **Redevelopment of BPLC** to add new staged aquatic program, water play and adventure water areas, health and fitness extensions, café and merchandise areas and expanded wellness/medical services areas to attract broader range of users and improve sustainability and financial operating performance. These works would include retrofitting some existing areas and constructing new areas. Future plan could also incorporate new 4 court indoor sport, event and entertainment area to replace the “Snake pit”.
- **Redevelopment of the outdoor playing fields** to include improved grassed playing surface for football and cricket and consider new amenities linked off the BPLC expansion/athletics centre grandstand expansion. This will provide 2 reasonable size football fields to meet a regional football centre status as well as summer cricket to still remain on site.
- **Redevelop entry roadways** (with new bridge linking Gipps Street entry and car park) and more parking at the BPLC site, tennis courts/outdoor playing fields.
- **Consider options to return the “Snake Pit” site/parking to parkland** areas to increase green space on the reserve.

Zone 2. Improved Local Open Space and Parkland Areas

- **Develop new perimeter shared use trail** (cycle and walking) that links also to interior site trails and roadways.
- **Link new trails to future new major road crossing to Wiseman Park** trails as well as link north to designated Ferry Creek Corridor areas and trails.
- **Develop new community playground and picnic area** (in the long term on “snake pit” stadium car park) and improve landscape and plantings along water way and rear of residential properties.
- **Develop fun and fitness equipment** along main perimeter trail and set up new signage and distance markers etc.

- **Develop new way finding signage and park information** and heritage sign posting of key areas.
- Consider (subject to need) a major active youth and children's area on land between the athletics track and university student accommodation or the army reserve land/Snake Pit Stadium area (once renewal is warranted) that could include:
 - Skateboard park and amenities
 - BMX track and scooter/cycle facilities.
 - Open space parkland areas

4.2.3 Wisemans Park Future Development Direction

The precinct needs assessment findings have lead the project team to developing the following aim and scope of works for future redevelopment of Beaton Park:

It is recommended the works are considered as part of two linked development zones and include the following long-term master plan initiatives:

Wiseman Park

Aim: Develop Wiseman Parks constructed and maintained areas as an improved active local open space/parkland area that links to Beaton Park and Fairy Creek Corridor Areas and also significantly improves the Endangered Ecological Community areas with fencing off and major replanting and repair to eroded and weed infested areas.

Zone 1: Endangered Ecological Community Area and Internal and Perimeter Trail

Key actions include:

- Complete detailed review of the area to support environmental improvement plan for the area.
- Determine main trail location in this zone and then fence off remnant native grasses and treed areas to establish an environmental improvement program including removal of evasive weeds and exotics.
- Once fenced off develop a nature-walking trail with new interpretative and historical signage at key points of interest with way finding signage.
- Develop a new perimeter shared use trail that links to new interior trails and these be constructed to reduce maintenance and improve safe use. All other existing trails and paths to be fenced off and returned to natural landscape areas as part of a park landscape improvement plan.
- Link new perimeter trail to Beaton Park trails as well as links to Fairy Creek Corridor areas and trails.

2. Active Sports and Recreation Zone Maintained Area

Key actions include:

- Upgrade pavilion to required standards to provide for local team sports use and school sport use.
- Continue to maintain and improve small local playground facility close to shopping area.
- Retain Wisemans Park Tennis Courts as local club and community facilities
- Consider opportunities to Introduce new cycling theme for perimeter developed trails and main internal trail.

4.3 Beaton Park Redevelopment Component Brief

This section of the report provides detailed specific area and facility component briefs to enable the project architect and landscape architect to develop up facility concepts for the long-term staged redevelopment of Beaton Park facilities.

Detailed Component briefs have been prepared for:

1. **Redeveloped Beaton Park Leisure Centre** incorporating new as well as retrofitted areas in association with long term new (replacement) indoor sport facilities being added to this centre. These facilities have been recommended to significantly increase centre usage to a broader range of clients as well as improve the centres financial sustainability with new profitable activity areas i.e. wellness centre, more membership capacity. The improvements will also include new entry and food/beverage and retail services zones.
2. **Upgraded Regional Tennis Centre** including improved amenities and change facilities and 2 new courts and improved lighting to encourage more nighttime use.
3. **Upgraded Regional Athletics Centre** with expanded grandstand/seating and new amenities/change and new synthetic playing field area inside the athletics track. These improvements will increase the range of sports using the area and increase player and spectator areas
4. **Upgraded Regional Outdoor Fields** with upgraded surface, drainage and irrigation system on the outdoor fields and new amenities (linked to Athletic track/BPLC improvements).
5. **New Beaton Park Community Facilities** including playground, picnic areas, internal and perimeter linear trails and children/youth activity area.
6. **New Beaton Park Traffic Management Plan** with redeveloped entry/exit and internal road network with linked car parks at key activity nodes.

The component briefs for the recommended facility redevelopment that has been set up to be staged as funds can be attracted to the various projects are listed in the following sections.

4.3.1 Beaton Park Leisure Centre Redevelopment

This study's findings in association with findings from relevant previous studies found that the Beaton Park Leisure Centre (BPLC) is Council's best performing aquatic centre from a usage perspective with 351,000 visits in 2011/12.

The centre attracts a broad range of users including aquatic, health and fitness, indoor sport and sports medicine (rehabilitation) and athletic track users.

Council's 2014 "The Future of Our Pools Strategy" indicated that the centre's level of subsidy was only 78% after operating income was deducted from operating expenditure. This resulted in a net operating subsidy per visit of \$1.83, which was the lowest cost per visit of all Council's swimming pools.

This is directly attributed to the mix of profitable commercial spaces (health and fitness, food and beverage and leased sports medicine clinic linked to high cost spaces such as aquatics and community programs. Memberships in 2011/12 attributed 40% of income and learn to swim was 26%.

Though the centre is performing well against other Council Aquatic Facilities usage, fees per visit, secondary spend per visit and cost to operate after income deduction have continued to be well below other comparable facilities of similar size and components.

Interviews with centre management, site and facility inspections and review of aquatic and leisure industry trends and comparison with the latest built facilities indicates Council has a significant community facility that could be improved further if it was redeveloped and expanded.

The proposed BPLC extensions and upgrades are required to meet contemporary standards as well as increase capacity for the 13,000 more people moving into the area. Significant increased use will also help improve financial sustainability.

The Beaton Park Leisure Centre (BPLC) current facility floor plan and aerial site plan are listed as follows



Beaton Park Leisure Centre Floor Plan



Beaton Park Leisure Centre and Athletics Facilities

The study needs assessment and consultant team recommendations notes the following facility components should be considered as part of the BPLC future facility master planning:

1. Aquatic Areas:

- **New warm water program pool with accessible spa** for older adults, water therapy, learn to swim and exercise in water programs. The pool should be 20m x 10m with 1.5m (sideline ramp outside of this water area). The ramp should link to an accessible spa 3m x 10m.

A separate (concourse accessed spa) should also be located adjacent to the accessible spa. Dry and steam saunas should be located close to the spa areas.

Water depth should be 1m to 1.4m deep. Pool should be located so the new wellness centre users can access it directly from the wellness centre.





- **New learn to swim Leisure pool** for learn to swim classes, school swimming and children and adults water familiarization. The pool should be 15m x 10m and be 600mm to 1m with accessible ramp 1.5m wide outside of the water area specified.



- **New toddlers water area** for preschool children approximately 60m² and be located away from deep-water areas. Could be linked to LTS pool with suitable clear vision fencing stopping toddlers having direct access to deeper water. Depth should be 0mm to 300mm.



- **New Water Play and Splash Pad** for children and families. Suggest base area allowance is for a Whitewater West AP 750 unit 9 until final unit/product is tendered/chosen. This unit requires a splash pad floor area of 20 m x 24m floor base area.



- **New Indoor/outdoor waterslides** linking with a tower indoors and then covered flumes through to indoor flume exit. Allow 150m² indoor floor area for tower and flumes linked off the concourse.



- **New sauna area (dry and steam)** adjacent to the warm water program pool. Saunas to cater for up to 16 people each.
- **New wet area amenities** including family/special needs change areas close to warm water and learn to swim pools. Consider 4 family change rooms near the water play and LTS pool and 4 special needs change areas close to the warm water program pool.
- **New plant room** to service new water areas as required (need to consider if existing plant room stays where it is or is moved to a new plant room area to maximize plant and services connections.
- **New aquatic hall store** to service equipment needed for the new aquatic areas. Suggest 80m² but may be divided into 2 x 40m² areas.

- **Close down existing spa and sauna areas in dry change zones** and consider if become expanded amenity area or use for another purpose.
- **New aquatics office and first aid room** due to existing area being taken up by new café (subject to final design).

2. Health and Fitness Areas:

- **Expansion of the Gym** to include reuse of circuit room, cycling room and the removal of wall in the fitness studio create one linked space to allow for capacity increase of up to 1,000 new members. Area would need to be renovated and consider reuse of the staff room for more storage.
- **Renovate the existing sports hall to become new group fitness area** and include the following areas/spaces:
 - Group fitness room 1: 300m2
 - Group fitness room 2: 150m2
 - Cycle/Spin Room: 100m2
 - Storage: 60m2
 - Replacement staff room 40m2
 - Meeting room 60m2
 - Storage/circulation - balance of area.

3. New Front Entry, Reception, Retail and improved Circulation Links

New and renovated front of house area to house new reception, retail area (near reception but linking moveable product displays) and improved (wider corridors) circulation to wellness, medical centres and aquatic and athletic areas.

Note that reception should be designed to include self-serve drinks and snack display units that health and fitness users can access and be served by reception staff if they do not want to access the new café further into the centre.

Reception improvements should include a new electronic gate entry system that allows members and program users to access their approved/paid for areas via swipe card so to ensure minimum congestion at reception.





4. New Wellness Centre

This centre should incorporate 10 treatment rooms (8 singles 3m x 4m and 2 doubles 4m x 5m rooms) and 2 storerooms and a treatment preparation room and a reception area. Functionally this facility should be linked closely to the new warm water program pool/spa/saunas area.

The wellness centre should also be linked to the main circulation corridor. This area could be leased to a medical and wellness practice or operated by centre management.



5. Redeveloped Sports Medicine Clinic

This area needs to be either retrofitted and linked to new space closer to aquatic area entry or demolished and rebuilt (final area brief to be developed by current lease).

6. New Café and Dry Lounge

This area needs to be located so it can serve into the aquatics hall to a wet area lounge and can also serve in to a dry lounge area near health and fitness and wellness plus be accessed by the athletics area if required. Café and lounge areas require the following components and areas:

- Dry lounge 80m2
- Dry servery 35m2
- Café/food preparation open design located between wet and dry areas 40m2
- Wet servery 35m2
- Wet lounge (included in pool hall).
- Food store 30m2
- Cool store 20m2

The most viable café and food and beverage areas are where the design allows for customers to choose products from display racks and counters and then proceed to sale point/coffee machine etc. This reduces labour as staff time is spent stacking product displays and clearing tables and this model also encourages people to spend more as they can pick up what they want.

The design should consider security of products by setting up a flow through area that cannot be exited once entered unless it is past the sales area.



7. Indoor Sport Courts (Long Term Replacement/Relocation of the “Snake Pit”).

When the Wollongong Indoor Stadium reaches the end of its usable and technical life it is recommended that the four sport courts be relocated to the Beaton Park Leisure Centre (subject to design layout/functionality and site capacity).

The facility redevelopment concept needs to explore the best options for reserving a site for these facilities, which would include:

- 4 indoor sport courts 15.25m x 30.5m with 3.05m clearance around side and end lines and 3.05m clearance between adjoining courts. This would require a total floor area per court of 36.60m long x 21.35m wide = 782.4m². The total area for 4 courts would be 3,125.64m².
- 2 metre gap between courts to allow for row of spectator seats = 4 x 73m = 292m²
- Main court spectator seats recommended to be retractable seating that comes is connected to sidewall and when retracted covers a full court area. The retractable seating systems require a 3m width area to store so allow for 109m².
- Indoor store say 100m².
- 2 change/amenity facilities say 80m² each = 160m²
- Total indoor stadium footprint area required is:
 - 4 Courts 3,126m²
 - Spectator seat allowances 292m²
 - Main court retractable seat storage allowance 109m²
 - Indoor storage 100m²
 - Change/amenities 160m²
 - Total indoor stadium floor area 3,787m²

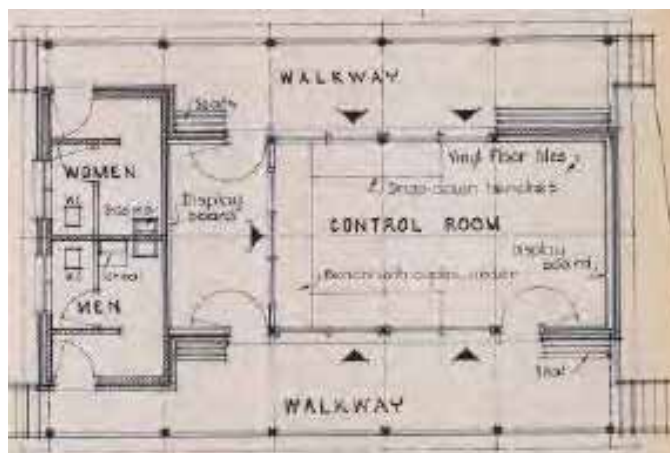
Subject to the location of the indoor sport courts and the access from the BPLC the health and fitness change areas may be able to be used for change facilities when events are on.

4.3.2 Regional Tennis Centre Upgrade

The City of Wollongong Tennis Club facilities are of regional standard already and is the regional home of tennis. Currently the tennis facilities include 14 full size courts (10 hard/4 synthetic courts) and 8 hot shot courts (junior size courts).

The facilities also include a clubhouse and social area that includes bistro/dining room, upstairs function room (120 capacity) and court level meeting room (capacity 30 people) plus offices and amenities. There are also courtside social and refreshment areas off the clubhouse.

There is a small court control room (9m x 4m) and toilet area (1 male and 1 female toilet) located between the synthetic and hard courts. The building floor plan of this area is listed below:



The club is seeking to increase the number of toilets at this facility and provide more change areas.

Reviews indicate the facility meets Tennis NSW regional facility status if can upgrade amenities and complete improved court lighting.

To further future proof the regional facilities it is suggested to allow space for two more tennis courts at the southern end of the 4 synthetic grass courts so it could increase to 16 courts in the future.



Tennis NSW has indicated they would support the development of new indoor sports courts at the BPLC as these could be used as an indoor tennis event courts.

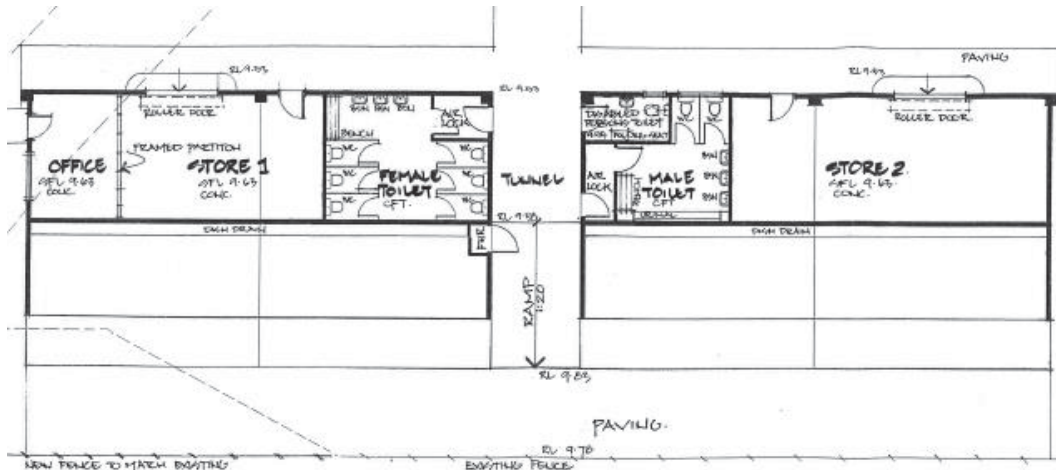
4.3.3 Regional Athletics Centre Upgrade

Athletics already meet regional facility status and in the master plan it is proposed to review the opportunity to develop a new improved field area adjacent to track. This would allow consideration of a synthetic surface pitch to be developed inside the track to be used for football and other field activities.



The inclusion of a new winter sport (football) to the facility would help justify adding an extension to the grandstand to bring spectator seats closer to midfield. The new grandstand would also provide an undercroft area for more indoor change and amenities.

The grandstand undercroft floor plan is listed on the next page and shows currently it houses limited male and female toilets, special needs toilet, 2 indoor storage areas and an office.



If the inner track playing area was to be developed then there would be need to develop three new change areas being:

- 2 change rooms with amenities say 110m² each.
- 1 officials change room with amenities say 50m²
- Football storage area say 30m².
- Football office and meeting space say 40m²

This would see the need for an extension to the grandstand area of approximately 230m².

An alternative building and playing area option also needs to be looked at to see if the current outdoor field pavilion could be demolished and existing playing field brought closer to the athletics track and grandstand and two more change facilities added to the grandstand redevelopment or if deemed more suitable adding these change facilities to the BPLC to share services etc.

Other improvements would include locating a lighting system to the new synthetic pitch that could also light up the back straight. This would increase training use and possible competition and event use of both athletic and football facilities.

To allow a football pitch to be developed inside the athletics track it will be necessary to relocate the field activity areas (Javelin, shot put, discus and hammer throw areas) as well as the long jump run ups and pits currently located inside the track.

The review needs to consider how this can best be done. Options for relocation include:

- Building a new jumps area adjacent to the existing jumps area located between the track and outdoor sports field pavilion.
- Developing new jumps and field areas in the vacant site adjacent to the athletics track, tennis courts and university student accommodation as per the photo below;



4.3.4 Regional Football Centre Development

The study findings and key informant interviews indicate there is an opportunity to develop a full size football pitch inside the athletics track to add a new regional activity to this facility which will help justify extending the grandstand to develop new change/amenities and increased spectator seating.



The field of play for football is rectangular and many major league European facilities are located inside athletic tracks. The length of the sideline must be longer than the length of the goal line.

Football pitch measurements can range as follows:

- Length — minimum 90m maximum 120m
- Width — minimum 45m maximum 90m

For International matches there is a fixed pitch size

- Length — 105m
- Width — 68m

It is recommended that there is a minimum 3m space around a football pitch and where possible increase this clearance for better player safety.

Development of improved grassed football pitches is also proposed as a redevelopment of the outdoor playing fields. This will still allow the area to be used as a summer cricket oval.

To better link the football pitches it is also proposed to demolish the current outdoor field pavilion and bring the pitches closer together (subject to suitable ground conditions and the removal of trees being approved).

The aerial photo highlights the area for the proposed new two football pitch/cricket oval development area at the existing outdoor field and the close link to the future athletics track synthetic pitch.



The development of a synthetic football pitch to the inner area of the athletics track will enable greater use to be made of the inner area in any weather condition so the capacity to host more training and games is enhanced with synthetic surfaces.

Development of holding tanks close to or under the synthetic pitch can also provide water harvesting options and this water could be used to water surrounding grass and landscaped areas.

Run off water from the Beaton Park Leisure Centre could also be linked to this water storage if required.

As part of the master plan review it is also proposed to investigate new change and amenities that can be linked to the outdoor pitch use. This could be considered being developed underneath or as an extension to the athletics track/football pitch grandstand (addition to the BPLC redevelopment.)

4.3.5 Beaton Park Parkland and Open Space Redevelopment

The proposed Beaton Park redevelopment will eventually free up a number of existing developed spaces including:

- The Indoor Stadium and adjacent portable buildings
- Stadium car park

In line with the valuable open space provided at this park close to higher density dwelling development and the CBD it is also proposed to complete a range of parkland and open space improvements including:

- Develop new perimeter shared use trail (cycle and walking) that links also to site interior trails and roadways.
- Link new trails to future new major road crossing to Wiseman Park and then link this to this parks new trails as well as link to Ferry Creek Corridor areas and trails.
- Develop new community playground and picnic area at current “snake pit” stadium car park and improve landscape and plantings along water way and rear of residential properties.
- Develop fun and fitness equipment along the perimeter trail.

- Consider (subject to need/provision in the area already) a major active youth and children's area on land between the athletics track and university student accommodation (subject to take up of field activity area relocation) that could include:
 - Skateboard park and amenities
 - BMX track and scooter/cycle facilities.

4.4 Wiseman Park Redevelopment Component Brief

Wiseman Park has been identified in the project consultation and facility reviews as a local recreation reserve with low level standard playing field and aged pavilion, 2 tennis courts and large treed environmental conservation area (in poor environmental condition).

As indicated in the study's findings it is proposed to keep this facility as a local/district recreation and sport space catering for local clubs and surrounding residents open space needs.

There is no development opportunity for constructing more playing fields or tennis courts without clearing the treed areas so this means without multiple playing areas there is limited justification to upgrade the local facilities.

Key master plan initiatives that have been supported by the study's findings include.

- Complete detailed review of the area to support environmental improvement plan for the area.
- Determine main linear trail locations in this zone and then fence off remnant native grasses and treed areas to establish an environmental improvement program area including removal of evasive weeds and exotics.
- Once fenced off develop a nature-walking trail with new interpretative and historical signage at key points of interest with way finding signage.
- Develop a new perimeter shared use trail that links to new interior trails and these be constructed to reduce maintenance and improve safe use. All other existing trails and paths to be fenced off and returned to natural landscape areas as part of a park landscape improvement plan.
- Link new perimeter trail to Beaton Park trails as well as links to Fairy Creek Corridor areas and trails.
- Upgrade pavilion to required standards to provide for local team sports use and school sport use.
- Continue to maintain and improve small local playground facility close to shopping area.
- Retain Wisemans Park Tennis Courts as local club and community facilities
- Consider opportunities to Introduce new cycling theme for perimeter developed trails and main internal trail.



5 Beaton Park Precinct Future Master Plans and Strategies

5.1 Introduction

This section of the report presents the recommended development strategy framework that have guided the future development master plans completed for both Beaton Park and Wisemans Park, that are also linked under the project area precinct plan.

The section also lists the recommended future master plans for the precinct linking Beaton Park and Wisemans Park and also covers recommended staging and funding opportunities and strategy recommendations.

These have been formulated to assist with future more detailed site and facility planning, schematic concept development, accurate capital costs and business and operational plans to help progress this long term major project into the next phases of detail and development.

5.2 Beaton Park Precinct Redevelopment Opportunities

This section of the report looks at how the large open space and aged recreation and sport facilities could be redeveloped at Beaton Park Precinct, over a number of years, to service not only current population looking for more and improved indoor and outdoor sport and recreation facilities but also to develop modern facilities that can take more, higher intensity and more flexible use from the increased area population.

The study findings indicate the Beaton Park Precinct is centrally located to inner city infill development areas where there will be more people in the future wanting to use the open space and facilities but unfortunately no more open space.

This has been a critical element that has guided the proposed master plans to cater for the future expanded population that will place greater pressure on open space areas and facilities due to increased population density from close by infill and high rise development.

Historically the precinct has provided a mix of local, district and regional sport and recreation facilities that in the 1970s and 1980s were of high standard and well above contemporary facility provision in other areas. In 2015 many of these facilities are nearing the end of their operational life and as the population in the area increases there will be greater pressure to upgrade facilities to increase the range of use as well as intensity of use.

The current regional facilities on site include outdoor sports venues for tennis and athletics and indoor sport for basketball. District facilities include aquatics, health and fitness and wellness and outdoor football and rugby facilities. The consultation completed with local clubs and associations using these facilities have all indicated they are at near to full capacity and are seeking facility upgrades to take great and more flexible use.

Added to this is the identified population increases that have occurred as well as projected to continue for the area

A review of the most popular activities in Australia and NSW (as detailed in section 3.5) confirms that the Beaton Park Precinct has been and will continue in the future to be a significant sport and recreation precinct for people of all ages and interests. Currently the combined facilities located in the precinct can cater for:

- 9 of the top 12 adult sport and recreation activities in Australia.
- 8 out of the top 10 male children's activities in Australia
- 8 out of the top 10 female children's activities in Australia

Importantly the key areas suggested for improvement in the precinct future strategy also relates to the highest choice participation activities being swimming, health and fitness facilities, indoor sport courts, outdoor sport fields and courts and open space areas for activities such as walking and jogging/running and play.

Specifically future facility improvement priorities in the precinct need to take into account the increased national participation in:

- Aquatic facility use especially indoor facilities, children's play and warm water program pools and the synergy for health and fitness and wellness activities.
- High use indoor sports courts that are multi-use especially for basketball, netball and indoor soccer with venues flexible design to be also used for entertainment and event activities.
- High use (synthetics as a part option) outdoor sport areas for range of sports especially soccer, cricket and other football codes.
- Improved shared use linear trails and activity areas for cycling, walking, running and jogging

Beaton Park Precinct is also located in a very strategic location with the precinct being close to the university and TAFE and also linked from a linear trail perspective as part of the Fairy Creek Corridor.

The review has not found any gaps or duplications in facilities but rather the need to upgrade and expand them plus modify some spaces for new activity use to ensure greater use from more users. As such improvements are expected to require substantial capital funding the master plan has taken the opportunity to cluster and connect like facilities to provide a more regional use that in turn can be used to attract funding from other levels of government.

Specific areas proposed in the long-term master plan that see significant change to a more regional type use attractor and more sustainable business model include:

- **BPLC activity area extensions and redevelopment recommendations** are consistent with WCC aquatics strategy, BPLC business plan and key industry trends as well as the need to improve usage, revenue per visits and operational performance. This has seen this centre master plan directions include:
 - Enlarging and adding more health and fitness areas to attract more members and users and improve financial sustainability.
 - More aquatic leisure water facilities for family and children's use
 - Key industry trends have guided expanded/new improved wellness facilities as well as linking medical and health areas.
 - New warm water pool area for older adults and warm water programs.
 - New food/beverage and merchandising areas plus central reception to control users.

The BPLC redevelopment plan has also taken the opportunity to re-use and re-organise internal spaces that are out of date as well fix the poor customer circulation and customer service areas that are well below industry trend customer expectations.

Improved childcare areas, meeting and staff spaces are also included in the BPLC redevelopment can

- **Long term redevelopment of Indoor Sports Courts at BPLC** is a long way off but was added to the BPLC to be consistent with key industry success trends of clustering and connecting similar managed activity facilities at the one site. This would be only triggered by the need to replace the aged basketball centre, which is recommended to be relocated to a central site rather than to build a separate facility.

Locating new indoor courts (4) as part of the BPLC also brings indoor courts closer to the tennis court area and the main court could also be used as a major events centre for a range of indoor sports including tennis. We have included a retractable seating area to host major event facilities in this new indoor complex to also increase the sustainability and use of this area. Though this is a long term opportunity master planning allows land to be reserved to ensure this development could occur in the future.

- **Development of the synthetic pitch inside the athletics track presents an opportunity to add a new activity area** to a space that is primarily only used seasonally that could take higher use than a grassed playing field. This would see the need to relocate field activity areas. We have taken the opportunity of developing this as a high performance playing and training area. This may not be needed now but linking this field to the two grass playing fields would cater for a range of sports in the future.

This development also supports upgrading of the change and amenities and spectator facilities for this area and the adjoining outdoor fields through a grandstand extension. This could also support the outdoor fields also upgraded to a higher standard to take more use.

- Development of an inner track synthetic playing field allows for more use on an area that can take more use as it will not be restricted by turf damage and wear and tear. This area can also be linked to the two adjoining outdoor playing fields and as the population increases be able to cater for increasing demand for outdoor playing areas.
- Other sports works proposed relate to what local clubs were planning for such as tennis court extensions etc. or where a state sport saw Beaton Park as a potential regional facility opportunity.
- Park/open space community improvements have been guided by industry trends for major open space areas and include new pathways, park furniture, expanded playgrounds etc.

5.3 Future Development Strategy Framework

The recommended master plans provide a long-term development plan that provides an overall strategic approach for the Beaton Park Precinct that sees two distinct and different development frameworks at Beaton Park compared to Wisemans Park. These include:

1. Beaton Park Future Development Strategy Framework

The recommended development recognizes that Beaton Park currently has a varied mix of local, district and regional sport and recreation facilities for local residents and visitors to the area. The recommended developments provide complimentary infrastructure and activity components to improve and expand current facilities so they can:

- Cater for more users as the surrounding areas population continues to increase
- Attract more regular use and new revenue to help improve sustainability of facility operations.
- Provide opportunities for stakeholders to work with Council to improve and expand facilities.
- Develop Beaton Park over time through staged improvements to become a “Regional Sport Centre of Excellence” for a number of existing stakeholders including:
 - The outdoor sports of tennis, athletics, football
 - The indoor sports of netball, basketball, volleyball, badminton, futsal and table tennis.
 - High performance training support areas including indoor pools, spas/saunas, health and fitness and conditioning facilities and sports medicine and wellness services.

- Linking in with Wollongong University's facilities and high performance support services to provide one of New South Wales Major Regional Sports Centre of Excellence that will attract more events and teams and athletes to Wollongong.
- Be developed to a level that State and Federal Government and State/National Sports Associations would contribute funding or investment support for proposed staged development.

Many of the improvements proposed will also benefit local and district residents as there will be enhanced community access and greater use of facilities as well as a broader range of programs and services being offered.

The modernising and retrofitting of BPLC with new warm water and learn to swim pools, expanded health and fitness areas, new wellness centre and longer term relocating indoor sport to the centre will provide for local and district users.

Development of new walking trails, outdoor fun and fitness and tracks and some redeveloped car parks being returned back to parkland will all benefit local and district users

In line with the recommended development strategy SGL also recommend that Council form's a new Beaton Park Advisory Committee to better coordinate future development, improve communication between stakeholder groups and provide a one stop management organisation to help cater for major events and high performance team and athlete use

2. Wisemans Park Future Development Framework

Wisemans Park has been identified in the project consultation and facility reviews as a local recreation reserve in an active zone of the park that has a low level standard playing field and aged pavilion, two tennis courts and shelter and a large treed and grassed environmental conservation area (in poor environmental condition).

The study's findings clearly indicate this needs to be developed in two zones being:

- **Zone One Active/Developed Area** –Maintain as a local/district recreation and sport activity space catering for local clubs and surrounding residents. This encompasses the north west corner of the park where the open space area is currently mowed and maintained and where facility development has occurred.
- **Zone Two Environmental Improvement Area** – Develop a long term plan to repair and improve the area in line with accepted environmental protocols and processes.

5.4 Beaton Park Precinct Project Area

The site context plan on the next page highlights the Beaton Park Precinct Project Area through to district and regional trail/road linkages. These are important to recognize especially for trail links to and throughout the precinct area.

The site context plan code is:

- 01: Beaton Park
- 02: Wisemans Park
- 03: Future high density population infill area
- 04: Wollongong University Campus and Facilities



5.5 Beaton Park Precinct Future Master Plans

The final master plans have been developed in association with Graphite Architects following client feedback on the first and second draft plans. They are based on the component briefs listed in section 4 of this report and we note the following issues highlighted during the design process:

- Demolished older single story buildings and the tensile roof over the existing indoor pool, mainly because of age and cost of incorporating this into any new scheme that includes potential indoor facility.
- Constructed a new two story facility to the south of the existing hall, which is retained.
- Includes a slightly expanded physiotherapy area and slightly expanded child minding at ground floor SE along with a central control point for all disciplines, fitness to north, aquatics to NE, Indoor Hall to SW and Athletics and soccer to SE.
- Have not shown adventure water (water slides) at this stage for the aquatics but this could be added to the East but will have to have a driveway below the slides through to the BOH areas and existing pool plant room which is also retained.
- Can remodel parking to the east and provide nose in parking off the street to north of fields.
- Plenty of room for cafe and retailing in the lobby area as you enter
- Located a new 4 court indoor facility to the south and west as a later stage.
- Have provided field area relocation being hammer throw, discus and javelin into the SW corner site, will have to cut off the existing pedestrian path that cuts through here and swing it to the north of the athletics field.

- Have shown shot put inside the field at the NE end with 30m ranges.
- The main inside field can then be converted to synthetic playing surface.
- Have provided additional changing facilities and stands to the NE.
- Located additional parking around the site linking to key areas, I
- Have not raised the indoor hall up due to cost implications but if the ground conditions are poor then raising the floor becomes an option as well. There may be pressure from tennis not to lose any parking so this may also push for a raised floor option with parking underneath.
- The first floor fitness has an area of about 1900sqm as shown so this would reduce slightly if the entry to the indoor hall was at this level.
- The existing hall can be used for programs and presumably also programmed for other indoor activities with some smaller program spaces included at the upper level. Have not split the space up just yet just added stairs and lift.
- The locality plan shows the identified bike paths, noticed that WCC bike plans vary according to the actual plan that you choose to look at from a selection available on their web site??

The relevant master plans and staging drawings are presented on the following pages:

- Existing Beaton Park Precinct Site Plan
- Proposed Future Beaton Park Precinct Facility Master Plan
- Proposed Beaton Park Reclassified Land Identification
- Proposed Future Facility Master Plan Stage One
- Proposed Beaton Park Leisure Centre Ground Floor Plan
- Proposed Beaton Park Leisure Centre Ground Floor Plan Stage One
- Proposed Beaton Park Leisure Centre First Floor Plan
- Proposed Beaton Park Leisure Centre First Floor Plan Stage One



LEGEND

Existing Facilities + New Uses

- 1. Multi-Use + Club Meeting
- 2. Multi-Use + Club Meeting
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- 100. Multi-Use + Club Meeting



05 Final 15 - 10 - 23 title : site plan existing scale: 1: 2000 @ A2
 sk 011 rev 05 proj no 12034 client : Wollongong City Council project : Beaton Park Precinct - Future Facility Master Plan



LEGEND

- Existing Production - Blue Lines
- Proposed Production - Yellow Lines
- Internal Circulation - Red Line

- 1. 100m x 60m - 100m x 60m - 100m x 60m
- 2. School - 100m x 60m - 100m x 60m
- 3. 100m x 60m
- 4. 100m x 60m
- 5. 100m x 60m
- 6. 100m x 60m
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05 - final

15 - 10 - 23

title : site plan proposed

scale: 1: 2000 @ A2

sk 012

rev 05

proj no 12034

client : Wollongong City Council

project : Beaton Park Precinct - Future Facility Master Plan



LEGEND

- 01 Progression Road
- 02 Suburb Path APT 101
- 03 Outdoor Road
- 04 1/4 Road
- 05 Existing 27m Road
- 06 1/4 Road
- 07 Existing 27m Road
- 08 Existing 27m Road
- 09 Existing 27m Road
- 10 Existing 27m Road
- 11 Existing 27m Road
- 12 Existing 27m Road
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03 Final

15-10-23

title : ground floor plan proposed

scale: 1: 500 @ A2 (1:1000 @ A4)

sk 014 rev 05 proj no 12034 client : Wollongong City Council

project : Beaton Park Precinct - Future Facility Master Plan





LEGEND

- 01 Playground: Road
- 02 Sports field: AP/100
- 03 Tackler field
- 04 1/2A field
- 05 Existing 2/2A field
- 06 Sound Barrier wall
- 07 Public area: amenity
- 08 Assembly field: all and public control area
- 09 Control area for Aquatic center
- 10 Swimming
- 11 Group Fitness Room
- 12 Fitness area: amenity
- 13 1/2A
- 14 2/2A
- 15 1/2A
- 16 2/2A
- 17 1/2A
- 18 2/2A
- 19 1/2A
- 20 2/2A
- 21 1/2A
- 22 2/2A
- 23 1/2A
- 24 2/2A
- 25 1/2A
- 26 2/2A
- 27 1/2A
- 28 2/2A
- 29 1/2A
- 30 2/2A
- 31 1/2A

05 final 18 - 10 - 21 title : ground floor plan proposed STAGE 1 scale: 1: 500 @ A2 (1:1000 @ A4)

sk 015 rev 05 proj no 12034 client : Wellengong City Council project : Beaton Park Precinct - Future Facility Master Plan





LEGEND

- 01 01
- 02 02
- 03 03
- 04 04
- 05 05

05 final 15 - 10 - 23

title : first floor plan proposed

scale: 1: 500 @ A2 (1:1000 @ A4)

sk 016 rev 05 proj no 12034 client : Wellengong City Council

project : Seaton Park Precinct - Future Facility Master Plan





LEGEND

- B1 B1
- B2 B2
- B3 B3
- B4 B4

05 - final

15 - 10 - 22

title : first floor plan proposed STAGE 1

scale: 1: 500 @ A2 (1:1000 @ A4)

sk 017

rev 05

proj no 12034

client : Wollongong City Council

project : Beaton Park Precinct - Future Facility Master Plan



The proposed master plans provide an overall future strategic approach for the Beaton Park Precinct with the majority of development clustered around the Beaton Park Leisure Centre, Tennis Courts and Athletics Track.

The key future improvement components have been identified from opportunities to add complimentary infrastructure to these main facilities that will enhance existing district and regional facilities into a major regional sport and recreation complex.

A key theme adopted for the master plan is building off existing high use facilities whilst adding more commercially viable component areas such as expanded health and fitness, wellness and high performance training areas. The improvements take the precinct from a local and district facility catchment to being able to attract users from the greater Wollongong community.

The combination of these master plans will see the regeneration of district and regional facilities that can be integrated into a “Centre of Excellence” for a range of sports including Tennis, Athletics, Indoor Court Sports, Football and Rugby and a range of community health and fitness and wellness activities.

The suggested improvements take into account the expanding surrounding population as well as the aging community profile and the need to maximize resources to increase the health and wellbeing of users through better integrated facilities and services.

The “clustering and connecting” of these expanded main facilities will also assist with attracting greater use, more revenue and improve the operational sustainability of these facilities.

Importantly through the implementation of the master plan there will be arrange of external state and federal government funding and investment opportunities that can be applied for due to regional nature of the master plan improvements.

Previously upgrades to individual facilities would have been a local council responsibility but due to the proposed expanded facilities and larger draw of facility users across a broader regional area there will be associated economic, social and participation impacts that open up the project for state and federal government funding.

Whilst the master plan focuses on clustering and connecting existing high use facilities it also recognizes the need to:

- Upgrade outdoor playing areas and surfaces,
- Expand open space zones by turning developed areas back into parkland once improvements have been completed i.e. demolish stadium and return to playground and parkland.
- Opportunity to link in adjoining Defence Department land if this became available in the future
- Provide better internal and external trail and pathway connect ability.
- Improved car access and parking.
- Consider reclassifying a range of areas currently listed as community land to operational land (see plan SK 11.1 on page 78) to allow for future proposed redevelopment including:
 - Leisure Centre building, playground and tennis club building.
 - Basketball Stadium
 - Green space between the current student accommodation and athletics track.

The master plans also acknowledge that the majority of major development should occur in Beaton Park as it has the base facilities, infrastructure and services to compliment such development whilst minimal development is proposed for Wisemans Park due to smaller scale local provision and significant environmental zones that require repair and protection.

Wisemans Park development is proposed to be limited to the active facilities located around the main playing field including upgraded pavilion and amenities, improved walking trails, park signage and expanded playground.

5.6 Beaton Park Precinct Funding Opportunities

SGL has reviewed the funding opportunities for the proposed master plan development and has summarized the key issues in the following section.

The master plans have integrated main facility development at Beaton Park to enable it to become a 'Regional Sports Centre of Excellence'. This will allow Council to stage development with a range of partners and for each stage seek funding from both State and Federal Government funding schemes.

The staged projects can be positioned as developments of regional significance and therefore could qualify for funding support for a number of schemes including:

- Federal funding could be sought by application to the National Strengthening Regions Fund (NSRF). The NSRF has a budget allocation of \$1 Billion and is now closed off the second round application phase. The scheme guidelines indicate there are two more application phases during the current 4-year budget period of the federal government. The scheme currently has a maximum grant ceiling of \$10M, which must be matched/or higher contribution by the LGA or applicant.
- The NSW State Government is also in the process of setting up a sport and recreation facilities grant scheme with guidelines and application details due in early in 2016.

Indications are that this scheme will have a grant budget of \$500M with \$10m also as maximum grant allocation. Once guidelines are released applications should be developed that meet the schemes guidelines.
- Both National Tennis and Football organisations have set up facility improvement development schemes and in the future may also be source of funding assistance for high performance and event facilities.

These funding opportunities may see potential funding schemes contributing up to \$20M towards staged works if WCC can match such funding.

It will therefore be critical that once the master plans are adopted that a staged development plan is detailed up to include concept plans, capital budgets, business modeling and economic and community benefit analysis is completed so a project funding strategy can be developed.

5.7 Future Improvement Staging and Plan of Management

This report now provides identification of future opportunities for complimentary infrastructure and services that build off the successful facilities at the park. The master plans cover a large range of future redevelopment improvements and these have not been tested or discussed with park tenant groups or community users.

It is therefore essential that Council engage with key park tenants to seek feedback and buy in on the master plans as well as also engage with community users of facilities and the park.

The Beaton Park Plan of Management is now well out of date so this studies research and consultation in association with future master plan review engagement would form an excellent base for a new plan of management to be completed.

The master plans provide for a number of immediate and shorter-term initiatives that need to be detailed up, capital costing estimated and business planning completed to enable staging and funding strategies to be development and implemented.

These include in the short to medium term detailed planning for the aging Beaton Park Leisure Centre and new development areas for health and fitness, aquatic facility and customer service area improvements, car parking and access roads.

There are also a range of longer term initiatives such as relocation of indoor sport courts, development of synthetic playing field inside the athletics track and relocation of field events to an adjoining area that may or may not be supported until facilities further age or greater demand for playing fields is triggered by population growth.

Following a master plan review process with park tenants and users it is recommended that Council develop a 10 year staged improvement plan that will detail up priority short term, medium and longer term works and allow for identification of potential best placed funding support schemes to assist with funding the development.

A notional timeline of key actions is listed in the following table as a guide to how Council could progress this major project over the next year and then for the short, medium and longer terms.

Table 5.1 Beaton Park Precinct Master Plan Staging Plan










BPP Master Plan Notional Action	2015/16	Short Term 2016 to 2018	Medium Term 2019 to 2022	Longer Term 2023 to 2026
1. Meet with Park Tenants and seek feedback on master plan	Nov to Jan 2016			
2. Complete Council briefing session	Dec 2016			
3. Public Display of Master Plan Report and seek community feedback	Feb to April 2016			
4. Review feedback and update master plan to final plan status	May to June 2016			
5. Complete new plan of management for the Precinct		X		
6. Develop up improvement packages and staging plan for key works		X		
7. Detail up concepts, capital costs, business plans for short term works		X		
8. Develop funding strategy for short term works and reserve Council budget allocation and make application for funding		X		
9. Commence/complete short term works		X		
10. Detail up concepts, capital costs, business plans for medium term works			X	
11. Develop funding strategy for medium term works and reserve Council budget allocation and make application for funding			X	
12. Commence/complete medium term works			X	
13. Detail up concepts, capital costs, business plans for long term works				X
14. Develop funding strategy for long term works and reserve Council budget allocation and make application for funding				X
15. Commence/complete long term works				X

Appendix One: Beaton Park Precinct Aerial Photo



Appendix Two: Beaton Park Precinct Facility Photos



		
<p>10. Illawarra Basketball Stadium A</p>	<p>11. Illawarra Basketball Stadium B</p>	<p>12. Illawarra Basketball Stadium C</p>
		
<p>13. Illawarra District table Tennis Association promotion</p>	<p>14. Beaton Park Swim Centre</p>	<p>15. Kerryn McCann Athletics Centre</p>
		
<p>16. Illawarra Sports Medicine Clinic Building Photo A</p>	<p>17. Illawarra Sports Medicine Clinic Building Photo B</p>	<p>18. Activity Listings at Beaton Park Leisure Centre</p>

		
<p>19. Kerry McCann Athletic Centre 100M track</p>	<p>20. Kerry McCann Athletic Centre Grandstand/ storage area</p>	<p>21. Kerry McCann Athletic Centre</p>
		
<p>22. Kerry McCann Athletic Centre</p>		
		
<p>23. Existing coffee shop / kiosk operating from relocatable building.</p>	<p>24. Existing coffee shop / kiosk operating from relocatable building.</p>	<p>25. Potential behind Athletics Grandstand for food and beverage services to serve the Beaton Park precinct</p>



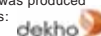
Beaton Park Precinct - Community vs Crown Land

INTERNAL USE ONLY

Printed: 03/03/2016

Printed By:

This automated map was produced using ESRI Australia's:







Portions of Land to be rezoned from community to operational land

INTERNAL USE ONLY

Printed: 02/03/2016

Printed By:

This automated map was produced using ESRI Australia's:





WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

Planning Proposal = Staff Road
LEP2009 Zoning

Legend

- Site Boundary
- National Parks & Nature Reserves
- Environmental Conservation
- Environmental Management
- Environmental Living
- Low Density Residential
- Medium Density Residential
- Large Lot Residential
- Public Recreation
- Private Recreation
- Primary Production
- Rural Landscape
- Primary Production Small Lots

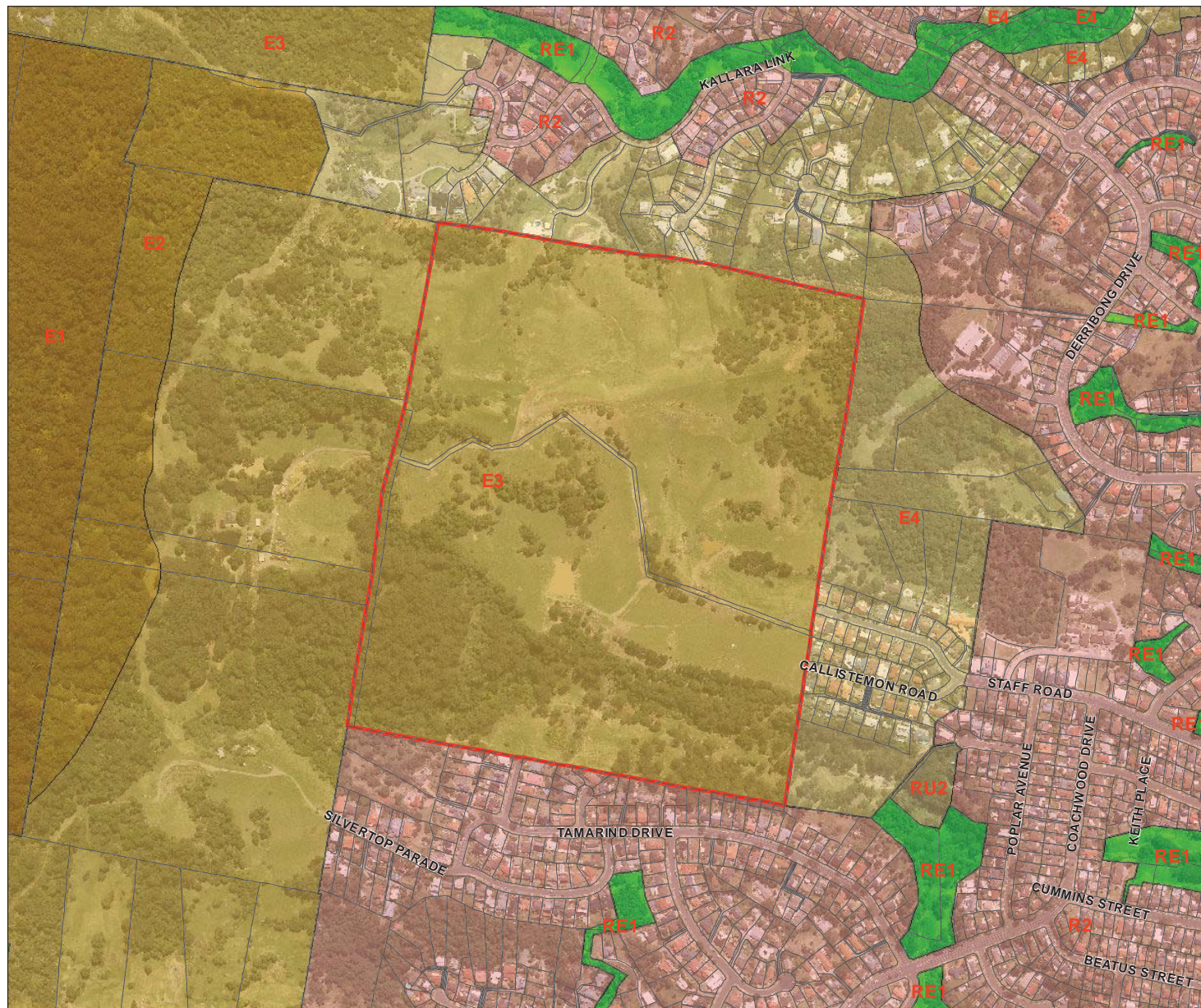


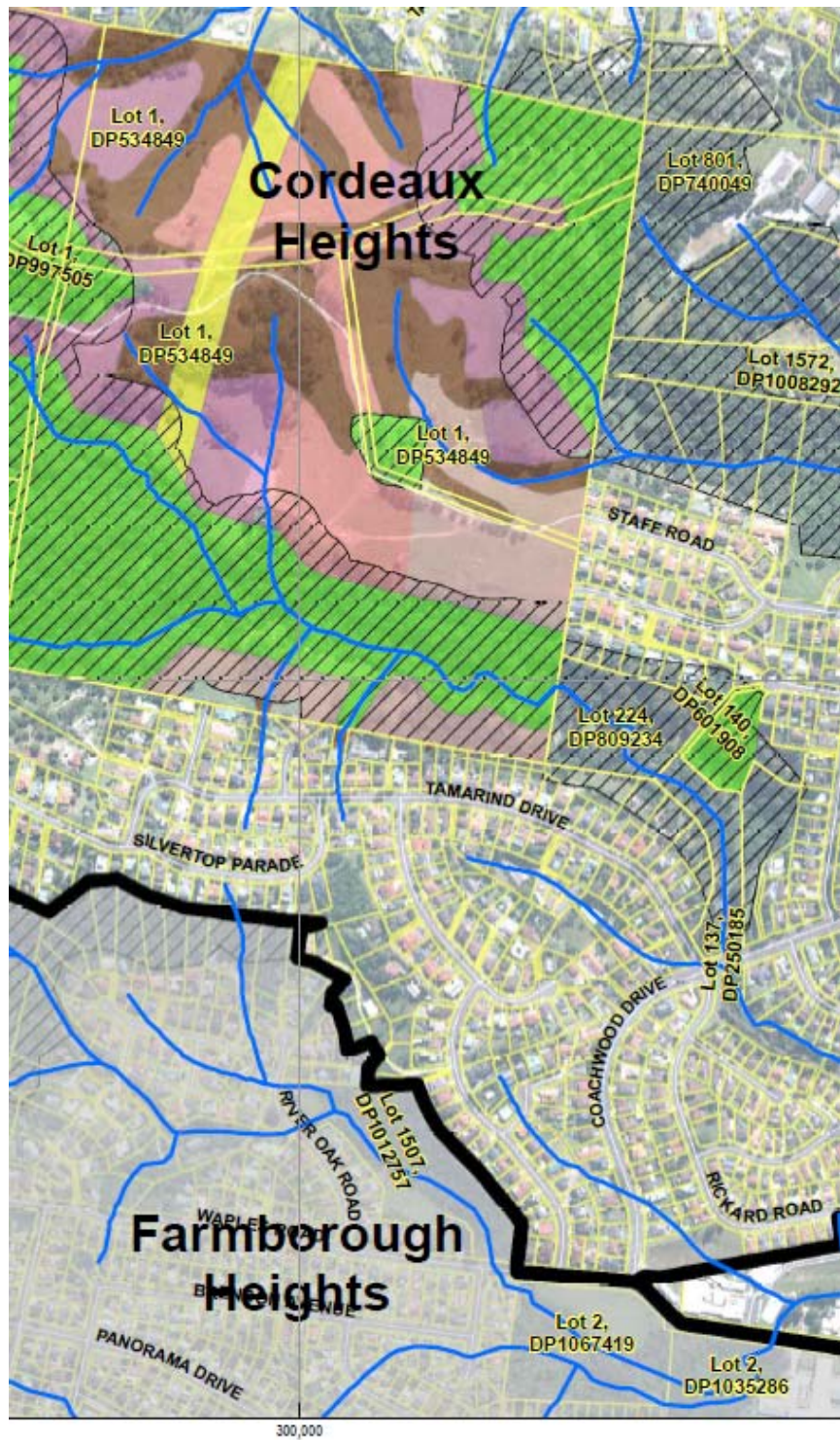
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





Projection: GDA 1994
MGA Zone 56

Scale 1:4,000 @ A3

Map Identification number:
Hickey Land LEP2009 Zones.mxd





	Ecology Constraint	Minimum lot size	
	High Geotech Constraint		1,000m ²
	Power Easement		2,000m ²
			5,000m ²



Lot and DP	Existing site	Maximum no. of Potential Sites	Concept Plan
Lot 1 DP 534849	Zoning : E3 Existing dwellings: 0	Up to 91	<ul style="list-style-type: none"> • Zoning: Ecologically constrained areas E2, Managed Open Space RE1 and potential developable areas E4. • Development Controls: Demonstrate adequate access to individual lots and through site connectivity, this could be achieved by utilising the Managed Open Space as an access road. The land designated as Managed Open Space could be dedicated to Council as public recreation land or walkways extending into the Escarpment. Development to take into consideration the power easement that transects the site. Development to be subject to the preparation of a geotechnical impact assessment that confirms resolution of any geotechnical issues on the site. The south east corner of the site could be developed to include a large scale stormwater detention basin. • Site composition: 50% of developable area to have a minimum lot size of 5,000 m², 25% with a minimum lot size of 2,000 m² and 25% with a minimum lot size of 1,000 m². • Constraints: There are ecological constraints in the south east and north west corners of the site as well as significant geotechnical constraints distributed throughout the site. The site also contains a power easement. There is the possibility that some of the site could be used for a large community scale stormwater detention basin.

Planning Principles to Accompany Concept Plan

In order to address a number of key concerns raised through the public exhibition of the Strategic Planning Study and draft Concept Plan, it is recommended that the following Planning Principles accompany the Concept Plan to guide development in the vicinity of the escarpment in the Farmborough Heights to Mt Kembla area. Some of these principles were outlined in the IESMP and IELURS and were designed to minimise the impact of any development on the environment and ensure the most important environmental assets are given full protection. Additional principles have been suggested as part of the public exhibition.

1. Principles contained in the IESMP and IELURS:

- A gradation and increasing lot size and reduced density from high density urban development to no development from east to west;
- Riparian corridors are applied consistent with the recommendations contained within the Riparian Corridor Management Study (WCC 2004);
- No clearing of native vegetation for the location of a dwelling site, provision of services/infrastructure or for the implementation of bushfire controls/location of Asset Protection Zones (APZs);
- No overt increase in the density of development so as to retain rural atmosphere (dwellings to be hidden or clustered);
- Development needs to contribute to the improved management of adjoining high conservation value lands;
- Environmental controls, such as effluent management, can be incorporated and contained within the site;
- There are sufficient water resources for domestic and firefighting purposes;
- Provision of vegetated buffers to adjoining high conservation value land;
- Identification of appropriate sites to be managed under an agreed environmental management plan or voluntary conservation agreement;
- Where a heritage site is to be affected, development may be acceptable if it allows its preservation in situ, or where this is impractical, its investigation and recording. Development will only be acceptable in areas of archaeological potential if proper evaluation of the archaeological implications of the proposed development has been undertaken and taken into account;
- Protect, maintain and enhance flora and fauna species and habitats of importance;
- Limiting exposure where possible to bushfire hazard and limiting development in areas of instability or geotechnical risk;
- Location of development with full consideration of its visual context within a precinct; and
- Promotion of a pattern of land use sympathetic to the valuable escarpment landscape.

2. Additional Principles arising from the public exhibition of the draft Concept Plan:

- The provision of limited residential development must be considered within the context of active conservation and as a secondary outcome (COI);
- Planning proposals must provide justification in terms of specific conservation initiatives proposed to enhance the escarpment for the long term;
- A corridor of rural and bushland around the eastern approaches to Mt Kembla must be maintained to provide a separation from Cordeaux Heights and to preserve the historic identity of Mt Kembla Village;

- No residential or infrastructure development on visually significant or prominent ridgelines – ridgelines should be managed for conservation, visual and biodiversity outcomes. Vegetated ridges should separate suburbs;
- Development opportunities should be considered where there is only a localised visual impact which is not visible from the broader city urban areas;
- Limited development in appropriate locations and which provides for practical considerations such as access and service provision; and
- Subdivision on bushfire prone land must be designed to minimise the siting of future dwellings away from ridge tops and other steeply sloping land (>15%), especially upslope lands, within saddles or narrow ridge crests, and to provide an efficient and safe road network which minimises potential bottlenecks and provides for satisfactory access and manoeuvring of fire fighting vehicles.



Development Concept

HICKEY PROPERTY,
CORDEAUX HEIGHTS

Legend

- Site Boundary (54.98ha)
- Street Trees
- Proposed Lot Layout (90 Residential Lots)
- Building Envelopes (Indicative)
- Vegetation Preservation and Planting
- Geotechnically Suitable Building Area

FIGURE 2-1

1:4,000 Scale at A3







Map Produced by Cardno NSW/ACT Pty Ltd (WOL)
Date: 2015-10-29
Coordinate System: GDA 1994 MGA Zone 56
Project: 82015009-01
Map: 82015009-GS-003-LotLayout.mxd 18
Aerial Imagery supplied by nearmap (January, 2015).



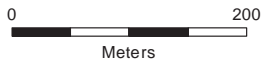
WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

Planning Proposal = Staff Road
Proposed Zoning

Legend

-  Site Boundary
-  E2 E2 Environmental Conservation
-  E3 E3 Environmental Management
-  E4 E4 Environmental Living

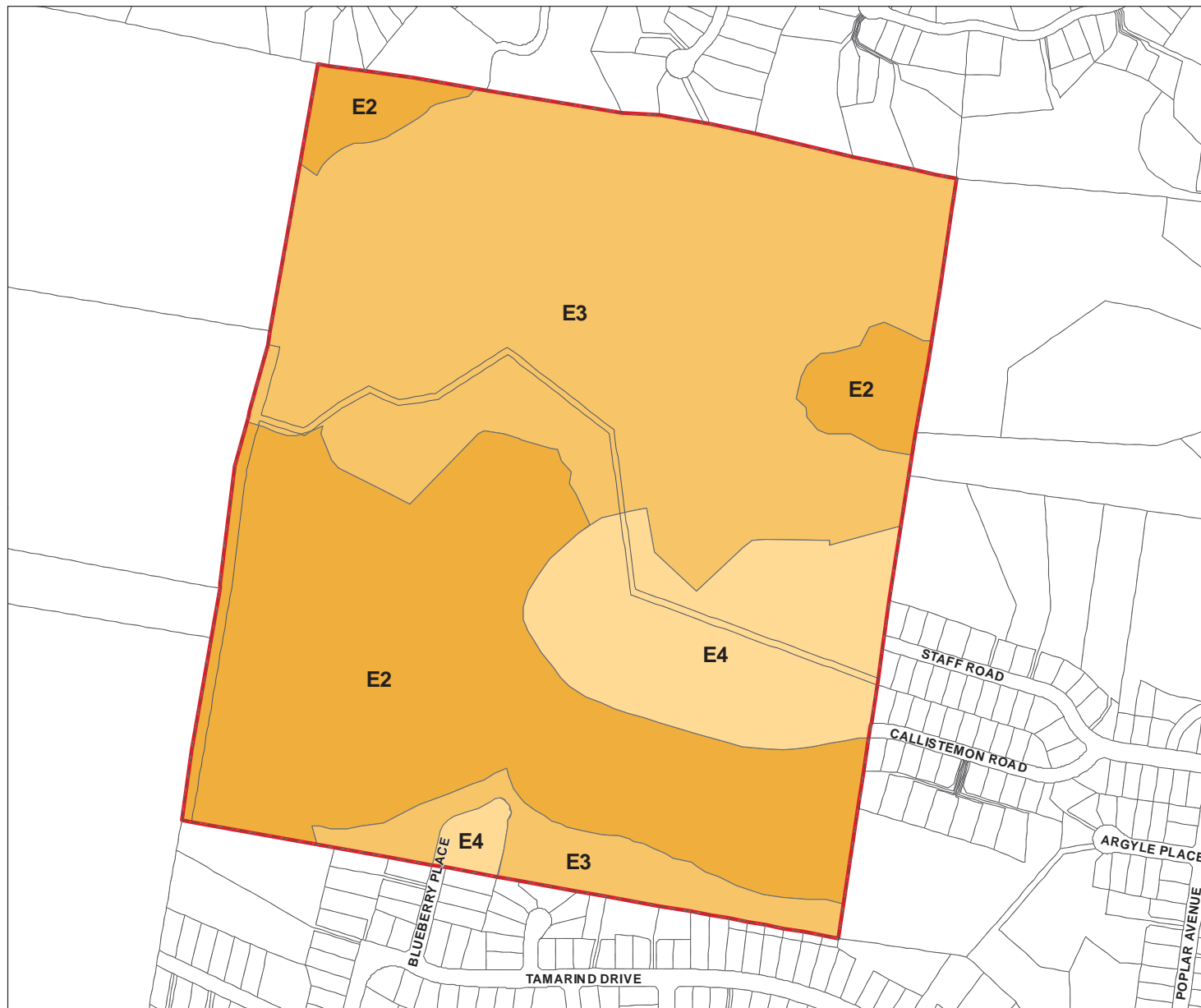
Cadastral



Projection: GDA 1994
MGA Zone 56

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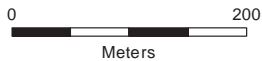
WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

Planning Proposal = Staff Road
Proposed Minimum Lot Size

Legend

- Site Boundary
- AB 39.99ha
- T 999sqm
- X 5000sqm

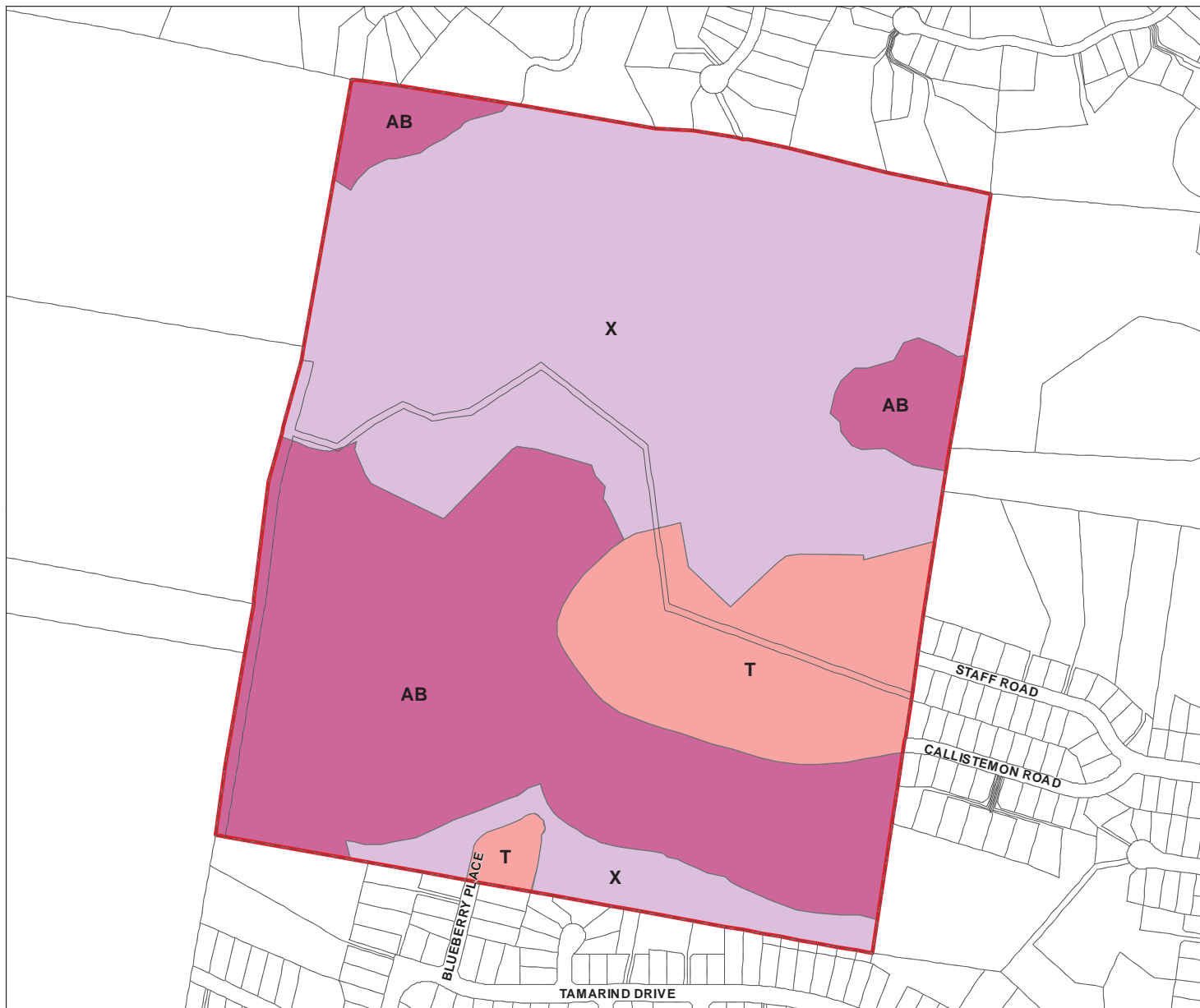
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MGA Zone 56

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Map Identification number:
Hickey Land PP MLZ.mxd







WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

Planning Proposal = Staff Road
Proposed Floor Space Ratio

Legend

-  Site Boundary
-  0.3 :1

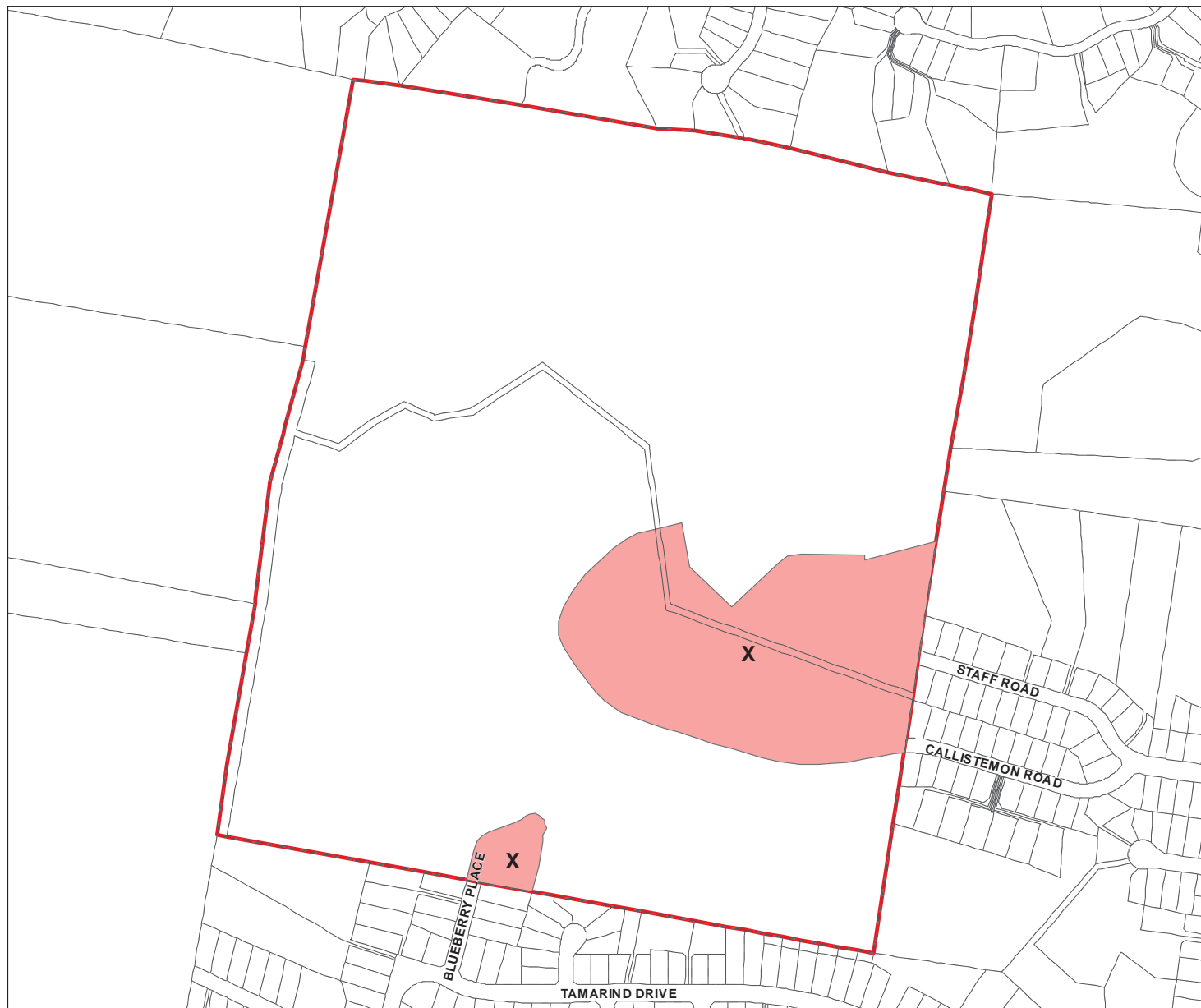


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MGA Zone 56

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WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

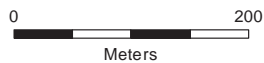
Staff Road Planning Proposal Proposed Changes to Riparian Map

Legend

-  Site Boundary
-  LEP2009 Riparian
-  Proposed Change to Riparian Alignment

Cadastral

 Cadastre 12.04.16  Wollongong City Council



Projection: GDA 1994
MGA Zone 56

Scale 1:4,000 @ A3

Map Identification number:
Hickey Land PP Zone Sig Veg TIF.mxd












WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

Staff Road Planning Proposal
Proposed Changes to
Natural Resource Sensitivity
Map

Legend

-  Add
-  Existing
-  Remove
-  Site Boundary
-  E2 Environmental Conservation
-  E3 Environmental Management
-  E4 Environmental Living

Cadastral

 Cadastral 12.04.16  Wollongong City Council

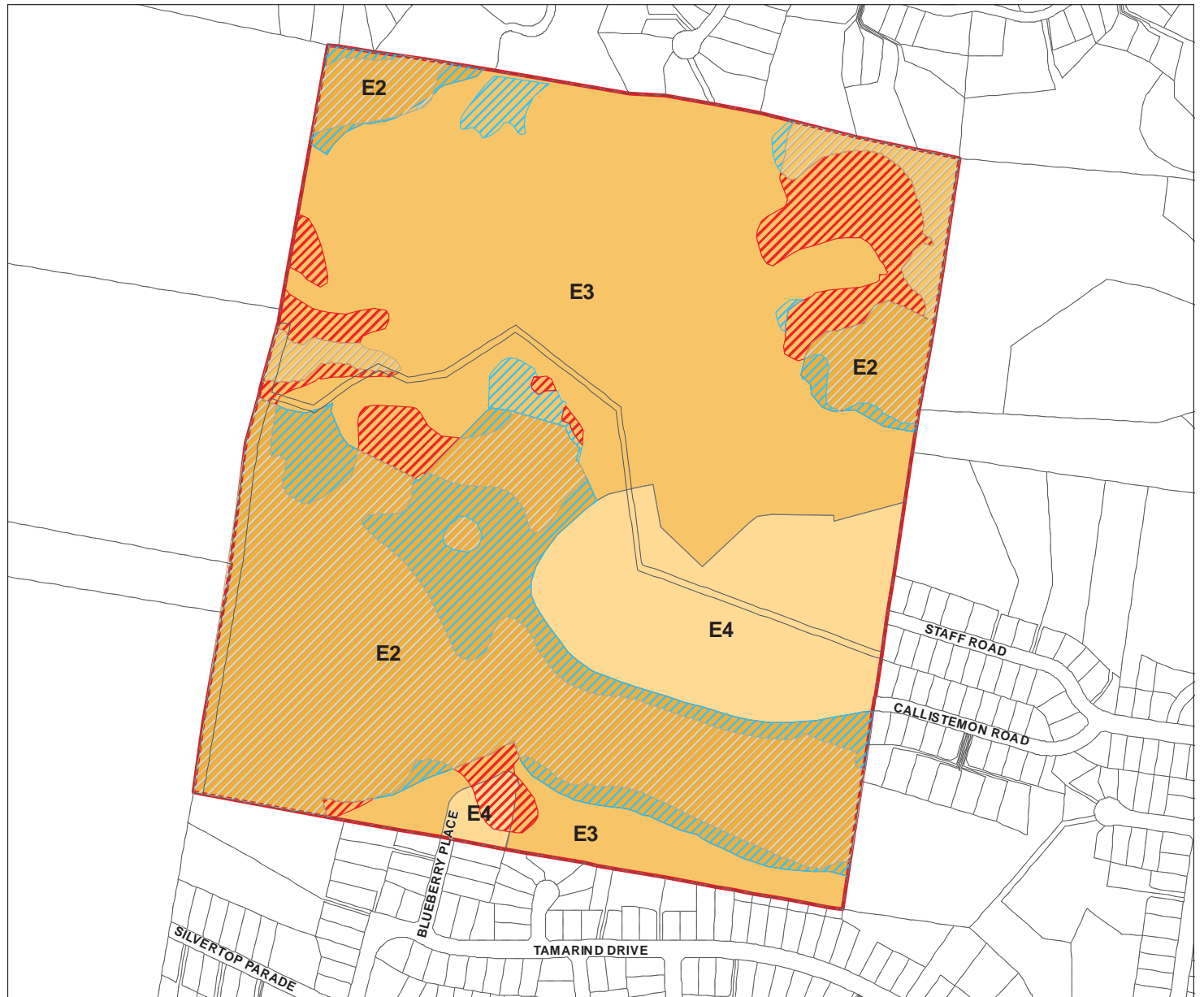


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MGA Zone 56

Scale 1:4,000 @ A3

Map Identification number:
Hickey Land PP Zone Sig Veg Rip.mxd



COUNCIL RESOLUTION EXTRACT FROM MINUTES 24 AUGUST 2015

DISCLOSURES OF INTERESTS

Councillor Dorahy declared a non-significant, non-pecuniary conflict of interest in Item 5, Licence to WIN Sports and Entertainment Centre of the Stewart Street East Car Park, as he is a Director on Venues New South Wales.

CALL OF THE AGENDA

112 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Kershaw that the staff recommendations for Items 3, 5, 10, and 12 to 16 inclusive, be adopted as a block.

ITEM 5 – STEWART STREET EAST CAR PARK – LICENCE TO WIN SPORTS AND ENTERTAINMENT CENTRE

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 112).

COUNCIL'S RESOLUTION – A licence be issued to Illawarra Venues Authority for the WIN Sports and Entertainment Centre on the following basis:

- Term of five years;
- Rental Fee of \$4,500 with an increase by CPI on each anniversary; and,
- General Conditions as outlined under Proposal in the report.

ITEM 5

STEWART STREET EAST CAR PARK - LICENCE TO WIN SPORTS AND ENTERTAINMENT CENTRE

Council has received a request from WIN Sports and Entertainment Centre (WSEC) for a licence over the Stewart Street East Car Park for use on a range of dates including weekends and after hours on weekdays to support the WSEC operations.

RECOMMENDATION

A licence be issued to Illawarra Venues Authority for the WIN Sports and Entertainment Centre on the following basis:

- Term of five years;
- Rental Fee of \$4,500 with an increase by CPI on each anniversary; and
- General Conditions as outlined under Proposal in this report.

ATTACHMENTS

- 1 Submission by WIN Sports and Entertainment Centre
- 2 Parking map

REPORT AUTHORISATIONS

Report of: Peter Coyte, Manager Property and Recreation
Authorised by: Greg Doyle, Director Corporate and Community Services - Creative, Engaged and Innovative City

BACKGROUND

The WIN Sports and Entertainment Centre was opened in 1998. The construction did not provide any parking in the development and parking was provided on land owned by Sydney Water, which was also the site of the “Showground Markets”.

The Sydney Water land was sold to Transmedia Enterprises Pty Ltd [Transmedia] and later to Miltonbrook Developments Pty Ltd [Miltonbrook]. The City Beach apartments were constructed under these ownerships. Council acquired the Stewart Street East Car Park from Transmedia in lieu of Section 94 contributions under a Planning Deed that saw Council construct the Harbour Street and Bank Street extensions and drainage to facilitate the development of the residential complexes in Bank Street. The ‘Chifley Hotel’ site was subdivided and sold to a developer by Miltonbrook, with the hotel being constructed in 2006-07.

In 2003, Council constructed the current car park by sealing and lighting the site. It has been identified in the Inner City Parking Strategy as a prime parking location. The strategy identifies it as the highest priority for the development of a multi-story car park in the City Centre based on use during business hours to support CBD visitors and workforce and after hours to support the lower Crown Street area which is identified as

an entertainment sector. In 2004, Council sought expressions of interest for a Public Private Partnership to construct a multi-storey car park to provide parking for 500 vehicles. Although submissions were received, none were financially viable due to the low level of cost of parking in the City Centre.

In 2014, WSEC unsuccessfully sought funding for the refurbishment of the centre from the State Government. Included in their request was an amount of \$5 million that would contribute to the construction of a multi-storey car park on Stewart Street East.

Parking in this area is provided by the Stewart Street East Car Park [163 spaces], the Administration Building Car Park [310 spaces 6 am to midnight] and after hours and weekends by the George Street Car Park [89 spaces]. These are shown on Attachment 2.

Since opening, the WSEC has used the car parking available, first as Sydney Water land and then, later, as a Council car park to provide parking for the complex. The arrangement has been a loose one with licences issued for single day events but not under a more permanent arrangement. The WSEC has used the car park for events with expected attendance of 3,000 or more and have charged a \$5 parking fee. This fee has been used to cover the cost of a security attendant [employed by WSEC].

The WSEC have used the car park approximately 30 times per year to support events such as:

- Major concerts;
- Family events such as the Wiggles, Disney on Ice;
- School events such as Southern Stars
- Sporting events such as Dragons, Hawks and A-League games;
- Sport conferences and exhibitions such as Cross Fit, National Judo championships; and
- Events such as Super Cross, Crusty Demons and Nitro Circus.

For information the types of major events in the near future that would benefit from the use of Stewart Street East Car Park are:

Event	Date	Expected Attendance
Dragons v Cowboys	Saturday 4 July	12,000
Mary Poppins	Saturday 11 July (2 shows)	4,000
Dragons v Panthers	Sunday 23 August	14,000
Southern Stars	Friday 28 August (evening)	4,000 (Plus 2,500 in the show)
Southern Stars	Saturday 29 August (2 shows)	8,000 (Plus 2,500 in the show)

A request has now been received from the WSEC for a formal licence to use the Stewart Street East Car Park for event parking. The request is based on the following rationale provided by the WSEC management:

- 1 *The use of the Stewart Street East Car Park is at times when the car park is underutilized by the community. The prime demand times are business hours 8:30 am to 4:30 pm at which times the parking is metered. After hours and weekend usage is very low and use by the WSEC eases on-street parking pressures;*
- 2 *The provision of car parking facilities is often an important factor in attracting major events to Wollongong.*

Many major event organisers make it a proviso of bringing their events to the City, that the promoter can arrange parking for patrons, VIP's, participants or their corporate/sponsor guests. If this provision cannot be guaranteed, there is a strong likelihood that the number of major events to the city will be diminished;

- 3 *The Stewart Street East Car Park forms part of the Transport, Traffic and Parking plan for major events at the WSEC.*
- 4 *Council is reminded that, through its hosting of events, the WSEC provides over **\$27 million of regional economic benefits and sustains 271 FTE jobs** (IRIS Research).*

The biggest factors in these economic benefits come from Dragons games, major concerts and conferences, which are attracted to Wollongong. These happen to be the events that are most reliant on event parking.

PROPOSAL

The proposal seeks exclusive use of the car park for major events on the following basis:

Term

A term has not been proposed in the WSEC submission, but a term of five years is recommended. As stated earlier, the site is identified as the highest priority for a multi-storey car park. At present, the car park is highly used during business hours and with the commercial and residential development of the vacant sites in the area this is expected to increase. After hours' use of this site is primarily from the surrounding churches and the stadium and entertainment centre, which will continue to provide demand.

Rent/Fee

WSEC have proposed a "profit share" as follows:

The WSEC offers Council a share in the revenue created from this Licence Agreement, as follows:

- a) *When the WSEC charges a Parking Fee (currently \$5 per car) the WSEC will retain monies from the fees collected, to cover the wages and on-costs of employing a Security Guard, to be on duty throughout the event.*
- b) *This cost of the staffing will vary, according to the day of the week and time of the event, with the NSW Security Award having different Monday-Friday (Day), evening, Saturday and Sunday hourly rates.*
- c) *WSEC will also retain an additional 10% of the fees paid, each quarter, to cover other costs involved in providing staff, administration of the process and production of signage and tickets.*
- d) *The WSEC offers WCC 50% of the revenue parking fees collected, after the above costs are deducted.*
- e) *The WSEC will settle with WCC (with full details of times of use, staff costs, cars parked etc, on a quarterly basis (in arrears).*

This arrangement has been offered as the WSEC does not charge for all use of the space. The need to provide parking for corporate clients of the facility users means that the WSEC do not always have the opportunity to charge for the spaces, but still incur the cost of security. They have provided the following information in respect to usage at recent events:

Event Type	Average number of cars parker per event
Concerts [Major and other]	81
Family events [eg Wiggles]	119
WEC Sport, Conferences/ Exhibitions	124
Hawks	58
Dragons/A-League	113

While it is recognised the parking does not necessarily break even with paying customers, the provision contributes to the corporate and other non-paying customers as required in contractual arrangements. This allows the WSEC to earn income from those events, given they do not have the capacity to park them on their own site.

The proposed arrangement would be a cumbersome arrangement in terms of Council auditing and ensuring that the appropriate income and costs were being applied. Also the WSEC, while contributing to the cultural and entertainment experiences of the city, is basically a commercial enterprise. Other commercial users of the site have been required to meet the cost of parking at a per space basis.

Fees could be based on the following options:

- 1 An annual fee (charged monthly) would be the simplest method of charging and would be in line with fees charged to other users of Council property. The basis for the establishment of the fee could be either through a flat fee or a fee per event. If the WSEC were to charge \$5 per space for all spaces at the average 30 events per year, they would collect \$24,450 over those events and would have costs

- The area will be secured by a WSEC Security Guard wearing uniform and 'High-Vis' clothing who will collect the fees, and who will remain on site until the majority of the event patrons have left the car park.
- The collection point for fees will be located at such a point as to allow queuing for payment in the drive-way so as to keep the street clear of queuing vehicles.
- Pedestrian walkways are not to be obstructed by the Collection Point.
- When all of the line-marked parking bays are full, the car park will be closed.
- Standard Operating Procedures as outlined in Attachment 1.
- Council reserves the right to terminate the occupancy at any time should a breach of the above conditions occur.

CONSULTATION AND COMMUNICATION

WSEC management have met with Council Officers and the Lord Mayor prior to submitting their proposal.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 under the objective - Wollongong's Central Business District continues to expand as the regional centre for commercial services, health services and other higher order services, retail, entertainment and dining to stimulate and retain local employment - Community Goal - *We have an innovative and sustainable economy.*

It specifically delivers on core business activities as detailed in the Property Services Service Plan 2015-16.

RISK ASSESSMENT

The licence document will ensure that the risks associated with the WSEC use of the site are mitigated through appropriate Standard Operational Procedures, Traffic Management Plans and insurance cover for the activity.

The risk for the WSEC, should Council not agree to the licence, is that they may not be able to fulfil their contractual arrangements with their major users and, therefore, place those events at risk of loss to the City. To mitigate that risk, the WSEC would need to acquire land and construct a car park. Given the lack of land in the immediate vicinity, this would be difficult. The strategy developed by Council and WSEC has been that the Stewart Street East Car Park has the capacity to provide parking for both day-time and night-time uses. The proposed use by WSEC is during very low levels of use by the community other than to attend WSEC events. WSEC identified a need to contribute to parking in their recent submission seeking funding for refurbishment of the Centre.

FINANCIAL IMPLICATIONS

There are no financial implications to Council other than increased income from the licence fee.

CONCLUSION

The WSEC has relied on lands not owned by them since opening to provide the necessary parking for the site. Since the construction of the Stewart Street East Car Park, the WSEC have used it on an event-by-event basis for major event parking. WSEC have also recognised the need to contribute towards parking in any future re-development of the Centre and have sought to include parking allowance in funding applications put to the Federal and State Governments.

While the Stewart Street East Car Park is a community car park, and available to the general community free of charge after 4:30 pm and on weekends and public holidays, it is not well used out of hours and on weekends and public holidays. It is recognised in the Inner City Parking Strategy as providing an event role after hours.

The WSEC have a need to guarantee parking to be able to attract major events and contribute to the City entertainment. The ability of the Stewart Street East Car Park to achieve this is recognised, but as other commercial operators are required to meet a cost when using Council property, the WSEC should also be prepared to meet a fair fee.



6 February 2016

Mr. Paul Dorahy
Property Services Manager
Wollongong City Council

BY EMAIL

**APPLICATION FOR PARKING FEE INCREASE –
STEWART STREET EAST CAR PARK**

Dear Paul,

I refer to the proposed Licence with Council for the WSEC management of the Stewart Street East Car Park (SSECP) on WSEC major event nights and the foreshadowed wish of the WSEC to charge \$10 per car.

I note that I have supplied you with turnover figures for 2014/15, for the SSECP and these demonstrated:

1. That we managed the car park on 36 occasions in that year.
2. That the net takings were \$15,100.
3. That the average cars parked each night were 84 cars.
4. That the average nightly takings were \$420.00

The net takings are substantially less than the amount you estimated in the Council paper (being \$24,450). With known costs being the proposed Licence Fee of \$4,500 and estimated costs of management being \$6,500 this totals \$11,000, the WSEC believes this does not leave sufficient contingency for other costs (management and administration time, signage renewal, parking ticket production, staff on-costs etc) to make this a going concern.

The WSEC application to increase costs to \$10 per car would ensure the costs of management of the car parking are covered and that any additional contributions would provide some income that is necessary to ensure these venues are sustainable.

WIN SPORTS & ENTERTAINMENT CENTRES | ABN 26 283 293 435 | Corner Crown & Harbour Streets, Wollongong, NSW 2500, PO Box 3100, Wollongong NSW 2520 | Telephone +61 2 4220 2800 | Facsimile +61 2 4220 2801 | info@wec.org.au | www.wec.org.au



The rationale for this requested increase is:

1. The imposition of the \$4,500 per annum fee (which will be increased by CPI over ensuing years) has created the real possibility that the WSEC will lose money managing this car park.
2. The cost to the WSEC of having a Security Guard in place until the end of the event (especially on a Saturday or Sunday - with applicable penalty rates) means that, on these days, the WSEC often loses money.
3. There are additional administrative costs to managing the car park that need to be covered.
4. The fee of \$5 has not risen since we started managing car parks around the WSEC site in 1999 – and if that had been done (say by the annual CPI) then we would be in the vicinity of \$10.
5. Raising the fee by a lower amount would make the whole cash handling process more complicated, with a need to provide a more extensive float for security guards and lengthen the entry time of cars into the facility – whilst change is sought and the transaction completed.
6. Even at \$10 - the fee is considered very reasonable for secure event parking - especially compared to Sydney event parking.
7. WCC has already got parking charges in the car park, that if someone parks there for over 5 hours can amount to more than \$5.
8. It is also interesting to note that some private event car parking areas in the vicinity are already raising their fees to \$10.
9. If approved - the WSEC would also lift its rate at its own 'Stadium Car Park' - making the fee consistent for event parking, in close proximity to the venue.

The matter has now been discussed at the Illawarra Local Venues Council meeting on 4 February 2016 who resolved:

"That increasing the fee would not (in the opinion of the ILVC) reduce usage on event days due to the convenience of the car park".

VNSW thanks you for your consideration of this request and ask you please to submit the requested increase (as detailed above) to Council.

Yours sincerely,



STUART BARNES
General Manager
WIN SPORTS & ENTERTAINMENT CENTRES



The Hon Paul Toole MP
Minister for Local Government

Ref:
MIN:
Doc ID: A428693



Mr David Farmer
General Manager
Wollongong City Council
Locked Bag 8821
WOLLONGONG DC NSW 2500

4 APR 2016

Dear Mr Farmer

I refer to Council's Local Infrastructure Renewal Scheme (LIRS) Round Three application for its West Dapto Access – Fowlers Road to Fairwater Drive project, which was only part funded. Following advice from two councils that they no longer require the LIRS funding grants allocated to them, I am pleased to advise that I can now offer Wollongong City Council further funding for the above project of \$729,000. This would increase the total LIRS Subsidy from \$2,500,000 (GST exclusive) to \$3,229,000 (GST exclusive).

Should you wish to accept this offer, please sign the attached variation agreement and upload the signed and scanned electronic version to the secure LIRS Online Portal by following the LIRS link on www.olg.nsw.gov.au. This letter forms a variation to your existing LIRS Funding Agreement with all other conditions of the Funding Agreement remaining the same.

LIRS subsidy claims for reimbursements of the 3% interest subsidy payments on the loan will be paid by the Office of Local Government on a 6-monthly basis in June and December each year. Payment will be made subject to the receipt of the required documentation as per the Funding Agreement (electronically via the online Project Management Portal). A reminder notice to submit claims will be sent in May and November each year.

I understand that Council is yet to borrow for the project, and I remind Council that the loan must be for a maximum term of 10 years and must not extend past 30 June 2025 when final payments will be made.

Should you have any questions in relation to the LIRS please contact Mr Ross Bailey, Senior Program Officer, Office of Local Government on 02 4428 4204.

Thank you again for your commitment to investing in vital local infrastructure.

Yours sincerely

Paul Toole MP
Minister

VARIATION OF AGREEMENT

Between:

Wollongong City Council ("Council").

And:

The Acting Chief Executive, Office of Local Government, for and on behalf of the Crown in right of the State of NSW ("LIRS Administrator").

AGREED TERMS

The parties agree that for this Variation of Agreement the "LIRS Agreement" means the agreement entered into by the Council and the LIRS Administrator that commenced on 30 January 2015 for the NSW Local Infrastructure Renewal Scheme ("LIRS") Funding Agreement for West Dapto Access – Fowlers Road to Fairwater Drive – a copy of which is annexed hereto and marked "A".

The parties agree that by way of variation:

1. the total LIRS Subsidy for the LIRS Agreement as shown in Attachment A: Agreement Details of the LIRS Agreement will increase by \$729,000 (GST exclusive) from \$2,500,000 (GST exclusive) to \$3,229,000 (GST exclusive)
2. and this variation will form part of and be governed by the terms and conditions of the LIRS Agreement.

THE PARTIES EXECUTE THIS AGREEMENT AS FOLLOWS:

The Common Seal of the Wollongong City Council was affixed in our presence on: _____ day
of _____ 2015
in pursuance of a resolution of the Council authorising the seal to be affixed passed on: _____ day
of _____ 2015

Signed:..... Date:.....
Name:..... Title:.....

Witnessed by:

Signature:..... Date:.....
Name:..... Title:.....

SIGNED for and on behalf of the Office of Local Government, for and on behalf of the Crown in right of the State of New South Wales

Signed:..... Date: 10.12.15
Name: Mr Tim Hurst Title: Acting Chief Executive
Office of Local Government

Witnessed by:

Signature:..... Date: 10.12.15
Name: Lindsay Ewens Title: Executive Administration
Support Officer

Review of the Local Government Rating System

Local Government — Issues Paper
April 2016



Independent Pricing and Regulatory Tribunal

Review of the Local Government Rating System

Local Government — Issues Paper
April 2016

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The Tribunal members for this review are:

Dr Peter J Boxall AO, Chairman

Ms Catherine Jones

Mr Ed Willett

Inquiries regarding this document should be directed to a staff member:

Lucy Garnier (02) 9290 8488

Derek Francis (02) 9290 8421

Independent Pricing and Regulatory Tribunal of New South Wales

PO Box K35, Haymarket Post Shop NSW 1240

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www.ipart.nsw.gov.au

Invitation for submissions

IPART invites written comment on this document and encourages all interested parties to provide submissions addressing the matters discussed.

Submissions are due by 13 May 2016.

We would prefer to receive them electronically via our online submission form <www.ipart.nsw.gov.au/Home/Consumer_Information/Lodge_a_submission>

You can also send comments by mail to:

Review of Local Government Rating System
Independent Pricing and Regulatory Tribunal
PO Box K35
Haymarket Post Shop NSW 1240

Late submissions may not be accepted at the discretion of the Tribunal. Our normal practice is to make submissions publicly available on our website <www.ipart.nsw.gov.au> as soon as possible after the closing date for submissions. If you wish to view copies of submissions but do not have access to the website, you can make alternative arrangements by telephoning one of the staff members listed on the previous page.

We may choose not to publish a submission—for example, if it contains confidential or commercially sensitive information. If your submission contains information that you do not wish to be publicly disclosed, please indicate this clearly at the time of making the submission. IPART will then make every effort to protect that information, but it could be disclosed under the *Government Information (Public Access) Act 2009* (NSW) or the *Independent Pricing and Regulatory Tribunal Act 1992* (NSW), or where otherwise required by law.

If you would like further information on making a submission, IPART's submission policy is available on our website.

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1 Introduction

The Independent Pricing and Regulatory Tribunal (IPART) is conducting a review of the local government rating system in NSW. Our aim is to recommend reforms to improve its efficiency and equity so as to ensure councils can implement sustainable fiscal policies over the longer term.

This review is part of an ongoing process of review and reform, aimed at improving local government's strength and effectiveness. Among other things, this process has included the Independent Local Government Review Panel's wide-ranging review and recommendations in 2013,¹ and the NSW Government's response to these recommendations, including its *Fit for the Future* reform package in 2014, and proposals to create new councils by merging existing councils.

The purpose of this Issues Paper is to outline how we propose to approach this review, explain how stakeholders can provide input, and to discuss the issues on which we seek comment.

1.1 What we have been asked to do

We have been asked to undertake the review under section 9 of the *Independent Pricing and Regulatory Tribunal Act 1992* in accordance with the terms of reference (ToR) provided by the Premier. These ToR ask us to:

- ▼ review the current rating system and recommend reforms that aim to enhance councils' ability to implement sustainable and equitable fiscal policy, and
- ▼ recommend a legislative or regulatory approach to achieve the Government's policy that there will "be no change to the existing rate paths for newly merged councils for four years".²

¹ Independent Local Government Review Panel, *Revitalising Local Government*, October 2013, at <http://www.localgovernmentreview.nsw.gov.au/>, accessed 1 March 2016 (Panel Report).

² NSW Government, *Media Release – Stronger Councils for Sydney and Regional NSW*, at <http://www.nsw.gov.au/media-releases-premier/stronger-councils-sydney-and-regional-nsw>, 18 December 2015, accessed 16 March 2016.

These ToR set out the issues we must consider in making our recommendations, including:

- ▼ the rating burden across and within communities, including consideration of multi-unit dwellings
- ▼ the appropriateness and impact of current rating categories and exemptions, and mandatory concessions
- ▼ the land valuation methodology used as the basis for determining rates in comparison to other jurisdictions
- ▼ the capacity of a merged council to establish a new equitable rating system and transition to it in a fair and timely manner, and
- ▼ the objectives and design of the rating system according to recognised principles of taxation.

They also specify that we must take account of the Independent Local Government Review Panel's Final Report, the Government response to this report, and the 2013 NSW Treasury Corporation (TCorp) report '*Financial Sustainability of the NSW Local Government Sector*'.³

In addition, they ask us to recognise the importance of the Integrated Planning and Reporting framework that allows NSW councils to draw various plans together and understand how they interact.⁴

A copy of the ToR is provided in Appendix A. A summary of reports noted above (and other relevant work) is in Appendix B.

1.2 How we propose to approach this review

We propose to approach this review as two separate tasks. The first is to review the current rating system and recommend changes to improve its efficiency, equity and sustainability. The second is to consider and recommend the appropriate approach for implementing the Government's policy of freezing existing rate paths for newly merged councils for four years. Our approach to the review is outlined in Box 1.1.

³ NSW Treasury Corporation, *Financial Sustainability of the NSW Local Government Sector, Findings Recommendations and Analysis*, April 2013.

⁴ Office of Local Government, *Integrated planning and reporting*, at <https://www.olg.nsw.gov.au/councils/integrated-planning-and-reporting>, accessed on 1 April 2016.

Box 1.1 IPART's approach to the review

Review the performance of the current rating system and potential improvements

1. **Define the current rating system in NSW.** We set out the system that governs how current rates are set as context for this review.
2. **Establish the recognised principles of taxation that we should employ in assessing and recommending changes to the current rating system.** We will investigate and consider the objectives and design of the rating system according to our established principles.
3. **Assess the current approach for calculating the level of rates applicable to a ratepayer against these principles.** In accordance with our ToR we will consider:
 - ▼ the ratings burden across and within communities, including consideration of apartments and other multi-unit dwellings; and
 - ▼ the land valuation methodology used as the basis for determining rates in comparison to other jurisdictions.

We will also assess rating structures, including the policy related to base and minimum amounts, and options for increasing councils' flexibility in using those charges. In addition, we will consider the rating burden across communities, and whether there is scope for the rating system to better support the NSW Government's policy of encouraging urban renewal. We will assess land valuation methods and whether other methods could be more appropriate.

4. **Assess the current approach for determining who should pay rates against the principles of taxation.**

We will analyse the available exemptions and mandatory concessions, in light of the NSW Government's commitment to provide rate concessions to pensioners. In doing so, we will consider the appropriateness and impact of the current rating categories, exemptions, mandatory concessions and rebates.

5. **Recommend reforms to improve the efficiency, equity and sustainability of the current rating system based on the findings of Steps 2 to 4.**
6. **Consider the issues that might arise for merged council areas after the expiry of the rate path freeze.** We will consider their ability to establish a new equitable system of rating, and transition to it in a fair and timely manner, taking account of the NSW Government's commitment to protect NSW residents against excessive rate rises.

Recommend appropriate approach to achieve the rate path freeze policy

7. **Outline our interpretation of the Government's policy and consider how the rate path freeze might work in practice.** We will consider the implications for new special variations and impact on taxpayers, including consideration of rating structures, and rating categories.
 8. **Identify alternative legislative and regulatory approaches for implementing the rate path freeze policy.** We will assess complexity, flexibility and level of certainty of legislative amendments, in making a balanced recommendation on the appropriate approach.
 9. **Make recommendations on the legislative and regulatory approach to achieve the Government's rate path freeze policy based on our findings in Steps 7 and 8.**
-

1.3 How stakeholders can provide input to this review

For this review, we will undertake our own analysis and conduct public consultation. This issues paper is the first step in our consultation process. We invite all stakeholders and interested parties to make written submissions in response to the paper by 13 May 2016. (Details on how to make a submission can be found on page iii.) We will also hold a public hearing on 26 April 2016 to give stakeholders another opportunity to respond.

Our ToR require us to provide an interim report to the Minister for Local Government in June 2016, outlining our recommendations on the appropriate approach for implementing the Government's policy of freezing existing rate paths for four years for newly merged councils.

We will publicly release a draft report in August 2016 covering all issues, and invite stakeholders to respond by making a submission and/or attending public hearings in September 2016. We will consider all stakeholder comments before making our final decisions and providing our final report to the Minister for Local Government in December 2016.

Table 1.1 provides an indicative timetable for the review. We will update this timetable on our website as the review progresses.

Table 1.1 Indicative timetable for this review

Milestone	Timeframe
Release Issues Paper	13 April 2016
Hold Public Hearing	26 April 2016
Receive submissions to the Issues Paper	13 May 2016
Provide Interim Report to Minister	17 June 2016
Release Draft Report	August 2016
Hold public hearing(s) in Sydney and possibly 1 regional town	September 2016
Receive submissions to the Draft Report	September 2016
Provide Final Report to Minister	December 2016

Note: These dates are indicative only.

1.4 What the rest of this paper covers

The rest of this paper discusses our proposed approach to the review in more detail, as well as our preliminary views (where we have them). It is structured as follows:

- ▼ Chapter 2 provides context for the review by outlining the current rating system in NSW.
- ▼ Chapter 3 outlines the recognised principles of taxation against which we propose to assess the rating system.

- ▼ Chapter 4 analyses the current method for setting rates in NSW using the tax principles. It also explores alternative methods that could provide councils with greater flexibility in setting rates with the method for valuing property, use of base and minimum amounts, and making rating categories.
- ▼ Chapter 5 analyses current exemptions and the mandatory pensioner concession using the tax principles. It also explores alternatives to providing full exemptions for some land uses and different ways for structuring the pensioner concession.
- ▼ Chapter 6 outlines our interpretation of the Government's policy of freezing the existing rate paths for newly merged councils, and the options for implementing this policy.
- ▼ Chapter 7 discusses options to allow merged councils to establish new and equitable rating systems in a fair and timely manner.

1.5 List of issues on which we seek comment

Throughout this paper, we have identified the issues on which we seek stakeholder comment at this stage of the review. Stakeholders may address all or some of these issues, and are also free to raise and discuss any other issues that they feel are relevant to the terms of reference. For convenience, a full list of the issues we seek comment on is provided below:

Taxation principles

- | | | |
|---|---|----|
| 1 | Do you agree with our proposed tax principles? If not, why? | 15 |
|---|---|----|

Assessing the current method for setting rates

- | | | |
|---|---|----|
| 2 | What valuation method should be used as the basis for determining the ad valorem amounts in council rates? Should councils be given more choice in selecting a valuation method, as occurs in other states, or should a valuation method continue to be mandated? | 20 |
| 3 | Should councils be required to use the Valuer General's property valuation services, or should they also be able to use a private valuation firm (as occurs in Victoria and Tasmania)? | 20 |
| 4 | What changes (if any) should be made to the Local Government Act to improve the use of base and minimum amounts as part of the overall rating structure? | 22 |
| 5 | What changes could be made to rating categories? Should further rating categories or subcategories be introduced? What benefits would this provide? | 23 |

6	Does the current rating system cause any equity and efficiency issues associated with the rating burden across communities?	24
7	What changes could be made to current rate pegging arrangements to improve the rating system, and, in particular, to better streamline the special variation process?	25
8	What changes could be made to the rating system to better encourage urban renewal?	26
9	What changes could be made to the rating system to improve councils' management of overdue rates?	26

Assessing exemptions, concessions and rebates

10	Are the land uses currently exempt from paying council rates appropriate? If a current exemption should be changed, how should it be changed? For example, should it be removed or more narrowly defined, should the level of government responsible for providing the exemption be changed, or should councils be given discretion over the level of exemption?	33
11	To what extent should the exemptions from certain state taxes (such as payroll tax) that councils receive be considered in a review of the exemptions for certain categories of ratepayers?	33
12	What should the objectives of the pensioner concession scheme be? How could the current pensioner concession scheme be improved?	35

Freezing existing rate paths for newly merged councils

13	We have interpreted the rate path freeze policy to mean that in the four years after a merger, the rating path in each pre-merger council's area will follow the same trajectory as if the merger had not occurred. Do you agree with this interpretation?	36
14	Within the rate path freeze period, should merged councils be permitted to apply for new special variations: <ul style="list-style-type: none"> – For Crown Land added to the rating base? – To recover amounts that are 'above the cap' on development contributions set under the <i>Environmental Planning and Assessment Act 1979</i>? – To fund new infrastructure projects by levying a special rate? 	39
15	Are there any other situations where merged councils should be able to apply for new special variations within the rate path freeze period?	39

- 16 During the rate path freeze period, should merged councils only be able to increase base amounts and minimum amounts each year by the rate peg (adjusted for any permitted special variations)? 41
- 17 During the rate path freeze period, should merged councils be able to allocate changes to the rating burden across rating categories by either:
- relative changes in the total land value of a rating category against other categories within the pre-merger council area, or
 - the rate peg (adjusted for any permitted special variations)? 41
- 18 Do you agree that the rate path freeze policy should act as a 'ceiling', so councils have the discretion to set their rates below this ceiling for any rating category? 41
- 19 What other discretions should merged councils be given in setting rates during the rate freeze period? 41
- 20 We considered several options for implementing the rate path freeze policy. Our preferred option is providing the Minister for Local Government with a new instrument-making power. What are your views on this option and any other options to implement the rate path freeze policy? 44

Establishing new, equitable rates after the 4-year freeze

- 21 Should changes be made to the LG Act to better enable a merged council to establish a new equitable system of rating and transition to it in a fair and timely manner? If so, should the requirement to set the same residential rate **within a centre of population** be changed or removed? 48
- 22 Should approved special variations for pre-merger councils be included in the revenue base of the merged council following the 4-year rate path freeze? 49
- 23 What other rating issues might arise for merged councils after the 4-year rate path freeze period expires? 49

2 | The current rating system in NSW

Local councils provide a range of infrastructure and services to ratepayers and residents in their local government area. To fund their costs, councils:

- ▼ levy rates on property owners in their area
- ▼ charge fees for the use of specific services (user charges)
- ▼ receive grants from the State and Federal governments
- ▼ generate other revenue, for example, from fines, developer charges and interest, and
- ▼ raise funds through borrowings.

This review only considers rates included in a council's general income.⁵ The system that determines how these rates are currently calculated in NSW is set out in the *Local Government Act 1993* (LG Act).⁶ The sections below outline the key features of this system, including:

- ▼ the rate structure
- ▼ the rating categories
- ▼ the treatment of high-density property
- ▼ the rate peg and special variation process
- ▼ the different types of rates included in a council's general income
- ▼ the land valuation process, and
- ▼ the infrastructure and services funded by rates.

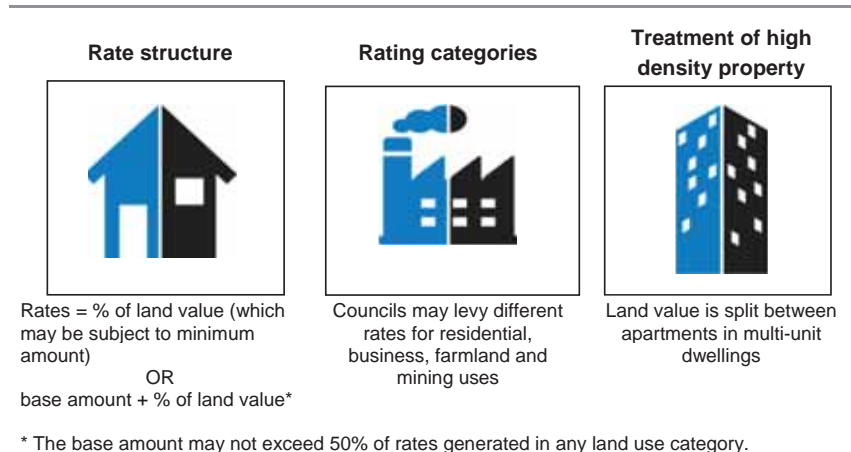
⁵ This is income derived from ordinary rates, special rates and specified annual charges (section 505 of the *Local Government Act 1993* (NSW)). Special rates and charges for water and sewerage are not included in a council's general income.

⁶ For more detailed information on the current rating system, see the LG Act (Chapter 15, Sections 491-607), and the NSW Department of Local Government, *Council Rating and Revenue Raising Manual*, 2007.

2.1 Overview of how council rates are set in NSW

Figure 2.1 provides an overview of how council rates are set in NSW.

Figure 2.1 How council rates are set in NSW



Data source: Local Government Act 1993.

2.2 Rate structure

Under the LG Act, a rate may consist of:

- ▼ an ad valorem amount (which may be subject to a minimum amount), or
- ▼ a base amount to which an ad valorem amount is added.

In NSW, an **ad valorem amount** is a variable charge set as a proportion of the unimproved land value (UV) of the rateable property – that is, the value of the property without any buildings, houses or other capital investments.

A **minimum amount**, where applied, is a flat charge which applies instead of the ad valorem amount, when it is greater than the ad valorem amount.

A **base amount**, where applied, is a fixed charge that is levied equally against all rateable properties within a given rate category, or subcategory of land use.

There is no restriction on the proportion of revenue a council can generate from the ad valorem amounts included in rates. However:

- ▼ revenue generated from the base amount cannot exceed 50% of the total revenue from any particular rating category, and
- ▼ the minimum amount cannot exceed a statutory limit (set at \$497 in 2015-16⁷).⁸

In 2013-14, the ad valorem rate on land value accounted for 75% of all NSW council rate revenue. It is the primary method for raising rating income. Base and minimum amounts accounted for an average of 15% and 10% of council rate revenue respectively across NSW (noting that not all councils apply these rates).

2.3 Treatment of high-density property

Where the rateable property consists of multiple units, such as a block of apartments, the ad valorem amount is split between the units. For example, if a block of four apartments and a house have the same unimproved land value, the rates payable by the owners of each apartment would be 25% of those payable by the house owner, assuming that no minimum or base amounts apply.

2.4 Rating categories

Councils may vary the way they calculate rates for different categories of property. For example, they can use a different percentage of the unimproved land value to calculate the ad valorem amounts, apply different minimum amounts, or add different base amounts. There are four main rating categories:

1. residential
2. business
3. farmland, and
4. mining.

Councils may also determine subcategories within each of these four categories, and vary the way they calculate rates for each subcategory. However, the degree of flexibility varies across categories. In particular, the LG Act requires that residential rates for all properties **within a centre of population** are calculated the same way. This requirement raises issues which will need to be addressed for newly merged councils in urban areas (see Chapter 7 for more detail).

⁷ This ceiling only applies to ordinary rates. A different ceiling applies to special rates: \$2 (section 548(3)(b) of the LG Act).

⁸ Councils that wish to set a minimum amount above the statutory limit are required to submit a minimum rate application to IPART for review and assessment. IPART has been delegated authority to approve minimum amount variations from the Minister for Local Government.

Finally, there are also a range of land uses which are currently exempt from paying rates (or exempt from paying a portion of rates). These include national parks, charities and education institutions (see Chapter 5 for more detail).

2.5 Rate peg and special variation process

The LG Act sets out a process that regulates the amount by which councils increase their general income, the main component of which is rates revenue from ordinary and special rates (see section 2.6 below). Each year, IPART determines the maximum percentage by which a council may increase its general income in the coming year, known as the 'rate peg'. We calculate this percentage based on the estimated annual change in NSW councils' costs, adjusted for any improvements in productivity. The total amount of general income collected from rates revenue is typically called the 'rating burden'.

Councils then set their rates for each rating category so that their annual general income does not increase in percentage terms by more than the rate peg for that year. This gives them some flexibility to vary the increase in rates across categories (eg, to increase residential rates by a higher percentage than farmland rates), as long as the total increase in revenue does not exceed the rate peg.

Councils can apply to IPART for a 'special variation' to allow them to increase general income above the rate peg for a range of reasons, including to provide additional services, to replace ageing assets, or improve financial sustainability.

The Integrated Planning and Reporting (IP&R) framework is an important part of the special variation process. As part of the IP&R framework, when applying for a special variation, councils are required to engage the community in a discussion on how the funding required will deliver services and infrastructure that meet the community's expectations about service levels. The IP&R framework is discussed further in Appendix B.

2.6 Different types of rates

There are two different types of rates included in a council's general income:

- ▼ ordinary rates – councils are required to make and levy an ordinary rate for each year on all rateable land in their area.
- ▼ special rates – councils have the discretion to levy a special rate for:
 - works or services provided or proposed to be provided, or
 - any other special purpose.

Special rates can be levied on subgroups of ratepayers. For example, a special levy could be applied to all properties in a specific area or development, even if it is within a centre of population.

2.7 Land valuation process

Councils do not undertake the land valuations used to calculate the rates applicable to each property themselves. Instead, they are required to use the unimproved land valuations provided by the NSW Valuer General.

The Valuer General values all land in NSW, and provides services to a range of users including to the NSW Government for the purpose of levying land tax.

In comparison, councils in Victoria and Tasmania have the option of using other valuers to estimate property values for the purpose of levying rates.

2.8 Infrastructure and services funded by rates

Typically, income from rates is used to fund (or partly fund) infrastructure and services that have the characteristics of 'public goods' or 'mixed goods'. Services with the characteristics of 'private goods' are generally funded through user charges (see Box 2.1 for more information.)⁹

Box 2.1 What are public, private and mixed goods?

The infrastructure and services provided by councils fall into three categories:

- ▼ **Public goods:** where one person's consumption does not prevent others from consuming it and it is difficult or not practical to charge consumers to use it. Examples include local roads, footpaths and parks.
 - ▼ **Private goods:** where consumption by one person prevents another from consuming the same unit of that good. Examples include, water, sewerage and garbage collection.
 - ▼ **Mixed goods:** that have a mixture of private and public good characteristics, such as libraries and community centres.
-

⁹ The LG Act recognises this principle in allowing direct charges for services such as water and sewerage (Section 501), mandating direct charging for waste (Section 496), and not including these user charges in the council's general income for rate base purposes (Section 505).

3 Establishing principles of taxation

The first step in our proposed approach for reviewing the current rating system is to establish the “recognised principles of taxation” that we will employ in assessing and recommending changes to this system, as required by our terms of reference.

The key tax principles that we propose to use to assess the rating system are:

- ▼ efficiency
- ▼ equity
- ▼ simplicity
- ▼ sustainability, and
- ▼ competitive neutrality.

The sections below outline each of these principles.

3.1 Efficiency

Efficiency comprises two main sub-principles: the principle that taxes should minimise changes in behaviour, and the benefits principle.

3.1.1 Taxes should minimise changes in behaviour

Taxes that minimise changes to production and consumption decisions are more efficient. The more that taxes that are designed to raise general revenue change behaviour, the greater the welfare loss.¹⁰

The Henry Tax Review found that local rates were the most efficient of all current taxes used by any level of government, because changes in behaviour from rate taxes are small. It estimated that for every dollar raised through rates, there were welfare losses of just 2 cents. In comparison, the welfare losses associated with other State and Commonwealth taxes ranged from 8 to 70 cents per dollar raised.¹¹

¹⁰ The welfare loss of taxation is known as the excess burden of taxation, and is the distortionary cost that taxes cause by reducing the amount of productive activity that would otherwise occur in a free market.

¹¹ Henry K, *Australia's future tax system – Final Report*, May 2010 (Henry Tax Review), p 13.

3.1.2 Benefits principle

The income raised from rates is generally used to fund (or partly fund) infrastructure and services that have the characteristics of 'public goods'. The benefits principle is that each person's share of funding for public goods should be proportional to the benefits they receive from these goods.

However, the benefits principle is difficult to apply because people generally under-state their willingness to pay for the benefits that they receive from public goods.^{12,13} In practice, proxies that are correlated with people's willingness to pay for public goods are used to estimate benefits received.

3.2 Equity

Equity also has two sub-principles: the benefits principle (discussed above) and the ability to pay principle.

3.2.1 Ability to pay

People should contribute to funding public goods according to their **ability to pay**. **Ability to pay** has two components:

- ▼ The **horizontal equity principle** requires people of equal capacity to pay the same amount of tax.
- ▼ The **vertical equity principle** requires people who are better off to pay more tax than those who are worse off, so the burden of tax is proportional to the taxpayer's means.

Property-based taxes such as rates are generally regarded as equitable, because property value correlates with wealth and ability to pay.

3.3 Simplicity

Taxes should be easily understood, difficult to avoid and have low costs of compliance and enforcement. If a tax is easy to understand and is fair, compliance is generally high.

Property-based taxes such as rates are generally hard to avoid, as the government holds comprehensive land ownership records.

¹² A person's willingness to pay for goods should generally be equal to the benefits they receive from those goods.

¹³ This is due to the **free-rider** problem. People have an incentive to under-state their willingness to pay for public goods, if their stated willingness to pay is then used as the basis on which taxes are levied on them.

3.4 Sustainability

To be sustainable, the income generated by a tax should be reasonably reliable, able to withstand volatile economic conditions, and grow over time to support the future needs of government.¹⁴

3.5 Competitive neutrality

Competitive neutrality requires businesses competing with each other to be treated in a similar way. This principle is used to promote fair and efficient competition between public and private businesses.

IPART seeks comment

- 1 Do you agree with our proposed tax principles? If not, why?

¹⁴ Our consideration of sustainability will encompass the requirement of the terms of reference to consider the current financial sustainability of local government in NSW, including the findings and deliberations of NSW Treasury Corporation report *Financial Sustainability of the NSW Local Government Sector*, 2013.

4 | Assessing the current method for setting rates

The second step of our approach for reviewing the current rating system is to assess the current method for setting the rates applicable to a particular property owner. This involves assessing the elements of the current system that affect the rating burden **within** communities (ie, within the same local government area) using the recognised principles of taxation (discussed in Chapter 3). These elements include:

- ▼ the valuation method used to set ad valorem amounts
- ▼ the use of base amounts and minimum amounts, and
- ▼ the rating categories.

This step also involves considering other aspects of the current rating system specified in our terms of reference, including:

- ▼ the rating burden **across** communities in NSW (in different local government areas across NSW), and
- ▼ whether the current rating system provides appropriate scope for councils to promote the Government's policy for encouraging urban renewal.

This chapter also considers how councils manage their overdue rates.

Where relevant, we will take account of the rating systems used in other jurisdictions, the findings of the Independent Local Government Review Panel (the Panel) and other matters listed in our terms of reference.

The sections below provide further information and preliminary analysis on each of these considerations.

4.1 Valuation methods used to set ad valorem amounts

As Chapter 2 discussed, the current rate structure includes an ad valorem amount (which may be subject to a minimum amount) or an ad valorem amount plus a base amount. To calculate the ad valorem amount for a particular property, the ad valorem rate (a fixed percentage) is multiplied by the assessed value of the property.

Across Australian jurisdictions, three valuation methods are used to calculate the value of property for the purpose of rating. These are:

1. The **unimproved land value (UV)** method, which values the property excluding the value of buildings, structures and other capital improvements.
2. The **capital improved value (CIV)** method, which values the property based on the market value, or the value inclusive of all capital improvements.
3. The **annual rental value (ARV)** method, which values the property based on its rental value.

One of the key differences between these methods is how they treat high-density properties that include multiple units (such as an apartment block). As Chapter 2 discussed, a UV methodology divides the land value between each unit for the purpose of rating. In contrast, the other methods use the market value or rental value of each individual unit.

4.1.1 Valuation methods across jurisdictions

As Chapter 2 discussed, NSW councils are required to use the UV method for calculating ad valorem amounts. Queensland councils are also required to use this method. However:

- ▼ in Western Australia, councils must use the ARV method in Perth, and the UV method in the rest of the state
- ▼ in other states, councils can choose any of the three methods:
 - councils in Victoria and South Australia overwhelmingly favour CIV
 - councils in Tasmania tend to employ ARV, and
 - councils in Northern Territory rely on UV because the data required to use CIV or ARV is not available.

Internationally, a CIV-type method appears more common and is mandated in the United States and the United Kingdom. In New Zealand, councils can choose between UV and CIV. Further information on the valuation methods used in selected overseas jurisdictions is provided in Appendix D.

4.1.2 Who applies the valuation method

Councils generally do not assess the value of properties themselves. In NSW and some other Australian states, they are required to use the valuation services provided by the state Valuer General. However, in Victoria and Tasmania, councils can choose to use either their state-based Valuer General or a private firm for property valuation services.

4.1.3 Analysis of alternative valuation methods against tax principles

We have done some preliminary analysis on how the UV and CIV methods compare using the tax principles discussed in Chapter 3. We have not focused specifically on the ARV method, as for our purposes it is similar to the CIV method in that both methods take into account the total market value of the land and dwelling. The ARV is often determined as a percentage of the assessed CIV for administrative simplicity and/or due to data constraints. The arguments for ARV are generally similar to those for CIV.

Arguments for retaining the UV method

UV may better meet the efficiency principle, that taxes should minimise changes in behaviour, than CIV. Under a UV method, rates do not change if additional capital is invested into a property so they do not influence ratepayers' decisions to make capital improvements or develop their land. In contrast, CIV is a tax on both land and capital. Under a CIV method, rates increase as additional capital is invested in a property. This may discourage ratepayers from productive investments, and so the CIV method may be less efficient than the UV method.

UV is arguably simpler and more cost effective to implement than CIV. Because UV is the current method used in NSW, changing to an alternative method would incur costs. In addition, land valuations across NSW are currently estimated by sampling land values for a relatively small number of properties each year. Under a CIV method, an estimate of capital improvements by property would be required.¹⁵ Valuations could also be required more frequently, when additional improvements are made.

Arguments for moving to a CIV method

CIV may better meet the benefits principle. The market value of a property may better correlate with the benefits received by the owners from the provision of public goods by the council. For example, an apartment block with a number of residents will typically derive more benefits from council services than a nearby single house occupying land of equal value.

CIV may be more equitable. For example, residential ratepayers who own more expensive houses or apartments would pay higher rates than those with lower-cost homes. These ratepayers tend to have a higher ability to pay.

¹⁵ In other jurisdictions, detailed and up-to-date data on capital improvements are collected. For example, in Victoria, this information is collected through supplementary valuations. For further details, see Department of Transport, Planning and Local Infrastructure (Victoria), *2016 Valuation Best Practice Specifications Guidelines*, July 2014.

CIV is potentially more sustainable over time. Because it includes both land and capital, a CIV method would result in a broader tax base than UV. The Grattan Institute estimates, across Australia, the total value of capital improvements in 2014 was roughly equal to the total value of land, suggesting that CIV is about twice as broad a tax base as UV.¹⁶ The broader base means a lower overall ad valorem rate can be set, although it would apply to a higher property value. Over time, as the proportion of high density dwellings increases, the ratio of capital to land increases, and CIV therefore becomes more broadly based relative to UV. (See Appendix E for further details.)

CIV is likely to be more readily and easily understood by the public. As most people have a better understanding of the market value of their property than their unimproved land value, they are likely to find a CIV approach easier to understand.

4.1.4 The Panel's views on UV, CIV and the rating of apartments

The Independent Local Government Review Panel also analysed the alternative valuation methods. The Panel found that the use of UV has caused a significant issue with the rating of apartments in Sydney:

Currently, the unimproved value of the land occupied by a block of apartments is split between the owners of individual dwellings (strata titles), such that each is rated on only a small fraction of the total value. As a result, owners of apartments worth millions of dollars pay less in rates than owners of nearby houses worth much less, and all or most owners of apartments may pay the same minimum council rate irrespective of the differing market values of their properties.¹⁷

The Panel concluded this outcome was inequitable, and suggested that moving to a CIV method would be preferable in selected local government areas. Alternatively, it suggested the 'residential' land use category could be split into two new rating categories, one for detached housing and another for multi-unit dwellings. Councils could then use CIV for multi-unit dwellings only.

4.1.5 Options for the valuation method in a future NSW rating system

Based on the preliminary analysis outlined above, we consider there are a number of feasible options for the valuation method used in calculating ad valorem amounts in NSW rates. These include:

- ▼ Continuing to mandate the use of the UV method.
- ▼ Mandating the use of a CIV-type method (eg, CIV or ARV or some similar method). This could be restricted to some local government areas, as the Panel suggested and as occurs in Western Australia.

¹⁶ Daley J and Coates B, *Property Taxes*, Grattan Institute Working Paper No. 2015-5, July 2015, p 5.

¹⁷ Panel Report, p 40.

- ▼ Allowing councils to choose between a UV method or a CIV-type method, as occurs in Victoria, South Australia and Tasmania.
- ▼ Allowing councils to set a new rating category for multi-unit apartments, and mandating the use of a CIV method for that category, as the Panel suggested.

In addition, there are also options related to the property valuation services councils use. These include continuing to require councils to use the NSW Valuer General's services, or allowing councils to choose whether to use private valuation firms.

IPART seeks comment

- 2 What valuation method should be used as the basis for determining the ad valorem amounts in council rates? Should councils be given more choice in selecting a valuation method, as occurs in other states, or should a valuation method continue to be mandated?
- 3 Should councils be required to use the Valuer General's property valuation services, or should they also be able to use a private valuation firm (as occurs in Victoria and Tasmania)?

4.2 Use of base amounts and minimum amounts

As Chapter 2 discussed, under the current rate structure, rates may comprise an ad valorem amount plus a base amount, or an ad valorem amount which may be subject to a minimum amount. Both base and minimum amounts are fixed charges. In addition:

- ▼ revenue generated from the base amount cannot exceed 50% of the total revenue from any particular rating category, and
- ▼ the minimum amount cannot exceed a legislated ceiling (set at \$497 in 2015-16¹⁸).

Currently, a little over half of all NSW councils use base amounts for at least one rating category.¹⁹ In 2013-14, these amounts accounted for at least 45% of ordinary rates in approximately a quarter of all NSW councils, and the maximum 50% in 12 councils. This suggests the current 50% revenue cap on base amounts could be a constraint for some councils.

In addition, about 60% of all NSW councils use a minimum amount in at least one rating category. For these councils, minimum amounts accounted for 15% of ordinary rates, on average.

¹⁸ This ceiling only applies to ordinary rates (section 548(3)(a) of the LG Act). A different ceiling applies to special rates: \$2 (section 548(3)(b) of the LG Act).

¹⁹ Data on the use of base and minimum amounts were obtained from Rating Return data which councils are required to provide to the Office of Local Government under Section 429 of the LG Act.

Most other states also give councils the option to levy base and/or minimum amounts. However, Queensland and Western Australia do not allow base amounts, and Victoria does not allow minimum amounts. (See Appendix D Table D.1 for more detail.)

4.2.1 Analysis of base amounts and minimum amounts against tax principles

Our preliminary analysis suggests that base amounts may be an **efficient** way to recover some council costs. Councils incur a range of fixed costs in supplying infrastructure and services that benefit all ratepayers, regardless of their land or property value. Base amounts can be an **efficient** method for councils to recover these fixed costs. They are also **simple** to calculate and administer.

However, base amounts may **not be equitable**, because they may not reflect the ratepayer's ability to pay or the benefits received. For example, a dwelling with one occupant pays the same base amount as a dwelling with four occupants, although it is likely that the latter will derive a larger benefit from the public goods that councils provide. Furthermore, base amounts have little relation to the per capita drivers of councils' costs.

Further, base amounts also tend to place a greater burden on less well-off ratepayers. In other words, they are regressive because owners of low value dwellings effectively pay a higher rate of tax than owners of expensive dwellings.

Our preliminary analysis also suggests that minimum amounts have fairly similar advantages and disadvantages as base amounts. They can be an efficient way to recover councils' fixed costs, but are also regressive as lower-valued properties effectively pay a higher rate of tax.

4.2.2 Options for base and minimum amounts in a future NSW rating system

Based on the preliminary analysis outlined above, there are a number of options for levying base and minimum amounts. These include:

- ▼ Giving councils further flexibility to levy base amounts on a per capita basis, per bedroom, or using some other criteria. However, this would incur implementation costs and be more administratively complicated.
- ▼ Changing or removing the restriction that revenue generated from the base amount cannot exceed 50% of the total revenue from any particular rating category. This restriction was introduced to ensure that rates are determined predominantly according to the value of rateable property.²⁰
- ▼ Changing or removing the legislated ceiling on the minimum amount, which is currently set at \$497 for ordinary rates.

²⁰ NSW Department of Local Government, *Council Rating and Revenue Raising Manual*, 2007, p 36.

IPART seeks comment

- 4 What changes (if any) should be made to the Local Government Act to improve the use of base and minimum amounts as part of the overall rating structure?

4.3 Rating categories

As Chapter 2 outlined, the current rating system includes four rating categories which reflect the primary use of the land. These are residential, business, farmland and mining.²¹ Councils may elect to apply different rate structures to each category.

In addition, councils may determine subcategories within each category and apply a different rate structure for each subcategory. A subcategory may be determined for:

- ▼ **residential** property according to whether the land is rural residential land or is within a **centre of population**
- ▼ **business** according to a **centre of activity**
- ▼ **farmland** according to the **intensity of land use**, the irrigability of the land or economic factors affecting the land, and
- ▼ **mining** according to the **kind of mining** involved.²²

Other states typically class rateable land into a larger number of separate categories for the purposes of ratings. For example, South Australia has nine separate land use categories, including a category for vacant land. Tasmania has seven land use categories and allows councils to vary rates if land is vacant.

Victoria does not explicitly define a list of land use categories for rating, but instead allows councils to declare separate rate categories provided that “the objectives of the differential rate and the criteria on the basis of which that rate was declared” is specified.²³ This approach allows multiple rating categories to be used.

²¹ LG Act, section 514.

²² LG Act, section 529.

²³ *Local Government Act 1989* (Vic) section 161. That said, when councils are setting differential rates, they must have regard to Ministerial Guidelines. These guidelines **do** list types of land that are considered appropriate and inappropriate for differential rates. For more details, see Department of Transport, Planning and Local Infrastructure (Victoria), *Ministerial Guidelines for Differential Rating*, April 2013.

4.3.1 Analysis of rating categories using tax principles

The Productivity Commission review of local government revenue raising capacity provided an analysis of rating categories using standard tax principles. The review found that differentiating rates according to land use is appealing on a number of grounds. According to the report:

Differential rating provisions generally increase the capacity of councils to raise revenue from property rates. They do so by enabling councils to structure better rates payable to the different capacities to pay of, and the services received by, different categories of ratepayers.²⁴

This suggests that allowing different rating categories based on land use are consistent with the principles of efficiency and equity.

4.3.2 Options for rating categories in a future NSW rating system

Based on the preliminary analysis outlined above, there may be scope to increase the number of land use categories from four, or increase the ability of councils to define further subcategories of land use for setting rates. For example:

- ▼ Splitting the residential category into detached housing and apartment properties categories may provide for more efficient and equitable ratings of multi-unit dwellings (as suggested by the Panel).
- ▼ The business land use category is currently quite broad, encompassing all industries other than mining and agriculture.²⁵ Allowing further differentiation may increase efficiency.

Such changes could allow councils to tailor rates across a wider variety of land uses to better meet the needs and wants of their local communities.

At the same time, a system that allows for too much granularity can incur costs and increase complexity. It could also reduce the transparency of the rating system, and may result in rate structures that depart from recognised tax principles. For example, levying higher rate charges on more successful business centres of activity could undermine efficiency and competitive neutrality.

IPART seeks comment

- 5 What changes could be made to rating categories? Should further rating categories or subcategories be introduced? What benefits would this provide?

²⁴ Productivity Commission Report, p 104.

²⁵ The ABS separately identifies over 100 industries outside of agriculture and mining that would be currently classed as 'business' in the NSW rating system.

4.4 Rating burden across communities

Under our terms of reference for this review, we are required to consider the rating burden **across** communities, which we understand to mean across different local government areas. The Panel also suggested the rating burden may not be spread equitably across communities in NSW.²⁶

In our view, the rates levied by a local council should be used to fund the provision of infrastructure and services in that local government area, and should reflect the costs of this provision. They should not be used to fund the services provided by councils in other local government areas.²⁷ Such cross-subsidisation would tend to reduce the efficiency, equity, simplicity and sustainability of the rating system.

IPART seeks comment

- 6 Does the current rating system cause any equity and efficiency issues associated with the rating burden **across** communities?

4.5 Rate pegging and special variations

Under the current rate pegging arrangements, IPART determines the maximum percentage by which a council may increase its general income (primarily from rates) each year, known as the 'rate peg'. If they wish to increase their general income by more than this rate, councils can apply to IPART for a 'special variation'. (See Chapter 2 for more information.)

A key issue highlighted by the Panel Report was that, in their present form, rate pegging arrangements impact "adversely on sound financial management".²⁸ It suggested three options to make the current arrangements more effective:

- ▼ streamlining the application and approval process for special variations
- ▼ introducing earned autonomy, where certain councils demonstrating consistent high performance could earn complete exemption from rate pegging, and
- ▼ replacing rate pegging with rate benchmarking.²⁹

In its response, the NSW Government said it is "committed to a rating system that protects local ratepayers from unfair rate rises. It recognises, however, the improvements in council strategic planning under IP&R [Integrated Planning and Reporting] and therefore supports removing unwarranted complexity, costs and constraints from the rate peg system".³⁰

²⁶ Panel Report, p 41.

²⁷ The Henry Tax Review reaches a similar conclusion, arguing that taxes used for redistribution should be levied by the Federal government. See Henry Tax Review, p 673.

²⁸ Panel Report, p 42.

²⁹ Panel Report, pp 43-44.

³⁰ Office of Local Government, *Independent Local Government Review Panel recommendations – NSW Government Response*, September 2014, p 5.

In line with our terms of reference, we will consider the Panel's findings on the current rate pegging arrangements, as well as the Government's response, particularly its commitment to protect NSW residents against excessive rate increases.

IPART seeks comment

- 7 What changes could be made to current rate pegging arrangements to improve the rating system, and, in particular, to better streamline the special variation process?

4.6 Policy of encouraging urban renewal

In reviewing the current rating system, our terms of reference require us to take account of the NSW Government's policy of encouraging urban renewal. The NSW Government's *A Plan for Growing Sydney* defines the Government's policy of urban renewal across Sydney as "the process of planning and delivering changes to infrastructure, streets, and the public domain to deliver the greatest community benefit".³¹ This policy includes:

- ▼ using the Greater Sydney Commission to support council-led urban infill projects
- ▼ increasing housing density in areas that are connected to an integrated transport system, and
- ▼ providing direct local infrastructure to population centres where there is growth.³²

Our preliminary view is that the current rating system provides scope for councils to partner with other levels of government to promote urban renewal.

Section 495 of the LG Act allows councils to levy special rates on any subset of rateable land within its area to meet the costs of delivering additional services, facilities or activities to ratepayers.³³

Councils can also use special variations, and the levying of special rates in distinct areas, to collect additional rates revenue to fund urban renewal projects that provide benefits to discrete areas. Special rates could also be used to partner with other levels of government in developing and funding infrastructure projects which benefit the local community.

³¹ Department of Planning & Environment (NSW Government), *A Plan for Growing Sydney*, December 2014, p 21.

³² Department of Planning & Environment (NSW Government), *A Plan for Growing Sydney*, December 2014, pp 8-11.

³³ The special rate may only be levied on those parcels of land which benefit from, have access to, or contribute to the need for the works, services, facilities or activities.

IPART seeks comment

- 8 What changes could be made to the rating system to better encourage urban renewal?

4.7 How councils manage overdue rates

When rates become overdue, councils may charge penalty interest on the overdue amount. Councils may also seek a court order to require payment, and enforce the debt using debt recovery powers under the *Civil Procedure Act 2005* (NSW).³⁴

It appears that some councils might be pursuing relatively low value claims for overdue rates through the courts. The Department of Justice found that:

- ▼ just over one-third of all civil claims in the Local Court involve councils pursuing overdue rates, and
- ▼ over 80% of claims are for amounts of \$2,000 or less.³⁵

Model litigant obligations require NSW government agencies to endeavour to avoid litigation wherever possible.³⁶ However, using the Local Court as the primary means of recovering overdue rates may be an attractive option for councils, irrespective of the amount overdue, as the penalty interest rates councils are permitted to charge could mean that there is no incentive to resolve debt issues early. We understand that less than 1% of all claims for unpaid rates are defended.³⁷

Where financial hardship is the underlying cause of rates being overdue, a more sustainable and equitable approach may include councils offering more flexible payment options. We note that similar arrangements are used by water and energy utilities when their customers are experiencing financial difficulty.³⁸

IPART seeks comment

- 9 What changes could be made to the rating system to improve councils' management of overdue rates?

³⁴ For example, the council could apply for an order to seize and sell the ratepayer's personal property to settle the overdue rates.

³⁵ Personal communication, Letter from NSW Department of Justice to IPART, 5 April 2016.

³⁶ NSW Department of Justice to IPART, *Model Litigant Policy for Civil Litigation*, July 2008 (<http://www.justice.nsw.gov.au/legal-services-coordination/Pages/info-for-govt-agencies/model-litigant-policy.aspx>, accessed 7 April 2016).

³⁷ Personal communication, Letter from NSW Department of Justice to IPART, 5 April 2016.

³⁸ See for example Part 2, Division 6 of the *National Energy Retail Law* (NSW).

5 | Assessing exemptions, concessions and rebates

The third step in our approach for reviewing the rating system is to assess the current method for determining who pays rates, including:

- ▼ the exemptions from rates, which are based on land type or use, and
- ▼ the concessions on rates available to pensioners.

Our assessment will involve analysing the exemptions and concessions using the tax principles discussed in Chapter 3, and identifying the potential options for reform. Where relevant, we will take account of rating systems in other jurisdictions, the findings of the Independent Local Government Review Panel (the Panel) and other matters listed in our terms of reference.

5.1 Exemptions from rates

Section 555 of the *Local Government Act 1993* (LG Act) exempts certain land uses from **all** rates (see Table 5.1). In addition, Section 556 exempts certain land uses from all rates other than water and sewerage charges (see Table 5.2).³⁹

³⁹ As discussed in Chapter 2, this review only covers the income derived from ordinary rates, special rates and some annual charges. It does not review special rates or charges for water and sewerage charges.

Table 5.1 Main land uses exempted from all rates

Land type	Details
Crown land	No rates are payable unless the land is under private lease.
National parks and conservation areas	All land within a national park, historic site, nature reserve, state game reserve, karst conservation reserve, land subject to a conservation agreement and land associated with the Nature Conservation Trust of NSW.
Water corporation land	Land within a special or controlled area for Sydney Water or Hunter Water, land vested in or owned by Water NSW for installed water supply works, land within a special area for a water supply authority.
Land used for religious purposes	Land that belongs to a religious body which is used in connection with a church or other building used for public worship, a residence of a minister of religion, a building used for religious teaching or training.
Land used for schools	Land which is used in connection with a school inclusive of playgrounds, and buildings occupied as a residence by school teachers, caretakers or employees.
Land vested in an Aboriginal Council	Land vested in an Aboriginal Land Council that is not being used for a residential or commercial purpose, and land that is of spiritual or cultural significance that has been declared so by resolution with the approval of the Minister for Aboriginal Affairs.
Rail infrastructure land owned by a Public transport authority	Land vested in or owned by a public transport agency, for installed rail infrastructure facilities.
Land used for oyster cultivation	Land below high water mark and used for any aquaculture relating to oyster cultivation.

Source: *Local Government Act 1993*, section 555.

Table 5.2 Main land uses exempted from all rates other than water and sewerage charges

Land type	Details
Public places	Includes public reserves, cemeteries and free public libraries.
Mineral claims	Land that is the subject of a granted mineral claim, held under private lease from the Crown.
Public charities	Where the land is used for the purposes of the charity or public benevolent institution.
Public hospitals and other health purposes	Includes land vested in the Minister for Health, the NSW Health Foundation and the local health district.
Universities	Land vested in university or university colleges used solely for its purposes.
Special listed groups	Sydney Cricket Ground, Zoological Parks Board (exempt under regulation 123), Royal Agricultural Society, Museum of Sydney and Museum of Contemporary Art.
Cattle dipping	Land leased to the crown for cattle dipping.

Source: *Local Government Act 1993*, section 556.

5.1.1 How exemptions compare with tax principles

Exemptions are a subsidy to the exempt land use that is funded by local ratepayers. In considering exemptions, the key questions that arise are whether a subsidy is appropriate, and if so, what is the correct level of subsidy and who should pay for it.

In general, who should pay for an exemption should relate to who receives the public benefits from the goods and services provided by the exempt land use:

- ▼ If the benefits of an exempt activity are largely confined within the local government area boundary, then it may be appropriate for local ratepayers to fund the cost of the exemption.
- ▼ However, if the benefits are distributed beyond the local council area, it may be more equitable for the state government to share the funding costs of the exemption.⁴⁰

We have done some preliminary analysis on exemptions using the tax principles discussed in Chapter 3. This analysis is based on the overall impacts of exemptions on the community, businesses and other levels of government, and is discussed below.

Efficiency

Rate exemptions can have a positive or a negative impact on economic efficiency. For example, exemptions that result in larger spending on goods and services that produce large net social benefits may increase economic efficiency. This could include the exemptions provided to some education institutions and hospitals.

Exemptions may also prevent extra costs being imposed on state and federal governments when they provide public goods such as national parks, protected forests, and public places. The tax base of state and federal governments may be less efficient than council rates in funding public goods.

However, the provision of rate exemptions narrows the tax base, increasing the level of taxation for remaining ratepayers. This could have a negative impact on economic efficiency as, all else being equal, a higher rate of tax will cause larger changes in behaviour.

Exemptions may also change land use away from what would have occurred without any exemptions. Exemptions that do not provide substantial benefits to the community are inefficient if they stop land being put to its best use.

⁴⁰ An example might be the Royal Flying Doctor Service which provides health services across all outback areas.

The exemptions provided to organisations may also encourage them to overuse council services, if they are not required to pay for direct costs, such as water and sewerage services.

Equity

Rate exemptions are subsidised by local ratepayers. This may be equitable when the exempt activity provides a large benefit to local ratepayers, or where the exempt organisation has limited ability to pay.

For example, some religious or charitable institutions may have limited ability to pay rates. Exemptions may allow them to spend more on social goods such as helping the disadvantaged in the local area, which results in more equitable outcomes for society.

Public schools and hospitals also can provide large social benefits and may have limited ability to pay rates without reducing service levels, or shifting additional costs onto state and federal budgets.

In addition, rate exemptions for commercial activities, such as the logging of state forests, mining or oyster cultivation, may not be equitable. The enterprises that undertake these activities generally have the ability to pay rates. Therefore, it may be more equitable to require them to make some contribution to local rates, especially where the activities are pursued for private profit.

Simplicity

Having a large number of exemptions will increase the complexity of the rating system. Increased complexity could result in higher costs of administering and monitoring exemptions. Exemptions should be kept to a minimum to promote simplicity, and only granted, or retained, where there are clear net benefits from doing so. NSW legislation has progressively provided for a larger number of exemptions. There may be scope for these to be rationalised.

Conditions that apply to exemptions should be objective, transparent and targeted to minimise the extra burden on local rate payers and the scope for disputes on eligibility. Furthermore, the costs of administering exemptions, monitoring compliance and determining eligibility should be low.

Sustainability

Broader tax bases tend to be more sustainable, as they can collect more revenue, tend to be more able to withstand volatile economic conditions and less susceptible to tax avoidance. Exemptions reduce the size and diversity of the rate base, and therefore may compromise sustainability.

Rate exemptions may especially compromise sustainability if:

- ▼ the existing rate base is small (eg, in rural and remote local government areas) and
- ▼ the exempt institutions impose substantial additional costs in the local government area (eg, forest logging causing road degradation).

Competitive neutrality

Competitive neutrality requires businesses competing with each other to be treated in a similar way. If rate exemptions are provided to government enterprises or charitable institutions that compete with the private sector, such as retirement villages or child care centres, this may result in the private sector incurring higher costs than the institutions receiving exemptions. Efficiency losses can occur if this cost disadvantage causes more efficient private providers to reduce, or to withdraw, the supply of services. In such cases, removing or narrowing the exemption may result in better outcomes.

5.1.2 Options for exemptions in a future NSW rating system

Our preliminary analysis suggests there could be several alternatives to exemptions for some of the land uses that are currently exempt from rates. These include removing the exemption for some land use categories, narrowing the exemption, giving councils discretion over the level of exemption, and replacing some exemptions with rebates.

Removing exemptions

There are several reasons that it could be appropriate to remove an exemption for a land use category. These include where:

- ▼ the exemption does not provide sufficient public benefits for the local community
- ▼ commercial activity is being carried out on the land providing the land owner with the capacity to pay rates
- ▼ the use of the land is contributing to substantial extra costs for the council, or
- ▼ the land owner is receiving substantial private benefits from council services.

Narrowing the exemption

Exempt land is sometimes used for more than one activity. In situations where a commercial activity is located on exempt land, it may be appropriate to levy rates on the portion of land used in profit generating activities. For example, this could allow commercial activities located within education or charitable institutions to be separately identified and have rates levied on the land associated with the activity, while the remainder of the institution retains the exemption.

Tighter targeting of exemptions may have merit on equity and competitive neutrality grounds, and may lead to more efficient land use decisions being made. However, it might sometimes be difficult in practice to identify the proportion of the land used in profit-generating activities.⁴¹

Giving councils more discretion over the level of exemptions

Local councils do not have discretion on the granting or level of exemption for land use types listed under sections 555 and 556 of the LG Act. For some of these land use types, such as public charities, it may be more equitable if councils were given some scope to reduce the level of exemption below 100%. Councils could determine the level of exemption depending on factors such as whether public benefits flowed mainly to the local community or more broadly.

Flexibility could be achieved either by allowing councils to determine the level of exemption for certain activities, or allowing them to make additional rating categories and subcategories for these activities. However, this additional flexibility could result in an increased number of disputes if ratepayers disagree with the level of exemption offered by council.

Replacing exemptions with rebates

It may be appropriate to replace some exemptions with rebates. A rebate could be a partial reduction in rates payable for those land users that meet eligibility criteria, or who make an application to the council.

Some of the advantages of using rebates are that they:

- ▼ make the associated costs more transparent, and tend to receive greater scrutiny, ensuring the original intent of the policy is maintained
- ▼ can better and more narrowly target particular activities and land uses that generate high public benefits
- ▼ provide a mechanism to give varying levels of rate relief rather than the 'all or nothing' approach under the current exemptions, and
- ▼ can provide a mechanism for state and local governments to share costs in granting rate relief, which may be appropriate where the public benefits from the activity flow widely.

Examples where rebates may be a better policy than a full exemption include government land supplying services that are sold, such as rail infrastructure land, water corporation land, the Sydney Cricket Ground, and the Museum of Sydney.

⁴¹ An example where this may be difficult is where a university partners with a private firm in undertaking research.

5.1.3 Councils also receive exemptions from tax

Local government also receives exemptions from paying state and federal government taxes, such as payroll tax, stamp duty and income tax. Therefore, in conducting further analysis we will take a holistic approach. That is, we will also look at the consistency and efficiency of tax arrangements between levels of government overall – including the exemptions councils receive as well as those they are required to provide.

If some exemptions councils are required to provide are changed, it may also be appropriate to review some exemptions they receive. Any changes should improve overall efficiency, equity and competitive neutrality.

IPART seeks comment

- 10 Are the land uses currently exempt from paying council rates appropriate? If a current exemption should be changed, how should it be changed? For example, should it be removed or more narrowly defined, should the level of government responsible for providing the exemption be changed, or should councils be given discretion over the level of exemption?
- 11 To what extent should the exemptions from certain state taxes (such as payroll tax) that councils receive be considered in a review of the exemptions for certain categories of ratepayers?

5.2 Concessions for pensioners

Our terms of reference require us to consider the appropriateness and impact of mandatory concessions, and also take account of the NSW Government's commitment to providing rate concessions to pensioners.⁴²

The Government introduced mandatory pensioner concessions for council rates and charges in 1989. Under the current scheme, eligible pensioners⁴³ are required to apply to their local council to receive a 50% discount on their combined ordinary council rates and waste service charges, up to a maximum of \$250 per annum.⁴⁴ The cost of providing this discount is shared between the NSW Government (55% or \$76 million) and the local council (45% or \$62 million).⁴⁵

⁴² Office of Local Government, *Independent Local Government Review Panel recommendations – NSW Government Response*, September 2014, p 4.

⁴³ Eligible pensioners are residential property owners who hold a pensioner concession card (PCC), hold a Gold card embossed TPI (Totally and Permanently Incapacitated), hold a Gold card embossed EDA (Extreme Disability Adjustment), or are a war widow or widower or wholly dependent partner entitled to the DVA income support supplement.

⁴⁴ See Office of Local Government, *Factsheet: Pensioner Concessions on Council Rates and Charges*, 2011. Available at: <https://www.olg.nsw.gov.au/sites/default/files/Pensioner-concession-factsheet-2011.pdf>, accessed 17 March 2016.

⁴⁵ Panel Report, p 40.

NSW councils can also voluntarily offer additional concessions to pensioners.

5.2.1 What pensioner concessions are available in other jurisdictions

Table 5.3 compares the NSW concession scheme with pensioner concessions available in other states. While the quantum of concession offered is comparable, there are a few key differences in pensioner concessions across states:

- ▼ In all states other than NSW, the funds for the concession are wholly provided by the relevant state or territory government. In NSW, these costs are partially recovered from other ratepayers.
- ▼ In South Australia and Western Australia, there are arrangements for pensioners to defer the payment of a portion of their rates.

Table 5.3 Pensioners' concessions on rates across Australia

	Type of Relief	Value of relief	Funding source
NSW	Concession only	50% discount, up to \$250 pa	55% state 45% council
VIC	Concession only	50% discount, up to \$213 pa	100% state
QLD	Concession only	20% discount, up to \$200 pa	100% state
WA	Concession or rate deferral	50% discount	100% state
SA	Rate deferral only	All rates in excess of \$500 pa	100% state
NT	Concession only	62.5% discount, up to \$200 pa	100% state
TAS	Concession only	30% discount, up to \$425 pa	100% state

Note: Figures as at 16 March 2016.

Sources: NSW *Local Government Act 1993*, NSW *Local Government Regulation 2005*, *Local Government Act 1989* (VIC), *Local Government Act 2009* (QLD), *Local Government Regulation 2012* (QLD), *Local Government Act 1999* (SA), *Local Government (General) Regulation 2013* (SA), *Local Government Act 1995* (WA), *Local Government (Financial Management) Regulation 1996* (WA), *Local Government Act 1993* (Tas), *Local Government Act 2008* (NT), NTPCCS Policy Manual, January 2016.

In South Australia, the Postponement of Rates Scheme allows retirees to postpone paying council rates and finance them through a loan against the equity in the home.^{46,47} Ratepayers incur interest on the outstanding amount set at the council's average borrowing cost and compounded monthly. This accrued debt is payable when the property is sold or transferred to someone else.

⁴⁶ For details, see *Local Government Act 1999* (SA), section 182A and *Local Government (General) Regulations 2013* (SA), regulation 18.

⁴⁷ Prior to 2015, the South Australian government also offered a pension concession of up to \$190. In 2015, this pensioner concession was replaced with a broader 'cost of living' concession of up to \$200 for pensioners and low income earners. For more details, please see: Government of South Australia, *Cost of Living Concession*, available at: <http://www.sa.gov.au/concessions/costofliving>, accessed 23 March 2016.

5.2.2 Analysis of pensioner concessions using tax principles

Pensioner concessions have a number of impacts on both local councils and other ratepayers.

- ▼ To the extent they are not financed by the state government, they reduce the contribution pensioners make towards council revenue. This narrows the rate base, and thus reduces economic efficiency.
- ▼ Pensioner concessions also result in a subsidy to pensioners who own property, and those who will inherit their estate. The cost is borne by taxpayers and other ratepayers. Such a redistribution can be inequitable.
- ▼ The impact of the pensioner concession is not evenly distributed as it results in a greater burden on councils and ratepayers in areas with a high proportion of pensioners. These may be low income areas, particularly in rural areas which have seen a net emigration of younger households.

The design of the current concession scheme in NSW (ie, a 50% or \$250 discount, whichever is lower) promotes equity because the discount it provides is likely to be worth relatively more to pensioners with lower value properties and less ability to pay. It also ensures the overall growth in the cost of the scheme is contained over time. However, it also decreases the real value of the concession by inflation or about 2.5% per year.

5.2.3 Options for pensioner concessions in a future NSW rating system

There are several options that could be considered for pensioner concessions, each of which will achieve different objectives. These include:

- ▼ **Retaining the current concession scheme.** This option meets current welfare objectives and is consistent with the NSW Government's commitment to providing rate concessions to pensioners. However, the Panel suggested "it is doubtful whether funding such a concession ought to be a local government (or even state government) function within Australia's federal system".⁴⁸
- ▼ **Replacing the current concession scheme with a rate deferral scheme** as occurs in South Australia. This option could better ensure asset-rich, income-poor ratepayers are not adversely affected by council rates. This option would also lower the cost to councils and government.
- ▼ **Introducing an asset test** that limits eligibility for the concession where the property is over a certain value (for example, \$1 million). This option prevents ratepayers subsidising pensioners who are asset-rich.

IPART seeks comment

- 12 What should the objectives of the pensioner concession scheme be? How could the current pensioner concession scheme be improved?

⁴⁸ Panel Report, p 40.

6 Freezing existing rate paths for newly merged councils

For councils that merge as part of the *Fit for the Future* process, the NSW Government has announced a policy of freezing their existing rate paths for four years. The aim of this policy is to provide ratepayers with certainty about their rates.⁴⁹ Our second task in this review is to recommend a legislative and regulatory approach to implement this policy.

The sections below outline:

- ▼ our interpretation of the policy and how it affects each element of the rating system for newly merged councils, and
- ▼ the legislative and regulatory options for implementing this policy.

6.1 IPART's interpretation of existing rate path freeze policy

We interpret the Government's policy to mean that for the four years after a *Fit for the Future* merger, rates would continue to be set in each pre-merger council area so that the rate path in that area follows the same trajectory as if the merger had not occurred. That is, this rate path should comprise the pre-merger council's general income⁵⁰ in the year the merger takes place,⁵¹ adjusted by the following two external factors:

1. the rate peg OR any special variation approved for the council prior to its merger, and
2. the expiry of any temporary special variations that applied to the council prior to its merger.

IPART seeks comment

- 13 We have interpreted the rate path freeze policy to mean that in the four years after a merger, the rating path in each pre-merger council's area will follow the same trajectory as if the merger had not occurred. Do you agree with this interpretation?

⁴⁹ NSW Government, *Media Release – Stronger Councils for Sydney and Regional NSW*, at <https://www.nsw.gov.au/media-releases-premier/stronger-councils-sydney-and-regional-nsw>, 18 December 2015, accessed 16 March 2016.

⁵⁰ This is income derived from ordinary rates, special rates and specified annual charges (section 505 of the *Local Government Act 1993* (NSW)). Special rates and charges for water and sewerage are not included in a council's general income.

⁵¹ That is, the financial year beginning 1 July.

6.1.1 What about new special variations?

Under our interpretation of the rate path freeze policy, a merged council would generally not be eligible for new special variations during the rate path freeze period. However, we propose they should retain the discretion to apply for new special variations in three limited circumstances. Specifically, new special variations:

1. where former Crown Land has been added to their rating base during the freeze period⁵²
2. for development contributions that are 'above the cap' under the *Environmental Planning and Assessment Act 1979* (NSW),⁵³ and
3. to fund new infrastructure projects in their area by levying of a special rate.⁵⁴

Adding former Crown Land to a merged council's rating base may lead to higher demand for its services and an increase in its costs. Therefore, merged councils should have the discretion to apply for a special variation to their general income (above the rate peg limit) to take account of this cost increase.

Development contributions are payments by developers to councils that are used to fund community facilities and infrastructure for new developments. If a council's development contributions for an area exceed the relevant cap,⁵⁵ the council may seek to fund the gap by applying for a special variation.^{56,57} Merged councils should be able to apply for this type of special variation during the freeze period, otherwise it could limit the funds available for a new development's facilities and infrastructure.

Similarly, merged councils should be able to apply for special variations to fund new infrastructure projects. While such special variations may reduce certainty for some ratepayers about the amount of their rates during the freeze period, the alternative may cause councils to reduce their infrastructure development below that required by the community during this period.

⁵² Provided that the special variation only applies to the general income of the council whose pre-merger area now includes the former Crown Land.

⁵³ Provided that the contributions are only recovered through special rates on parcels of land that will benefit from the development.

⁵⁴ The special rate would be levied under Section 495 of the LG ACT.

⁵⁵ Local development contributions are capped at \$30,000 per residential lot or dwelling for greenfield areas, and \$20,000 per residential lot or dwelling for all other areas (Minister for Planning direction under section 94E of the *Environmental Planning and Assessment Act 1979* (NSW)).

⁵⁶ Office of Local Government, *Guidelines for the preparation of an application for a special variation to general income for 2016/17*, January 2016, p 23.

⁵⁷ Alternatively, a council may seek to fund this gap by applying for government funds under the Local Infrastructure Growth Scheme (<http://www.planning.nsw.gov.au/About-Us/Our-Programs/Local-Infrastructure-Growth-Scheme>, accessed 30 March 2016).

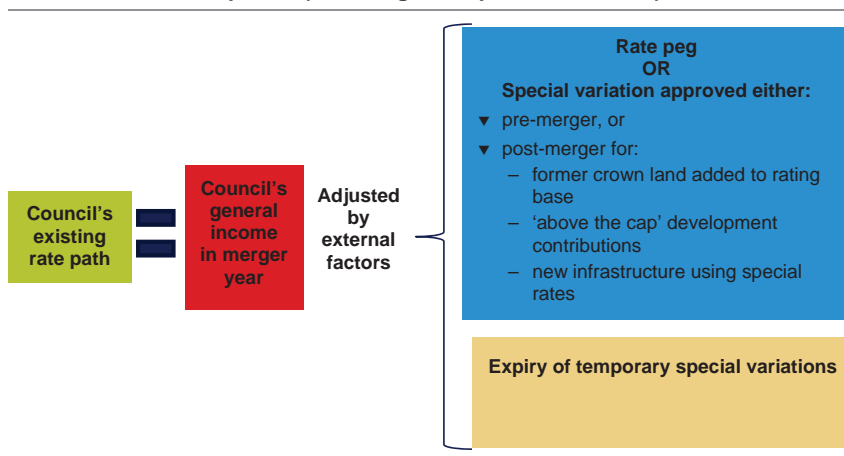
This third discretion, if allowed, would be granted only in very limited circumstances. That is:

- ▼ to fund **new infrastructure**
- ▼ using a **special rate**, and
- ▼ the special rate would only be levied on parcels of **land that benefit** from the infrastructure.

Councils would need to apply under the special variation process for approval of this special rate.

Figure 6.1 illustrates our interpretation of a pre-merger council's existing rate path, including new special variations that it would be able to apply for in limited circumstances.⁵⁸

Figure 6.1 A pre-merger council's existing rate path over the rate path freeze period (including new special variations)



⁵⁸ The merged council would be the actual entity that applies for the new special variation. This special variation, if approved, would then only impact on revenue that the merged council can recover from the pre-merger council area that contains the former Crown Land, new development or new infrastructure project (as applicable).

IPART seeks comment

- 14 Within the rate path freeze period, should merged councils be permitted to apply for new special variations:
 - For Crown Land added to the rating base?
 - To recover amounts that are ‘above the cap’ on development contributions set under the *Environmental Planning and Assessment Act 1979*?
 - To fund new infrastructure projects by levying a special rate?
- 15 Are there any other situations where merged councils should be able to apply for new special variations within the rate path freeze period?

6.1.2 What discretions will merged councils have in setting rates during the rate path freeze period?

Under our interpretation of the rate path freeze policy, the rates⁵⁹ payable on each parcel of land should only change as a result of external factors (eg, rate peg), and **not** as a result of the council merger. In other words, the pre-merger council’s existing rate paths for all categories and sub categories of land will **also** follow the same trajectory as if the merger had not occurred.

Therefore, merged councils will have limited discretion as to how they set rates. For example, during the freeze period, merged councils would not be able to redistribute their rating burden between:

- ▼ the pre-merger council areas that make up the new merged council area
- ▼ base or minimum amounts and ad valorem amounts, or
- ▼ rating categories⁶⁰ within the pre-merger council areas.

Otherwise, the rates collected from each ratepayer may not be consistent with the Government’s objective of providing rate certainty.

Changes to the amounts within a rate structure

As Chapter 2 outlined, local councils may calculate rates using an:

- ▼ **ad valorem amount** (ie, a variable charge calculated as a percentage of the unimproved land value of the rateable property), which may be subject to a **minimum amount**, or
- ▼ **ad valorem amount plus a base amount** (ie, a fixed fee levied equally on all properties within a given category).

⁵⁹ That is, those rates that generate the rate revenue that is included in a council’s general income.

⁶⁰ In this section, each reference to ‘category’ should be read as ‘category (or subcategory)’.

We consider that merged councils should only be able to increase base amounts and minimum amounts each year by the rate peg percentage, subject to:

- ▼ base amounts and minimum amounts being adjusted for any relevant existing or expiring special variations, and
- ▼ where the minimum amount is set at the maximum limit under the LG Act, it continue being set at this limit.

Changes to rates by rating categories

Ordinary rates are levied on rateable land. This land is divided into four categories: residential, business, farmland and mining. Councils may further divide these categories into subcategories.⁶¹

Changes to a council's rating burden arise from increasing its general income by the rate peg each year.⁶² This changed rating burden then needs to be distributed among ratepayers. We propose that merged councils should not have the discretion to determine which rating category should bear the changed rating burden. Instead, rates for each category should either vary according to:

- ▼ the relative change in the total land value of that rating category against other categories within the pre-merger council area (**relative change method**), or
- ▼ the rate peg, to fix the percentage share of rates revenue in each rating category (**fixed share method**).

Under the relative change method, the increase in rates for each category would be determined by relative changes in land value. Business and residential land categories would bear the change in rates in proportion to their relative change in land values. For example, if business land values increased by more than residential land values, business rates would increase by more than residential rates. The combined increase in these rates would then match the increase in council rates permitted under the rate peg. Under this method, changes in rates would be driven solely by the rate peg and changes in relative land values.

Under the fixed share method, rates for each category of land would be increased by the rate peg (irrespective of changes in land values).

We propose councils would have discretion to allocate the changed rating burden each year either by the **relative change method** or the **fixed share method**.

⁶¹ Only on the basis of criteria specified in the *Local Government Act 1993* (NSW).

⁶² In this section, each reference to 'the rate peg' should be read as 'the rate peg (or any applicable special variation)':

Discretion to set rates below the maximum

The rate path freeze policy acts as a ‘ceiling’ on rate increases, in that it determines the maximum rates that merged councils can charge in each pre-merger council area during the freeze period.

However, councils would have the discretion to set their rates below this ceiling for any rating category,⁶³ particularly in view of the substantial financial savings that could be generated by the mergers.⁶⁴ This option provides councils with the flexibility to begin implementing a fair and equitable rating system in the lead up to the end of the freeze period. This issue is discussed in detail in Chapter 7.

IPART seeks comment

- 16 During the rate path freeze period, should merged councils only be able to increase base amounts and minimum amounts each year by the rate peg (adjusted for any permitted special variations)?
- 17 During the rate path freeze period, should merged councils be able to allocate changes to the rating burden across rating categories by either:
 - relative changes in the total land value of a rating category against other categories within the pre-merger council area, or
 - the rate peg (adjusted for any permitted special variations)?
- 18 Do you agree that the rate path freeze policy should act as a ‘ceiling’, so councils have the discretion to set their rates below this ceiling for any rating category?
- 19 What other discretions should merged councils be given in setting rates during the rate freeze period?

To further explain our interpretation of the Government’s policy, Table 6.1 outlines how each element of the current rating system would operate during the freeze period.

⁶³ Under our proposed approach, if a council chooses to charge a rating category below the maximum, it would not be able to charge another rating category above its maximum to recover the foregone revenue.

⁶⁴ According to a report prepared by KPMG on behalf of the NSW Government, the proposed mergers have the potential to generate a net financial benefit to councils of around \$2.0 billion across over the next 20 years (NSW Government, *Local Government Reform: Merger impacts and analysis*, December 2015, p 2).

Table 6.1 Rating system during the rate path freeze period

Element of rating system	How element would operate during rate path freeze period
Rate peg	<ul style="list-style-type: none"> ▼ The rate peg would continue to be set in the current way.
General income	<ul style="list-style-type: none"> ▼ The maximum general income of a merged council would be the sum of the 'maximum general incomes' calculated for each pre-merger council area, which are calculated separately using general income in merger year adjusted by the rate peg and other external factors listed in Figure 6.1. ▼ Where a pre-merger council area is split between multiple newly merged councils, calculation of the 'maximum general income' would require the newly merged councils to consider all land within the entire pre-merger council area.
Ordinary rates, rate structure	<ul style="list-style-type: none"> ▼ Different rate structures would apply within merged council areas. Rates revenue would be set based on the rates in each pre-merger council area, and would only vary according to the rate peg, changes in land values, and other external factors listed in Figure 6.1. ▼ The ad valorem amount in any ordinary rate would only be adjusted for changes in the rate peg and other external factors. ▼ The base amount or minimum amount in any ordinary rate would only be adjusted by the rate peg. ▼ Councils would not be eligible to apply to set their minimum amount above the level set out in the LG Act and LG Regulation. ▼ Where any active variations of minimum amounts have been already approved, these could also increase by the rate peg. ▼ Merged councils would not be able to determine new categories or subcategories of land, or to combine existing subcategories of land, for existing ratepayers.
Ordinary rates, rating categories	
Special rates, within general income	<ul style="list-style-type: none"> ▼ Where a special rate is not the subject of an existing temporary special variation, it would be treated in the same way as an ordinary rate. ▼ Where a special rate is the subject of a temporary special variation, it would remain at the level approved under the special variation until the special variation ends. After that, the council would no longer be able to levy the special rate.
Annual charges and special rates, outside of general income	<ul style="list-style-type: none"> ▼ Annual charges and special rates outside of general income would continue to be set as they are currently set. ▼ The planned Emergency Services Property Levy, announced by the NSW Government on 10 December 2015, would not be affected by the rate path freeze policy.
Special variations	<ul style="list-style-type: none"> ▼ Any existing temporary special variations would continue to apply until they expire. ▼ Merged councils would generally not be able to apply for special variations during the freeze period. However, we propose that special variations could be allowed: <ul style="list-style-type: none"> – where former Crown Land has been added to the rating base – for development contributions that are 'above the cap' under the <i>Environmental Planning and Assessment Act 1979</i> (provided that the contributions are only recovered through special rates on parcels of land that will benefit from the development), or – for other special rates for new infrastructure (provided the special rate is levied on parcels of land that will benefit from the new infrastructure).

6.2 Options for implementing the rate path freeze policy

Legislative change would be required to implement the rate path freeze policy. It could not be achieved under the *Local Government Act 1993* (LG Act) in its present form.

We have identified three possible approaches to implementing the rate path freeze policy. These approaches are outlined below, in IPART's order of preference.

6.2.1 Option 1: Amend the LG Act to introduce a new instrument-making power

The LG Act could be amended to provide for a new instrument or regulation-making power. This instrument would need to be able:

- ▼ to vary or displace current provisions in the LG Act as they apply to a newly merged council during the four years following the merger, and
- ▼ to impose obligations during the four years following the merger for the purpose of implementing the rate path freeze policy.

For example, the instrument-making function could be given to the Minister for Local Government. Amendments to the LG Act could require the instrument to set out a methodology that merged councils must apply when setting their rates.

This broader instrument-making power would need to strike a balance between providing the flexibility to implement a complex rate-setting mechanism that may require adjustments, and providing some certainty around the rate path freeze policy.

6.2.2 Option 2: Amend the LG Act to expand the Governor of NSW's proclamation power

This option would broaden the Governor's existing merger proclamation power under section 218A of the LG Act. To implement the rate path freeze policy, the expanded proclamation power would allow the Governor to displace certain provisions of the LG Act as applied to merged councils, and impose obligations during the four years following the amalgamation — the same as the instrument-making power under Option 1.⁶⁵

⁶⁵ Such a proclamation-making power would be closer in scope to the power to make 'restructuring orders' under Part 10C of the *Local Government Act 1989* (Vic).

For this option to be effective, the legislative amendments would need to commence before the Governor makes any merger proclamation. While Option 2 would require slightly less substantial amendments to the LG Act than Option 1, it provides less flexibility in relation to timing. It would also require the mechanism for the rate path freeze to be duplicated in each merger proclamation.

6.2.3 Option 3: Providing for the rate path freeze entirely through amendments to Chapter 15 of the LG Act and LG Regulation

This approach would involve substantial amendments to the LG Act and LG Regulation. While this would provide greater certainty than the previous options, it would increase the complexity of these instruments, as the entire rate-setting mechanism to apply during the freeze period would need to be set out in these instruments.⁶⁶

IPART seeks comment

- 20 We considered several options for implementing the rate path freeze policy. Our preferred option is providing the Minister for Local Government with a new instrument-making power. What are your views on this option and any other options to implement the rate path freeze policy?

⁶⁶ The amendments would need to create temporary, sometimes partial, exceptions that apply only to newly merged councils where existing provisions conflict with the rate path freeze (such as sections 493(2), 495, 497, 498(3), 499(1) and (4), 529(1) and (3) and 548(1)).

7 Establishing new, equitable rates after the 4-year freeze

After the 4-year rate path freeze expires, merged councils will be required to set new rates across the whole post-merger area. As part of our review, we will consider any issues that might arise in setting equitable rates or transitioning to them in a fair and timely manner, and analyse how these issues could be addressed. In doing so, we will take account of the NSW Government's commitment to protect NSW residents against excessive rate increases.

At this stage, we have identified two issues related to:

- ▼ the current requirement to set a single residential rate within a centre of population (rate equalisation), and
- ▼ the treatment of special variations approved for a pre-merger council.

The sections below discuss each of these issues and the options for addressing them.

7.1 Residential rate equalisation within a centre of population

There are no specific provisions in the LG Act addressing the levying of rates following a merger of several councils. However, Section 529(2)(b) of the LG Act specifies that councils are only allowed to set different residential rates within a local government area on the basis of two subcategories, specifically "whether the land is rural residential land or is **within a centre of population**".⁶⁷

⁶⁷ The Office of Local Government revenue raising manual provides guidelines for interpreting the "within a centre of population" definition. It states that:

- "Separate towns or villages may be regarded as discrete centres of population.
- A centre of population should not be a device intended to enable rating variations within an homogeneous suburb or suburbs, or by street, or by any special feature such as proximity to water.

It is clear that subcategorisation on the basis of centres of population may have limited application within the suburbs of the main urban centres."

For more details, see Department of Local Government, *Council Rating and Revenue Raising Manual*, 2007, p 23.

In practice, this means councils must set the same residential rate **within a centre of population**. As a merged council within Sydney would comprise one centre of population, it could not set different residential rates within the post-merger area after the 4-year freeze expires. Instead, it would have to instantaneously set the **same** residential rate structure for the whole area when the ordinary rate is made on 1 July 2020 after the rate path freeze expires.⁶⁸

Rate equalisation may cause excessive rate change

The requirement to equalise residential rates within a centre of population could expose some Sydney residential ratepayers to large rate increases following the expiry of the rate path freeze. The issue may also arise with some regional mergers. That said, council mergers are expected to deliver cost savings for the merged council areas, so these cost savings could be used to offset rate increases. Nevertheless, large residential rate increases could still occur in some instances.

For example, when a council that levies low residential rates per dollar of land value merges with another that levies high residential rates per dollar of land value, it could lead to substantial rate increases for some homeowners and commensurate decreases for others.

To illustrate this, consider two merging councils, Council A and Council B, that:

- ▼ each collected the same amount of local rate revenue prior to their merger, but
- ▼ Council A levied residential rates at 0.1% per dollar of land value, and Council B levied residential rates at 0.2% per dollar of land value.

Under the current LG Act, residential rates need to be equalised in first the year after the rate path freeze ends, which could cause a once-off increase in rates of 33% in Council A's area and a once-off fall of 33% in Council B's area.⁶⁹

During our *Fit for the Future* assessments in 2015, some councils provided evidence to IPART that under rate equalisation their residents may be exposed to rate rises of between 20% and 50%.⁷⁰

⁶⁸ In contrast, councils will be able to levy different rates for businesses in different centres of activity. In other words, councils will be able to charge different rates for businesses in different suburbs.

⁶⁹ These rate changes may be reduced if the council adopted base amounts in the new rating structure.

⁷⁰ Please refer Council Improvement Proposals, available at the IPART Fit for the Future website: http://www.ipart.nsw.gov.au/Home/Industries/Local_Govt/Fit_for_the_Future

Other examples include:

- ▼ When councils that have different rating structures merge, rate equalisation could result in sizeable rate changes for individual residential ratepayers. This could occur when a pre-merger council which extensively used minimum or base amounts merges with another council that only used ad valorem amounts.
- ▼ When councils that set different residential rates based on higher/lower service levels merge, the equalised post-merger rates could increase substantially in the lower service/lower rate pre-merger council area. Thus, ratepayers in that area would cross-subsidise those in the higher service council area over the short to medium term.

These issues are less likely to arise for rural councils that merge, as residential rural land typically comprises separate towns or villages, and the LG Act states that these can be regarded as discrete centres of population. Thus, there is no requirement for merged rural councils to set a single residential rate for the whole merged area.

7.1.2 Options for addressing issues related to rate equalisation

We have identified several options for addressing the issues arising from rate equalisation across merged council areas after the rate freeze expires. These include:

- ▼ removing the rate equalisation requirement from the LG Act
- ▼ allowing merged councils to gradually equalise rates after the rate freeze expires, and
- ▼ using other potential changes to the rating system to offset the impact of rate equalisation.

Remove the rate equalisation requirement

If the requirement to set the same residential rate within a centre of population was removed, a merged urban council would be able to prevent excessive rate rises by setting different residential rates within the enlarged post-merger area.

If implemented, the existing merger proposals would result in much larger council areas in Sydney. This raises the question whether rate equalisation within a population centre remains an appropriate principle. Larger councils may need to have some capacity to charge different residential rates based on local considerations.⁷¹

⁷¹ Different local rates could be based on local factors such as the demand for, or cost of supply of, local government services.

However, if this requirement were removed, it may be important to place additional obligations on councils to protect local ratepayers from inequitable rates.⁷² For instance, councils might only be allowed to set rates within a defined range.

Allow merged councils to gradually equalise rates

Instead of requiring merged councils to instantaneously equalise residential rating structures after the rate path freeze expires, councils could be allowed a longer time period to adjust rates for the merged council. This could:

- ▼ allow the council to smooth rate changes for residents, especially if the council is also implementing other rating or merger reforms
- ▼ give the council more time to adjust service levels across the enlarged post-merger area, and
- ▼ provide greater time for the merger savings to be realised which could reduce the size of any rate increases that may be needed.

A local council could be given the option when transitioning to the new system of restricting real rate changes to no more than 5% per year (or some other percentage).

Use other changes to the rating system to offset rate increases

In this Issues Paper, we have identified a number of options for reform to the current rating system. If implemented, these changes would have impacts on the distribution of the rating burden across merged council areas. These changes could also offset the impact of the rate equalisation requirement.

For example, Chapter 4 identified a number of options to provide councils with more flexibility to choose a valuation base for levying rates, and with varying base and minimum amounts. This flexibility could be used by merged councils to smooth the impact of the merger on the ratings burden within the local community.⁷³

IPART seeks comment

- 21 Should changes be made to the LG Act to better enable a merged council to establish a new equitable system of rating and transition to it in a fair and timely manner? If so, should the requirement to set the same residential rate **within a centre of population** be changed or removed?

⁷² Section 8(1) of the LG Act does require councils “to raise funds for local purposes by the fair imposition of rates”.

⁷³ For example, a shift to CIV would be expected to reduce the gap between the value of apartments and houses for the purposes of rating. To the extent that properties with higher assessed land values – typically houses – could face large rate increases following the expiry of the rate path freeze, a shift in the ratings method could reduce the magnitude of rate increases for these properties.

7.2 Approved special variations for merged councils and other issues

A council that has been merged may have had a special variation approved prior to the merger. As discussed in Chapter 6, under our interpretation of the rate path freeze, the general income of a merged council during the rate path freeze would include any extra revenue from special variations that have been approved for pre-merger councils. As the pre-merger council ceases to exist after a merger, the special variation approved prior to the merger, and the extra permissible revenue associated with it, also legally ceases to exist.

To address this issue, IPART interprets the rate path freeze to mean that the general income of the larger merged council should include any extra revenue from special variations that have been approved pre-merger. The extra revenue from approved special variations would be included in the merged council's rate base both during the 4-year rate freeze and afterwards.⁷⁴

This policy would apply to both approved special variations operating only during the 4-year rate freeze and those of longer duration.

To do this, the Governor's merger proclamation power could be used to include any approved special variations in the rate base of the merged council.⁷⁵

IPART seeks comment

- 22 Should approved special variations for pre-merger councils be included in the revenue base of the merged council following the 4-year rate path freeze?
- 23 What other rating issues might arise for merged councils after the 4-year rate path freeze period expires?

⁷⁴ Temporary special variations would drop out of the rate base when they expire as would have occurred if a merger had not taken place.

⁷⁵ The Governor's proclamation could include facilitating provisions that allow the merged council to recover the additional revenue the pre-merger council would have recovered under an already approved special variation.



Appendices

A Terms of Reference



Terms of Reference

The Local Government Rating System in NSW

I, Mike Baird, Premier of New South Wales, approve the provision of services by the Independent Pricing and Regulatory Tribunal (IPART) under section 9 of the *Independent Pricing and Regulatory Tribunal Act 1992 (IPART Act)* to the Minister for Local Government for the review of the local government rating system in accordance with these 'terms of reference'.

General

IPART is to undertake a review to identify and make recommendations for potential reforms to the rating system for local government in NSW. These recommendations will aim to:

- Enhance the ability of councils to implement sustainable and equitable fiscal policy and
- Provide the legislative and regulatory approach to achieve the Government's policy of freezing existing rate paths for four years for newly merged councils.

In investigating and making recommendations for this review, IPART is to consider:

- a) the performance of the current rating system and potential improvements, including consideration of:
 - the rating burden across and within communities, including consideration of apartments and other multi-unit dwellings;
 - the appropriateness and impact of current rating categories and exemptions, mandatory concessions and rebates;
 - the land valuation methodology used as the basis for determining rates in comparison to other jurisdictions;
 - the impact of the current rating system on residents and businesses of a merged council and the capacity of the council to establish a new equitable system of rating and transition to it in a fair and timely manner;
 - the objectives and design of the rating system according to recognised principles of taxation.
- b) current examples of municipal best practice rating policies and schemes;
- c) the impact of the current and alternative frameworks for the rating system on communities and businesses and their capacity to pay; and
- d) any other matter IPART considers relevant.

In undertaking its review under these Terms of Reference, IPART is to take account of:

- the importance of Integrated Planning and Reporting in determining the revenue required to deliver services and infrastructure;
- the current financial sustainability of local government in NSW, including the findings and deliberations of the NSW Treasury Corporation report *Financial Sustainability of the NSW Local Government Sector*, 2013;
- the findings and deliberations of the Independent Local Government Review Panel and subsequent Government response;
- the NSW Government's policy of encouraging urban renewal; and
- the NSW Government's commitment to protect NSW residents against excessive rate increases and to providing rate concessions to pensioners.

Public consultation

IPART should consult with relevant stakeholders and NSW Government agencies by releasing an Issues Paper and Draft Report for their review on the IPART website. IPART should also consult with the Fit for the Future Ministerial Advisory Group.

IPART may also hold public hearings for the purposes of this review.

Timeframe

An interim report with recommendations on the legislative and regulatory approach to achieve the Government's policy of freezing existing rate paths for four years for newly merged councils should be submitted to the Minister for Local Government within 6 months of signing of the Terms of Reference.

A final review report should be formally submitted to the Minister for Local Government within 12 months of signing of the Terms of Reference.

Governance

IPART should provide progress briefings at regular intervals or as requested to the Chief Executive, Office of Local Government.

The Minister for Local Government will decide on the timing of release of the final report.

Supporting information and recommendations

IPART is to collect relevant material and data to establish the impacts to councils, communities and NSW of the current rating system, and to provide reasons for any recommendations for reform.

Background

The Independent Local Government Review Panel (Panel) made a number of recommendations regarding general reform of the local government system in NSW, including options to strengthen the revenue base of local government.

As part of its response to the Panel, the NSW Government has agreed to commission IPART to undertake a further review of the rating system reflecting on issues raised by the Panel regarding the equity of the current system.

The Government also committed to introduce a new Local Government Act from 2016. This review will inform the rating provisions in the new Act.

B Reports to be considered by IPART

B.1 TCorp Report on Financial Sustainability

Following an assessment of 152 NSW councils, the 2013 TCorp report into financial sustainability of NSW councils⁷⁶ made a number of key findings, including:

- ▼ Operating deficits are unsustainable – only one third of councils in 2012 reported an operating surplus. Over the period 2009 to 2012, the cumulative operating deficit of NSW councils totalled \$1.0 billion.
- ▼ The total infrastructure backlog of NSW councils had reached \$7.2 billion by 2012.
- ▼ Financial sustainability is deteriorating with 50% of councils' financial outlook likely to be rated 'weak' or lower by 2016-17.
- ▼ A large asset management gap exists within the sector with a \$389 million deficit in 2012 alone.
- ▼ Councils need to start consulting their communities about ways to either increase revenue, lower existing service levels and or standards, and pursue efficiency savings.

Fit for the Future council submissions showed improved financial sustainability

IPART assessed 144 Fit for the Future (FFTF) proposals from NSW councils against a number of criteria, including financial criteria, and published its final report, *Assessment of Council Fit for the Future Proposals* in October 2015.

In its FFTF assessments in 2015, IPART only found 27 of 144 councils, or 19%, as not meeting the financial criteria because of continuing operating deficits over the next five to 10 years.

In addition, the infrastructure backlog had substantially reduced since the TCorp report. The TCORP backlog of \$7.2 billion in 2012 corresponded to an average backlog ratio of about 13%. By contrast, in FFTF councils reported an average backlog ratio of 6.5% in 2014, with councils' forecasting this ratio to fall to about 2.5% by 2020.

⁷⁶ NSW Treasury Corporation, *Financial Sustainability of the NSW Local Government Sector, Findings Recommendations and Analysis*, April 2013.

A major driver for this reduction was a re-estimation of depreciation schedules. Councils in FFTF typically used depreciation lives of between 55 to 100 years.

B.2 Independent Local Government Review Panel Final Report (Panel Report)

The NSW Government in April 2012 appointed the Independent Local Government Review Panel to review the NSW Local Government sector, including a review of the local government rating system. The Panel Report contained a number of key recommendations, which are summarised in Box B.1 below.

Box B.1 Independent Local Government Review Panel – key reform recommendations relating to the rating system

- ▼ Set local rates for apartments and other multi-unit dwellings more equitably and efficiently, in order to raise more revenue. Councils could be given the option of using Capital Improved Value (CIV) or the market value of the property to levy residential rates (p 40).
- ▼ Reduce or remove excessive rating exemptions and concessions that are contrary to sound fiscal policy and jeopardise councils' long-term sustainability (p 39).
- ▼ Some concessions for disadvantaged ratepayers are justified, but social welfare should not be a local government responsibility. Arrangements for pensioner concessions should be reviewed (p 40).
- ▼ Streamline the special variation process, or provide earned autonomy from rate-pegging for some councils, or replace rate-pegging with a new system of 'rate benchmarking' (p 42).
- ▼ Reduce the number of councils, particularly in Sydney, to create higher capacity councils that can better partner with the State Government in developing Sydney (p 72).
- ▼ The government consider giving larger councils in inner Sydney expanded responsibilities. These councils could use increased rates revenue to contribute more to sub-regional infrastructure and transport projects, freeing up state resources to be spent elsewhere (p 102).
- ▼ Commission IPART to undertake a review of the rating system (p 55).

Source: Independent Local Government Review Panel, *Revitalising Local Government*, October 2013.

B.3 NSW Government response to the Panel

The Government response to the Panel Report's recommendations on the rating system is set out below.

Table B.1 Government response to selected ILGRP Recommendations

Recommendation on a review by IPART	Commission IPART to undertake a further review of the rating system focused on: <ul style="list-style-type: none"> ▼ Options to reduce or remove excessive exemptions and concessions that are contrary to sound fiscal policy and jeopardise councils' long term sustainability. ▼ More equitable rating of apartments and other multi-unit dwellings, including giving councils the option of rating residential properties on Capital Improved Values, with a view to raising additional revenues where affordable.
Position	Supported
Government Response	The Government notes the issues raised by the Panel in relation to the equity of the current rating system. It remains committed however to protecting ratepayers from unfair rate rises and to providing rate concessions for pensioners. The Government will commission IPART to conduct a rating review to reflect these issues.
Recommendations on current rating system	Either replace rate-pegging with a new system of 'rate benchmarking' or streamline current arrangements to remove unwarranted complexity, costs, and constraints to sound financial management.
Position	Supported
Government Response	The Government is committed to a rating system that protects local ratepayers from unfair rate rises. It recognises however the improvements in council strategic planning under IP&R and therefore supports removing unwarranted complexity, costs and constraints from the rate-peg system, where there is evidence that the council has taken steps to reduce unnecessary costs before seeking to impose an increased burden on ratepayers. The OLG will work with IPART to amend the guidelines to develop a streamlined process for <i>Fit for the Future</i> councils wanting to increase rates above the rate peg, and to offset revenue loss through Financial Assistance Grants (FAGs) redistribution.

Source: Office of Local Government, *NSW Government Response: Independent Local Government Review Panel recommendations and Local Government Acts Taskforce recommendations*, September 2014, pp 4-5.

The Government also responded to the Panel's analysis on council mergers by commissioning IPART to conduct an analysis of councils' FTF proposals. The IPART *Assessment of Council Fit for the Future Proposals* released in October 2015 found 57 councils were fit and 87 councils were not fit.

B.4 Integrated Planning and Reporting

The Integrated Planning and Reporting (IP&R) framework requires NSW councils to prepare:

- ▼ a 10-year Community Strategic Plan, which identifies long term priorities
- ▼ a Resourcing Strategy (comprising a Long Term Financial Plan of at least 10 years, an Asset Management Plan and a Workforce Plan)

B Reports to be considered by IPART

- ▼ a 4-year Delivery Program, which identifies service and works at a program level that are to be funded, and
- ▼ a 1-year Operational Plan (containing an annual budget).

IP&R enables councils to better achieve community priorities from effective planning, to meet the community's expectations about service levels and funding priorities. IP&R should underpin decisions on the revenue required by each council.

The special variation guidelines and IPART's assessment process are based on an expectation councils will have engaged the community in a discussion on the funding required through the IP&R process.

C Recent reviews relating to council rates

Productivity Commission Review (2008)

The Productivity Commission report, *Assessing Local Government Revenue Raising Capacity*,⁷⁷ released a number of findings regarding the local government rating system.

- ▼ Rates are a relatively efficient tax base, creating no or few distortions in choice (p 139).
- ▼ Metropolitan councils have good capacity to increase revenue through raising residential rates (p 64).
- ▼ Council rate revenue is not constrained by the valuation methodology adopted (p 102).
- ▼ Differential rating provisions increase the capacity of councils to raise revenue from property rates, by allowing councils to structure rates based on capacity to pay and benefits received (p 104).
- ▼ In principle, using UV is more economically efficient than CIV, as CIV may distort land use decisions away from capital improvements. In practice, the low level of rates across Australia means the efficiency effect of one methodology over another is likely to be relatively small (p 102).
- ▼ Rate pegging in NSW and the partial reimbursement of concessions has limited NSW councils' ability to increase their level of own source revenue (p XXXIII).

IPART Review of State Taxation (2008)

IPART was asked to recommend reforms to the NSW tax system. The Final Report, *Review of State Taxation, Report to the Treasurer*, was published in October 2008.⁷⁸ Among other matters, the report recommended the NSW Government should:

- ▼ increase reliance on broader based, simpler and more transparent taxes that facilitate modern business practices (p 7)

⁷⁷ Productivity Commission, *Assessing Local Government Revenue Raising Capacity*, Research Report (Productivity Commission Report), April 2008.

⁷⁸ IPART, *Review of State Taxation - Final Report*, October 2008.

- ▼ reduce reliance on inefficient, distorting taxes in favour of more neutral taxes. Payroll and land taxes are reasonably efficient, whereas stamp duty and insurance taxes are inefficient (p 7)
- ▼ over the long term develop a strategy for increasing property holding taxes (eg, broadening the land tax base, increasing the land tax rate and/or increasing municipal rates on land values) to fund substantial reductions in purchaser transfer duty and insurance taxes on a revenue-neutral basis (p 10)
- ▼ remove the payroll exemption for councils and lower the rate over time (p 8)
- ▼ remove the levy on insurance companies to fund the fire service and instead fund fire services with an increase in council rates⁷⁹ (p 9)
- ▼ broaden the base of land tax to include owner occupiers to fund a reduction in purchaser transfer duties (p 119), and
- ▼ introduce new environmental levies, congestion taxes, parking charges and road pricing (p 11).

IPART Revenue Framework for Local Government (2009)

The NSW Government requested IPART to review the framework for regulating council rates and charges.⁸⁰

- ▼ The report found whilst rate pegging had limited NSW councils' rates revenue to a level below that of the other states, when user fees and charges were taken into account, rises in total council own source revenue was broadly the same for NSW and the other States (p 4).
- ▼ IPART recommended a more flexible approach to rate increases rather than just rate pegging. The Government subsequently adopted IPART's recommendations in establishing the system that is currently in place where (p 8):
 - each year IPART calculates the percentage change in the local government cost index – adjusted for productivity, and advises the Minister
 - the Minister advises the rate peg for the following year, and
 - the Special Variation process allows councils to apply for one or multi-year price paths above the rate peg.

⁷⁹ This recommendation has subsequently been adopted by the NSW Government. For more details, please see NSW Government, Media Release – Stronger Councils for Sydney and Regional NSW, at <https://www.emergency.nsw.gov.au/media-releases/2015/nsw-moves-to-a-fairer-system-for-funding-fire-and-emergency-services.html>, 10 December 2015, accessed 16 March 2016.

⁸⁰ IPART, *Revenue Framework for Local Government - Final Report*, December 2009.

Henry Tax Review (2010)

The Report on Australia's Future Tax System (Henry Tax Review)⁸¹ had a number of findings and recommendations in relation to the local government rating system.

- ▼ Council rates are an effective and efficient broad based tax.
- ▼ Councils should be given more autonomy in setting rates (ie, as councils are answerable to residents there is no need to impose rate pegs) (Recommendation 120).
- ▼ There are arguments for and against using either Capital Improved Value (CIV) or Unimproved Value (UV) as a rate base (p 692).
 - Under the 'benefits tax' view, CIV is the better approach because it recovers spending on local public goods that benefit the property owner.
 - Under the 'capital tax' view, UV is better as it does not distort the decision to invest.
- ▼ Distortions and efficiency costs from CIV are small.
- ▼ Over time, many inefficient state taxes such as stamp duty should be abolished, and the revenue collected as an integrated rates bill (Recommendation 121).
- ▼ Government grants to councils should be on a needs basis with no minimum guaranteed grant (p 694).
- ▼ As the owners of 80% of Australia's roads, councils should be entitled to receive money from congestions charges, and a proportion of the money collected from heavy vehicle mass distances charges (p 696).

New Zealand Local Government Funding Review (2015)

A discussion paper by the National Council of Local Government New Zealand in February 2015, *Local Government Funding Review*, highlighted the following.⁸²

- ▼ The report recommended New Zealand councils make greater use of existing revenue tools particularly user charges for services such as water, waste management and sewage disposal (p 43).
- ▼ Debt funding, particularly for inter-generational asset investment is underutilised meaning that current generations of ratepayers are disproportionately covering the cost of infrastructure (p 77).
- ▼ General rates are roughly progressive: higher value properties pay more. However, land based businesses such as farming may be disproportionately affected (p 54).

⁸¹ *Australia's future tax system*, Final Report, May 2010.

⁸² National Council of Local Government New Zealand, *Local Government Funding Review*, Discussion Paper, February 2015.

- ▼ The report is critical of rate exemptions imposed by the central government, arguing that they are in effect a forced contribution by the local government to the funding of these services. Where these exemptions exist the report argues that they should be the result of a localised exemption decided at the local council level (p 58).
- ▼ New Zealand councils have the authority to set their own rates remission policies, including rate postponement for ratepayers over 65. This gives older 'asset rich/cash poor' ratepayers the option of postponing some or all of their rates for a fixed or indefinite period subject to interest charges and administrative costs (p 62).



D | Rating Practices in Other Jurisdictions

Table D.1 Council rating methodology across Australian

	NSW	VIC	QLD	SA	WA	TAS	NT
Valuation method	UV	Councils may choose from: <ul style="list-style-type: none"> • UV • CIV • ARV 73 of 79 Councils use CIV, the rest use ARV	UV	Councils may choose from: <ul style="list-style-type: none"> • UV • CIV • ARV 60 out of 68 councils use CIV	<ul style="list-style-type: none"> • Rural land – UV • Non-rural land – ARV • UV mandatory for mining and petroleum interests 	Councils may choose from: <ul style="list-style-type: none"> • UV • CIV • ARV 24 out of 29 Councils use ARV, the remaining 5 use CIV	Councils may choose from: <ul style="list-style-type: none"> • UV • CIV • ARV All councils use UV
Base amount (Fixed charge)	Option for base amounts by land use category, up to 50% of general revenue for that category	Option for 'municipal charge' up to 20% of sum total of general revenue and revenue from municipal charges	No option for base amount	Option for base amount, up to 50% of general rates	No option for base amount	Option for base amount of up to 50% of general rates	Multiple base amounts for different purposes according to land use/location categories
Minimum amount or rate	Option for minimum amount up to a legislated ceiling for ordinary and special rates	No option for minimum amount	Option for differential minimum amount by land use categories	Option for minimum amount application for up to 35% of properties. It cannot be used in addition to a base amount	Option for differential minimum amounts for up to 50% of premises, unless capped at \$200	Option for minimum amount, but it cannot be used on top of a base amount	Option for different minimum amounts according to land use/location categories
Rate categories	Option for differential rates across four land use categories and multiple subcategories	Option for differential rates across multiple land use categories	Option for differential rates across multiple land use categories	Option for differential rates across nine land use categories, with option for specified land location categories	Option for differential rates across multiple land use categories	Option for differential rates across eight land use categories; no restriction on land location categories	Option for differential minimum amounts in addition to fixed charge

Sources: IPART staff research, NSW *Local Government Act 1993*, NSW *Local Government Regulation 2005*, *Local Government Act 1989* (VIC), *Local Government Act 2009* (QLD), *Local Government Regulation 2012* (QLD), *Land Valuation Act 2010* (Qld), *Local Government Act 1999* (SA), *Local Government (General) Regulation 2013* (SA), *Local Government Act 1995* (WA), *Local Government (Financial Management) Regulation 1996* (WA), *Local Government Act 1993* (Tas), *Local Government Act 2008* (NT).

Notes: UV denotes Unimproved Value, CIV denotes Capital Improved Value, ARV denotes Annual Rental Value.

Table D.2 International Jurisdictions

Country	Method	Comments
New Zealand	CIV, UV or ARV	Revalued every 3 years with values approved by NZ Valuer General.
Canada	CIV	Market value is assessed by relevant bodies. Average rates vary widely across Canada.
UK	CIV using bands	The UK uses banded market value, with the number of bands varying throughout the UK.
Ireland	CIV using bands	20 bands of property value are defined and rates are charged progressively. The first 19 bands cover properties valued up to €1.0m, with rates for each band 0.18% of the mid-point of the band. The 20th band covers properties valued above €1.0m, with a tax rate of 0.18% applied to first €1.0m, and 0.25% on remaining value above €1.0m. Councils can reduce the LPT charge, and in 2016, 11 local authorities reduced their LPT rate by 1.5% to 15%.
USA	CIV	The median rate in each state varies between 0.18% to 1.89% of market value of the property.
Denmark	UV	The municipal real estate tax rate is levied on the land value. The tax rate is between 1.6% and 3.4%, varying depending on the location.
Singapore	ARV	Property tax rates on owner-occupied (7 bands) and non-owner occupied (5 bands) residential properties are applied on a progressive scale. All other properties continue to be taxed at 10% of the ARV.
Hong Kong	ARV	Rateable values are reviewed annually. Exemption is available to premises below a prescribed rateable value. No distinction made between owner occupied property or otherwise.

Sources: IPART staff research;

<http://www.localcouncils.govt.nz/lqip.nsf/wpgurl/About-Local-Government-Local-Government-In-New-Zealand-Council-funding>

http://www.cscd.gov.bc.ca/Lgd/library/revenue_source_review/An%20Analysis%20of%20Property%20Taxation.pdf

<https://www.gov.uk/government/statistics/council-tax-levels-set-by-local-authorities-in-england-2011-to-2012>

<http://www.revenue.ie/en/tax/lpt/liability.html>

<http://www.tax-rates.org/taxtables/property-tax-by-state>

<http://www.globalpropertyguide.com/Europe/Denmark/Taxes-and-Costs>

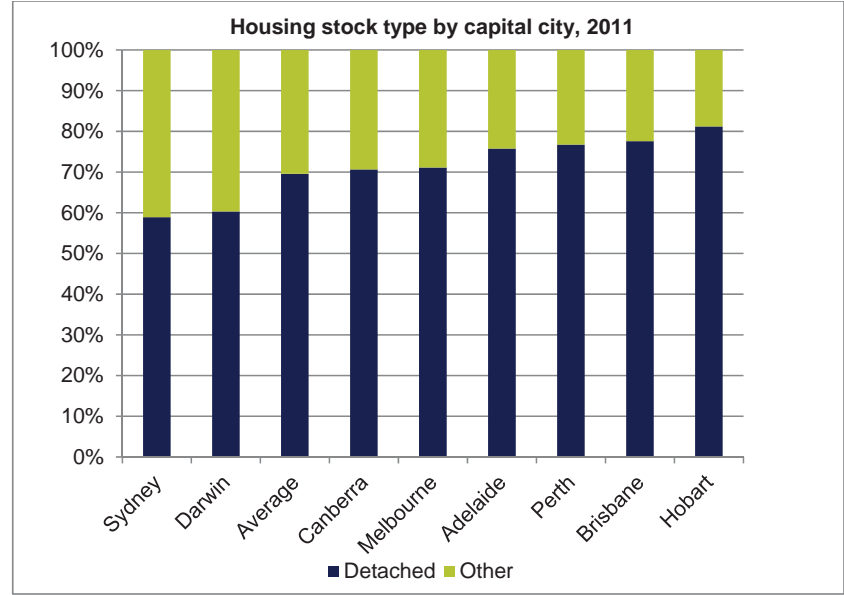
<https://www.iras.gov.sg/IRASHome/Property/Property-owners/Working-out-your-taxes/Property-Tax-Rates-and-Sample-Calculations/>

<http://www.rvd.gov.hk/en/faqs/rates.html>

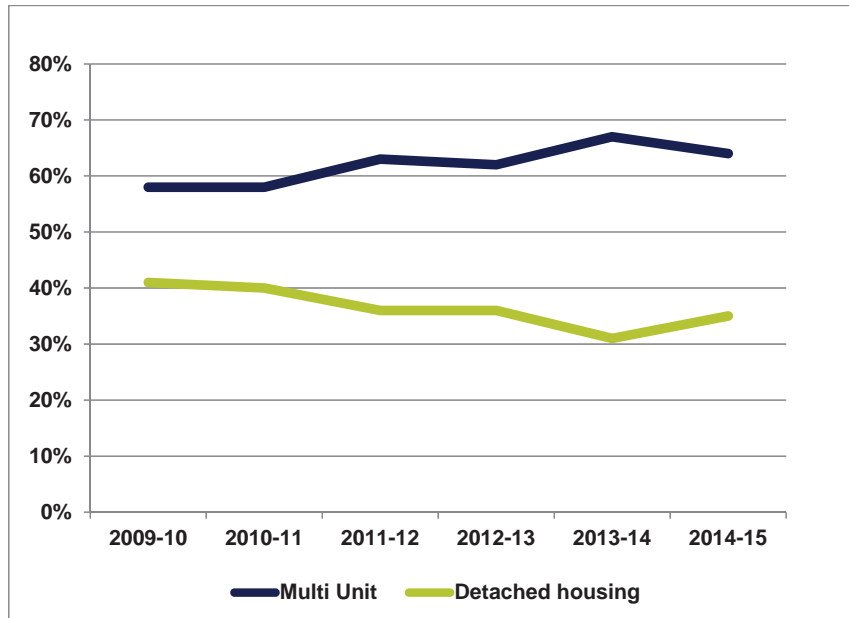
E | Housing Composition in Sydney

Figure E.1 shows Sydney has the highest proportion of multi-unit dwellings of Australia's capital cities at 40%, compared with 20% to 30% in other capital cities, and 30% Australia wide.

Figure E.1 Dwelling type percentages by capital city



Data source: ABS, 2011 Census of Population and Housing.

Figure E.2 Dwelling approvals by type in Sydney

Data source: Department of Planning & Environment, Annual Report 2014-15; ABS, Building Approvals, Australia, Cat. No. 8731.0.

The proportion of apartments in Sydney is rising over time. Figure E.2 shows:

- ▼ In 2009-10, detached housing was 41% of total Sydney approvals and multi-unit dwellings comprised 58%.
- ▼ By 2014-15, detached housing was just 35% of approvals with multi-unit dwellings comprising 64%.⁸³

Consequently, the appropriate treatment of multi-unit dwellings in council rate bases will be an increasingly important issue for NSW, and Sydney in particular, because the proportion of apartments is rising over time.

⁸³ *Department of Planning & Environment Annual Report 2014-15*, p 30. Multi-unit dwellings include apartments, villas, townhouses, terraces and semi-detached homes.

INTRODUCTION

Wollongong City Council ("Council") notes that, in undertaking its work, the Independent Pricing and Regulatory Tribunal ("IPART") was required to ensure that:

- the current rating system and recommend reforms that aim to enhance councils' ability to implement sustainable and equitable fiscal policy and
- recommend a legislative or regulatory approach to achieve the Government's policy that there will "be no change to the existing rate paths for newly merged councils for four years"

This submission from Council responds to a number of recommendations in the paper. Set out below are Council's comments as they pertain to relevant proposal headings identified in the paper, as well as other matters we believe should be considered by IPART during this process.

TAXATION PRINCIPLES

1 Do you agree with our proposed tax principles? If not, why?

It is generally agreed that the stated key tax principles of efficiency, equity, simplicity, sustainability and competitive neutrality reasonably represent a set of parameters for the review of Local Government rating legislation and systems. The tax principles expressed will provide varying arguments in many circumstances that will require judgement and compromise to achieve optimal outcomes.

Historical principles of 'capacity to pay' and 'user pays' are included within the principles, although expressed differently, which may add some confusion or require additional explanation. It is considered that the historical terminology is reasonably well understood and may still have some value moving forward.

ASSESSING THE CURRENT METHOD FOR SETTING RATES

2 What valuation method should be used as the basis for determining the advalorem amounts in council rates? Should councils be given more choice in selecting a valuation method, as occurs in other states, or should a valuation method continue to be mandated?

Council considers that there is potential benefit and issues with the two main valuation methods proposed, being unimproved land value (UV) and capital improved value (CIV). The arguments expressed in the issues paper provide reasonable background to explain some of these issues.

It is agreed that there are 'equity' and 'ability to pay' arguments that the distribution of rates based on UV between single dwelling property and multi dwelling housing, strata plans, or residential flat buildings is unbalanced in some areas. There are potentially some counter arguments that such benefit towards higher density is acceptable due to lower costs of servicing and potential sustainability advantages of such development. It is not necessarily considered, however that rates are an effective determinate or influencer of development and usage patterns due to the relative low cost of rates compared to development and accommodation expenses.

The panel's view at 4.1.4 that 'CIV method would be preferable in selected local government areas' and that 'councils could use them for multi-unit dwellings only', ignores the potential that the application of CIV better represents the "ability to pay" principle in areas where there has been significant growth in land value, such as in the northern areas of Wollongong and other seaside properties. In many instances, this has created circumstances where the owners of land, who have become 'asset rich' due to UV property values, but have remained 'cash poor' due to limited incomes, are being assessed as having 'ability to pay'. The application of CIV may represent a better assessment of this principle. Alternatively there is an economic view that such costs may 'drive' better economic use of the land by forcing low usage users to sell land. Such a view would be at odds with some social expectations in the community. *[A residential property at Wombarra that had a land value of \$325,000 in 1998 is currently valued at \$1,920,000 this property seems to have been a family home for quite some time and is currently in the ownership of two pensioners with an ordinary residential rate of \$6,305.47 before pensioner concession rebates are applied. This compares to an average annual rate of \$1145. Conversely, another example of a residential property at Scarborough is a property with a UV of \$194,000 (at the base date of 1 July 2013) that was purchased for \$735,000 and has an ordinary residential rate of \$1,236.]*

Another of the perceived benefits of CIV is the potential for improved ratepayer understanding of the values applied to their property for rating purposes. The current UV is not well understood (other than for new land releases) by the ratepayer. It is possible that the use of CIV which would better represent market value would improve this understanding and allow ratepayers to be better informed, in reviewing values provided for rating and other purposes. This may create higher levels of challenge to valuations which in turn may provide greater level of accuracy over time in valuation data.

While the perceived benefits of CIV application for rating purposes is generally understood, there is no single database that currently exist and capturing such data would be complex and expensive. The NSW Valuer General, Simon Gilkes at the IPART Hearing 26 May 2016 indicated that there were costs in the tens of millions of dollars in setting up initial data requirements and that there would be additional costs in collecting and maintaining improvements on an ongoing basis. If the cost of this information creates complexity that increases the cost of rating, which is currently very efficient, then further consideration of benefit would be required.

In broad terms it is considered that there is benefit in providing councils with greater control, flexibility and accountability through its Revenue Policy and the application of a rational set of rating options that best suits its local community and its circumstances. On this basis it is argued that the options of assessing and applying either UV or CIV across the LGA or for specific categories or sub-categories would be a positive step.

3 Should councils be required to use the Valuer General's property valuation services, or should they also be able to use a private valuation firm (as occurs in Victoria and Tasmania)?

It is considered that there are advantages to having a state wide and centralised service that provides a high degree of consistency in quality and pricing for all councils. It would appear that the current centralised system allows multiple levels of Government to use the same data for existing and future taxing purposes which creates level of efficiency.

At the same time it has been shown over time, that creating a competitive market place for services, can improve both cost and quality of service. A competitive market would require additional costs in the procurement process and could create inconsistency in pricing and quality across the state and between contracts within one Council.

On balance it would appear that the current centralised provision of service has provided reliable and consistent delivery and based on broader use across Government may remain a viable model. It is considered if such decision is made then there should be a higher level of oversight of pricing and service delivery provided by the State Government through IPART and the Auditor General respectively.

4 What changes (if any) should be made to the Local Government Act to improve the use of base and minimum amounts as part of the overall rating structure?

Wollongong Council currently has base amounts for residential and minimum rates for business. Base amounts for Residential property has been applied to better balance the 'ability to pay' and 'user pay' principles in our area. Wollongong has a wide variation in land values defined by significantly higher values in the northern suburbs and sea side properties and then lower values in the southern and western suburbs. Historically this distribution has been significantly impacted by varying cycles in the changes to valuation, where inevitably the northern suburbs increase significantly in one valuation cycle and the southern areas increase in the following valuation cycle. This pattern creates increasing and decreasing rate patterns across the LGA from one valuation to the next. The application of a 50% base charge created greater 'equity in rates' and sought to dampen the variation created by valuation change from one valuation cycle to the next.

Wollongong Council, like 11 other councils in the State, applies a 50% base charge and would agree that the 50% limit is a restraint to consideration of optimal rating outcomes. It is agreed, in line with the principles espoused that rating should not be a fixed charge and that the base cannot be fixed at 100%, although there is some policy argument that a higher percentage (say 70%) could be applied to improve rating outcomes in full consideration of local circumstances. This increased based percentage would allow greater flexibility in harmonising rates after amalgamations where there are disparate values across the new area.

Wollongong City Council has determined in the past that the application of base charges to Business and other rating categories is not optimal. Unlike Residential properties that are considered relatively homogenous in terms of benefit of Council services, the variations in Business properties and their use of services, size impacts on community and environment etcetera is vast. Wollongong's business community is very diverse, ranging from very heavy industrial lands, steel mills and port operations to very small light industrial sheds and corner shops. The application of base charge on these categories would create a significant redistribution to the lower to medium valued properties that are generally typified by organisations with lower capacity to pay.

Council would argue strongly that the current minimum charge which allows a manageable entry rate payment, that is commensurate with basic service levels provided, should be maintained. Council agrees in principle, that the level of minimum rate should be a Council revenue Policy decision that is made in conjunction with its community through the Integrated Performance reporting process.

5 What changes could be made to rating categories? Should further rating categories or subcategories be introduced? What benefits would this provide?

The current categorisation system allows for four types of rates, being Residential, Farmland, Mining, and Business. The current premise under the LGA, that a Business property is one that does not fit within the other three categories, creates some anomalies at Wollongong City Council and presumably other areas. Land that is undevelopable due to environmental sensitivity, size, zoning, and etcetera must be classified as Business. This terminology creates confusion with owners who cannot operate a business on the land, and also creates further issue, where minimum charges impose an unfair burden on the property owners, where the land has little real or assessed value. Alternatively the elimination of minimum rates for the category would significantly distort the distribution between 'real business' properties.

Two options available would be to allow sub-categorisation of business rates, by means other than 'Centre of Activity' as these properties are numerous and spread throughout the LGA, or by creating a new category for "Other" property (preferred as this will overcome terminology issues associated with being classified as Business).

At Wollongong, we have a large number of properties that are zoned environmental or recreation, the zoning allows residents, but the owners are unable to build on the property due to size and other restrictions. Correct application of the LGA, arguably requires these to be classified as Residential as they are vacant and zoned to allow residents. It is considered that such property should be classified into a new 'Other' category, to better represent the principles of rating to be applied in this instance. This may require some review of the definition and requirements of Residential categorisation, to look beyond the zoning of vacant land to its practical application.

Council considers that the current sub-categorisation rules applied to Business rates that allows subcategories to be created, based on 'Centres of Activity' restricts the application of equitable rating structures across our city. While Council has 'Centres of Activity' that are differentially rated, it is apparent that the broad area based approach, has unintended consequences due to variability of usage within a defined area. By way of example, the Port of Port Kembla area which has a very high concentration of heavy industry will still have pockets of lighter and less costly business within. This could include retail to support the industry or light industrial business that has grown up amongst the larger operations. These properties are rated at similar rates due to proximity, where the underlying principles of the historical higher rates were based on community impacts, cost to service and ability to pay. To overcome such issue, it would be argued that greater flexibility is required in sub-categorisation to allow 'use' as well as 'Centres of Activity' to be used for moulding a rating policy that fits local purpose. Similarly heavy industrial lands that are spread across the Council area and do not easily represent a 'Centre of Activity' could be rated according to 'use' to better distribute rates based on cost and impact on community.

6 Does the current rating system cause any equity and efficiency issues associated with the rating burden across communities?

As defined within the Issues Paper, this question relates to the equity and efficiency between different local government areas. Council would agree that the provision and levels of service and amenity provided by a Council, may differ from one area to another and that it is the domain of each community to determine with their Council, the level of service and funding required to operate at that level.

7 What changes could be made to current rate pegging arrangements to improve the rating system, and, in particular, to better streamline the special variation process?

Councils should have the autonomy to manage their own affairs in consultation with the community through the Integrated Planning Report of the Annual Plan and Revenue Policy. Rate pegging and special variation process are instruments of the State Government that do not currently exist in other jurisdictions and should not be applied in NSW.

Should the removal of rate pegging not be achieved, then councils should be able to consult with community, through the IPR process to set its rate increases up to a nominated level above a rate peg over a period of time. Such increase would require specific consultation and outcomes of consultation to be agreed by Council and should be limited over a period of time.

Where councils are required to seek variation above a limit set by the State, the assessment of such request by IPART should be based on the existing IPR statements and consultation process without the need for further application. Should the current IPR process not provide sufficient information for IPART, the requirements should be changed to allow information to be available for the community and IPART through one process to create efficiency in the process.

8 What changes could be made to the rating system to better encourage urban renewal?

Council agrees that there are currently special rating powers that could be used in providing specific funding to assist with development, although this is currently subject to rate pegging, which increases the cost of establishment of such schemes.

Consideration of creating changes to behaviour through rate policy is considered to be limited due to the relative impact of rates on owners against other costs of development and accommodation. Concepts that have been raised in the past, such as creating desire to relocate retirees or others out of the larger houses to downsize and allow redevelopment of greater and more efficient housing supply, do not appear feasible as the non-rate costs such cost of selling (sales tax, removal etcetera) far outweighs the cost of rates impost.

9 What changes could be made to the rating system to improve councils' management of overdue rates?

The issue paper makes comment to the Department of Justice communication on 5 April 2016, of over 80% of claims are for amounts of \$2,000 or less, to some councils this could be more than two years of rates. Wollongong City Council believes it, along with many other councils, has fair and equitable recovery policies that allow considered and reasonable options for ratepayers. Most if not all councils, including Wollongong,

have clear hardship provisions that already allows for special circumstances where immediate payment is not possible.

Unlike utilities service providers, councils are not able to withhold service to encourage communication and or payment from its ratepayers and are sometimes left with a last resort option to commence legal recovery action through the Civil Procedures Act. Such action is only taken after billing, reminder notice and final reminder notices are issued and satisfactory arrangements have not been made. Usually this relates to no contact at all, as most people who contact Council can make satisfactory arrangements. Wollongong uses legal action as a last resort and has recently changed its legal recovery limit from greater than \$500 to greater than \$1,000. Based on Wollongong's local area, this amount generally reflects more than one instalment outstanding, which represents a six month delay in payment.

It is considered that recovery of rates is important to provide equity in the rating system, to ensure all people provide payments towards Council activity and that the relative cost of collecting that contribution is reasonably consistent. The cost of recovery of non-payment is high, and councils do struggle with obtaining contact details as not all residents are listed in the phone directory, and there are limited search/tracing options available to Council. Council would like to see legislative requirements to ensure that conveyancers are required to enter contact details, when lodging a notice of transfer with Land Property Information and they appear on the Notice of Sale that is submitted to Council. It is considered that more traceable contact details through government registers, such as licence or electoral roll could be legislated into the rates process to improve efficiency, and other options to allow improved communication through technology such as phone and email could be legislated.

Under s564 of the Local Government Act, Council may enter into a Payment Arrangement with any ratepayer with interest applicable. The current payment structure of quarterly instalment with set due dates, creates difficulty in structuring flexible payment arrangements within that context. The argument that this current quarterly instalment legislation could be removed to allow for regular billing, however, if that is not achieved, it is contended that options for payment arrangements that allow multiple frequencies (preferably through direct debits/credits) could be initiated without interest under the legislation.

Under s566 Accrual of interest on overdue rates and charges is the only penalty for late payment. This interest charge is minimal over a one to two month period and is therefore not a strong incentive for timely payment. / It is suggested that a late payment fee as a first option for non-payment would be more effective. Interest charges would continue to accrue after a period for non-payment penalties set within Council's Revenue Policy. This methodology better reflects the cost of pre-legal recovery processes such as 'reminder' and 'final notices' and therefore provides better equity in the rating process through a user charge.

ASSESSING EXEMPTIONS, CONCESSIONS AND REBATES

10 Are the land uses currently exempt from paying council rates appropriate? If a current exemption should be changed, how should it be changed? For example, should it be removed or more narrowly defined, should the level of government responsible for providing the exemption be changed, or should councils be given discretion over the level of exemption?

Exemptions from rates are considered to be a valid part of a rating system, based on the principles of rating and presumably with principles that would apply for other systems that interact with the Council rating system. It is contended that the principles of 'Public Good' that give rise to the need for rates for Council services is equally relevant for services provided by other organisations. The cycle of internal taxes between layers of public good providers, adds to the inefficiency and cost of delivery of such services. This is premised on the basis that such exemption for public good does not distort competitive neutrality or simplicity requirements.

Under s554 all land is rateable unless exempt from rating as defined within s555 and s556 of the LGA. The issue paper has reported the below as the main land uses that are exempt under the two sections of the act.

- Crown land
- National parks and conservation areas
- Water corporation land
- Land used for religious purposes
- Land used for schools
- Land vested in an Aboriginal Council
- Rail infrastructure land owned by a Public transport authority
- Land used for oyster cultivation
- Public places
- Public charities or Public Benevolent Institution
- Public hospitals
- Universities
- Special listed groups
- Cattle dipping

In our opinion the predominant consideration in the application of exemptions should 'the use of the land' and not the 'ownership of the land'. While some categories of exemption currently include this differentiation, it is not consistently applied across all exemption types, which leads to distortion in competitive neutrality and potentially in the benefit principle.

The review identifies at 5.1.2 a number of reasons that could be appropriate to remove exemptions for a land use being:

- Where the exemption does not provide sufficient public benefit for the local community
- Commercial activity is being carried out on the land
- The use of the land is contributing to substantial extra costs for Council
- The land owner is receiving substantial private benefit from Council services

It is considered that these principles could be effectively applied in considering the use of the land and portions of land to negate broader exemptions, in the same way that is used for leased crown land or commercial uses on properties owned by religious currently.

While accepting these principles it is argued that a 5th element to non-exempt use should be added;

- Land that is predominately used for residential purposes

There is a broad and growing existence of residential use that has gained exemption on the basis of ownership of land in Universities, public land, charity and benevolent institutions. The existence and continuing emergence of these uses on exempt property seek to distort the competitive neutrality principles and distort who is paying for the public good provided by councils. It is argued that the prominent public good provided by Council is the provision of services for residents within the local area. The growth of residential use that is exempt from this payment is at odds with the principles espoused.

Wollongong City Council has a background with strong ties to heavy industry within the ports and steel industry and historically Council has had to support services for this function at higher levels in some instances and has been able to rely on the capacity to pay of these industries contributing to the community good. The steel industry is diminishing, which has potential to shift the rates burden onto the remainder of the community. As the area of heavy industrial is slowing, the growth industries in the area are our university, education, health, 'aged' housing, much of which is subject to exemption.

In addition to the growing number of 'aged' housing there have been some changes and a growing potential risk of Public Housing moving towards delivery by Charities or Public Benevolent institutions, such as Community Housing Trust, that are seeking exemption for housing that was previously rateable in the ownership of the State Government. After the recent appeal in the Supreme Court for the Community Housing Limited – v – Clarence Valley Council, Wollongong was approached from Illawarra Community Housing resulting in 69 properties now being exempt to the total of \$79K.

The number of properties under exemptions are also increasing within the areas of University Of Wollongong (UOW) where an Innovation Campus has been built and commercial business are operating in 'partnership' with the University. The broad exemption, without the application of appropriate 'use' provisions, appears to be distorting land use principles and may be impacting other urban development objectives by redirecting some services from the CBD. The application of non- exempt use provisions to broad ownership exemption provisions would require a separate valuation in order for the area to be rated, as it would be considered that portion is non-exempt as it is commercial activity being carried out. *[The Innovation Campus property has currently a UV of \$1.35M and would be charged the business commercial rate of 0.01778785 resulting in \$24k in rating revenue. Under a CIV valuation application it is considered the relative contribution of this site would be more substantial.]*

Some of the potential changes to exempt status have the capacity to increase the cost of maintaining data for the rating system, although there is some cost in the exemption process already. There is also a lack of clear accountability for reporting changes to exempt status and a lack of understanding. Providing incentive or impost for non-compliance in reporting of changes and clarifying the backdating of unreported changes would assist in ensuring better rating outcomes.

It is considered that transparency, accountability and understanding of exempt property information could be improved by the use of rebate rather than exemption on property. This could also be met to some degree by a requirement to issue rating notices on exempt land. The added provision of allowing flexibility in exemption, though variable levels of rebate is also an option that could be reasonably accommodated in a well-considered and articulated Revenue Policy. A potential downside in increased cost of managing across all property types would be that all properties would need to be held and valued with Council property data. It would be common that properties such as roads, railways, State forests and parks, Council parks, beaches etcetera may not be currently held and may not be valued. It is argued that, providing for some categories of land to be exempt and other categories to be provided benefit through rebate, may be a good compromise.

The LG Act does not currently define Charity for exemption purposes. This leaves the interpretation of this to common law. The current levels of confusion, legal issues and cost in administering this issue should be clarified through appropriate definition and linkage to reliable external register for determination.

11 To what extent should the exemptions from certain state taxes (such as payroll tax) that councils receive be considered in a review of the exemptions for certain categories of ratepayers?

It is considered that the same 'public good' principles espoused for rating exemptions should be applied to intergovernmental taxes. Effectively where property is held, or services are provided, for a public good, it would not add value to add a taxation burden to the intergovernmental cycle. This type of impost would merely add to the redistribution of wealth, through multiple levels of indirect taxation, that is harder to manage and more complex to achieve appropriate outcomes.

12 What should the objectives of the pensioner concession scheme be? How could the current pensioner concession scheme be improved?

The current mandatory rebate of \$250 in NSW is the only pensioner rebate scheme in Australia that requires funding by the local community through rates. It has been well argued in the review and previously that this is not the optimal outcome for local communities. The inequality in this is exacerbated in seaside areas such as Wollongong that has higher and increasing pensioner representation than many areas.

It would also be argued that if a Pensioner rebate is to remain in the rating system, then there needs to be an appropriate increase in the level of rebate to keep pace with real costs and should be funded by either the state or federal government.

The South Australia model of a rates deferral that allows retirees, above a certain age, to postpone their rates is one that is attractive to Wollongong City Council as an option. Council currently provides deferral options for pensioners under sections of the LGA that are not completely satisfactory, so specific provision for this would reduce the cost of administration. The provision would be required to override s712 of the LGA (20 year limit on recovery of rates) and would need to stipulate that the deferred rates are considered as a charge on the land, and only be applicable to those above the legislative retirement age. It is considered that such a system should have interest charges based on an external borrowing indicator (plus an administrative margin), that would be less than the penalty interest rate applied for non-payment of rates in the recovery process.

FREEZING EXISTING RATE PATHS FOR NEWLY MERGED COUNCILS

- 13 We have interpreted the rate path freeze policy to mean that in the four years after a merger, the rating path in each pre-merger council's area will follow the same trajectory as if the merger had not occurred. Do you agree with this interpretation?**

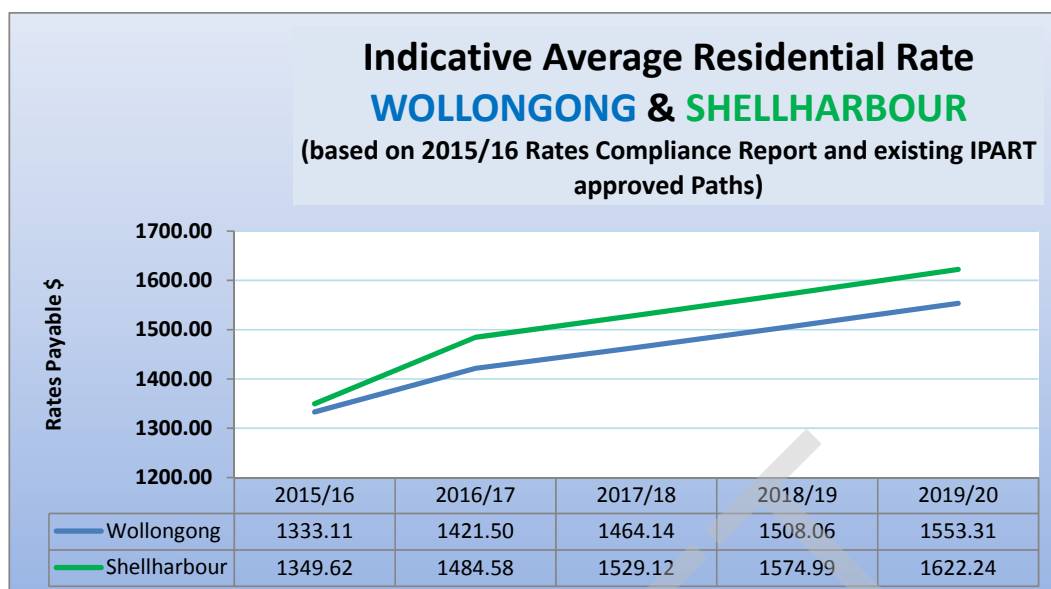
IPART appear to have taken a restrictive view of the policy that 'rates would be set in each pre-merger council area so that the rate path in that area follows the same trajectory as if the merger had not occurred' in this review. It may well be that this was the intended view and there is definitely some anecdotal evidence to suggest others have taken the same view, and some evidence that the community may think there will be no increases in rates. It was not directly evident from such a broad statement that the intent was to lock in rating structures and rating relativities at a category and sub-category level within each existing area for a period of four years from any amalgamation date. The outcome of this is that for this period effectively the term of the next Council, the Council will have no control over these components of their rating policies and will not be able to deal with future inequities in their new community. This will add significant pressure to the transition period where councils are seeking to harmonise services and pricing strategies without the ability to harmonise rating.

It will then be necessary to deal with a change to a single rating structure towards the end of their term. The existing inequalities will potentially be exaggerated over that period and make transition more difficult. Any changes to the rating legislation that would have allowed for more equitable and efficient rating will potentially be unavailable for that time.

It is considered that another interpretation of the 'same trajectory' requirements could be that Council is required to ensure that the total yield from rates (the total tax burden of the amalgamated areas) is no greater than that that would have been the case without amalgamation. This would ensure that the community would not pay any more and would allow newly formed Council to make policy decisions as part of the changing environment that best suits the needs of the new city. This would allow Council to apply through its Revenue Policies the principles of rating to meet the changing or emerging needs of the new community.

In doing this it is considered that some of the transition provisions that are being considered in the review for implementation in four years' time could be introduced for 2017/18 to allow councils greater flexibility in transitioning to new models in conjunction with other changes to rating provisions. It is agreed that new provisions allowing sub-categorisation of residential rates, by means other than 'centre of population', capping provisions, and higher base percentages to ensure changes in rates where not excessive would be beneficial for the community and in making change that may be equitable in the longer term but have unreasonable impact in the short term.

By way of example of increasing variance in rates the graph below shows the average residential rate for Wollongong and Shellharbour based on current paths. It can be seen that over the four years, the gap will increase where it was virtually the same in the current year.



14 Within the rate path freeze period, should merged councils be permitted to apply for new special variations:

It is agreed that administrative and non-rating variations such as 'Crown Land added to the rating base' and 'amounts that are above the cap on development contributions set under the *Environmental Planning and Assessment Act 1979*' councils should be able to continue as normal with these applications.

It is considered that to maintain a new Council's policy making capacity that applications 'to fund new infrastructure projects by levying a special rate' should also be considered on its merit if application is still required under changed rating legislation.

15 Are there any other situations where merged councils should be able to apply for new special variations within the rate path freeze period?

While not applying to Wollongong City Council it is evident that some councils that were deemed to be fit and were placed under proposed merger proposals, were only deemed fit on the basis of a proposed special rate variation. It would appear in these circumstances that the Council will be left on a trajectory that will render them unfit unless the financial benefit of the amalgamation exceeds the original rate variation proposal. It would appear to be counter intuitive to expect such a Council to amalgamate and not allow the existing plan (that was not assessed) to continue without consideration of the original plan or a new plan based on the newly amalgamated Council.

16 During the rate path freeze period, should merged councils only be able to increase base amounts and minimum amounts each year by the rate peg (adjusted for any permitted special variations)?

It is contended that councils should be able to manage all options under their Revenue Policy powers based on the existing trajectory yields for their council. If this role of the Council is withheld in the first four years of operation then councils should be able to increase base and minimum amounts in line with their existing

policy and revised rate yields. This would mean that councils who apply a base charge equivalent to 50 % of their rate should maintain that relationship based on the calculated yield. This may not be the same as the increase in rate peg of SRV due to the changing make up of properties, exemptions and categorisations.

17 During the rate path freeze period, should merged councils be able to allocate changes to the rating burden across rating categories by either:

- **relative changes in the total land value of a rating category against other categories within the pre-merger council area, or**
- **the rate peg (adjusted for any permitted special variations)?**

It is considered that both methods should be made available to councils and should be clearly articulated in a Council's Revenue Policy placed on public exhibition to allow community consultation.

18 Do you agree that the rate path freeze policy should act as a 'ceiling', so councils have the discretion to set their rates below this ceiling for any rating category?

Council would agree that any path freeze would be intended to be a ceiling and if improved financial outcomes or policy setting was able to reduce the rating burden, then that would be a decision of the Council in consultation with its community.

19 What other discretions should merged councils be given in setting rates during the rate freeze period?

Council's perspective would be that they should be able to act within the confines of the LG Act to the best advantage of their community.

20 We considered several options for implementing the rate path freeze policy. Our preferred option is providing the Minister for Local Government with a new instrument-making power. What are your views on this option and any other options to implement the rate path freeze policy?

It is generally agreed that the new instrument making powers is the most efficient and simplest way of managing transitional issues. It is Council's view however that such power would need to be used in conjunction with very effective consultation with the industry to ensure that expedience in delivery does not create unintended outcomes for councils and their communities.

ESTABLISHING NEW, EQUITABLE RATES AFTER THE 4-YEAR FREEZE

21 Should changes be made to the LG Act to better enable a merged council to establish a new equitable system of rating and transition to it in a fair and timely manner? If so, should the requirement to set the same residential rate within a centre of population be changed or removed?

Changes will need to be made to ensure a smooth transition. The 'centre of population' option for sub-categorisation of residential rates will need to be considered along with capping of change in rates to allow for a smoother transition.

- 22** Should approved special variations for pre-merger councils be included in the revenue base of the merged council following the 4-year rate path freeze?

Yes.

- 23** What other rating issues might arise for merged councils after the 4-year rate path freeze period expires?

Issues have been reasonably covered elsewhere.

DRAFT

2015-16 Large Cultural Grants – SUCCESSFUL

No	Ward	Applicant	Amount Sought \$	Amount Allocated \$	Project
11	1	Corrimal Chamber of Commerce	13,789	11,374	Pop Up Creative Makers Space at Corrimal Arts Festival
22	1	Judy Stubbs	22,500	11,125	Mosaic Artworks
6	2	Anchors Aweigh Art Studio	22,500	4,000	Mural – Safer Spaces Mural
15	2	HONK Oz Association	13,950	6,000	Music Street Festival
16	2	Tamara Campbell (as part of Laughter House Productions)	22,500	12,500	Creative Project
16	3	Tamara Campbell (as part of Laughter House Productions)	As above	2,800	As above
13	3	Ann-Louise Rentell	15,349	15,349	Creative Theatre
4	3	Barnardos Australia	4,986	4,344	Placemaking Project in Howard Fowles Park

Ward 1

Corrimal Chamber of Commerce	11,374
Judy Stubbs	11,125
	\$22,499

Ward 2

Anchors Aweigh Art Studio	4,000
HONK Oz Association	6,000
Laughter House Productions	12,500
	\$22,500

Ward 3

Laughter House Productions	2,800
Ann-Louise Rentell	15,349
Barnardos Association	4,344
	\$22,493
TOTAL OF ALL WARDS	\$67,492

2015-16 Large Cultural Grants – UNSUCCESSFUL

No	Ward	Applicant	Amount Sought \$	Amount Allocated \$	Project
1	1	Wollongong Writers Festival	22,500	0	Funding proposal to cover technological support fees for Wollongong Writers Poetry Festival
2	1 - 10% 2 – 75% 3 – 15%	South Coast Writers Centre	19,490	0	Poetry/writing workshops with young people
3	2	Joshua Wiffen	22,500	0	Film Based
5	2	Balunn Jones	22,500	0	Creation of stage set for Yours and Owls Festival
7	2	Wollongong Women's Information Service In	22,500	0	Mini documentaries
8	2	Oliver Denning	9,200	0	Musical equipment
9	3	Coomaditchie United Aboriginal Corporation	22,360	0	Art workshops and exhibition
10	1	Precarious in T/As Circus Monoxide	9,350	0	Collaborative circus performance
12	1	Thirroul Readers and Writers Festival Inc	18,320	0	Choral piece
14	2	Geoffrey Sykes	20,000	0	Performance piece
17	1	Wild Rumpus	14,700	0	Jamboree creative escape
18	All	Jennifer Macey	22,160	0	Podcast series
19	2	Lizzie Buckmaster Dove & Robert Nancarrow	22,500	0	Installation in Arts Precinct
20	1 & 3	Youth Off The Streets Limited	16,470	0	10 week cultural program engaging young people
21	2	Shopfront Arts Coop	21,000	0	Creative placemaking event
23	All	Malika Reese	10,500	0	Cabaret performance
Total Requested			\$412,074		
Total to Successful Applicants			\$67,492		



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WOLLONGONG CITY COUNCIL

1 July 2015 to 25 March 2016

	2015/16 Original Budget \$'000	2015/16 Current Budget \$'000	2015/16 YTD Budget \$'000	2015/16 Actual YTD \$'000
Income Statement				
Income From Continuing Operations				
Revenue:				
Rates and Annual Charges	173,253	174,086	127,949	127,991
User Charges and Fees	33,194	30,115	22,691	23,177
Interest and Investment Revenues	4,772	5,147	3,863	4,141
Other Revenues	9,454	11,239	8,635	7,714
Grants & Contributions provided for Operating Purposes	28,846	29,928	22,482	22,563
Grants & Contributions provided for Capital Purposes	14,520	19,696	17,067	22,431
Other Income:				
Profit/Loss on Disposal of Assets	0	0	0	(123)
Total Income from Continuing Operations	264,040	270,212	202,687	207,893
Expenses From Continuing Operations				
Employee Costs	113,797	114,122	84,024	83,441
Borrowing Costs	4,206	4,206	3,142	3,188
Materials, Contracts & Other Expenses	89,130	86,199	60,588	57,336
Depreciation, Amortisation + Impairment	62,074	62,074	46,640	47,450
Internal Charges (labour)	(11,876)	(11,828)	(8,680)	(8,262)
Internal Charges (not labour)	(1,400)	(1,540)	(1,132)	(873)
Total Expenses From Continuing Operations	255,932	253,234	184,583	182,279
Operating Results From Continuing Operations	8,108	16,978	18,104	25,614
Net Operating Result for the Year	8,108	16,978	18,104	25,614
Net Operating Result for the Year before Grants & Contributions provided for Capital Purposes				
	(6,412)	(2,719)	1,038	3,183
NET SURPLUS (DEFICIT) [Pre capital] %	3.1%	6.3%	8.9%	12.3%
Funding Statement				
Net Operating Result for the Year	8,108	16,978	18,104	25,614
Add back :				
- Non-cash Operating Transactions	77,378	77,446	58,167	59,097
- Restricted cash used for operations	15,464	16,532	12,459	12,236
- Income transferred to Restricted Cash	(34,812)	(44,875)	(37,976)	(43,770)
- Payment of Accrued Leave Entitlements	(11,550)	(11,512)	(8,515)	(9,093)
- Payment of Carbon Contributions	0	0	0	0
Funds Available from Operations	54,588	54,569	42,240	44,084
Advances (made by) / repaid to Council	0	0	0	0
Borrowings repaid	(6,371)	(6,371)	(5,449)	(5,447)
Operational Funds Available for Capital Budget	48,217	48,197	36,791	38,638
CAPITAL BUDGET				
Assets Acquired	(86,256)	(87,926)	(52,588)	(47,704)
Contributed Assets	0	0	0	(4,153)
Transfers to Restricted Cash	0	(7,100)	(7,100)	(7,100)
Funded From :-				
- Operational Funds	48,217	48,197	36,791	38,638
- Sale of Assets	2,008	1,486	670	380
- Internally Restricted Cash	5,136	7,296	2,892	1,888
- Borrowings	0	0	0	0
- Capital Grants	9,439	12,147	9,389	9,909
- Developer Contributions (Section 94)	6,510	6,397	4,361	4,831
- Other Externally Restricted Cash	9,460	7,240	5,281	5,683
- Other Capital Contributions	2,365	2,022	1,213	6,157
TOTAL FUNDS SURPLUS / (DEFICIT)	(3,122)	(10,241)	909	8,529

Manager Project Delivery Division

Commentary on March 2016 Capital Budget Report

As at 25 March 2016, year to date expenditure was \$47.7M of the approved capital budget of \$87.9M. This value is \$4.9M behind the initial forecast expenditure of \$52.6M for this period.

The following table summarises the proposed changes to the total Capital budget by transfer of budget between programs and reduction or introduction of various types of external or loan funding. These changes result in a net reduction of \$3.8M in the overall capital budget to \$84.1M.

Program	Major Points of change to Capital Budget
Traffic Facilities	Reallocate additional RMS funding to existing project
Road Works	Rephase RMS & Roads to Recovery (R2R) funding from existing projects
Bridges, Boardwalks & Jetties	Rephase Sect 94 funding from existing projects Reallocate budget from Bridges, Boardwalks & Jetties to Cycle/Shared paths
Footpaths	Rephase Local Infrastructure Renewal (LIRS) 1 funding from existing projects to future year Reallocate budget from Cycle/Shared paths to Footpaths
Cycle/Shared Paths	Rephase and reallocate RMS funding from existing projects to Traffic Facilities Reallocate budget from Bridges, Boardwalks & Jetties and Emergency Services programs and Contingency to Cycle/Shared paths
Carpark Constructing/Formalising	Reallocate funding from Carpark Constructing/Formalising to Car Park Reconstruction or Upgrading
Car Park Reconstruction or Upgrading	Reallocate funding from Carpark Constructing/Formalising to Car Park Reconstruction or Upgrading
Floodplain Management	Rephase Stormwater Levy and Office of Environment and Heritage Funding from existing projects. Reallocate Budget from Floodplain Management to Stormwater Management Program
Stormwater Management	Rephase Stormwater Levy Funding from existing projects. Reallocate Budget from Floodplain Management and Stormwater Treatment Devices to Stormwater Management Program
Stormwater Treatment Devices	Rephase Stormwater Levy Funding from existing projects. Reallocate Budget from Stormwater Treatment Devices to Stormwater Management Program
Cultural Centres (IPAC, Gallery & Town Hall)	Reallocate budget to Community Buildings Program and Public Facilities (Shelters, Toilets etc) Program.
Administration Buildings	Reallocate budget to Community Buildings Program and Public Facilities (Shelters, Toilets etc) Program.
Community Buildings	Reallocate budget to Operational Budget – Buildings Maintenance Rephase funding for existing community buildings project
Public Facilities (Shelters, Toilets etc)	Reallocate budget from Cultural Centres (IPAC, Gallery & Town Hall) and Administration Buildings and Recreation Facilities and Rock/Tidal Pools Programs to Public Facilities (Shelters, Toilets etc) Program.
Leisure Centres and RVGC	Reallocate budget from Leisure Centres and RVGC to Sporting Facilities Program for existing project
Play Facilities	Reallocate budget from Recreation Facilities Program to Play Facilities Program
Recreation Facilities	Reallocate budget from Recreation Facilities to Natural Area Management and Rehabilitation Program, Sporting Facilities Program and Public Facilities (Shelters, Toilets etc) Program.
Sporting Facilities	Reallocate budget from Leisure Centres and RVGC Program and Recreation Facilities Program to Sporting Facilities Program for existing project.
Beach Facilities	Reallocate budget from Rock/Tidal Pools to Beach Facilities Program.
Rock/Tidal Pools	Reallocate budget from Rock/Tidal Pools to Public Facilities (Shelters, Toilets etc) Program
Natural Area Management and Rehabilitation	Reallocate budget from Recreation Facilities to Natural Area Management and Rehabilitation Program.
Whytes Gully New Cells	Rephase Waste Reserve Funding from existing projects
Whytes Gully Renewal Works	Rephase Waste Reserve Funding from existing projects
Helensburgh Rehabilitation	Rephase Waste Reserve Funding from existing projects
Art Gallery Acquisitions	Introduce funding for Art Gallery Acquisitions

Program	Major Points of change to Capital Budget
Emergency Services Plant and Equipment	Reallocate budget to Cycle/Shared Paths Program
Capital Project Contingency	Reallocate budget to Cycle/Shared Paths Program

CAPITAL PROJECT REPORT

as at the period ended 25 March 2016

	\$'000		\$'000		\$'000		
	CURRENT BUDGET		WORKING BUDGET			VARIATION	
ASSET CLASS PROGRAMME	EXPENDITURE	OTHER FUNDING	EXPENDITURE	OTHER FUNDING	YTD EXPENDITURE	EXPENDITURE	OTHER FUNDING
Roads And Related Assets							
Traffic Facilities	3,607	(2,262)	3,622	(2,277)	2,701	15	(15)
Public Transport Facilities	441	(172)	441	(172)	214	(0)	(0)
Roadworks	13,862	(3,601)	13,816	(3,555)	8,780	(47)	47
Bridges, Boardwalks and Jetties	1,850	(350)	1,576	(176)	561	(274)	174
TOTAL Roads And Related Assets	19,761	(6,385)	19,455	(6,180)	12,256	(306)	206
West Dapto							
West Dapto Infrastructure Expansion	4,902	(4,013)	4,902	(4,013)	4,009	(0)	0
TOTAL West Dapto	4,902	(4,013)	4,902	(4,013)	4,009	(0)	0
Footpaths And Cycleways							
Footpaths	8,825	(4,618)	8,528	(3,572)	5,771	(297)	1,046
Cycle/Shared Paths	7,083	(4,303)	6,788	(4,268)	4,545	(295)	35
Commercial Centre Upgrades - Footpaths and Cyclew	2,435	(300)	2,435	(300)	831	(0)	(0)
TOTAL Footpaths And Cycleways	18,343	(9,222)	17,751	(8,141)	11,148	(592)	1,081
Carparks							
Carpark Construction/Formalising	975	(500)	890	(500)	681	(85)	0
Carpark Reconstruction or Upgrading	1,081	0	1,166	0	274	85	0
TOTAL Carparks	2,056	(500)	2,056	(500)	955	(0)	0
Stormwater And Floodplain Management							
Floodplain Management	1,292	(484)	722	(44)	341	(570)	440
Stormwater Management	2,115	(433)	1,937	(95)	851	(178)	338
Stormwater Treatment Devices	200	(100)	70	0	26	(130)	100
TOTAL Stormwater And Floodplain M	3,607	(1,017)	2,729	(139)	1,219	(878)	878
Buildings							
Cultural Centres (IPAC, Gallery, Townhall)	1,131	0	1,001	0	442	(130)	0
Administration Buildings	765	0	520	0	283	(245)	0
Community Buildings	12,432	(3,096)	11,459	(2,856)	7,515	(973)	240
Public Facilities (Shelters, Toilets etc.)	522	0	865	0	298	343	0
TOTAL Buildings	14,850	(3,096)	13,845	(2,856)	8,538	(1,005)	240
Commercial Operations							
Tourist Park - Upgrades and Renewal	750	0	750	0	462	(0)	0
Crematorium/Cemetery - Upgrades and Renewal	190	0	190	0	75	(0)	0
Leisure Centres & RVGC	195	0	151	0	72	(44)	0
TOTAL Commercial Operations	1,135	0	1,091	0	609	(44)	0
Parks Gardens And Sportfields							
Play Facilities	1,116	(73)	1,131	(73)	611	16	(0)
Recreation Facilities	3,381	(1,917)	3,078	(1,917)	1,146	(303)	(0)
Sporting Facilities	913	(195)	1,114	(239)	575	201	(45)
Lake Illawarra Foreshore	0	0	0	0	0	0	0
TOTAL Parks Gardens And Sportfield	5,409	(2,184)	5,323	(2,229)	2,332	(86)	(45)
Beaches And Pools							
Beach Facilities	346	0	356	0	137	10	0
Rock/Tidal Pools	1,611	0	1,499	0	924	(112)	0
Treated Water Pools	1,474	0	1,474	0	580	0	0
TOTAL Beaches And Pools	3,431	0	3,329	0	1,641	(102)	0

CAPITAL PROJECT REPORT

as at the period ended 25 March 2016

ASSET CLASS PROGRAMME	\$'000		\$'000		\$'000		
	CURRENT BUDGET		WORKING BUDGET		YTD EXPENDITURE	VARIATION	
	EXPENDITURE	OTHER FUNDING	EXPENDITURE	OTHER FUNDING		EXPENDITURE	OTHER FUNDING
Natural Areas							
Environmental Management Program	0	0	0	0	0	0	0
Natural Area Management and Rehabilitation	175	(25)	230	(25)	66	55	(0)
TOTAL Natural Areas	175	(25)	230	(25)	66	55	(0)
Waste Facilities							
Whytes Gully New Cells	2,645	(2,645)	2,292	(2,292)	1,288	(353)	353
Whytes Gully Renewal Works	300	(300)	160	(160)	48	(140)	140
Helensburgh Rehabilitation	109	(109)	89	(89)	76	(20)	20
TOTAL Waste Facilities	3,054	(3,054)	2,541	(2,541)	1,411	(513)	513
Fleet							
Motor Vehicles	1,531	(990)	1,531	(990)	838	(0)	0
TOTAL Fleet	1,531	(990)	1,531	(990)	838	(0)	0
Plant And Equipment							
Portable Equipment (Mowers etc.)	100	(10)	100	(10)	44	0	0
Mobile Plant (trucks, backhoes etc.)	2,701	(507)	2,701	(507)	349	0	0
Fixed Equipment	0	0	0	0	0	0	0
TOTAL Plant And Equipment	2,801	(517)	2,801	(517)	393	0	0
Information Technology							
Information Technology	895	0	895	0	191	0	0
TOTAL Information Technology	895	0	895	0	191	0	0
Library Books							
Library Books	1,150	0	1,150	0	1,075	(0)	0
TOTAL Library Books	1,150	0	1,150	0	1,075	(0)	0
Public Art							
Public Art Works	145	0	145	0	90	(0)	0
Art Gallery Acquisitions	165	0	199	(34)	106	34	(34)
TOTAL Public Art	310	0	344	(34)	196	34	(34)
Emergency Services							
Emergency Services Plant and Equipment	588	0	299	0	111	(289)	0
TOTAL Emergency Services	588	0	299	0	111	(289)	0
Land Acquisitions							
Land Acquisitions	3,320	(2,825)	3,320	(2,825)	447	(0)	0
TOTAL Land Acquisitions	3,320	(2,825)	3,320	(2,825)	447	(0)	0
Non-Project Allocations							
Capital Project Contingency	128	0	28	0	0	(100)	0
Capital Project Plan	480	0	480	0	268	(0)	0
TOTAL Non-Project Allocations	608	0	508	0	268	(100)	0
Loans							
West Dapto Loan	0	(2,760)	0	(2,760)	0	0	0
TOTAL Loans	0	(2,760)	0	(2,760)	0	0	0
GRAND TOTAL	87,926	(36,588)	84,100	(33,749)	47,704	(3,826)	2,839

WOLLONGONG CITY COUNCIL

		Actual 2015/16 \$'000	Actual 2014/15 \$'000
BALANCE SHEET			
		as at 25/03/16	as at 30/06/15
CURRENT ASSETS			
Cash Assets		133,764	124,611
Investment Securities		20,515	11,046
Receivables		22,910	22,108
Inventories		6,030	6,040
Other		2,958	4,313
Total Current Assets		186,177	168,118
NON-CURRENT ASSETS			
Non Current Cash Assets		9,000	9,000
Property, Plant and Equipment		2,271,482	2,251,345
Investment Properties		2,750	2,750
Westpool Equity Contribution		1,159	1,159
Intangible Assets		818	1,219
Total Non-Current Assets		2,285,210	2,265,474
TOTAL ASSETS		2,471,387	2,433,592
CURRENT LIABILITIES			
Current Payables		29,216	29,868
Current Provisions payable < 12 months		17,214	16,790
Current Provisions payable > 12 months		34,871	34,871
Current Interest Bearing Liabilities		6,369	6,369
Total Current Liabilities		87,671	87,899
NON-CURRENT LIABILITIES			
Non Current Interest Bearing Liabilities		34,965	39,758
Non Current Provisions		43,907	42,554
Total Non-Current Liabilities		78,872	82,312
TOTAL LIABILITIES		166,543	170,210
NET ASSETS		2,304,844	2,263,381
EQUITY			
Accumulated Surplus		1,163,965	1,132,670
Asset Revaluation Reserve		1,011,065	1,011,064
Restricted Assets		129,814	119,648
TOTAL EQUITY		2,304,844	2,263,381

WOLLONGONG CITY COUNCIL		
CASH FLOW STATEMENT		
as at 25 March 2016		
	YTD Actual 2015/16 \$ '000	Actual 2014/15 \$ '000
CASH FLOWS FROM OPERATING ACTIVITIES		
Receipts:		
Rates & Annual Charges	126,675	166,562
User Charges & Fees	36,617	33,505
Interest & Interest Received	4,456	5,789
Grants & Contributions	43,929	54,189
Other	7,684	23,908
Payments:		
Employee Benefits & On-costs	(72,046)	(92,705)
Materials & Contracts	(32,326)	(58,052)
Borrowing Costs	(1,145)	(1,311)
Other	(31,019)	(42,795)
Net Cash provided (or used in) Operating Activities	82,825	89,090
CASH FLOWS FROM INVESTING ACTIVITIES		
Receipts:		
Sale of Infrastructure, Property, Plant & Equipment	380	12,570
Deferred Debtors Receipts	-	10
Payments:		
Purchase of Investments	-	-
Purchase of Investment Property	-	-
Purchase of Infrastructure, Property, Plant & Equipment	(59,032)	(85,072)
Purchase of Interests in Joint Ventures & Associates	-	-
Net Cash provided (or used in) Investing Activities	(58,652)	(72,492)
CASH FLOWS FROM FINANCING ACTIVITIES		
Receipts:		
Proceeds from Borrowings & Advances	-	15,000
Payments:		
Repayment of Borrowings & Advances	(5,549)	(5,244)
Repayment of Finance Lease Liabilities	-	-
Net Cash Flow provided (used in) Financing Activities	(5,549)	9,756
Net Increase/(Decrease) in Cash & Cash Equivalents	18,624	281
plus: Cash & Cash Equivalents and Investments - beginning of year	144,656	144,375
Cash & Cash Equivalents and Investments - year to date	163,280	144,656

WOLLONGONG CITY COUNCIL		
CASH FLOW STATEMENT		
as at 25 March 2016		
	YTD Actual 2015/16 \$ '000	Actual 2014/15 \$ '000
Total Cash & Cash Equivalents and Investments - year to date	163,280	144,656
Attributable to:		
External Restrictions (refer below)	76,458	66,137
Internal Restrictions (refer below)	53,358	22,208
Unrestricted	33,464	56,311
	163,280	144,656
External Restrictions		
Developer Contributions	15,300	11,758
RMS Contributions	269	238
Specific Purpose Unexpended Grants	5,054	10,910
Special Rates Levy Wollongong Centre Improvement Fund	-	-
Special Rates Levy Wollongong Mall	140	251
Special Rates Levy Wollongong City Centre	13	11
Local Infrastructure Renewal Scheme	18,980	18,791
Unexpended Loans	7,144	12,877
Domestic Waste Management	9,788	6,408
Private Subsidies	4,439	1,883
West Dapto Home Deposit Assistance Program	9,705	-
Stormwater Management Service Charge	1,162	834
West Dapto Home Deposits Issued	85	-
Carbon Price	4,379	2,176
Total External Restrictions	76,458	66,137
Internal Restrictions		
Property Development	4,122	(252)
Property Investment Fund	8,064	-
Strategic Projects	20,928	-
Future Projects	6,516	-
Sports Priority Program	624	850
Car Parking Strategy	749	489
MacCabe Park Development	803	391
Darcy Wentworth Park	190	99
Garbage Disposal Facility	10,099	20,281
Telecommunications Revenue	144	279
West Dapto Development Additional Rates	415	71
Southern Phone Natural Areas	588	-
Lake Illawarra Estuary Management Fund	116	-
Total Internal Restrictions	53,358	22,208

WOLLONGONG CITY COUNCIL
STATEMENT OF INVESTMENTS
25 March 2016

On Call & Term Deposits

DIRECT INVESTMENTS

Investment Body	Rating	Purchase Price \$	Fair Value of Holding \$	Security	Purchase Date	Maturity Date	Interest / Coupon Rate
NAB Professional Maximiser	A-1+	-	21,795,475	11am	25/03/2016	25/03/2016	2.50%
NAB	A-1+	2,000,000	2,000,000	T/Deposit	30/11/2015	30/03/2016	2.91%
BankWest	A-1+	1,000,000	1,000,000	T/Deposit	6/10/2015	4/04/2016	2.85%
BankWest	A-1+	1,000,000	1,000,000	T/Deposit	5/11/2015	5/04/2016	2.80%
NAB	A-1+	2,000,000	2,000,000	T/Deposit	18/09/2015	18/04/2016	2.99%
SUN Corp	A-1+	1,000,000	1,000,000	T/Deposit	24/09/2015	21/04/2016	2.90%
BankWest	A-1+	1,000,000	1,000,000	T/Deposit	31/07/2015	27/04/2016	2.90%
BankWest	A-1+	2,000,000	2,000,000	T/Deposit	27/11/2015	27/04/2016	3.00%
IMB	A-2	2,000,000	2,000,000	T/Deposit	28/05/2015	28/04/2016	2.80%
NAB	A-1+	1,000,000	1,000,000	T/Deposit	29/02/2016	2/05/2016	2.78%
CBA	A-1+	3,000,000	3,000,000	T/Deposit	9/10/2015	6/05/2016	2.84%
CBA	A-1+	2,000,000	2,000,000	T/Deposit	10/11/2015	9/05/2016	2.89%
ME	A-2	2,000,000	2,000,000	T/Deposit	18/03/2016	17/05/2016	2.70%
NAB	A-1+	2,000,000	2,000,000	T/Deposit	24/09/2015	24/05/2016	2.97%
SUN Corp	A-1+	1,500,000	1,500,000	T/Deposit	24/09/2015	24/05/2016	2.85%
BEN	A-2	3,000,000	3,000,000	T/Deposit	4/01/2016	1/06/2016	2.75%
CBA	A-1+	2,000,000	2,000,000	T/Deposit	11/09/2015	7/06/2016	2.86%
IMB	A-2	2,000,000	2,000,000	T/Deposit	11/09/2015	10/06/2016	2.80%
Bank of Queensland	A-2	3,000,000	3,000,000	T/Deposit	16/09/2015	16/06/2016	2.80%
Bank of Queensland	A-2	3,000,000	3,000,000	T/Deposit	23/09/2015	23/06/2016	2.93%
IMB	A-2	1,000,000	1,000,000	T/Deposit	28/08/2015	1/07/2016	2.80%
SUN	A-1+	2,000,000	2,000,000	T/Deposit	15/03/2016	13/07/2016	2.91%
CBA	A-1+	2,000,000	2,000,000	T/Deposit	27/11/2015	25/07/2016	2.95%
BankWest	A-1+	2,000,000	2,000,000	T/Deposit	31/07/2015	29/07/2016	2.90%
ANZ	A-1+	2,500,000	2,500,000	T/Deposit	6/08/2015	6/08/2016	3.06%
NAB	A-1+	2,500,000	2,500,000	T/Deposit	6/08/2014	8/08/2016	3.74%
CBA	A-1+	2,000,000	2,000,000	T/Deposit	11/09/2015	9/08/2016	2.85%
CBA	A-1+	2,000,000	2,000,000	T/Deposit	27/02/2015	22/08/2016	3.05%
ME Bank	A-2	2,500,000	2,500,000	T/Deposit	27/02/2015	22/08/2016	2.90%
Bank of Queensland	A-2	2,000,000	2,000,000	T/Deposit	10/03/2016	9/09/2016	3.10%
IMB	A-2	2,000,000	2,000,000	T/Deposit	11/09/2015	12/09/2016	2.80%
ME	A-2	3,000,000	3,000,000	T/Deposit	18/01/2016	18/09/2016	3.10%
ME	A-2	2,000,000	2,000,000	T/Deposit	18/01/2016	18/09/2016	3.10%
CBA	A-1+	1,000,000	1,000,000	T/Deposit	23/12/2015	19/09/2016	2.97%
STG	A-1+	1,000,000	1,000,000	T/Deposit	23/12/2015	19/09/2016	2.87%
NAB	A-1+	1,000,000	1,000,000	T/Deposit	29/02/2016	30/09/2016	3.02%
WBC	A-1+	2,000,000	2,000,000	T/Deposit	24/04/2015	19/10/2016	2.90%
Bendigo Bank	A-2	1,500,000	1,500,000	T/Deposit	26/10/2015	25/10/2016	2.90%
Bendigo Bank	A-2	2,000,000	2,000,000	T/Deposit	29/09/2015	28/10/2016	3.00%
B/West	A-1+	1,000,000	1,000,000	T/Deposit	3/02/2016	3/11/2016	2.85%
CBA	A-1+	2,000,000	2,000,000	T/Deposit	23/12/2015	17/11/2016	2.97%
NAB	A-1+	2,000,000	2,000,000	T/Deposit	18/01/2016	18/11/2016	3.01%
ME	A-2	1,000,000	1,000,000	T/Deposit	25/02/2016	21/11/2016	3.00%
NAB	A-1+	1,000,000	1,000,000	T/Deposit	29/02/2016	30/11/2016	3.00%
BWest	A-1+	1,000,000	1,000,000	T/Deposit	7/12/2015	6/12/2016	2.90%
NAB	A-1+	1,030,000	1,030,000	T/Deposit	17/12/2015	19/12/2016	3.03%
Bendigo Bank	A-2	2,000,000	2,000,000	T/Deposit	29/09/2015	22/12/2016	3.05%
B/West	A-1+	2,000,000	2,000,000	T/Deposit	23/12/2015	22/12/2016	3.00%
BWest	A-1+	1,000,000	1,000,000	T/Deposit	4/01/2016	3/01/2017	3.00%
ME	A-2	2,000,000	2,000,000	T/Deposit	17/12/2015	16/01/2017	3.05%
SUN	A-1+	2,000,000	2,000,000	T/Deposit	23/12/2015	23/01/2017	3.00%
WBC	A-1+	3,000,000	3,000,000	T/Deposit	31/07/2015	31/01/2017	2.74%
BOQ	A-2	2,000,000	2,000,000	T/Deposit	4/01/2016	3/02/2017	2.95%
IMB	A-2	2,000,000	2,000,000	T/Deposit	28/08/2015	28/02/2017	2.80%
NAB	A-1+	1,500,000	1,500,000	T/Deposit	31/08/2015	28/02/2017	2.78%
Bendigo Bank	A-2	1,000,000	1,000,000	T/Deposit	11/09/2015	13/03/2017	2.90%
Bank of Queensland	A-2	2,000,000	2,000,000	T/Deposit	26/02/2016	29/03/2017	3.00%
NAB	A-1+	1,000,000	1,000,000	T/Deposit	29/02/2016	30/03/2017	2.95%
CBA	A-1+	1,000,000	1,000,000	T/Deposit	23/03/2016	20/04/2017	2.88%
BWest	A-1+	1,000,000	1,000,000	T/Deposit	23/03/2016	21/04/2017	2.85%
STG	A-1+	2,000,000	2,000,000	T/Deposit	23/03/2016	24/04/2017	2.87%
SUN	A-1+	1,000,000	1,000,000	T/Deposit	23/03/2016	26/04/2017	2.85%
ME	A-2	2,500,000	2,500,000	T/Deposit	18/02/2016	15/05/2017	3.13%
St George	A-1+	1,500,000	1,500,000	T/Deposit	27/11/2015	25/05/2017	2.81%
SUN Corp	A-1+	1,500,000	1,500,000	T/Deposit	27/11/2015	26/05/2017	2.81%
ME	A-2	1,000,000	1,000,000	T/Deposit	23/12/2015	15/06/2017	3.15%
Bendigo Bank	A-2	2,000,000	2,000,000	T/Deposit	31/07/2015	31/07/2017	3.00%
IMB	A-2	5,000,000	5,000,000	T/Deposit	30/07/2015	31/07/2017	2.80%
Bank of Queensland	A-2	3,000,000	3,000,000	T/Deposit	28/08/2015	28/08/2017	2.80%
Bendigo Bank	A-2	1,000,000	1,000,000	T/Deposit	11/09/2015	11/09/2017	2.95%
Total			147,325,475				

WOLLONGONG CITY COUNCIL
STATEMENT OF INVESTMENTS
25/03/2016 continued

Bond and Floating Rate Note Securities

DIRECT INVESTMENTS

Investment Body	Rating	Purchase Price \$	Fair Value of Holding \$	Security	Purchase Date	Maturity Date	Interest / Coupon Rate
Westpac	A-1+	1,000,000	1,005,720	FRN	30/01/2012	9/05/2016	3.42%
Commonwealth Bank Australia zero coupon bond with a \$4M face value	A-1+	2,000,000	3,711,600	BOND	21/01/2008	22/01/2018	
CBA	A-1+	1,000,000	1,005,990	FRN	19/10/2015	19/10/2018	3.07%
Westpac	A-1+	3,000,000	3,012,000	FRN	11/03/2016	10/05/2019	3.24%
Bendigo Bank	A-2	1,000,000	990,750	FRN	16/09/2015	17/09/2019	3.25%
NAB	A-1+	3,000,000	2,982,450	FRN	24/06/2015	3/06/2020	3.37%
Bendigo Bank	A-2	2,000,000	1,987,500	FRN	18/11/2015	18/08/2020	3.87%
SUN Corp	A-1+	1,500,000	1,508,295	FRN	20/10/2015	20/10/2020	3.39%
NAB	A-1+	1,000,000	1,006,300	FRN	5/11/2015	5/11/2020	3.11%
EMERALD A Mortgage Backed Security *	AAA	691,627	539,393	M/Bac	17/07/2006	22/08/2022	2.58%
EMERALD B Mortgage Backed Security *	AA	2,000,000	1,330,300	M/Bac	17/07/2006	23/08/2027	2.88%
Total			19,080,298				

Managed Funds & Other

MANAGED FUNDS

Investment Body	Rating	Purchase Price \$	Fair Value of Holding \$	Purchase Date	Monthly Return (Actual)	Annualised % p.a.	FYTD (Actual)
Tcorp Long Term Growth Facility Trust	N/A	1,131,841	1,688,629	13/06/2007	2.41%	31.44%	-2.34%

Investment Body	Face Value	Security
Southern Phone Company	2	shares

TOTAL INVESTMENTS **\$ 168,094,403**

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

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

Brian Jenkins
RESPONSIBLE ACCOUNTING OFFICER

Investment Income Compared to Budget 2015-2016



Attachment 1 – Standard Conditions for Road Closures

Standard Conditions for Road Closures

For Special Events and Work Related activities Within Council Road Reserves.

Following approval by Wollongong City Council, road closures are subject to the additional Council conditions:

1. **The Applicant must complete the Council form 'Application to Open and Occupy or Underbore a Roadway or Footpath'** (Refer to Checklist below – relates to Section 138 of the Roads Act.)
2. **NSW Police Approval:** The Applicant must obtain written approval from NSW Police, where required under the Roads Act.
3. **If the Road Closure is within 100m of any traffic control signals or on a 'State Classified Road'** the Applicant must obtain a Road Occupancy Licence (ROL) from NSW Roads & Maritime Services (RMS).
4. **The Applicant must advise all affected residents and business owners** within the closure area of the date/s and times for the closure, at least 7 days prior to the intended date of works.
5. **The Applicant must advise Emergency Services:** Ambulance, Fire Brigade and Police, Taxi and Bus Companies of the closure dates and times in writing, 7 days prior to the intended date of works. The Applicant must endeavour to minimise the impact on bus services during the closure.
6. **Traffic Management Plan:** The closure must be set up in accordance with the approved Traffic Management Plan (TMP) prepared by an appropriately qualified traffic controller, a copy of whose qualifications must be included with the submitted TMP.
7. **Traffic Management Plan Setup:** The Traffic Management Plan must be set up by appropriately qualified traffic control persons or the NSW Police.
8. **Access to properties affected by the road closure must be maintained where possible.** Where direct access cannot be achieved, an alternative arrangement must be agreed to by both the applicant and the affected person/s.
9. **Public Notice Advertisement:** The Applicant must advertise the road closure in the Public Notices section of the local paper, detailing closure date/s and times at least 7 days prior to the closure.
10. **Public Liability Policy:** The Applicant must provide Council with a copy of their current insurance policy to a value of no less than \$20 million dollars to cover Wollongong City Council from any claims arising from the closure.

Checklist:

- ☒ **Completed Council Form:**

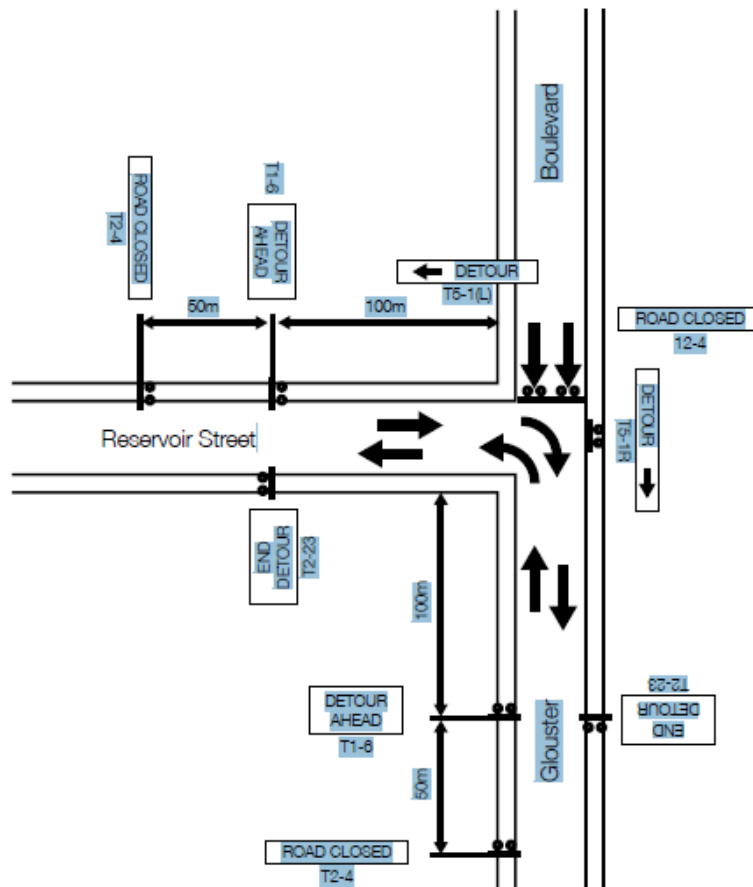
'Application to Open and Occupy or Underbore a Roadway or Footpath'.

Required information as shown below MUST be attached:

- ☒ A copy of the letter from the Traffic Committee authorising the closure
- ☒ The Traffic Management Plan (TMP)
- ☒ The Road Occupancy Licence (ROL) *if required*
- ☒ Written approval from NSW Police
- ☒ Public Liability Insurance

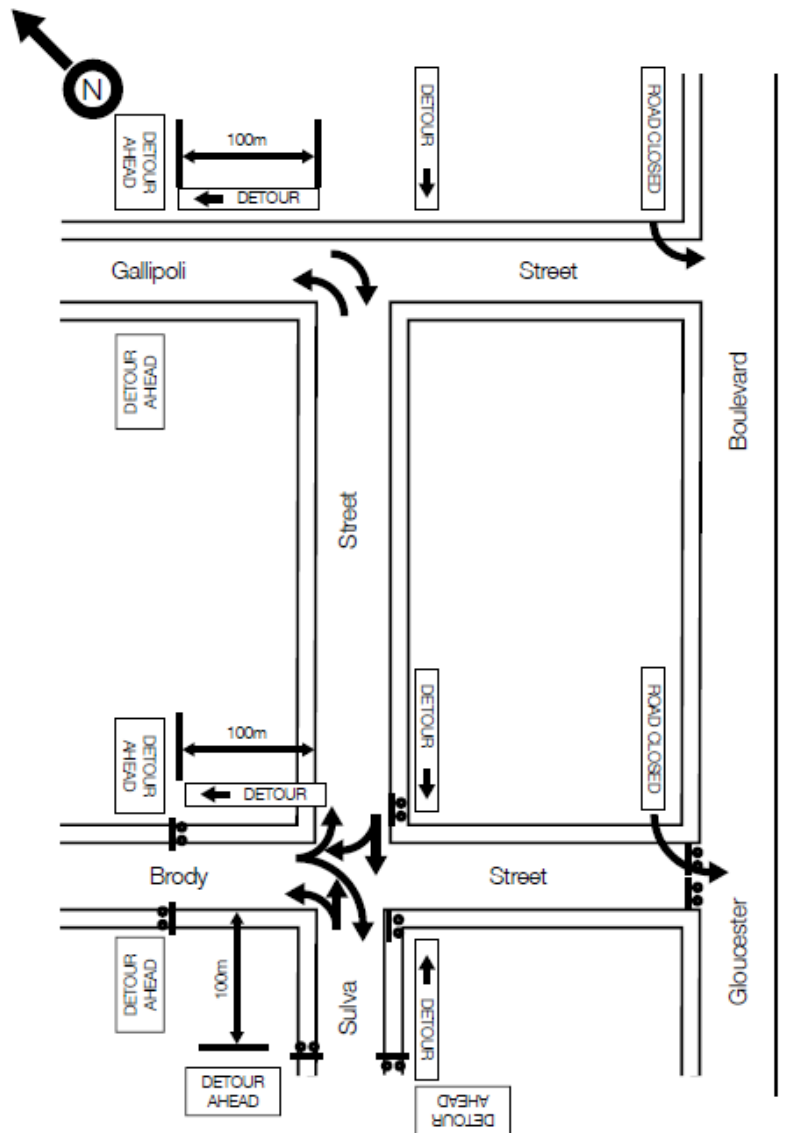
Applications may be lodged in the Customer Service Centre located on the Ground Floor of Council's Administration Building, 41 Burelli Street Wollongong between 8.30am and 5pm Monday to Friday.

Illawarra Triathlon Club

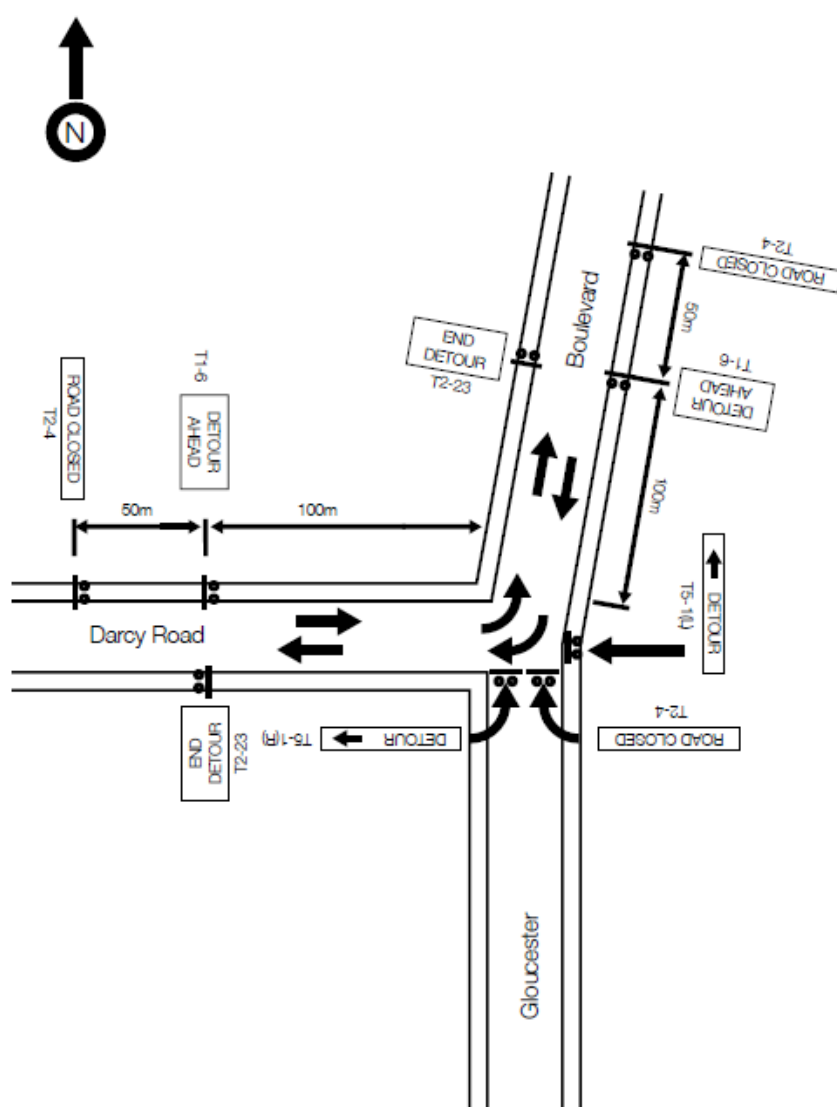


LONG TERM CLOSURE - LANE / 2 WAY
DETOUR ALL TRAFFIC
DETAIL 'A'

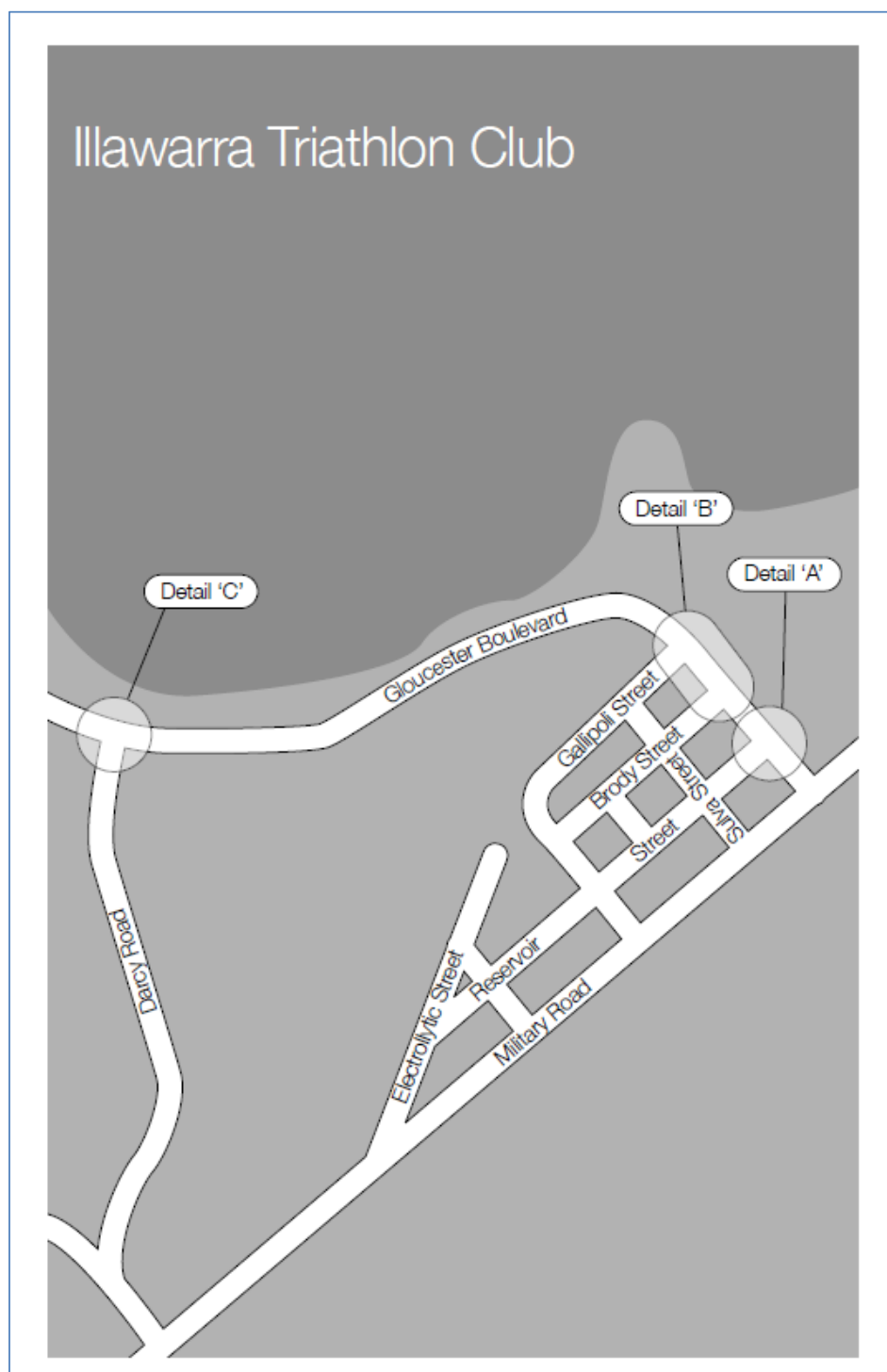
Illawarra Triathlon Club

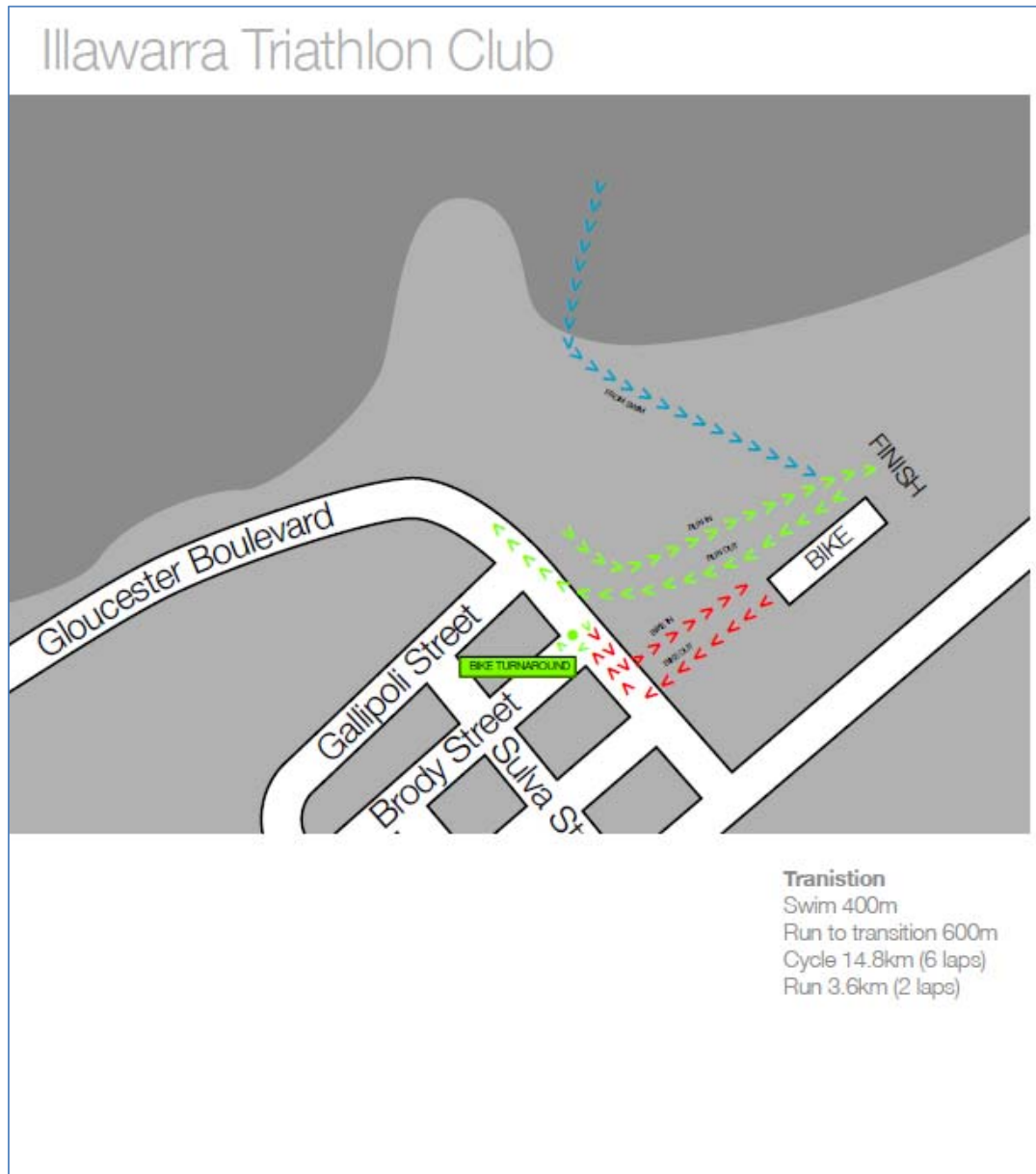


LONG TERM CLOSURE - 2 LANE / 2 WAY
DETOUR ALL TRAFFIC
DETAIL 'B'

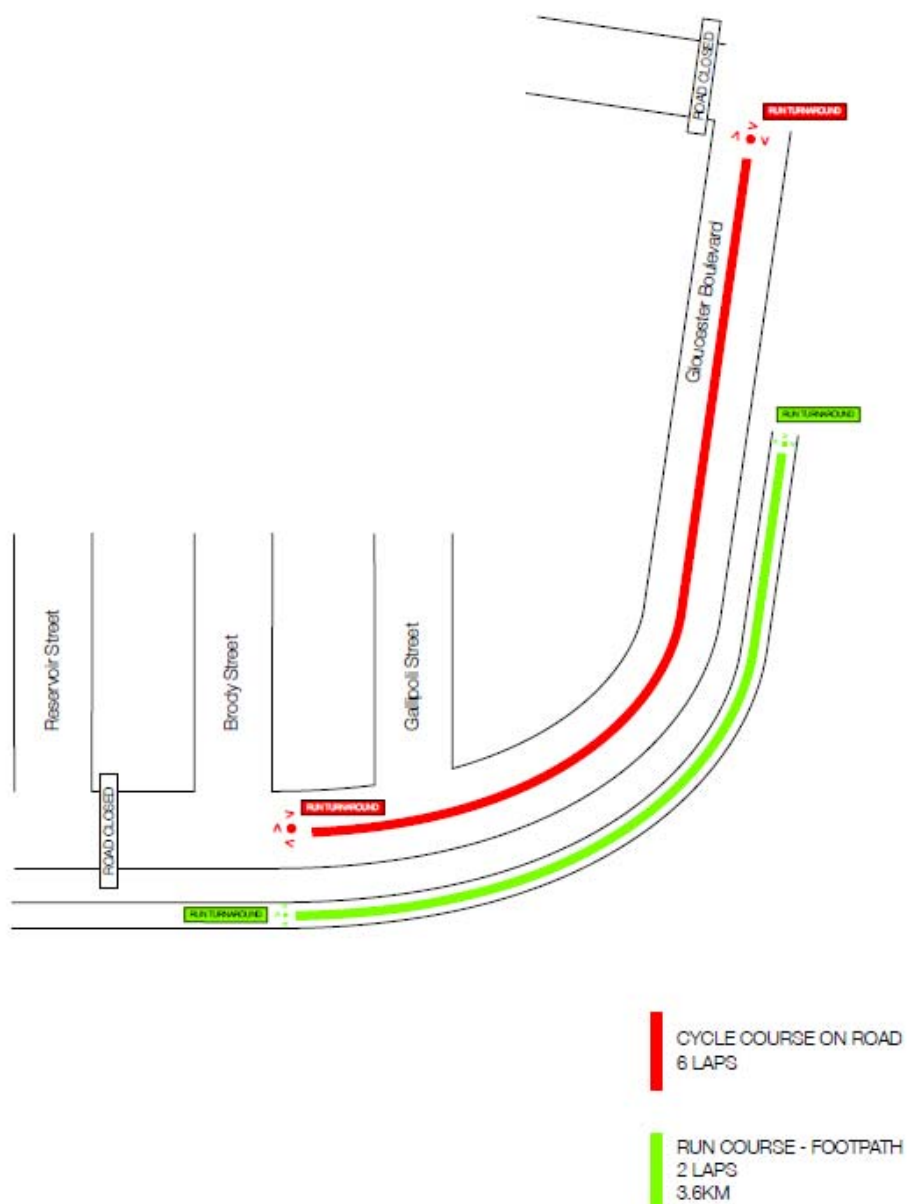


LONG TERM CLOSURE - 2 LANE / 2 WAY
DETOUR ALL TRAFFIC
DETAIL 'C'

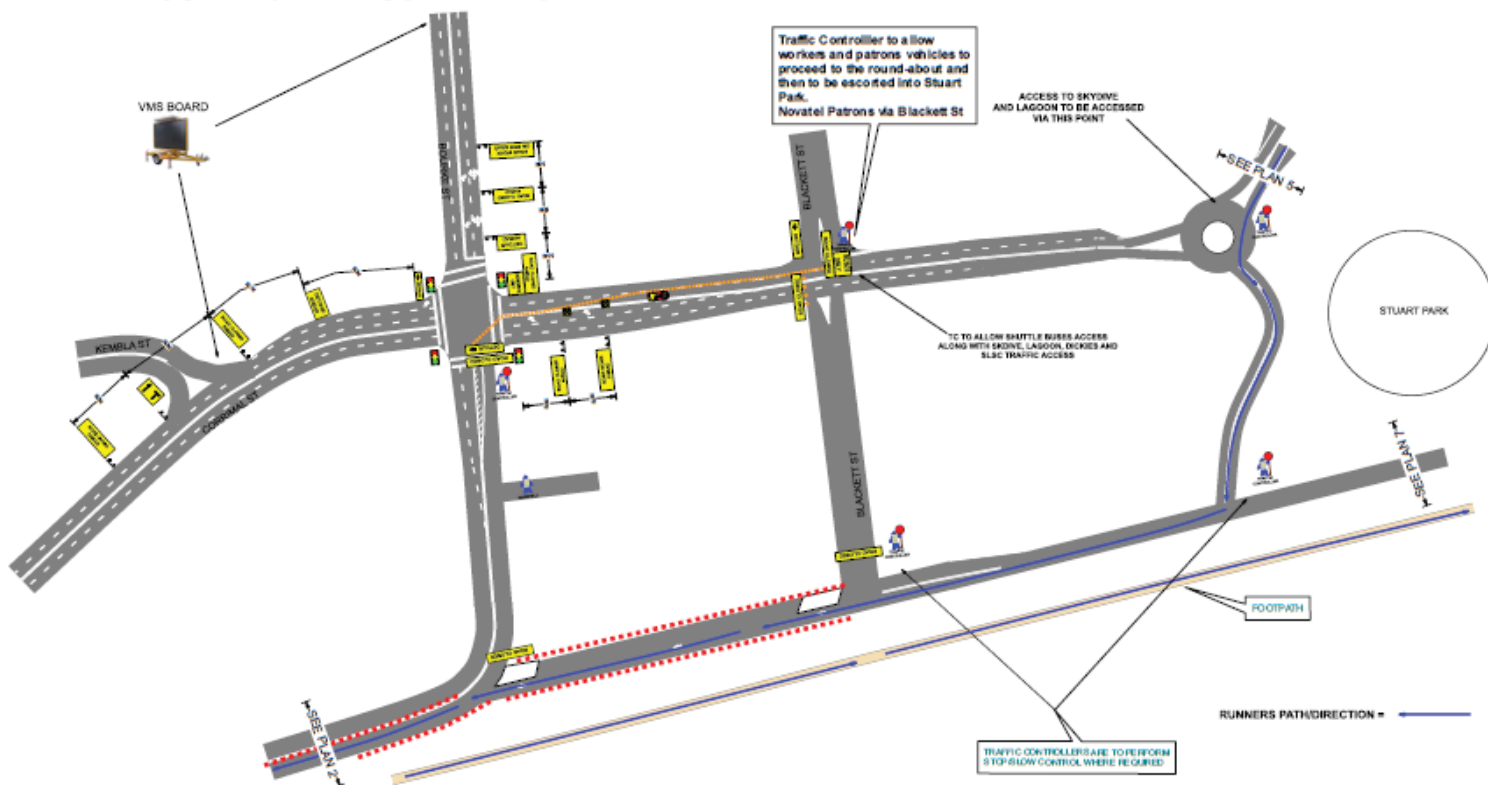







Cycle + Run Course

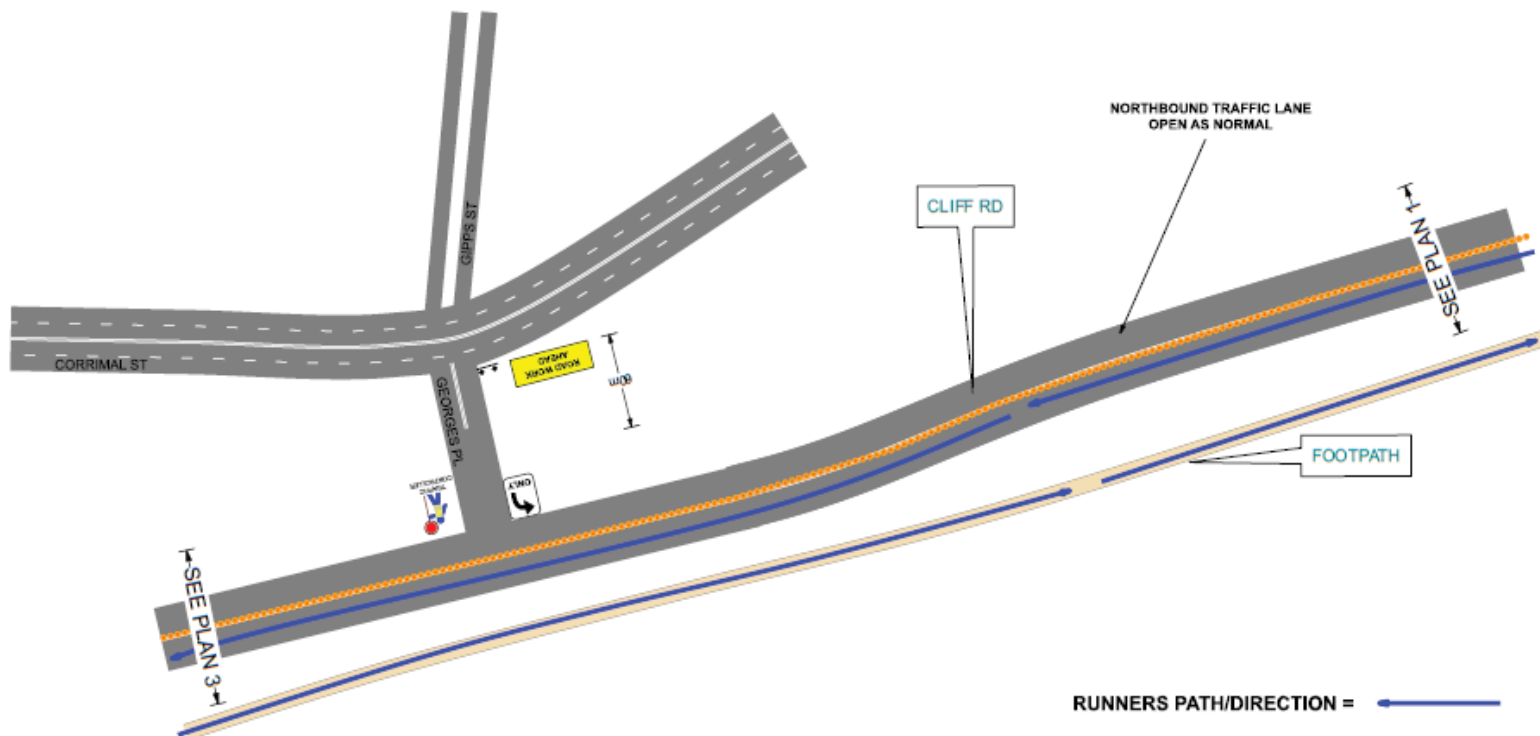





THE COLOR RUN PLAN 1 - BOURKE ST AND CORRIMAL ST



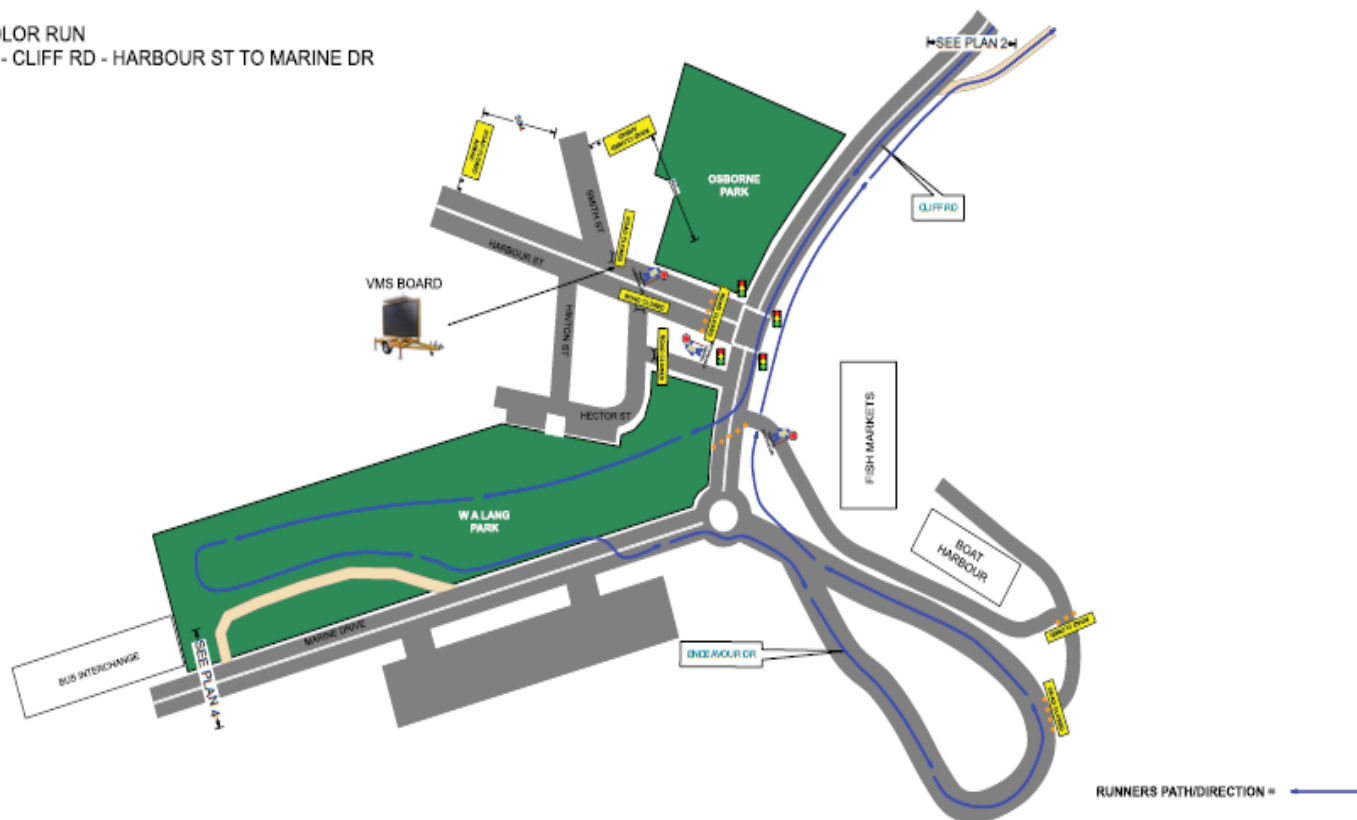
 PLAN NOT TO SCALE	Author: T Diaz PREPARED BY Tynan Diaz CERT NO: 52907603T TMP No: TCRGEN-P1R	Implemented By Name: Date: Signed: Cert No:	Comments: 1. TCP Designed as a guide only. Team leader to Select & Modify TCP to suit. 2. All signage is to be removed on completion of the works. 3. Sign distances may vary due to obstructions, driveways etc. 4. Traffic Controllers are to manage pedestrians as well. This plan is in accordance with AS 1742.3 Traffic Control Devices at work sites and The RTA "Traffic Control at work sites" manual.	PROJECT THE COLOR RUN	 WOLLONGONG SYDNEY Phone: (02) 42727133 Phone: (02) 9631 7962 Fax: (02) 42727134 Fax: (02) 9631 7963 B&B TRAFFIC MANAGEMENT DOES NOT ACCEPT LIABILITY FOR MISLEADING OF THIS TCP IF NOT DIRECTLY INVOLVED IN ITS IMPLEMENTATION	
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THE COLOR RUN PLAN 2 - CLIFF RD - GEORGES PL TO BOURKE ST



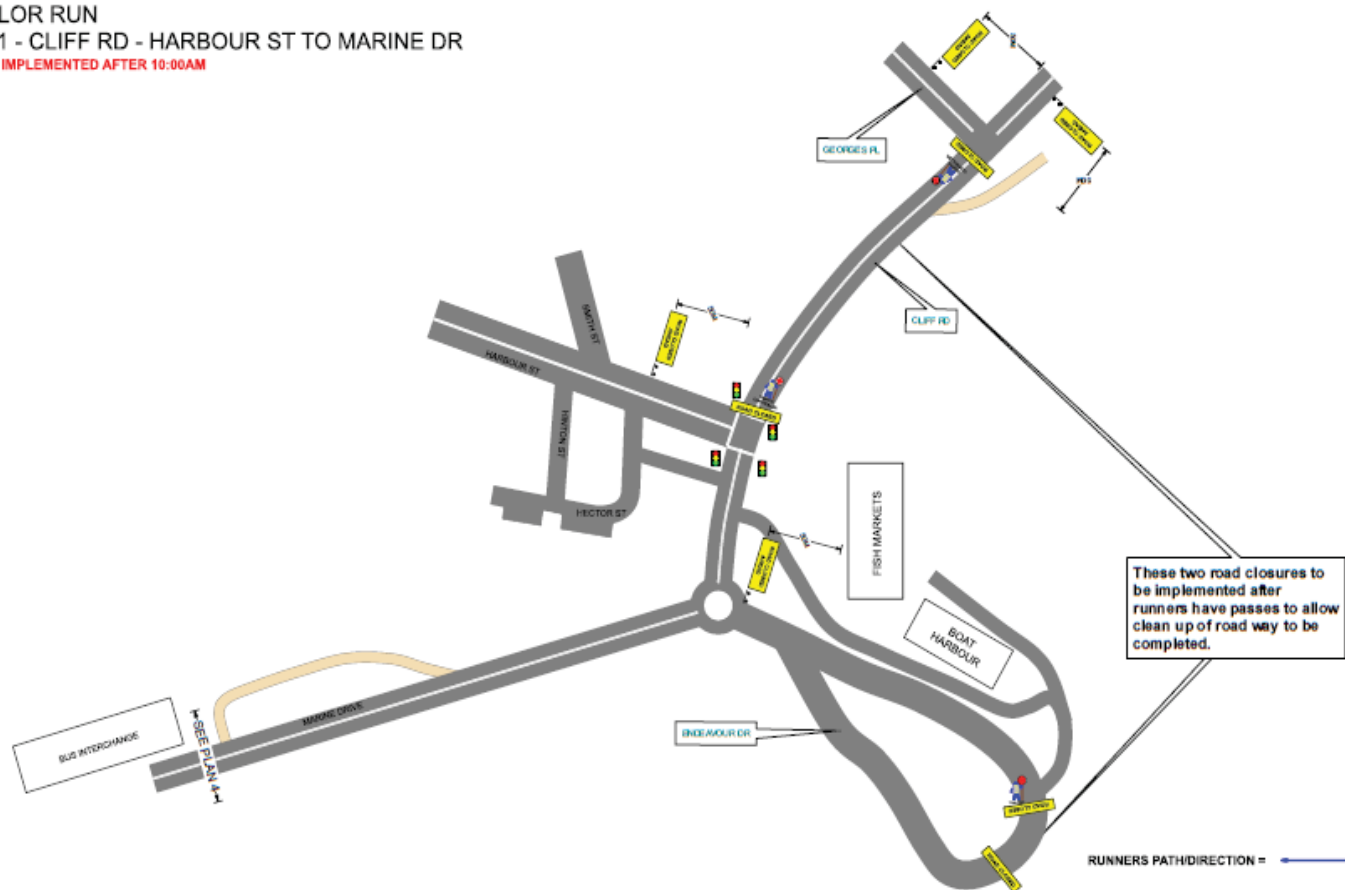
 PLAN NOT TO SCALE	Author : T Diaz PREPARED BY Tynan Diaz CERT NO: 5293016031 TMP No: TCRGEN-P2R	Implemented By Name:..... Date:..... Signed:..... Cert No:.....	Comments: 1. TCP Designed as a guide only. Team leader to Select & Modify TCP to suit. 2. All signage is to be removed on completion of the works. 3. Sign distances may vary due to obstructions, driveways etc. 4. Traffic Controllers are to manage pedestrians as well. This plan is in accordance with AS 1742.3 Traffic Control Devices at work sites and The RTA "Traffic Control at work sites" manual.	PROJECT THE COLOR RUN	 Traffic Management WOLLONGONG SYDNEY Phone: (02) 42727133 Phone: (02) 9631 7962 Fax: (02) 42727134 Fax: (02) 9631 7963 B&B TRAFFIC MANAGEMENT DOES NOT ACCEPT LIABILITY FOR IMPLEMENTATION OF THIS TCP IF NOT DIRECTLY INVOLVED IN ITS IMPLEMENTATION	
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THE COLOR RUN
PLAN 3 - CLIFF RD - HARBOUR ST TO MARINE DR



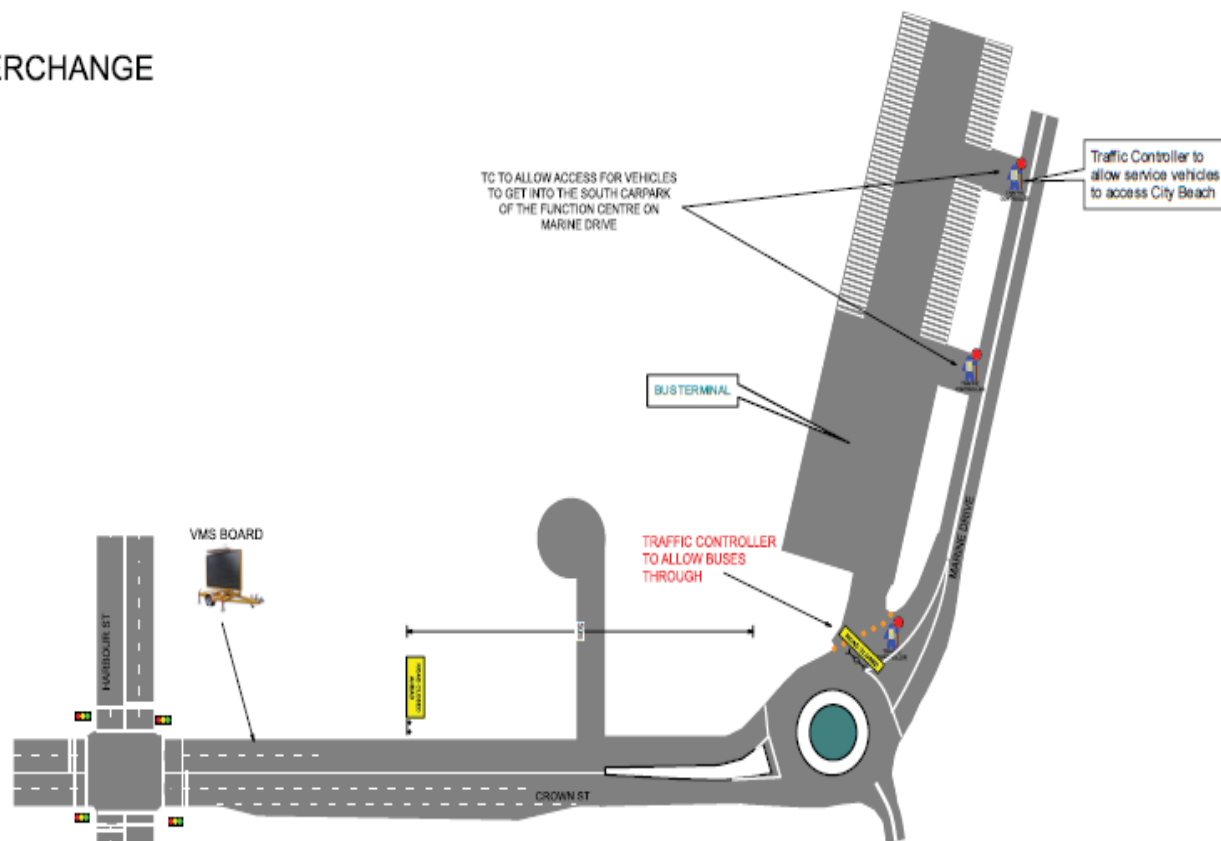
 PLAN NOT TO SCALE	Author: T Dax PREPARED BY Tyeen Dix CERT NO: 530316631 TMP No: TCRGEN-P3R	Implemented By Name:..... Date:..... Signed:..... Cert No:.....	Comments: 1. TOP Designed as a guide only. Team leader to Select & Modify TOP to suit. 2. All signage is to be removed on completion of the works. 3. Sign distances may vary due to obstructions, driveways etc. 4. Traffic Controllers are to manage pedestrians as well. This plan is in accordance with AS 1742.3 Traffic Control Devices at work sites and The RTA "Traffic Control at work sites" manual.	PROJECT THE COLOR RUN	 Traffic Management WOLLONGONG SYDNEY Phone: (02) 42727133 Phone: (02) 9631 7962 Fax: (02) 42727134 Fax: (02) 9631 7963 D&D TRAFFIC MANAGEMENT DOES NOT ACCEPT LIABILITY FOR IMPLEMENTATION OF THIS TOP IF NOT DIRECTLY INVOLVED IN ITS IMPLEMENTATION	
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THE COLOR RUN
PLAN 3.1 - CLIFF RD - HARBOUR ST TO MARINE DR
PLAN TO BE IMPLEMENTED AFTER 10:00AM



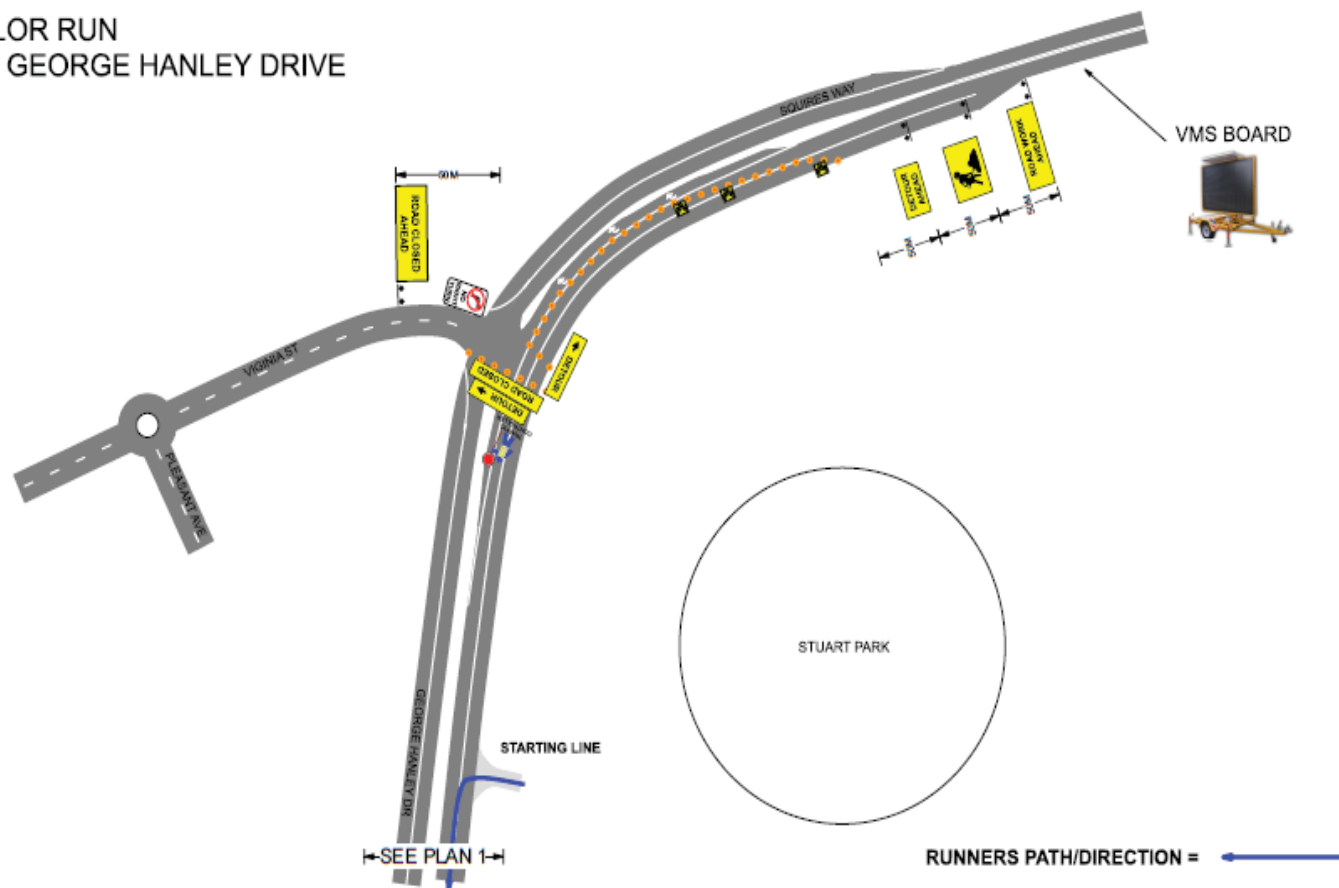
 PLAN NOT TO SCALE	Author: T.Diaz PREPARED BY: Tyren Diaz CERT NO: 535018031 TMP No: TCRGEN-P3.1R	Implemented By Name:..... Date:..... Signed:..... Cert No:.....	Comments: 1. TGP Designed as a guide only. Team leader to Select & Modify TGP to suit. 2. All signage is to be removed on completion of the works. 3. Sign distances may vary due to obstructions, driveways etc. 4. Traffic Controllers are to manage pedestrians as well. This plan is in accordance with AS 1742.3 Traffic Control Devices at work sites and The RTA "Traffic Control at work sites" manual.	PROJECT THE COLOR RUN	 WOLLONGONG SYDNEY Phone: (02) 42727133 Phone: (02) 9631 7962 Fax: (02) 42727134 Fax: (02) 9631 7963 <small>B&B TRAFFIC MANAGEMENT DOES NOT ACCEPT LIABILITY FOR IMPLEMENTATION OF THIS TGP IF NOT DIRECTLY INVOLVED IN ITS IMPLEMENTATION</small>	
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THE COLOR RUN PLAN 4 - BUS INTERCHANGE

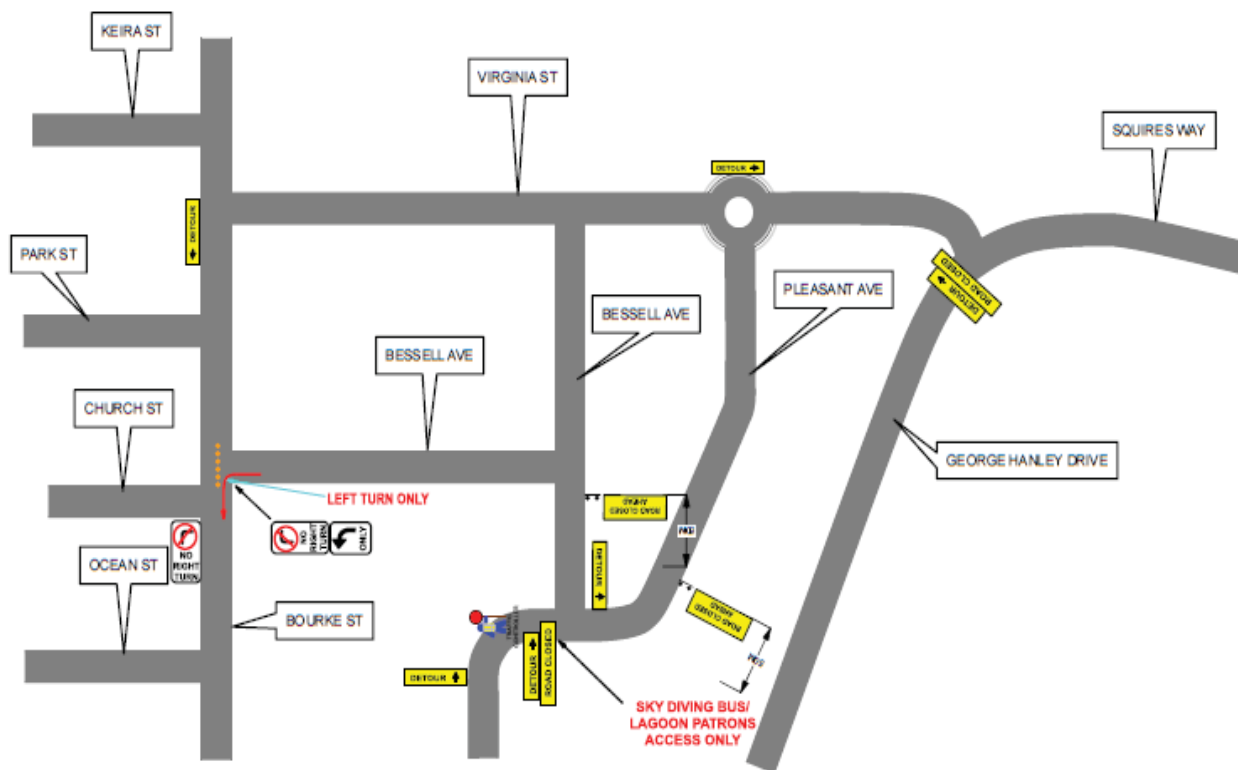





 PLAN NOT TO SCALE	Author: T Diaz PREPARED BY: Sydney Diaz CERT NO: 535015031 TMP No: TCRGEN-P4R	Implemented By Name:..... Date:..... Signed:..... Cert No:.....	Comments: 1. TOP Designed as a guide only. Team leader to Select & Modify TOP to suit. 2. All signage is to be removed on completion of the works. 3. Sign distances may vary due to obstructions, driveways etc. 4. Traffic Controllers are to manage pedestrians as well. This plan is in accordance with AS 1742.3 Traffic Control Devices at work sites and The RTA "Traffic Control at work sites" manual.	PROJECT THE COLOR RUN	 WOLLONGONG SYDNEY Phone: (02) 42727133 Phone: (02) 9631 7962 Fax: (02) 42727134 Fax: (02) 9631 7963 DAD TRAFFIC MANAGEMENT DOES NOT ACCEPT LIABILITY FOR IMPLEMENTATION OF THIS TOP IF NOT DIRECTLY INVOLVED IN ITS IMPLEMENTATION	

THE COLOR RUN PLAN 5 - GEORGE HANLEY DRIVE

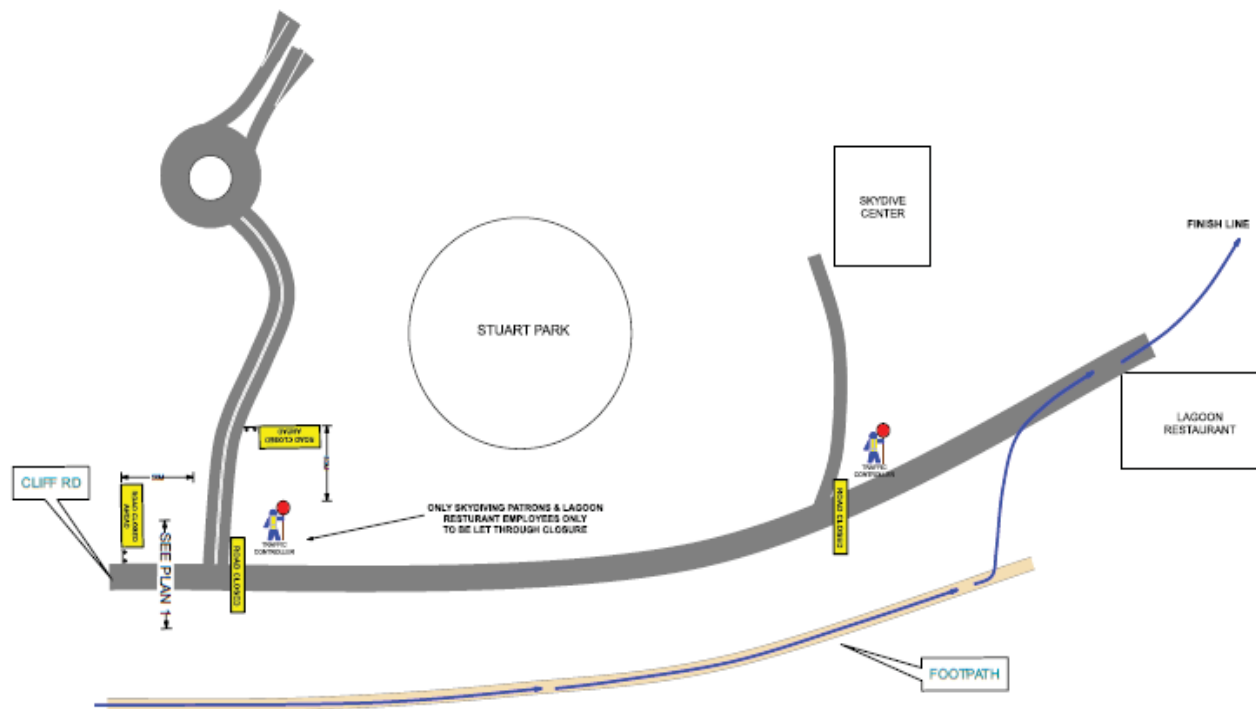


 PLAN NOT TO SCALE	Author : T Diaz PREPARED BY Tyman Diaz CERT NO: 5293016031 TMP No: TCRGEN-P5R	Implemented By Name:..... Date:..... Signed:..... Cert No:.....	Comments: 1. TCP Designed as a guide only. Team leader to Select & Modify TCP to suit. 2. All signage is to be removed on completion of the works. 3. Sign distances may vary due to obstructions, driveways etc. 4. Traffic Controllers are to manage pedestrians as well. This plan is in accordance with AS 1742.3 Traffic Control Devices at work sites and The RTA "Traffic Control at work sites" manual.	PROJECT	 Traffic Management WOLLONGONG SYDNEY Phone: (02) 42727133 Phone: (02) 9631 7962 Fax: (02) 42727134 Fax: (02) 9631 7963 D&D TRAFFIC MANAGEMENT DOES NOT ACCEPT LIABILITY FOR IMPLEMENTATION OF THIS TCP IF NOT DIRECTLY INVOLVED IN ITS IMPLEMENTATION	
				THE COLOR RUN		






 PLAN NOT TO SCALE	Author: T.Daz PREPARED BY Dylan Daz CERT NO. 5263576191 TMP No: TCRGEN-P6R	Implemented By	Comments:	PROJECT	 WOLLONGONG SYDNEY Phone: (02) 42727133 Phone: (02) 9631 7962 Fax: (02) 42727134 Fax: (02) 9631 7963	
		Name:..... Date:..... Signed:..... Cert No:.....	1. TCP Designed as a guide only. Team leader to Select & Notify TCP to suit. 2. All signage is to be removed on completion of the works. 3. Sign distances may vary due to obstructions, driveways etc. 4. Traffic Controllers are to manage pedestrians as well. This plan is in accordance with AS 1142-3 Traffic Control Devices at work sites and The RTA "Traffic Control at work sites" manual.	THE COLOR RUN		

THE COLOR RUN PLAN 7 - STUART PARK



RUNNERS PATH/DIRECTION =

 PLAN NOT TO SCALE	Author: T Diaz PREPARED BY: Tyuan Diaz CERT NO: 6283016931 TMP No: TCRGEN-P7R	Implemented By Name:..... Date:..... Signed:..... Cert No:.....	Comments: 1. TCP Designed as a guide only. Team leader to Select & Modify TCP to suit. 2. All signage is to be removed on completion of the works. 3. Sign distances may vary due to obstructions, driveways etc. 4. Traffic Controllers are to manage pedestrians as well. This plan is in accordance with AS 1742.3 Traffic Control Devices at workplaces and The RTA "Traffic Control at workplaces" manual.	PROJECT THE COLOR RUN	 Traffic Management WOLLONGONG SYDNEY Phone: (02) 42727133 Phone: (02) 8631 7862 Fax: (02) 42727134 Fax: (02) 8631 7863 D&B TRAFFIC MANAGEMENT DOES NOT ACCEPT LIABILITY FOR IMPLEMENTATION OF THIS TCP IF NOT DIRECTLY INVOLVED IN ITS IMPLEMENTATION	
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