



BUSINESS PAPER

ORDINARY MEETING OF COUNCIL

To be held at 6.00 pm on

Monday 12 December 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 Meeting of Council 21/11/2016
- 7 Public Access Forum
- 8 Call of the Agenda
- 9 Lord Mayoral Minute
- 10 Urgent Items
- 11 Notice of Motions
- 12 Agenda Items

Members

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

QUORUM – 7 MEMBERS TO BE PRESENT

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MINUTES

ORDINARY MEETING OF COUNCIL

at 6.00 pm

Monday 21 November 2016

Present

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

In Attendance

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

Apology

Min No.

131

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Colacino seconded Councillor Dorahy that the apology tendered on behalf of Councillor Crasnich be accepted.

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Disclosure of Interests

Sandon Point Aboriginal Place - Joint Management Agreement

2015-2016 Local Government Risk Management Excellence Awards

Motion of Condolence for the Late Joe Smith, former Alderman and Deputy Lord Mayor

Confirmation of Minutes of Ordinary Meeting of Council held on
Monday, 31 October 2016

Public Access Forum - Draft Planning Proposal Wests Illawarra Leagues Club and
Surrounding Sites

Call of the Agenda

- | | |
|---------|----------------------------------------------------------------------------------------------------------------------------|
| ITEM 1 | Draft Planning Proposal: Wests Illawarra Leagues Club and Surrounding Sites,
Unanderra |
| ITEM 2 | Submission of the Wollongong Draft Coastal Zone Management Plan for Certification |
| ITEM 3 | Post Exhibition Report - Sustainability Review of Wollongong Development Control
Plan 2009 |
| ITEM 4 | Establishment of Floodplain Risk Management Committees |
| ITEM 5 | Compulsory Acquisition of Right of Carriageway over Crown Land to provide access to
the Waterfall (Garrawarra) Cemetery |
| ITEM 6 | Acquisition of Easement for Suction Line over Crown Land at Port Kembla |
| ITEM 7 | Dedication of Lanes at Port Kembla as Drainage Reserve |
| ITEM 8 | Tender T16/31 Playground - Kanahooka Park, Kanahooka |
| ITEM 9 | Tender T16/33 Beaton Park Athletics Track Resurfacing |
| ITEM 10 | Community Transport - Procurement Exemption - Wollongong Radio Cabs |
| ITEM 11 | Community Transport - Procurement Exemption - Cnty's Bus Rentals |
| ITEM 12 | Draft Quarterly Review Statement September 2016 |
| ITEM 13 | City of Wollongong Traffic Committee - Minutes of Meeting held 26 October 2016 |
| ITEM 14 | Bi-Monthly Tabling of Returns of Disclosures of Interest and Other Matters |

DISCLOSURE OF INTERESTS

Councillor Martin declared a non-significant, non-pecuniary interest in Item 1 as this Planning Proposal will impact on her employer, the Department of Planning and Environment.

During the debate on Item 2, Councillor Martin declared a conflict of interest due to her employment at the Department of Planning and Environment, as the Department is partly responsible for the Coastal SEPP.

Councillor Dorahy declared an interest in Item 1 as he is a Director of Wests Illawarra. Councillor Dorahy advised that he would vacate the Chamber during debate and voting on this matter.

Councillor Brown declared a non-significant, non-pecuniary conflict of interest in Item 1 as he holds membership of Corrimal Leagues Club; an organisation linked to the proponent.

Councillor Curran declared an interest in Item 1 as she had become a member of a Leagues Club which has an affiliation with Wests Illawarra. Councillor Curran advised that she would remain in the Chamber during debate and voting on this matter.

SANDON POINT ABORIGINAL PLACE - JOINT MANAGEMENT AGREEMENT

The Lord Mayor tabled the Sandon Point Aboriginal Place Joint Management Agreement which marked a very significant moment in the history of the City. The Agreement, signed on behalf of the Illawarra Local Aboriginal Land Council, Korewal Elouera Jerrungarugh Tribal Elders Aboriginal Corporation, Sandon Point Tent Embassy, Wadi Wadi Coomaditchi Aboriginal Corporation, Wodi Wodi Elders Council and Wollongong City Council, was significant and had taken five years to achieve. The Agreement will ensure that Sandon Point and McCauley's Beach are managed in a way that respects, conserves and maintains the values of the Sandon Point Aboriginal Place and also recognises the intrinsic relationship that the Aboriginal community have with these sites.

2015-2016 LOCAL GOVERNMENT RISK MANAGEMENT EXCELLENCE AWARDS

The Lord Mayor tabled an Award and cheque presented to Council for Excellence in Risk Management. The Award was achieved in recognition of Council's management of Fine Arts at Wollongong Art Gallery. The Gallery is one of the largest regional art museums in Australia and provides 80,000 visitors each year with access to 2,600 artworks. The Gallery, whilst having a very unique risk profile, has mastered the art of managing Fine Arts.

MOTION OF CONDOLENCE FOR THE LATE JOE SMITH, FORMER ALDERMAN AND DEPUTY LORD MAYOR

- 132** **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Takacs that Council acknowledge the recent passing of former Alderman and Deputy Lord Mayor, Joe Smith, and extends its sincere condolences and sympathy to his family and many friends. Council also acknowledges Joe Smith's contribution and commitment to the community.

CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 31 OCTOBER 2016

- 133** **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Blicavs that the Minutes of the Ordinary Meeting of Council held on Monday, 31 October 2016 (a copy having been circulated to Councillors) be taken as read and confirmed.

PUBLIC ACCESS FORUM - DRAFT PLANNING PROPOSAL WESTS ILLAWARRA LEAGUES CLUB AND SURROUNDING SITES

Mr T Wetherall for TCW Consulting, made reference to recommendation four of the Officer's report "The proposed rezoning of sites 2 and 3 not be supported and the current low-density residential zone, height of buildings and floor space ratio development standards be retained". He said that since the preparation of the report, additional flood information had been submitted to Council which addresses a concern of the report that "there is inadequate information to support the proposal for Sites 2 and 3 in terms of flood hazard consideration". Mr Wetherall requested that the proposed rezoning of Sites 2 and 3 be deferred to allow additional time to determine the flooding affectation of the sites.

Mr A Barthelmess, for Rienco Consulting, advised that the modelling undertaken in his June report was reviewed and based on this review, he confirmed that the model results for Sites 2 and 3 are fit for purpose in assessing flood behaviour across these sites. He said that both the existing land use and the proposed land use are already considered as suitable outcomes with regard to the DCP controls for flooding. Any development on the land, whether that is low density residential or future medium density residential, would still have to meet the requirements of Chapter E13 of the DCP, and those requirements are identical, no matter the zone. Mr Barthelmess concluded by saying that there is no flood-related impediment to rezoning Sites 2 and 3.

- 134 COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Connor that the speakers be thanked for their presentation and invited to table their notes.

CALL OF THE AGENDA

- 135 COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Connor that the staff recommendations for Items 6 to 14 inclusive, be adopted as a block.

DEPARTURE OF COUNCILLOR

Due to a prior disclosure of interest, Councillor Dorahy departed the Chamber and was not present during the debate and voting for Item 1.

ITEM 1 - DRAFT PLANNING PROPOSAL: WESTS ILLAWARRA LEAGUES CLUB AND SURROUNDING SITES, UNANDERRA

- 136 COUNCIL'S RESOLUTION** – RESOLVED on the motion of Councillor Brown seconded Councillor Blicavs that this Item be deferred to allow staff to consider additional flood study information as provided by the applicant.

In favour Councillors Kershaw, Connor, Brown, Martin, Takacs, Blicavs, Colacino, Curran, Petty and Bradbery
Against Councillor Merrin

DEPARTURE OF COUNCILLOR AND DISCLOSURE OF INTEREST

During debate and prior to voting on Item 2, Councillor Blicavs departed and returned to the meeting, the time being from 6.47 pm to 6.49 pm.

During the debate on Item 2, Councillor Martin declared a conflict of interest in the matter due to her employment at the Department of Planning and Environment, as the Department is partly responsible for the Coastal SEPP.

ITEM 2 - SUBMISSION OF THE WOLLONGONG DRAFT COASTAL ZONE MANAGEMENT PLAN FOR CERTIFICATION

137 COUNCIL'S RESOLUTION – RESOLVED on the motion of Councillor Merrin seconded Councillor Takacs that -

- 1 The Draft Wollongong Coastal Zone Management Plan be updated to reflect the changes listed in Table 3 of the report.
- 2 The updated Draft Wollongong Coastal Zone Management Plan be submitted to the State Government for certification.
- 3 A further report be provided to Council when the State Government has considered the certification of the Draft Wollongong CZMP.
- 4 Opportunity be provided for a community briefing.

Variation The variation moved by Councillor Curran (the addition of Part 4) was accepted by the mover and seconder.

In favour Councillors Connor, Brown, Martin, Takacs, Merrin, Blicavs, Colacino and Curran
Against Councillors Kershaw, Dorahy, Petty and Bradbery

DEPARTURE OF COUNCILLORS

During debate and prior to voting on Item 3, Councillors Connor and Curran departed and returned to the meeting, the time being from 7.34 pm to 7.36 pm, and from 7.41 pm to 7.43 pm, respectively.

ITEM 3 - POST EXHIBITION REPORT - SUSTAINABILITY REVIEW OF WOLLONGONG DEVELOPMENT CONTROL PLAN 2009

138 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Merrin seconded Councillor Brown that the following revised Chapters of the Wollongong Development Control Plan 2009 (Attachments 2-10 of the report) be adopted by Council and a notice be placed in the local newspapers to provide effect of such adoption -

- a A1 Introduction
- b A2 Ecologically Sustainable Development
- c B1 Residential Development
- d B3 Mixed Use Development
- e B5 Industrial Development
- f D13 Wollongong City Centre
- g E3 Car Parking, Access, Servicing/Loading Facilities and Traffic Management
- h E6 Landscaping
- i Appendix 4 Definitions

ITEM 4 - ESTABLISHMENT OF FLOODPLAIN RISK MANAGEMENT COMMITTEES

139 COUNCIL'S RESOLUTION - RESOLVED on the motion of Councillor Brown seconded Councillor Blicavs that -

- 1 Two Councillors (one as chairperson) from Wards covered by the respective catchment areas (one from each Ward where catchments cross Wards) be nominated to each of the following identified Floodplain Risk Management Committees –
 - a Hewitts Creek (Ward 1)
 - b Collins Creek (Ward 1)
 - c Towradgi Creek (Ward 1)
 - d Fairy and Cabbage Tree Creeks (Wards 1 and 2)
 - e Wollongong City (Ward 2)
 - f Mullet and Brooks Creeks (Ward 2 and 3)
 - g Lake Illawarra (Ward 3)
 - h Minnegang Creek (Ward 3)
- 2 Council seek other appropriate representation (including Council staff, State Government agencies, and local community members) on each of the identified Floodplain Risk Management Committees.
- 3 The revised Charter for Floodplain Risk Management Committees be adopted.
- 4 The establishment of these Floodplain Risk Management Committees dissolves any existing Committees that have overseen already completed studies in these catchments.

In favour Councillors Kershaw, Connor, Brown, Martin, Takacs, Merrin, Blicavs, Dorahy, Colacino, Curran and Bradbery
Against Councillor Petty

140 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Connor seconded Councillor Kershaw that the Hewitts Creek Floodplain Risk Management Committee Charter be amended to include three Councillor representatives.

141 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Kershaw seconded Councillor Curran that the Mullet and Brooks Creeks Floodplain Risk Management Committee Charter be amended to include three Councillor representatives.

In accordance with Part 1 of the above resolution (Minute number 139), elections were undertaken for appointments to the following Floodplain Risk Management Committees –

- a Hewitts Creek Floodplain Risk Management Committee: Councillors Kershaw, Merrin and Petty were elected, with Councillor Merrin elected as Chair.
- b Collins Creek Floodplain Risk Management Committee: Councillors Kershaw and Merrin, with Councillor Merrin elected as Chair.
- c Towradgi Creek Floodplain Risk Management Committee: Councillors Kershaw and Merrin, with Councillor Kershaw elected as Chair.
- d Fairy and Cabbage Tree Creeks Floodplain Risk Management Committee: Councillor Kershaw (Ward 1) and Councillor Takacs (Ward 2), with Councillor Takacs elected as Chair.
- e Wollongong City Floodplain Risk Management Committee: Councillors Takacs and Dorahy, with Councillor Dorahy elected as Chair.

- f Mullet and Brooks Creeks Floodplain Risk Management Committee: Councillor Brown (Ward 2) and Councillors Curran and Connor (Ward 3), with Councillor Connor elected as Chair.
- g Lake Illawarra Floodplain Risk Management Committee: Councillors Martin and Curran, with Councillor Martin elected as Chair.
- h Minnegang Creek Floodplain Risk Management Committee: Councillors Curran and Martin, with Councillor Martin elected as Chair.

ITEM 5 - COMPULSORY ACQUISITION OF RIGHT OF CARRIAGEWAY OVER CROWN LAND TO PROVIDE ACCESS TO THE WATERFALL (GARRAWARRA) CEMETERY

142 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor Curran seconded Councillor Colacino that -

- 1 Council compulsorily acquire a Right of Carriageway over Lot 3 DP840501 which is Crown Land adjoining the Waterfall General (Garrawarra) Cemetery.
- 2 Council seek approval from the Minister for Local Government in accordance with section 187 of the Local Government Act 1993 to give all necessary Proposed Acquisition Notices in accordance with the Land Acquisition (Just Terms Compensation) Act 1991.
- 3 Council take each further step as is necessary to obtain approval from the Minister, the Governor or any public authority as may be necessary, and take all actions as may be necessary, to give notices and otherwise carry out the acquisitions by means of compulsory acquisition.
- 4 Council write to the Treasurer of NSW, The Hon Gladys Berejiklian MP, with a copy to Parliamentary Secretary for the Illawarra and South Coast, Gareth Ward MP, requesting the waiver of compensation for the acquisition of the Right of Carriageway over Lot 3 DP 840501, giving the background and reason for this request.
- 5 The General Manager be authorised to sign any documentation necessary to finalise the acquisition and the Common Seal of Council be applied where necessary.

Variation The variations moved by –

- *Councillor Blicavs (the addition of the words “giving the background and reason for this request” to Part 4); and,*
- *Councillor Bradbery (the addition of the words “with a copy to Parliamentary Secretary for the Illawarra and South Coast, Gareth Ward MP” to Part 4),*

were accepted by the mover and seconder.

ITEM 6 - ACQUISITION OF EASEMENT FOR SUCTION LINE OVER CROWN LAND AT PORT KEMBLA

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 135).

COUNCIL'S RESOLUTION –

- 1 Council compulsorily acquire an extension of an easement for a suction line over Crown Land at Port Kembla which was previously acquired from the Crown in DP1047304. The easement extension is shown on the easement acquisition plan attached to the report.
- 2 Council seek approval from the Minister for Local Government in accordance with section 187 of the Local Government Act 1993 to give all necessary Proposed Acquisition Notices in accordance with the Land Acquisition (Just Terms Compensation) Act 1991.
- 3 Council take each further step as is necessary to obtain approval from the Minister, the Governor or any public authority as may be necessary, and take all actions as may be necessary, to give notices and otherwise carry out the acquisitions by means of compulsory acquisition.
- 4 Council be responsible for all costs associated with the compulsory acquisition of the easement extension.
- 5 The Valuer General determine the compensation to be paid to the Crown Lands Division for the compulsory acquisition.
- 6 The General Manager be authorised to sign any documentation necessary to complete the compulsory acquisition and the Common Seal of Council be applied where/if necessary.

ITEM 7 - DEDICATION OF LANES AT PORT KEMBLA AS DRAINAGE RESERVE

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 135).

COUNCIL'S RESOLUTION –

- 1 Council dedicate Lots 516 to 520 DP14939 as drainage reserve under Section 50 of the Local Government Act 1993.
- 2 Upon dedication all of the abovementioned land becomes operational land.
- 3 The General Manager be authorised to sign any documentation necessary to complete the dedication.

ITEM 8 - TENDER T16/31 PLAYGROUND - KANAHOOKA PARK, KANAHOOKA

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 135).

COUNCIL'S RESOLUTION –

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Glenn Simpson Landscapes Pty Ltd for installation of soft fall, landscaping and other works associated with the replacement of the playground at Kanahooka Park, Kanahooka in the sum of \$170,381.00, 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 9 - TENDER T16/33 BEATON PARK ATHLETICS TRACK RESURFACING

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 135).

COUNCIL'S RESOLUTION –

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Polytan Asia Pacific Pty Ltd for resurfacing and line marking of the Beaton Park athletics track, in the sum of \$458,350.00, 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 10 - COMMUNITY TRANSPORT - PROCUREMENT EXEMPTION - WOLLONGONG RADIO CABS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 135).

COUNCIL'S RESOLUTION – Council, under Section 55(3)(i) of the Local Government Act 1993, enter into an agreement with Wollongong Radio Cabs without inviting tenders, due to extenuating circumstances, unavailability of competitive and reliable tenderers and otherwise for the reasons set out in the report.

ITEM 11 - COMMUNITY TRANSPORT - PROCUREMENT EXEMPTION - CANTY'S BUS RENTALS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 135).

COUNCIL'S RESOLUTION – Council, under Section 55(3)(i) of the Local Government Act 1993, enter into an agreement with Canty's Bus Rentals without inviting tenders, due to extenuating circumstances, unavailability of competitive and reliable tenderers and otherwise for the reasons set out in the report.

ITEM 12 - DRAFT QUARTERLY REVIEW STATEMENT SEPTEMBER 2016

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 135).

COUNCIL'S RESOLUTION –

- 1 The draft Quarterly Review Statement September 2016 be adopted.
- 2 The Budget Review Statement as at September 2016 be adopted and revised totals of income and expenditure be approved and voted.

ITEM 13 - CITY OF WOLLONGONG TRAFFIC COMMITTEE - MINUTES OF MEETING HELD 26 OCTOBER 2016

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 135).

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 26 October 2016 in relation to the Regulation of Traffic be adopted.

ITEM 14 - BI-MONTHLY TABLING OF RETURNS OF DISCLOSURES OF INTEREST AND OTHER MATTERS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 135).

COUNCIL'S RESOLUTION – Council note the tabling of the Returns of Disclosures of Interest as required by Section 450A of the Local Government Act 1993.

THE MEETING CONCLUDED AT 8.21 PM

Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on 12 December 2016.

Chairperson

ITEM A

NOTICE OF MOTION - COUNCILLOR COLACINO - RECKLESS DRIVING THROUGH THE ROYAL NATIONAL PARK

Councillor Colacino has submitted the following Notice of Motion –

“I formally move that Council staff write to all Departments responsible for the safe driving of vehicles using Lawrence Hargrave Drive, Otford Road, Lady Wakehurst Drive and Sir Bertram Stevens Drive in the Royal National Park and further to the Helensburgh roundabout, requesting that investigations take place with a view to addressing the reckless, irresponsible and dangerous road usage in this area.”

ITEM B

NOTICE OF MOTION - COUNCILLOR CURRAN - PUBLIC RECOGNITION FOR THE LATE REX CONNOR

Councillor Curran has submitted the following Notice of Motion –

“I formally move that in recognition of the Late Reginald Francis Xavier “Rex” Connor and his significant contribution to Wollongong and representation in Local, State and Federal Government, Council consider dedicating and naming a public park and viewing platform at Hill 60 Port Kembla, ‘Rex Connor Park’.”

Background provided by Councillor Curran:

Rex Connor was born in Wollongong, where he lived all his life and which he represented in the New South Wales and Australian Parliament. He attended Wollongong High School and graduated as Dux, despite contracting pneumonia in his final year.

Due to his father's death in 1925, he gave up his intention of becoming an analytical chemist and became an articled clerk to support his mother and sister. He qualified in law and handled industrial and workers' compensation cases. Despite the depression, he established a successful car dealership and later took up farming and despite these middle-class occupations he was a dedicated socialist. In 1931 he married Amelia Searl.

From 1938 to 1945 he was an Alderman on the Wollongong Municipal Council. He worked towards the creation of the City of Greater Wollongong and then for it to be accepted as the centre for regional administration in south-eastern New South Wales. Rex Connor saw that Wollongong would prosper by developing its great natural resource – coal; its great human resource – a skilled and educated workforce; and its great natural feature – an excellent harbour. Rex Connor secured the planning and construction of the Port Kembla inner Harbour and associated road systems.

In 1950 he was elected to the New South Wales Legislative Assembly for the seat of Wollongong-Kembla, where he served for 13 years. He is one of a very few Politicians who have raised the industrial contamination of Port Kembla in Parliament. In trying to mitigate Wollongong's industrial pollution he called for new Legislation and dramatically made his point by producing in Parliament a ‘pathetic specimen of a cabbage’, ‘the unrecognisable foliage of a cauliflower’ and other withered flora from our district. His efforts ushered in the State's Clean Air Act (1961).

In 1963 Rex Connor successfully led a revolt in caucus against the government's proposals to increase housing commission rents. Disappointed in State politics, he switched to Federal Parliament and won the seat of Cunningham in 1963. In 1967 Rex Connor was promoted to the Parliamentary Executive and appointed Shadow Minister for Energy Resources and Secondary Industry.

At the 1972 election Labor came to power under Gough Whitlam, and Rex Connor was elected to the front-bench and appointed Minister for Minerals and Energy. In this portfolio he sought to develop an Australian-controlled mining and energy sector. Among his plans were a national energy grid and a gas pipeline across Australia from the north-west shelf gasfields to the cities of the south-east.

His earlier socialism had evolved into fierce economic nationalism. In almost three years of often controversial administration, he transformed public policy on energy and resources. The export of all minerals became subjected to controls and Rex Connor intervened in negotiations to insist on higher prices. Producers were encouraged to deal collectively with foreign cartels to obtain longer contracts and protection against inflation and currency revaluations. He opened up markets for iron ore with China, mining taxes were increased and the quarrying of uranium was facilitated. The Commonwealth assumed jurisdiction over resources on the continental shelf. Rex Connor established the Pipeline Authority to bring natural gas from South Australia to south eastern Australia. Seeking ‘to buy back for Australia what is part of Australia's birthright, he tried to ensure at least 51 per cent Australian investment in new mineral ventures. Rex Connor went on to serve briefly as acting Prime Minister.

After the 1975 general election Rex Connor was unexpectedly re-elected to the Opposition front bench.

Rex Connor died suddenly in Canberra of a coronary occlusion in August 1977.

Rex Connor was respected in Wollongong for the attention he gave his Electorate and his role in developing Port Kembla Harbour and the University of Wollongong. In serving his Country he never forgot his birthplace and the home of his family for four generations before him.

Rex Connor was a visionary. He had a great dream for Australia. He worked tirelessly and courageously to bring the visions and dream to reality. Rex Connor's significant contribution to Wollongong needs to be formally recognised and remembered. The story of this man needs to be conveyed to future generations and what better place to do this than at a public park on Hill 60 where such meaningful and relevant links lie.

C.J.Loyd, "Connor, Reginald Francis (Rex) (1907-1977)" Australian Dictionary of Biography, National Centre of Biography, Australian National University, 1993

R.F.X. Connor Memorial Lecture University of Wollongong Historical Society 1979

ITEM 1

WOLLONGONG SECTION 94A DEVELOPMENT CONTRIBUTIONS PLAN (2016) - POST EXHIBITION

On 5 September 2016, Council endorsed the draft Wollongong Section 94A Development Contributions Plan (2016) for exhibition. The Section 94A Plan is linked to the Wollongong 2022 Community Strategic Plan. The Works Schedule included in the Section 94A Plan is a subset of the works program expressed in the adopted Capital Budget Delivery Program 2012-2017. As a consequence of the annual update of the Delivery Program, it is necessary to update the Section 94A Plan for consistency. As a result of the exhibition, two submissions were received. It is recommended that the amended Wollongong Section 94A Development Contributions Plan (2016) be adopted.

RECOMMENDATION

- 1 The Wollongong Section 94A Development Contributions Plan (2016) be adopted including the additional amendments proposed as per the recent Ministerial Direction dated 14 April 2016 and renumbering of the exemption subclauses under clause 13.
- 2 The adoption of the Plan be notified in the local newspapers in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000.

REPORT AUTHORISATIONS

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

ATTACHMENTS

- 1 Wollongong Section 94A Development Contributions Plan Report - Section 94 Plan - Post Exhibition- Wollongong Section 94A Plan 2016
- 2 Submission - University of Wollongong
- 3 Submission - Neighbourhood Forum 5

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

Section 94A of the *Environmental Planning and Assessment Act 1979* enables Council to apply a percentage levy on the cost of development within a specific area. These funds are then applied to new or augmented works within the collection area. A plan of works to expend these funds must be publicly exhibited and adopted. Section 94A Plans are generally used in developed areas where increased development creates a general increase in demand for services and facilities.

The City-Wide Section 94A Contributions Plan came into force on 14 June 2006. This Section 94A Plan repealed the previous 12 Section 94 Plans. In January 2007 it was amended to include an additional levy for the Wollongong City Centre and renamed, 'Combined City Wide and City Centre Section 94A Development Contributions Plan'. In July 2009 it was amended by further combining Part A – City Wide and Part B – City Centre and renamed 'Wollongong Section 94A Development Contributions Plan'. The current Section 94A Plan applies to the whole LGA, except stages 1 and 2 of the West Dapto Release Area, where the West Dapto Section 94 Development Contribution Plan applies.

The Section 94A Plan requires the payment of contributions based on the value of development as follows:

- Up to \$100,000 – Nil;
- 0.5% for developments with a cost of between \$100,001 to \$200,000;
- 1% for developments with a cost of more than \$200,000; and
- 2% for developments within the B3 Commercial Core zone in the City Centre with a cost of more than \$250,000 and that increases the gross floor area.

The Section 94A Plan is linked to the Wollongong 2022 Community Strategic Plan, in particular the five-year Delivery Program, so that there is a single process and a single works schedule that governs Council's infrastructure provision and activities. The Delivery Program is the document which provides the community with an overview of the major projects and activities proposed by Council for the next five years, including the capital budget. The Delivery Program is reviewed on an annual basis and the major capital projects and activities are reviewed and amended accordingly. The Section 94A Plan needs to be updated annually to remain consistent with the Capital Delivery Program.

On 19 October 2015 Council endorsed the current Wollongong Section 94A Development Contribution Plan (2015). On 27 June 2016, Council adopted the 2016-17 Annual Plan. The detailed Capital Delivery Program for 2016-17 was finalised soon after the endorsement of the Annual Plan.

On 5 September 2016, Council considered a report on the draft Wollongong Section 94A Development Contributions Plan 2016 and resolved that:

- 1 *The draft Wollongong Section 94A Development Contributions Plan 2016 incorporate the following amendments:*
 - a *Update of the Works Program and maps to reflect the 2016-17 Capital Budget Delivery Program;*
 - b *Update to clause 13 by deleting reference to 'universities' in clause 13(s) and adding the following exemption provisions for tertiary educational providers:*
 - u *An application by or on behalf of a tertiary education provider:*
 - i *Full exemption may be allowed for facilities that are directly required by the main function of the educational facility, such as – class rooms, lecture theatre, training facility, administrative office, research facility.*
 - ii *Partial (50%) exemption may be allowed for developments that are not directly required by the main function of the educational facility but will provide support to its main function, such as student accommodation, car park, sports facility, play grounds, food-court, display facility, function centre, convention hall, auditorium, community centre.*
 - iii *Nil exemption for developments that are not directly required to the main function of the educational facility and/or have potential to create additional demand for public services and amenities. Development such as but not limited to – shops, supermarket, shopping centre, office for lease, business park, commercial centre, child care centre, entertainment facility.*
 - c *Deleting clause 25 (a), (b) and (c) which involve the provisions of Works in Kind Agreement which are not applicable under Section 94A plans and renaming 25 (d) to 25 (a).*
 - d *Including other minor changes as listed in the report.*
- 2 *The draft Wollongong Section 94A Development Contributions Plan 2016 (Attachment 1) be exhibited for a minimum period of 28 days.*
- 3 *A letter be sent to the NSW Department of Planning and Environment seeking confirmation that Section 94A Development Contributions can be levied on Crown Authorities for ancillary development.*
- 4 *The Draft Plan include the form of words 'tertiary education provider' throughout the document.*

PROPOSAL

The purpose of this report is to highlight the submissions received during the public exhibition of the draft Section 94A Development Contributions Plan (2016) and to seek Council's adoption of the Plan.

CONSULTATION AND COMMUNICATION

The draft Wollongong Section 94A Development Contributions Plan (2016) was exhibited from 17 October to 14 November 2016. The draft Plan was exhibited in Council libraries and on Council's website. Notices were also included in the local newspapers and on Council's website. Neighbourhood Forums, local peak industry associations (UDIA, Planning Institute of Australia, Property Council) and local planning consultants were advised of the exhibition.

The draft planning document was viewed 42 times on Council's website and exhibition documents were downloaded 48 times. As a result of the exhibition two submissions were received. The submissions are summarised in the following table:

Submitter	Issues raised	Comment
University of Wollongong (UOW)	<p>Oppose any levy on facilities owned by UOW as it they are generally operated on a not-for-profit basis.</p> <p>Suggests that the current policy of full exemption should be maintained on the basis that UOW contributes significantly to the social, economic and environmental wellbeing of the city and the services and infrastructure provided on-campus provides significant material public benefit to the city, its citizens and visitors, beyond the offering of educational and research opportunities.</p> <p>UOW provides a wide range of social, recreational and transport infrastructure and services available not only for the use of students and staff, but also by the broader community. Notes that many facilities provided by UOW are higher order facilities that are expensive to provide and this represents a significant saving to Council with regard to community usage. The provision of student accommodation provides affordable housing for the student population, easing pressure on the general rental market in the region. Student accommodation should be fully exempted as the benefit to the broader community from the on-campus facilities and services more than offsets any additional demand arising from the on-campus and off-campus student accommodation.</p> <p>UOW has delivered over \$1.6M in local infrastructure works since 2007. These were discretionary investments by UOW that were not mandated under Council's previous S94A plans. Additionally, UOW has programmed a further \$6.5M of local infrastructure works over the next 5 years under the UOW 2016-2020 Capital Plan to be undertaken in</p>	<p>There is no exemption available for not-for-profit organisations in the draft Plan.</p> <p>Acknowledged that UOW is providing certain public benefit to the city and the local community. Proposed changes are to provide clarification on the existing exemption policy for developments by tertiary educational providers. These changes are focused on the nature of the proposed development and provide greater consistency for contributions with like developments by other providers.</p> <p>Acknowledged that UOW provides benefit for the community. This is recognised in the proposed tiered approach to section 94A exemptions for tertiary education providers.</p> <p>Partial exemption (50%) is proposed in the draft Plan for student accommodation provided by a tertiary educational provider considering the fact that such developments will offer certain public benefits to the local community and the students.</p> <p>Student accommodation also creates additional demands on local infrastructure such as roads, parking, open space, parks, and other local community facilities.</p> <p>Considering both the benefits and the effects, a partial levy (50%) is proposed for student accommodation by a tertiary educational provider.</p> <p>Noted.</p>

Submitter	Issues raised	Comment
	<p>whole or part on Council controlled lands or where benefits accrue off-campus.</p> <p>The list of works undertaken by UOW is included in Attachment 2 – UOW submission.</p> <p>Any future ‘mandated’ requirements for UOW contributions would necessarily lead to the University reviewing its planned future ‘non-mandated’ local infrastructure works on public land in order to balance its capital budget for this class of works.</p> <p>The UOW through its non-mandated investment was providing Council with opportunity to focus S94A levies it receives on other local infrastructure works elsewhere.</p> <p>Suggests that if Council resolved to levying contributions, UOW’s preference would be to pursue a Voluntary Planning Agreement pathway for agreed investment by the university in conjunction with Council in public domain areas adjacent to the Wollongong Campus.</p> <p>Suggests that the current requirement to apply for an exemption from Council for each new development proposal (in accordance with Clause 13 (j) of section 94A Contributions Plan 2015) was resource intensive. An ability to simplify or reduce the compliance impact of this approach would be welcomed.</p>	<p>Noted. There is provision to enter into a Voluntary Planning Agreement (VPA) with Council in the draft Plan. A VPA will be negotiated and agreed as per the VPA policy of the Council.</p> <p>Noted. Under the existing provisions of the Plan a written application referring to the relevant clause of the plan is required for exemption consideration. This is to ensure consistency in Council records for the relevant development application.</p> <p>This also ensures each exemption application under an exemption clause including clause 13 (j) of the Plan is fully considered based on its merit.</p>
Neighbourhood Forum 5	<p>Supports the draft Section 94A Development Contributions Plan 2016.</p> <p>Suggests clause 13 (u)(ii) be amended to exclude student accommodation and other facilities where these are being provided by the private sector and not the tertiary education facility itself (i.e. full contribution fees should be paid).</p>	<p>Noted.</p> <p>The developments that are proposed to be considered for partial exemption are developments that are not directly required by the main function of the educational facility but will provide support to its main function. These developments are considered to have certain community benefits such as reducing the demand for like public facilities provided by Council and providing affordable housing stocks.</p> <p>However, such development also likely to create demand on the infrastructures such as local roads, parking, opens spaces etc. That is why a partial exemption (50%) is proposed in the draft Plan.</p> <p>Full levy will apply if a tertiary education provider is not the owner of the developments specified in draft clause 13 u (ii).</p>

Additional Amendments – Ministerial Directions dated 14 April 2016

On 14 April 2016, a new Ministerial Direction was issued by the Minister for Planning in regards to the application of section 94A fixed development consent levies. This direction was published and came into force on 14 October 2016.

Under the existing Wollongong Section 94A Development Contributions Plan 2015, Clause 13(a) to 13(h) sets out exemptions specified in previous Ministerial Directions (including Ministerial Directions issued on 10 November 2006 and on 9 September 2009) issued by the Minister for Planning under Section 94E of the Environmental Planning and Assessment Act 1979.

The current list of Ministerial exemptions are –

- 13 a *for the purpose of disable access (10/11/06),*
- b *for the sole purpose of affordable housing – (including Granny Flat/ Secondary dwelling under 60m2) (10/11/06),*
- c *for the purpose of reducing the consumption of mains-supplied potable water, or reducing the energy consumption of a building (10/11/06),*
- d *for the sole purpose of adaptive re-use of an item of environmental heritage (10/11/06),*
- e *other than the subdivision of land, where a condition under section 94 of the Act has been imposed under a previous development consent relating to the subdivision of the land on which the development is proposed to be carried out (10/11/06).*
- f *Senior living development under SEPP Senior Housing 2004 by a Social Housing provider (14/09/07),*
- g *Component of school development that is a Building Education Revolution (BER) (9/9/09),*
- h *Port Kembla Lease Area, as mapped in the Ports SEPP (16/12/13).*

Under the new Ministerial Direction, the existing Directions of 10 November 2006 and 9 September 2009 in respect of local infrastructure contributions were revoked (outlined above as 13 a-e and g). The new Ministerial Direction has been issued to restrict the imposition of section 94A levies to development where a section 94 contribution has already been imposed at the subdivision stage. This is substantially the same as the relevant provisions of 13 e.

In order to keep consistency with the new Ministerial Direction, the following list of exemptions have been included in the updated Section 94A Plan included as Attachment 1:

- a *If a development contribution under section 94 of the Environmental Planning and Assessment Act 1979 has been required in respect of the subdivision of land (initial subdivision), a levy under section 94A of that Act may not be required in respect of any other development on the land, unless that other development will, or is likely to, increase the demand for public amenities or public services beyond the increase in demand attributable to the initial subdivision (14/10/16).*
- b *Senior living development under SEPP Senior Housing 2004 by a Social Housing provider (14/09/07),*
- c *Port Kembla Lease Area, as mapped in the Ports SEPP (16/12/13).*

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 goals as the Section 94A Plan is aligned with the Capital Works Program and contributes to the funding required to meet the delivery program.

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

In accordance with the resolution of Council, a letter was sent to Department of Planning and Environment seeking confirmation that Section 94A Development Contributions can be levied on Crown Authorities for ancillary development. As of the date of this report no response has been received from

the Department of Planning and Environment on this matter. Should a response be received in the future which requires a change to the Section 94A Plan, a further report will be presented to Council.

FINANCIAL IMPLICATIONS

In June 2016 the balance of Section 94A Contributions held was \$9.15 million and the forecasted income for 2016-17 is approximately \$1.39 million. This makes maximum available funding for 2016-17 of \$10.54 million. The proposed Works Schedule for 2016-17 includes approximately \$2.1 million, of Section 94A funds. The forecast capital works will continue to be reviewed in future years, in order to match available Section 94A funding.

CONCLUSION

It is recommended that the Wollongong Section 94A Development Contributions Plan (2016) (Attachment 1) be adopted including the additional amendments proposed as per the Ministerial Direction dated 14 October 2016.



Wollongong Section 94A Development Contributions Plan (2016)





Wollongong Section 94A Development Contributions Plan (2016)

Document Control						
Document ID: Wollongong City Council Section 94A Plan						
Rev No	Date	Revision Details	Typist	Author	Verifier	Approver
1	March 2006	Draft for exhibition (2006 version)	ZS	ZS	ZS	ZS
2	June 2006	In force (2006 version)	ZS	ZS	ZS	ZS
3	December 2006	Ministers Direction under S94E added	ZS	ZS	ZS	ZS
4	May 2007	Draft for exhibition (2007 version)	ZS	ZS	ZS	ZS
5	June 2007	In force (2007 version) Draft	ZS	ZS	ZS	ZS
6	May 2008	for exhibition (2008 version)	DG	DG	DG	DG
7	24 July 2008	In force (2008 version) Draft	DG	DG	DG	DG
8	28 July 2009	for exhibition (2009 version)	DG	DG	DG	DG
9	27 October 2009	Endorsed by Council	DG	DG	DG	DG
10	4 November 2009	In force (2009 version)	DG	DG	DG	DG
11	27 July 2010	Draft for exhibition (2010 version)	DH	DH	JB	RC
12	6 Sept 2010	In force (2010 version)	DH	DH	DG	DG
13	3 June 2011	Draft for exhibition (2011 version)	DH	DH	DG	DG
14	26 July 2011	In force (2011 version)	DH	DH	DG	DG
15	2 August 2012	Draft for exhibition (2012 version)	DH	DH	DG	DG
16	8 December 2012	In force (2012 version)	DH	DH	DG	DG
17	8 April 2013	Draft for exhibition (2013 version)	DH	DH	DG	DG
18	16 September 2013	In force (2013 version)	DH	DH	DG	DG
19	9 Sept 2014	Draft for exhibition (2014 version)	DG	DG	DG	DG
20	3 Nov 2014	In force (2014 version)	DG	DG	DG	DG
21	10/7/15	Draft for exhibition (2015 version)	MH	MH	DG	DG
22	26/10/15	In force (2015 version)	MH	MH	DG	DG
23	06/10/2016	Draft for Exhibition (2016 version)	BL	MH	DG	DG

**Wollongong Section 94A
Development Contributions Plan (2016)**

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**Wollongong Section 94A
Development Contributions Plan (2016)**

Part A - Summary Schedules

1. Schedule 1 - Summary of levy

The rate of the levy is calculated as follows:

Proposed cost of the development (Determined in accordance with Clause 15)	Maximum percentage rate of the levy
Up to \$100,000	Nil
\$100,001 - \$200,000	0.5%
More than \$200,000	1%

Within the B3 Commercial Core zone in the Wollongong City Centre an additional 1% levy is applied to all development with a cost of more than \$250,000 and that increases the gross floor area (i.e. total levy of 2%). This contribution provides funding towards the Special City projects originally nominated in the Civic Improvements Plan for the Wollongong City Centre, reproduced below. The timing of the implementation of the projects will be determined through Councils Management Plan process as funding permits, and then detailed in Part D Schedule 4.

Item	Cost Estimate (2009)
Crown Street Upgrade	\$14,200,000
City Beach Waterfront Improvements	\$11,000,000
Civic Precinct Revitalisation	\$21,000,000
MacCabe Park Landscape Improvements	\$12,000,000
Bus Transport Initiatives	\$20,000,000
Traffic Management Works	\$2,000,000
City Centre Car Park	\$8,000,000
Total	\$88,200,000

**Wollongong Section 94A
Development Contributions Plan (2016)**

2. Schedule 2 – Works schedule summary

Project	Actual Section 94A contribution (2011-12 to 2015-16)	Proposed Section 94A Contribution 2016-17	Forecast Section 94A contribution (2016-17 to 2019-20)
Roads and bridges	\$3,000,577	\$450,000	\$1,703,000
Footpaths and Cycleways	\$4,797,789	\$800,000	\$2,060,000
Car parks	\$1,264,000	\$0	\$260,000
Non-Commercial buildings	\$4,721,000	\$0	\$500,000
Parks, Gardens and sports fields	\$1,555,832	\$50,000	\$421,000
Land Acquisitions	\$0	\$750,000	\$3,000,000
Administration	\$481,145	\$106,000	\$440,000
Total	\$15,820,343	\$2,156,000	\$8,384,000

For further details refer to Part D Schedule 4 – Detailed Works Schedule page 17.

Part B – Expected Development and Demand for Public Facilities

3. Expected Development and Demand for Public Facilities

This part broadly discusses the relationship between the expected types of development in the Council's area and the demand for additional public amenities and services to meet that development. That relationship is established through current demographic information.

The expected types of development include but are not limited to:

- ☐ Alterations and additions to existing development;
- ☐ Dwellings of all forms;
- ☐ Commercial development located primarily in commercial precincts;
- ☐ Industrial development;
- ☐ Subdivisions; and
- ☐ Mixed use development.

The relationship between expected development and the demand for public facilities is established through:

- ☐ The population projections undertaken by Council, adopted from the Australian Bureau of Statistics (ABS) information indicates that continued population growth in Wollongong is expected. A projected population of 234,000 is expected by 2026.
- ☐ Accelerating housing costs in metropolitan Sydney contribute to certain pressures in Wollongong, particularly new housing developments, which will largely impact the future needs of the region.
- ☐ The likely population growth will diminish the enjoyment and standard of public facilities for the existing population unless additional facilities are provided to meet the additional demand.
- ☐ The likely growth will require the provision of additional public facilities to meet additional demands.

Wollongong City Council wants to ensure that it has a sustainable local government area, safeguarding the economic, social, cultural, and environmental wellbeing of present and future generations. The section 94A levy will assist Council to provide high quality and diverse public facilities to meet the expectations of the existing and new residents of Wollongong City Council.

The additional public facilities to be provided to meet the expected future development are set out in Part D Schedule 4.

The demand for facilities within the Wollongong City Centre is based on the growth and development projected for the Wollongong City Centre in the Illawarra Regional Strategy and Wollongong City Centre Plan. In particular, this includes the total developable floor space allowed under the Wollongong LEP 2009 and Wollongong DCP 2009.

**Wollongong Section 94A
Development Contributions Plan (2016)**

Part C – Administration and Operation of the Plan

4. What is the name of this contributions plan?

This Plan is called the "Wollongong City Council Section 94A Development Contributions Plan".

5. Where does this plan apply?

This plan applies to all land within the local government area of Wollongong City Council excluding Stages 1 & 2 and other additional areas of the West Dapto Urban Release area as shown on Figure 1.

6. What is the purpose of this contributions plan?

The purposes of this contributions plan are:

- ☐ To authorise the imposition of a condition on certain development consents and complying development certificates requiring the payment of a contribution pursuant to section 94A of the *EP&A Act 1979*.
- ☐ To assist the council to provide the appropriate public facilities which are required to maintain and enhance amenity and service delivery within the area.
- ☐ To publicly identify the purposes for which the levies are required.

7. When does this development contributions plan commence?

This Development Contributions plan takes effect from the date on which public notice was published, pursuant to clause 31(4) of the Environmental Planning and Assessment Regulation 2000.

This Section 94A Contributions Plan 2016 was adopted by Council at its Meeting of ~~XX XX~~ 12 December 2016 and came into force on XX XX.

8. Relationship with other development contribution plans

This plan repeals the following section 94 / 94A contributions plans applying in the Wollongong local government area:

- ☐ **Wollongong Section 94A Contributions Plan (2015 version) – this plan repealed the following plan**
- ☐ Wollongong Section 94A Contributions Plan (2014 version) – this plan repealed the following plan
- ☐ Wollongong Section 94A Contributions Plan (2013 version) – this plan repealed the following plan;
- ☐ Wollongong Section 94A Contributions Plan (2012 version) – this plan repealed the following plan;
- ☐ Wollongong Section 94A Contributions Plan (2011 version) – this plan repealed the following plan;
- ☐ Wollongong Section 94A Contributions Plan (2010 version) – this plan repealed the following plan;
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- ☐ Wollongong Section 94A Contributions Plan (2007 version) – this plan repealed the following plan;
- ☐ Wollongong Section 94A Contributions Plan (2006 version) – this plan repealed the following Section 94 plans:
 - o CP No 1 Open Space Embellishment, Recreation Facilities, Community Facilities;
 - o Amendment to CP No 1 Open Space;
 - o CP No 2 Traffic Management & Road Works in City of Wollongong;
 - o CP No 3 Car Parking in the City of Wollongong;
 - o CP No 4 Studies & Administration;
 - o CP No 6 Car Parking in Area between Fairy Creek & Georges Plan Nth Wollongong;
 - o CP No 7 Open Space Dedication (Nth Side Kanahooka Road);
 - o CP No 8 Roundabout at the intersection of Unara Road, Yalunga Street & Princes Highway, Dapto;
 - o CP No 9 Mount Brown Local Area Traffic Management Scheme;
 - o CP No 10 Bank Street (Road Works & Intersection Upgrade);
 - o CP No 11 Bank Street (Car Parking Facility between Bank & Stewart Sts);

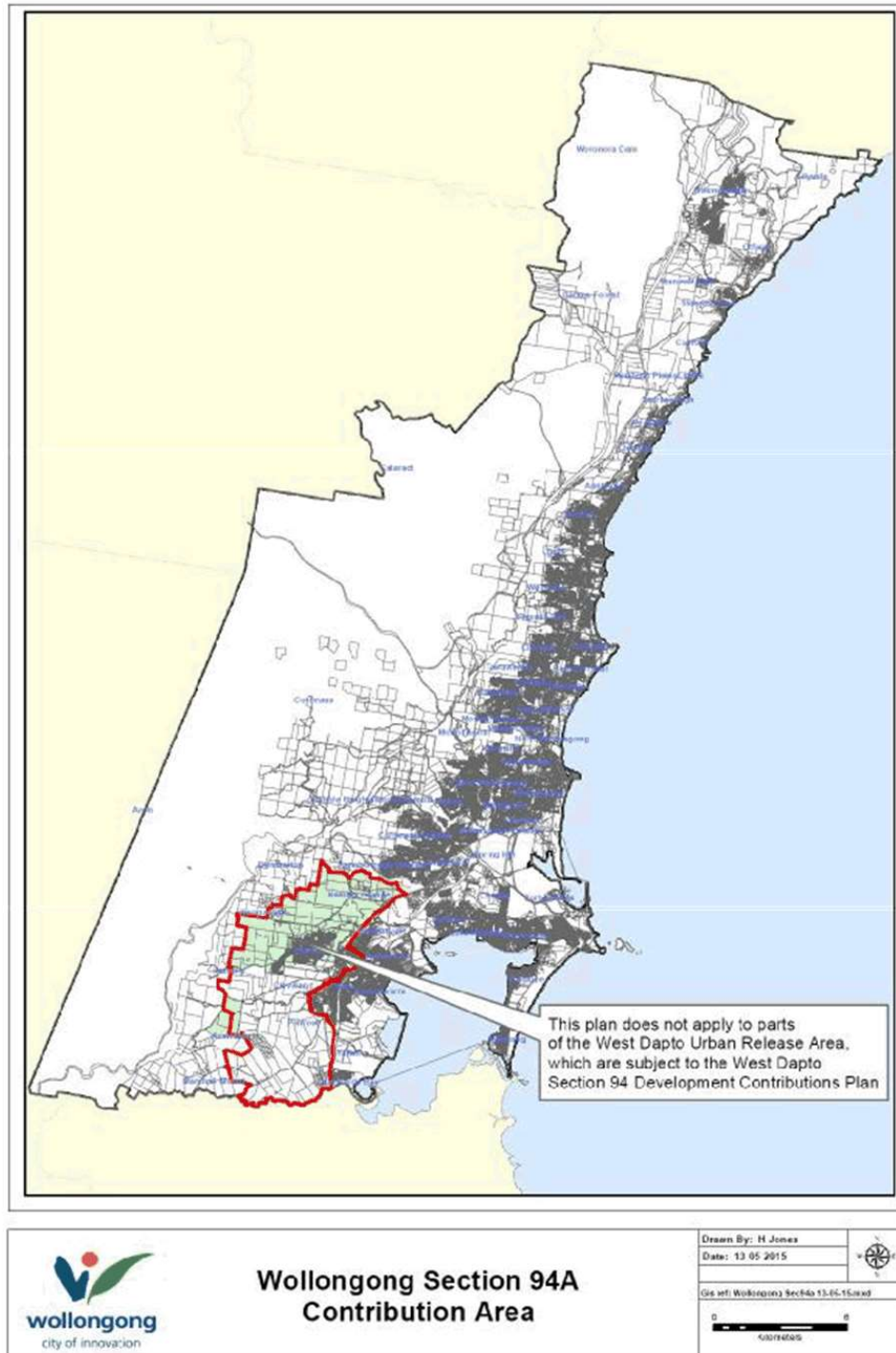
**Wollongong Section 94A
Development Contributions Plan (2016)**

- CP No 12 Sandon Point Section 94 Land Acquisition; and
- CP No 13 Library Resources.

Any other section 94 contributions plans that are not repealed continue to apply to all areas and development to which they are stated to apply.

**Wollongong Section 94A
Development Contributions Plan (2016)**

Figure 1



**Wollongong Section 94A
Development Contributions Plan (2016)**

9. What does Section 94A of the Act provide?

Section 94A of the Act provides as follows:

94A Fixed development consent levies

- (1) A consent authority may impose, as a condition of development consent, a requirement that the applicant pay a levy of the percentage, authorised by a contributions plan, of the proposed cost of carrying out the development.
- (2) A consent authority cannot impose as a condition of the same development consent a condition under this section as well as a condition under section 94.
- (3) Money required to be paid by a condition imposed under this section is to be applied towards the provision, extension or augmentation of public amenities or public services (or towards recouping the cost of their provision, extension or augmentation). The application of the money is subject to any relevant provisions of the contributions plan.
- (4) A condition imposed under this section is not invalid by reason only that there is no connection between the development the subject of the development consent and the object of expenditure of any money required to be paid by the condition.

10. Council may require payment of the levy as a condition of development consent

This plan authorises the Council to grant consent to development to which this plan applies subject to a condition requiring the applicant to pay to the Council a levy calculated as per clause 11.

11. How will the levy be calculated

The levy will be determined on the basis of the rate as set out in Part A Schedule 1 Summary of levy. The levy will be calculated as follows:

$$\text{Levy payable} = \%C \times \$C$$

Where:

%C is the levy rate applicable

\$C is the proposed cost of carrying out development as determined in accordance with clause 15.

Where an exemption is granted for a preceding application under Clause 13(1) "An application for demolition (where there is no replacement building or development)". On the same subject site (irrespective of sub-division or consolidation occurring) the following application(s) for development, qualifying under clause 11, will be additionally levied the relevant proportion of the levy that would have applied if the cost of development included the "demolition, excavation and site preparation, decontamination or remediation" in accordance with Clause 25J of the Regulation that occurred under the preceding application.

12. Development to which this plan applies

This Plan applies to all applications for development consent and complying development certificates required to be made by or under Part 4 of the Act in respect of development on land to which this plan applies.

13. Are there any exemptions to the levy?

The following Directions under Section 94E of the Environmental Planning and Assessment Act 1979 have been made by the Minister for Planning that require that a Section 94A levy cannot be imposed on development:

- a. ~~for the purpose of disabled access (10/11/06);~~
- b. ~~for the sole purpose of affordable housing (10/11/06) — (including Granny Flat/Secondary dwelling under 60m2);~~
- c. ~~for the purpose of reducing the consumption of mains-supplied potable water, or reducing the energy consumption of a building (10/11/06);~~
- d. ~~for the sole purpose of adaptive re-use of an item of environmental heritage (note: the term "item" and "environmental heritage" have the same meaning as in the Heritage Act 1977) (10/11/06);~~

**Wollongong Section 94A
Development Contributions Plan (2016)**

~~a. other than the subdivision of land, where a condition under section 94 of the Act has been imposed under a previous development consent relating to the subdivision of the land on which the development is proposed to be carried out (10/11/06);~~

a. If a development contribution under section 94 of the Environmental Planning and Assessment Act 1979 has been required in respect of the subdivision of land (initial subdivision), a levy under section 94A of that Act may not be required in respect of any other development on the land, unless that other development will, or is likely to, increase the demand for public amenities or public services beyond the increase in demand attributable to the initial subdivision. (14/04/2016)

~~e.b. Seniors living development under SEPP Seniors Housing 2004 by a Social Housing provider (14/9/07);~~

~~f. Components of school development that is a Building Education Revolution (BER) project (9/9/09);~~

~~g.c. Port Kembla Lease Area, as mapped in the Ports SEPP (6/12/13)~~

In addition, Council may allow for the following exemptions (partial or full):

~~h.d.~~ An application by the Council for community infrastructure, such as but not limited to libraries, community facilities, child care facilities, recreational areas, recreational facilities or car parks.

~~i.e.~~ An application by the NSW Government for public infrastructure, such as but not limited to hospitals, police stations, fire stations; education facilities (primary and secondary) and public transport infrastructure.

~~j.f.~~ An application for an industrial, retail, commercial or residential development, where there is no increase in floor space within an existing building, such as but not limited to internal fit-out or alteration to existing structure.

~~k.g.~~ An application for the continued operation of a coal mine, where rail transport is used for the transportation of coal.

~~l.h.~~ An application for place of public worship.

~~m.i.~~ An application for demolition (where there is no replacement building or development).

~~n.j.~~ An application for a residential care facility.

~~o.k.~~ An application for an industrial training facility.

The following exception (partial or full) requests will require a comprehensive submission:

~~p.l.~~ An application on behalf of Council for community infrastructure, such as but not limited to libraries, community facilities, child care facilities, recreational areas, recreational facilities or car parks.

~~q.m.~~ An application on behalf of the NSW Government for public infrastructure, such as but not limited to hospitals, police stations, fire stations; education facilities (primary and secondary) and public transport infrastructure.

~~r.n.~~ An application for privately funded community infrastructure, such as but not limited to education facilities (primary and secondary) and private hospitals.

~~s.o.~~ Any other development for which Council considers an exemption is warranted, where the decision is made by formal ratification of the Council at a public Council meeting.

pu An application by or on behalf of a tertiary education provider:

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- (i) Full exemption may be allowed for facilities that are directly required by the main function of the educational facility, such as – classrooms, lecture theatre, training facility, administrative office, research facility.
- (ii) Partial (50%) exemption may be allowed for developments that are not directly required by the main function of the educational facility but will provide support to its main function, such as student accommodation, car park, sports facility, playgrounds, food-court, display facility, function centre, convention hall, auditorium, community centre.
- (iii) Nil exemption for developments that are not directly required to the main function of the educational facility and/or have potential to create additional demand for public services and amenities. Development such as but not limited to – shops, supermarket, shopping centre, office for lease, business park, commercial centre, child care centre, entertainment facility.

Submission Requirements for an exemption claim to be considered

For an exemption to be considered in accordance with points (l) to (p) above, any such application will need to submit a comprehensive submission arguing the case for exemption and including details of:

- ☐ Under which point the exemption claimed is to be considered
- ☐ The mechanism ensuring that such development will remain in the form proposed in the future (i.e. Not to increase future demand on public amenities and services), NB: where a further development application or application for complying development under the *EP&A Act* is required for any change to the development no mechanism is necessary, however if a change of use is available by way of exempt development then the requirement for a mechanism remains.
- ☐ Other items if applicable:
 - o How the development will incorporate the maintenance of the item of heritage significance
 - o How the development will contribute to the public benefit of the community
 - o Works in the public domain included in the development
 - o How the residents/users will utilise existing private facilities attached to the development that replicate those types provided by council.

A comprehensive submission is not required for points (a) to (k) from the above list. Whilst assessment of any application will include consideration of the provisions of this plan for any exemption that may be warranted, where a comprehensive submission isn't required, the application should clearly state which point an exemption is expected to ensure it is considered.

Exemptions (partial or full) listed under points (d) to (p) will only to be granted with approval of the Council Officer(s) whose position(s) holds the required Council delegations or in terms of point (o) by formal ratification of the Council at a public Council meeting.

14. Complying Development Certificates and the obligations of accredited certifiers

Development applications for Complying Development are also subject to the provisions of this plan, and the payment of a Section 94A contribution. The Complying Development Certificate is to include a condition that requires the payment of a Section 94A contribution (in accordance with the requirements of clauses 1 to 12 above).

As the construction certificate is issued concurrently, payment is to be made to Council within 7 days of the date of the Complying Development Certificate.

In particular, the certifier must ensure that the applicant provides a receipt(s) confirming that levies have been fully paid and copies of such receipts must be included with copies of the certified plans provided to the council in accordance with clause 142(2) of the *EP&A Regulation*. Failure to follow this procedure may render such a certificate invalid.

15. Construction certificates and the obligations of accredited certifiers

In accordance with Section 94EC of the Environmental Planning and Assessment Act and clause 146 of the *EP&A Regulation 2000*, a certifying authority must not issue a construction certificate for building work or subdivision work under a development consent unless it has verified that each condition requiring the payment of levies has been satisfied.

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In particular, the certifier must ensure that the applicant provides a receipt(s) confirming that levies have been fully paid and copies of such receipts must be included with copies of the certified plans provided to the council in accordance with clause 142(2) of the *EP&A Regulation*. Failure to follow this procedure may render such a certificate invalid.

The only exceptions to the requirement are where the Council has agreed to a works in kind, material public benefit, dedication of land, or deferred payment arrangement. In such cases, council will issue a letter confirming that an alternative payment method has been agreed with the applicant.

16. How is the proposed cost of carrying out development determined?

Clause 25J of the Regulation sets out how the proposed cost of carrying out development is to be determined. That clause provides as follows:

“25J Section 94A levy—determination of proposed cost of development

- (1) The proposed cost of carrying out development is to be determined by the consent authority, for the purpose of a section 94A levy, by adding up all the costs and expenses that have been or are to be incurred by the applicant in carrying out the development, including the following:
 - (a) if the development involves the erection of a building, or the carrying out of engineering or construction work—the costs of or incidental to erecting the building, or carrying out the work, including the costs (if any) of and incidental to demolition, excavation and site preparation, decontamination or remediation,
 - (b) if the development involves a change of use of land—the costs of or incidental to doing anything necessary to enable the use of the land to be changed,
 - (c) if the development involves the subdivision of land—the costs of or incidental to preparing, executing and registering the plan of subdivision and any related covenants, easements or other rights.
- (2) For the purpose of determining the proposed cost of carrying out development, a consent authority may have regard to an estimate of the proposed cost of carrying out the development prepared by a person, or a person of a class, approved by the consent authority to provide such estimates
- (3) The following costs and expenses are not to be included in any estimate or determination of the proposed cost of carrying out development:
 - (a) the cost of the land on which the development is to be carried out,
 - (b) the costs of any repairs to any building or works on the land that are to be retained in connection with the development,
 - (c) the costs associated with marketing or financing the development (including interest on any loans),
 - (d) the costs associated with legal work carried out or to be carried out in connection with the development,
 - (e) project management costs associated with the development,
 - (f) the cost of building insurance in respect of the development,
 - (g) the costs of fittings and furnishings, including any refitting or refurbishing, associated with the development (except where the development involves an enlargement, expansion or intensification of a current use of land),
 - (h) the costs of commercial stock inventory,
 - (i) any taxes, levies or charges (other than GST) paid or payable in connection with the development by or under any law.”

17. Cost estimate reports must accompany an application for a development application or a complying development certificate

An application for a development application or a complying development certificate is to be accompanied by a report, prepared at the applicant's cost in accordance with this clause, setting out an estimate of the proposed cost of carrying out the development for the purposes of clause 25J of the Regulation, per clause 16 above.

The following types of report are required:

- ☐ where the estimate of the proposed cost of carrying out the development is less than \$10,000,000 - a suitable cost estimate as determined by Council;

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- ☐ where the estimate of the proposed cost of carrying out the development is \$10,000,000 or more - a detailed cost report in accordance with Part D Schedule 3.

Applicants will be required to declare upon signing of application for development/building work that the cost of carrying out development as evidenced by their submitted estimate has been calculated in accordance with the provisions of this plan, in particular clause 16.

18. Who may provide a report for the purposes of clause 16 of this plan?

For the purpose of clause 25J(2) of the Regulation and clause 16 of this plan, the following persons are approved by the Council to provide an estimate of the proposed cost of carrying out development in the following circumstances:

- ☐ where the proposed development cost is less than \$10,000,000 - a person who, in the opinion of the Council, is suitably qualified to provide a cost estimate;
- ☐ where the proposed development cost is \$10,000,000 or more – a quantity surveyor who is a registered member of the Australian Institute of Quantity Surveyors.

Upon reviewing a cost estimate, the Council may require a further estimate to be provided by a registered quantity surveyor at the applicant's cost. The Council may, at the applicant's cost, engage a person referred to in this clause to review a report submitted by an applicant in accordance with clause 16.

19. How will the Council apply money obtained from the levy?

Money paid to the Council under a condition authorised by this plan is to be applied by the Council towards meeting the cost of the public facilities that will be or have been provided within the area as listed in Part D Schedule 4.

20. What are the funding priorities from levies authorised by this plan?

Subject to s93E(2) of the Act and clauses 18 and 19 of this plan, the public facilities listed in Part D Schedule 4 are to be provided in accordance with the staging set out in that Schedule.

21. Pooling of levies

For the purposes of s93E(2) of the Act, this plan authorises money obtained from levies paid in respect of different developments to be pooled and applied by the Council progressively towards the public facilities listed in Part D Schedule 4 in accordance with the staging set out in that Schedule.

22. The Goods and Services Tax (GST)

At the time this Plan was made, the position of the Australian Taxation Office (ATO) was that the payment of development contributions made under the *EP&A Act* is exempt from the Goods and Services Tax (GST). Items in the works schedule of this Plan have been calculated without any GST component.

23. When is the levy payable?

A levy to be paid by a condition authorised by this plan must be paid to the Council at the time specified in the condition. If no time is specified, the levy must be paid in full prior to the first construction or subdivision certificate issued in respect of the development under Part 4A of the *EP&A Act*.

Payment can be made by cash, credit card, EFTPOS or bank cheque (payable to Wollongong City Council) only.

Payments can be made in person at Council's Customer service centre located on the ground floor of Wollongong City Council Administration Building, 41 Burelli Street, Wollongong between 8.30am and 5pm Monday to Friday except public holidays during business hours. Bank Cheques will be accepted by mail to Wollongong City Council - Locked Bag 8821, Wollongong DC NSW 2500.

24. Can deferred or periodic payments of levies be made?

Deferred or periodic payments may be permitted in the following circumstances:

- ☐ Deferred or periodic payment of the contribution will not prejudice the timing or the manner of the provision of public facilities included in the works program;

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- ☐ In other circumstances considered reasonable by Council.

For a deferred or periodic payment to be considered, the applicant must satisfy to Council that:

- ☐ There are valid reasons for deferred or periodic payment;
- ☐ No prejudice will be caused to the community deriving benefit from the services being provided under this plan;
- ☐ No prejudice will be caused to the efficiency and operation of this development contribution plan.

If Council does decide to accept deferred or periodic payment, Council may require the applicant to provide a bank guarantee for the full amount of the contribution or the outstanding balance on condition that:

- a) The bank guarantee be issued by a bank for the amount of the total contribution, or the amount of the outstanding contribution, plus an amount equal to thirteen (13) months interest.
- b) Any charges associated with establishing or operating the bank security are payable by the applicant.
- c) The bank guarantee must carry specific wording identifying the exact obligation to which it relates (i.e. section 94A development contributions for development of Lot x DP xxx under Development Consent No. xxx)
- d) The bank unconditionally pays the guaranteed sum to the Council if the Council so demands in writing not earlier than 12 months from the provision of the guarantee or completion of the work.
- e) The bank must pay the guaranteed sum without reference to the applicant or landowner or other person who provided the guarantee, and without regard to any dispute, controversy, issue or other matter relating to the development consent or the carrying out of development.
- f) The bank's obligations are discharged when payment to the Council is made in accordance with this guarantee or when Council notifies the bank in writing that the guarantee is no longer required.
- g) Where a bank guarantee has been deposited with council, the guarantee shall not be cancelled until such time as the original contribution and accrued interest are paid.

Deferred or periodic payments may be permitted, in accordance with the above requirements, only with approval of the Council Officer(s) whose position(s) holds the required Council delegations.

25. Are there alternatives to payment of the levy?

~~The council may accept an offer by the applicant to provide an "in kind" contribution (i.e. the applicant completes part or all of work/s identified in the plan) or through provision of another material public benefit in lieu of the applicant satisfying its obligations under this plan. The decision to accept such offers is at the sole discretion of the Council.~~

Council may accept such alternatives in the following circumstances:

~~a) Offer made to the Council as part of a development application~~

~~The applicant may include in the relevant development application or in an application for a modification under section 96 of the Act, an offer to carry out works or provide a material public benefit towards which the levy is to be applied. The Council will consider the offer as part of its assessment of the development application or as an application for a modification to a development approval under section 96 of the Act where a levy has been imposed pursuant to this plan. If the Council agrees to the arrangement and grants consent to the application, it will substitute a condition of consent under section 80A or section 96 of the Act (whichever is relevant) requiring the works to be carried out or the material public benefit to be provided for a condition requiring payment of a levy under section 94A.~~

~~In assessing the applicant's offer, the Council will have regard to any relevant requirements of the current Practice Note issued by the NSW Government (DIPNR-2005) and such other matters as the Council considers relevant in the circumstances of the case including, but not limited to:~~

- ~~(1) the value of the works to be undertaken is at least equal to the value of the contribution that~~

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~~would otherwise be required under this plan, Council does not issue credits to applicants for works in kind which are provided in excess of the approved condition outside of a standard procedure involving approval by Council, such as staged development; and~~

~~(2) the standard of the works is to council's full satisfaction and the works are handed over to the Council without restriction of limitation; and~~

~~(3) the provision of the material public benefit will not prejudice the timing or the manner of the provision of public facilities included in the works program.~~

~~b) Valuation of Offer made to the Council as part of a development application ("value of work")~~

~~The value of an offer to provide Works In Kind, or a material public benefit towards which the levy is to be applied, in lieu (in full or in part) of satisfying a condition of consent relating to payment of a Section 94/94A contribution will be valued utilising the following mechanism:~~

~~(1) Any Credit will be calculated based on the actual cost of works or the agreed cost estimate, whichever is the lesser. The agreed cost estimate will be determined by a review of the costs submitted by the applicant via Council's Infrastructure Team or a Registered Quantity Surveyor at Council's discretion;~~

~~(2) The agreed cost estimate can be amended by submission of a variation request by the applicant which will be reviewed and certified by a registered Quantity Surveyor;~~

~~(3) The actual cost of works is required to be evidenced and verified by a registered Quantity Surveyor;~~

~~(4) The Quantity Surveyor to act on the project will be chosen by Council from a list of 3 recommended by the applicant all of whom are to be members of Panels for The NSW Department of Commerce or Local Government Procurement; and~~

~~(5) Quantity Surveyor service costs are to be borne by the applicant.~~

~~e) Legal agreements pertaining to works in kind~~

~~**All offers, should they be accepted, to provide Works In Kind, or a material public benefit towards which the levy is to be applied, in lieu (in full or in part) of satisfying a condition of consent relating to payment of a Section 94/94A contribution will be subject to a legal agreement between Council and the applicant. All agreements will include, but not limited to, the following:**~~

~~☐ The works to be undertaken;~~

~~☐ The timing of the works;~~

~~☐ The quality of the works;~~

~~☐ The costs of the works;~~

~~☐ the applicant's rights and responsibilities; and~~

~~☐ Council's rights and responsibilities.~~

~~d) a) Offer to enter into a voluntary planning agreement~~

~~An applicant may offer to enter into a voluntary planning agreement with the Council under s93F of the EP&A Act in connection with the making of a development application. This offer may include a monetary contribution, dedication of land, the carrying out of works, or another material public benefit for public purposes. Those purposes need not wholly relate to the impacts of the applicant's development not to the items listed in Part D Schedule 4.~~

~~The applicant's provision under a planning agreement may be additional to or instead of paying a levy in accordance with a condition of development consent authorised by this plan. This will be a matter for negotiation with the Council. The offer to enter into the planning agreement together with a copy of the draft agreement should accompany the relevant development application.~~

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The Council will publicly notify the draft planning agreement and an explanatory note relating to the draft agreement along with the development application and will consider the agreement as part of its assessment of that application.

If the Council agrees to enter into the planning agreement, it may impose a condition of development consent under s93I (3) of the *EP&A Act* requiring the agreement to be entered into and performed. If the Council does not agree to enter into the planning agreement, it may grant consent subject to a condition authorised by this plan requiring the payment of a levy.

Applicants should refer to the Council's Policy on Planning Agreements, which has been prepared having regard to the Practice Note on Planning Agreements (DIPNR 2005).

26. How will the levy be adjusted?

As the date of the consent may vary to the actual time of payment of the contribution, Clause 25(4) of the *EP&A Regulation* allows council to adjust the contribution to reflect current between the date of the consent and the time of payment. Contributions required as a condition of consent under the provisions of this plan will be indexed quarterly in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Bureau of Statistics.

The following formula for indexing contributions is to be used:

$$\text{Contribution at time of payment} = \$C \times (CP2/CP1)$$

Where:

- \$C** is the original contribution as set out in the consent
- CP1** is the Consumer Price Index (all groups index for Sydney) used in the proceeding indexation calculation
- CP2** is the Consumer Price Index (all groups index for Sydney) at the time of indexation

27. Savings and Transitional Arrangements

A development application which has been submitted prior to the adoption of this plan but not determined shall be determined in accordance with the provisions of this plan, except in the West Dapto Release Area if Council has resolved to apply the West Dapto Section 94 Development Contribution Plan to the land but the amendment has not yet occurred. In that instance the West Dapto Section 94 Development Contribution Plan applies.

28. Are refunds for payments of levies possible?

For a refund of levy payments to be considered, the applicant/landowner must:

- ☐ Submit a written request to Council
- ☐ As a part of the request, demonstrate that the development that is the subject of the consent has not been commenced
- ☐ Submit the request for a refund by the first working day after 31 January within the year following payment of the levy e.g. payment is made in April 2011 then refund request can be made until first working day after 31 January 2012; payment is made in January 2011 then refund request can be made until first working day after 31 January 2012.
- ☐ Formally surrender the consent that applied the levy

In other circumstances considered reasonable by Council at its sole and unfettered discretion, where a formal request is made, part or full refunds may be provided.

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Part D – References

29. What definitions apply?

In this plan, unless the context or subject matter otherwise indicates or requires, the following definitions apply:

- ☐ **ABS** means the Australian Bureau of Statistics
- ☐ **EP&A Act** means the Environmental Planning and Assessment Act 1979
- ☐ **Council** means The Wollongong City Council
- ☐ **Development contributions** means a development contribution required to be paid by a condition of development consent imposed pursuant to section 94 of the Act
- ☐ **Levy** means a levy under section 94A of the Act authorised by this plan
- ☐ **Public facility & Public Infrastructure** means a public amenity or public service
- ☐ **Regulation** means the Environmental Planning and Assessment Regulation 2000

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30. Schedule 3 - Detailed Cost Report

(Clause 17)

Registered* Quantity Surveyor's Detailed Cost Report
[Development Cost in excess of \$10,000,000]
 *A member of the Australian Institute of Quantity Surveyors

DEVELOPMENT APPLICATION No. REFERENCE:

CONSTRUCTION CERTIFICATE No. DATE:

☐

APPLICANT'S NAME: _____

APPLICANT'S ADDRESS: _____

DEVELOPMENT NAME: _____

DEVELOPMENT ADDRESS: _____

DEVELOPMENT DETAILS:

Gross Floor Area – Commercial	m ²	Gross Floor Area – Other	m ²
Gross Floor Area – Residential	m ²	Total Gross Floor Area	m ²
Gross Floor Area – Retail	m ²	Total Site Area	m ²
Gross Floor Area – Car Parking	m ²	Total Car Parking Spaces	
Total Development Cost	\$		
Total Construction Cost	\$		
Total GST	\$		

ESTIMATE DETAILS:

Professional Fees	\$	Excavation	\$
% of Development Cost	%	Cost per square metre of site area	\$ /m ²
% of Construction Cost	%	Car Park	\$
Demolition and Site Preparation	\$	Cost per square metre of site area	\$ /m ²
Cost per square metre of site area	\$ /m ²	Cost per space	\$ /space
Construction – Commercial	\$	Fit-out – Commercial	\$
Cost per square metre of site area	\$ /m ²	Cost per m ² of commercial area	\$ /m ²
Construction – Residential	\$	Fit-out – Residential	\$
Cost per square metre of residential area	\$ /m ²	Cost per m ² of residential area	\$ /m ²
Construction – Retail	\$	Fit-out – Retail	\$
Cost per square metre of retail area	\$ /m ²	Cost per m ² of retail area	\$ /m ²

I certify that I have:

- ☐ Inspected the plans the subject of the application for development consent or construction certificate
- ☐ Prepared and attached an elemental estimate generally prepared in accordance with the Australian Cost Management Manuals from the Australian Institute of Quantity Surveyors
- ☐ Calculated the development costs in accordance with the definition of development costs in the section 94A Development Contributions Plan of the council of the City of Wollongong at current prices
- ☐ Included GST in the calculation of development cost
- ☐ Measured gross floor areas in accordance with the Method of Measurement of Building Area in the AIQS Cost Management Manual Volume 1, Appendix A2

Signed: _____

Name: _____

Position and Qualifications: _____

Date: _____

Development Contributions Plan (2016)

31. Schedule 4 –Detailed Works Schedule

The works listed in this schedule may be funded from a mix of sources, including contributions collected from this plan.

(Clauses 19 & 20)

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[illegible]

Map Ref		Project	Actual Section 94A contribution (2011-12 to 2015-16)	Timing of Section 94A expenditure										Total Section 94A contribution (2011-12 to 2019-20)
Map No.	Ref No.			Expenditure 2011-12	Expenditure 2012-13	Expenditure 2013-14	Expenditure 2014-15	Expenditure 2015-16	Budget 2016-17	Forecast 2017-18	Forecast 2018-19	Forecast 2019-20	Forecast Section 94A contribution 2016-17 to 2019-20	
		Car Park Constructing/formalising								\$ 260,000			\$ 260,000	\$ 260,000
	C	Station Street - Thomas Gibson Park	\$ 110,000		\$ 110,000								\$ -	\$ 110,000
	C	Bank/Stewart Street, Wollongong - 4hr Car park - Additional spaces	\$ 78,000			\$ 78,000							\$ -	\$ 78,000
	C	Campbell Street, Woonona - Ocean Park car park	\$ 144,000	\$ 4,000		\$ 140,000							\$ -	\$ 144,000
		Lakeside leisure Centre, Kanahooka - Upgrade and expansion	\$ 7,000		\$ 7,000								\$ -	\$ 7,000
	C	Stuart Park, Wollongong off road parking	\$ 500,000					\$ 500,000					\$ -	\$ 500,000
	C	Market Street - Multi Storey Car park - Upgrade	\$ 20,000		\$ 20,000								\$ -	\$ 20,000
	C	Windang Foreshore Park P2 car park - augmentation	\$ 5,000		\$ 5,000								\$ -	\$ 5,000
	C	George Street, Wollongong - Car park extension	\$ 140,000		\$ 140,000								\$ -	\$ 140,000
	C	Stanwell Park shops Car Park - Upgrade	\$ 243,000		\$ 150,000	\$ 93,000							\$ -	\$ 243,000
	C	The Circle Car Park, Woonona - Upgrade	\$ 17,000		\$ 17,000								\$ -	\$ 17,000
		City wide car parks - New (bulk vote)	\$ -										\$ -	\$ -
		Sub total	\$ 1,264,000	\$ 4,000	\$ 449,000	\$ 311,000	\$ -	\$ 500,000	\$ -	\$ 260,000	\$ -	\$ -	\$ 260,000	\$ 1,524,000
		Non-Commercial buildings												
		Lifeguards facilities Designs											\$ -	\$ -
		Bald Hill Amenities, Stanwell Tops - augmentation - Masterplan	\$ 33,000		\$ 33,000								\$ -	\$ 33,000
	C	North Beach Bathing Pavilion, North Wollongong - augmentation (Inc. Retaining Wall)	\$ 4,433,000	\$ 4,301,000	\$ 100,000	\$ 32,000							\$ -	\$ 4,433,000
	C	Dapto Pool - Disabled Access Improvements	\$ 40,000		\$ 40,000								\$ -	\$ 40,000
	C	Sandon Point Surf Club Expansion	\$ 125,000		\$ 125,000								\$ -	\$ 125,000
		Warrawong Multipurpose Community Centre & Library design	\$ 13,000			\$ 13,000					\$ 500,000		\$ 500,000	\$ 513,000
	C	Windang Beach Lifeguard Tower - Design	\$ 52,000			\$ 52,000							\$ -	\$ 52,000
	C	Coledale Lifeguard Tower	\$ 25,000			\$ 25,000							\$ -	\$ 25,000
		Non-Commercial buildings - bulk vote	\$ -										\$ -	\$ -
		Sub total	\$ 4,721,000	\$ 4,301,000	\$ 298,000	\$ 122,000	\$ -	\$ -	\$ -	\$ -	\$ 500,000	\$ -	\$ 500,000	\$ 5,221,000
		Parks, Gardens and sports fields												
		New Bridges, Boardwalks & Jetties- Bulk	\$ -							\$ 100,000			\$ 100,000	\$ 100,000
		Bridges, Boardwalks & Jetties - Upgrade	\$ -										\$ -	\$ -
		Beach facilities - New (bulk vote)	\$ 10,000		\$ 10,000								\$ -	\$ 10,000
		Skate Parks	\$ -						\$ 50,000	\$ 67,000	\$ 10,000		\$ 127,000	\$ 127,000
		Sporting facilities - New (bulk vote)	\$ 26,000		\$ 6,000	\$ 20,000							\$ -	\$ 26,000
		Recreation facilities - New (bulk vote)	\$ 20,000		\$ 20,000								\$ -	\$ 20,000
		Play Facilities Renew	\$ -										\$ -	\$ -
		Playground Safety Audit Outcomes	\$ 20,000					\$ 20,000					\$ -	\$ 20,000

Map Ref		Project	Actual Section 94A contribution (2011-12 to 2015-16)	Timing of Section 94A expenditure										Total Section 94A contribution (2011-12 to 2019-20)
Map No.	Ref No.			Expenditure 2011-12	Expenditure 2012-13	Expenditure 2013-14	Expenditure 2014-15	Expenditure 2015-16	Budget 2016-17	Forecast 2017-18	Forecast 2018-19	Forecast 2019-20	Forecast Section 94A contribution 2016-17 to 2019-20	
	C	Stuart Park Playground	\$ 25,000				\$ 25,000						\$ -	\$ 25,000
		Stuart Park - footbridge	\$ 52,332				\$ 22,332	\$ 30,000					\$ -	\$ 52,332
	C	Stanwell Park - New Playground	\$ 11,000	\$ 11,000									\$ -	\$ 11,000
	C	Bailey Park, Compton Street, Dapto - New Playground	\$ 10,000		\$ 10,000								\$ -	\$ 10,000
	C	Penrose Park - New Playground	\$ 10,000		\$ 10,000								\$ -	\$ 10,000
	C	Bramsen St Reserve, Bellambi - New Playground	\$ 5,000		\$ 5,000								\$ -	\$ 5,000
	C	Corrimal Memorial Park - New Playground	\$ 73,000		\$ 50,000	\$ 23,000							\$ -	\$ 73,000
	C	Waples Rd, Farmborough Heights - New Playground	\$ 10,000		\$ 10,000								\$ -	\$ 10,000
	C	Bruce Park, Oxlade St, Warrawong - New Playground	\$ 10,000		\$ 10,000								\$ -	\$ 10,000
	C	Keira Village Park, Keira Mine Rd - New Playground	\$ 20,000		\$ 20,000								\$ -	\$ 20,000
	C	Holborn Park, Berkeley - New Playground	\$ 25,000			\$ 25,000							\$ -	\$ 25,000
		<i>New Playground installations</i>	\$ -										\$ -	\$ -
		<i>Sports field Irrigation Infrastructure - New (bulk vote)</i>	\$ -								\$ 100,000	\$ 94,000	\$ 194,000	\$ 194,000
	C	Thomas Dalton Park, Fairy Meadow - Sports field Irrigation	\$ 297,000	\$ 140,000	\$ 57,000	\$ 100,000							\$ -	\$ 297,000
	C	Thomas Dalton Park, Fairy Meadow - fence Carters Lane	\$ 15,000			\$ 15,000							\$ -	\$ 15,000
	C	Rex Jackson Oval - Sportsfield Irrigation	\$ 38,500				\$ 38,500						\$ -	\$ 38,500
	C	Rex Jackson Oval (soccer), Helensburgh - Sports field Irrigation	\$ 40,000		\$ 40,000								\$ -	\$ 40,000
	C	Fred Finch Park, Berkeley - Landscape and Design & Infrastructure	\$ 200,000	\$ 200,000									\$ -	\$ 200,000
	C	Holborn Park (Southern Suburbs Skate Park) Berkeley - provision	\$ 406,000	\$ 19,000	\$ 20,000		\$ 367,000						\$ -	\$ 406,000
		<i>Lake Illawarra Foreshore Improvements</i>	\$ 100,000		\$ 100,000								\$ -	\$ 100,000
	C	MacCabe Park, Wollongong - Design Development - City Centre	\$ 12,000	\$ 12,000									\$ -	\$ 12,000
	C	MM Beach, Port Kembla - Access Steps	\$ 65,000			\$ 65,000							\$ -	\$ 65,000
	C	Puckeys Estate, Beach access	\$ 15,000		\$ 15,000								\$ -	\$ 15,000
	C	Charles Harper Park, Helensburgh - Public toilet	\$ 40,000		\$ 40,000								\$ -	\$ 40,000
		Sub total	\$ 1,555,832	\$ 382,000	\$ 423,000	\$ 248,000	\$ 452,832	\$ 50,000	\$ 50,000	\$ 167,000	\$ 110,000	\$ 94,000	\$ 421,000	\$ 1,976,832
		Land Acquisitions												
		<i>Land Acquisitions - See Wollongong LEP 2009 - Land Reservation Acquisition Maps</i>	\$ -						\$ 750,000	\$ 750,000	\$ 750,000	\$ 750,000	\$ 3,000,000	\$ 3,000,000

Map Ref		Project	Actual Section 94A contribution (2011-12 to 2015-16)	Timing of Section 94A expenditure										Total Section 94A contribution (2011-12 to 2019-20)
Map No.	Ref No.			Expenditure 2011-12	Expenditure 2012-13	Expenditure 2013-14	Expenditure 2014-15	Expenditure 2015-16	Budget 2016-17	Forecast 2017-18	Forecast 2018-19	Forecast 2019-20	Forecast 2016-17 to 2019-20	
		Sub total							\$ 750,000	\$ 750,000	\$ 750,000	\$ 750,000	\$ 3,000,000	\$ 3,000,000
		Administration												
		S94 Planner	\$ 175,028				\$ 90,028	\$ 85,000	\$ 96,000	\$ 98,000	\$ 101,000	\$ 104,000	\$ 399,000	\$ 574,028
		S94 Admin Support - Finance	\$ 18,117				\$ 9,117	\$ 9,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 11,000	\$ 41,000	\$ 59,117
		S94 Administration & Studies	\$ 288,000	\$ 96,000	\$ 96,000	\$ 96,000							\$ -	\$ 288,000
		Capital Project Planning	\$ -										\$ -	\$ -
		Sub total	\$ 481,145	\$ 96,000	\$ 96,000	\$ 96,000	\$ 99,145	\$ 94,000	\$ 106,000	\$ 108,000	\$ 111,000	\$ 115,000	\$ 440,000	\$ 921,145
		TOTAL	\$ 15,820,343	\$ 5,066,000	\$ 3,167,000	\$ 2,600,000	\$ 3,101,343	\$ 1,886,000	\$ 2,156,000	\$ 2,783,000	\$ 1,886,000	\$ 1,559,000	\$ 8,384,000	\$ 24,204,343

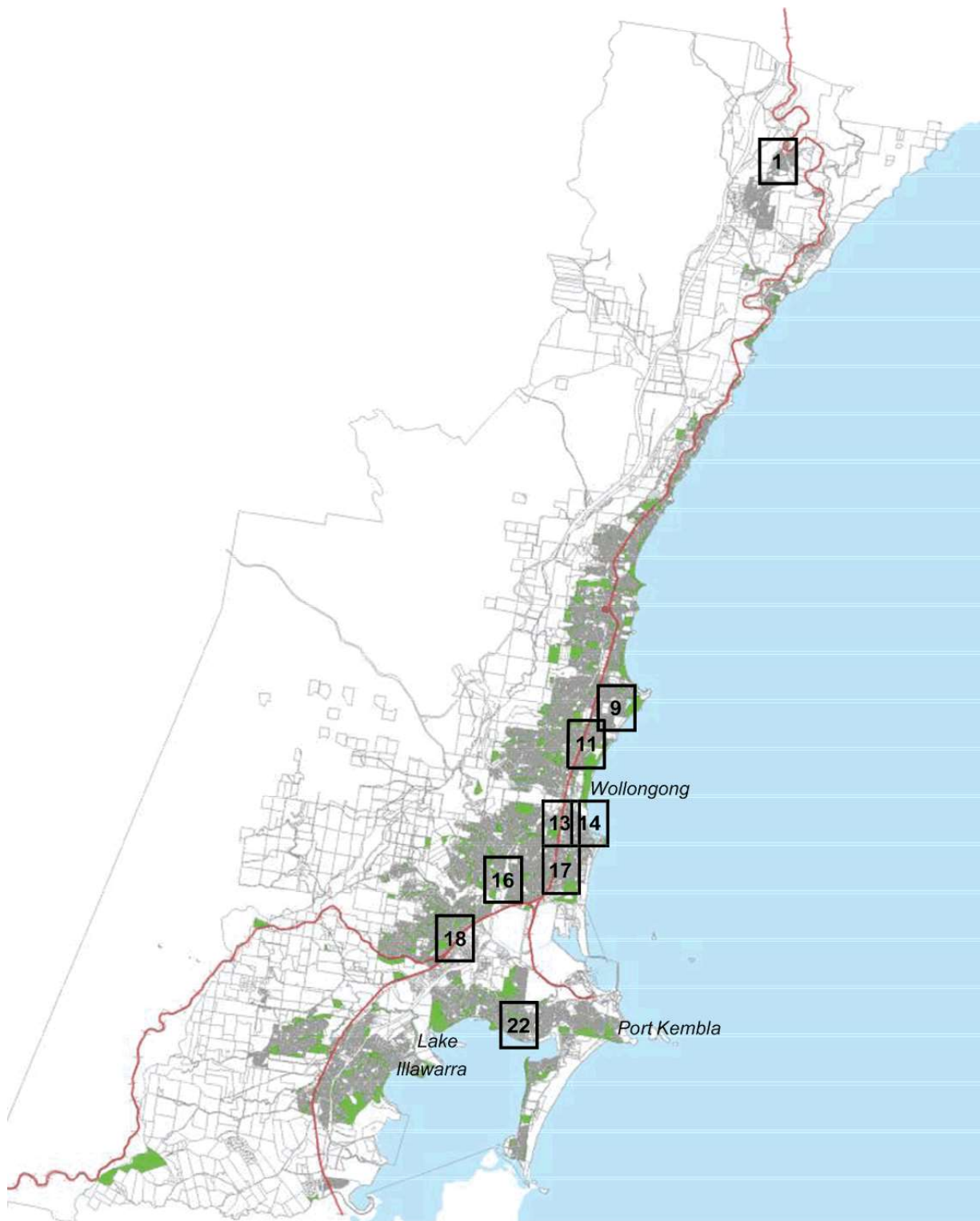
C = completed project (not mapped)

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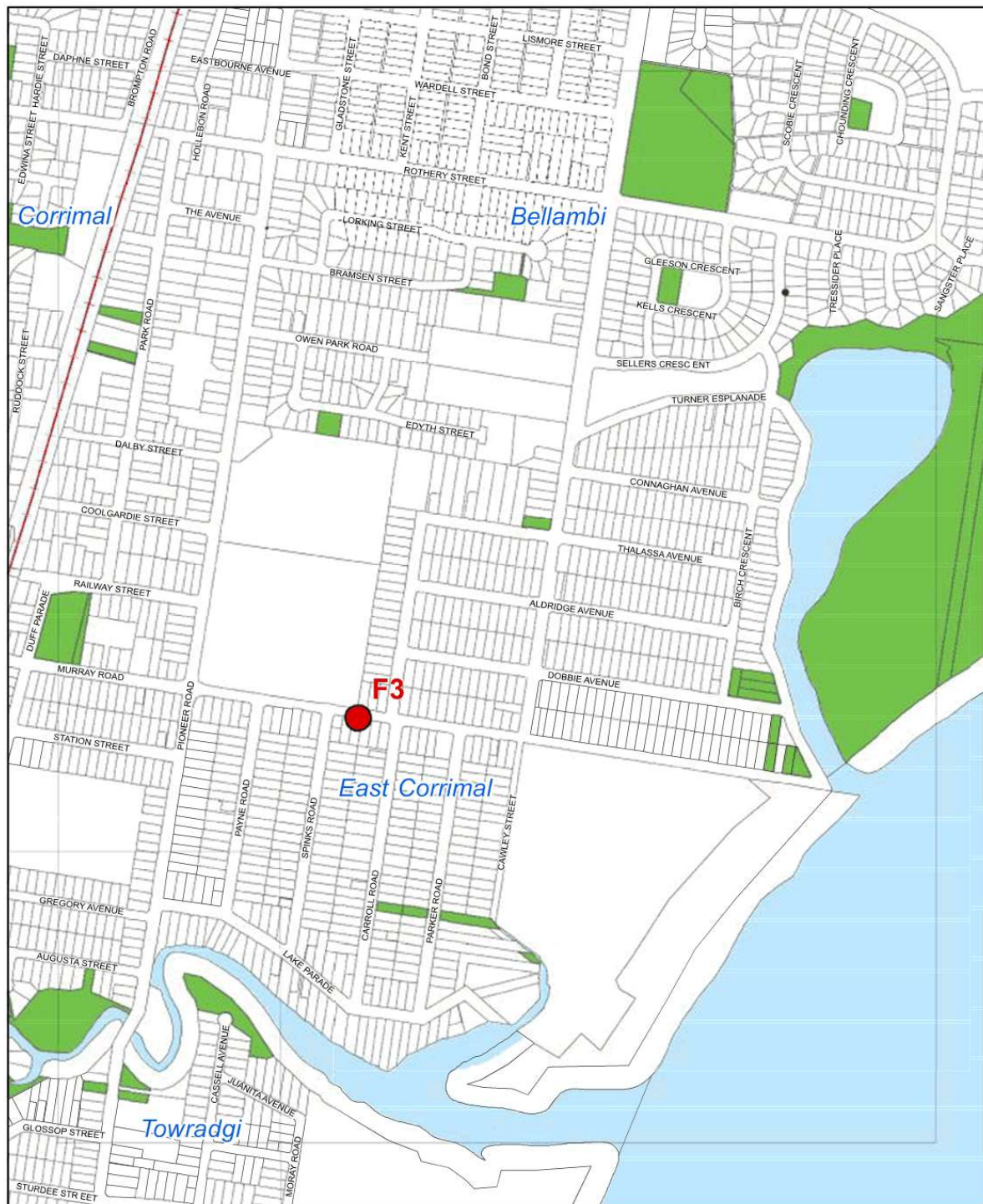
**Wollongong Section 94A
Development Contributions Plan (2016)**

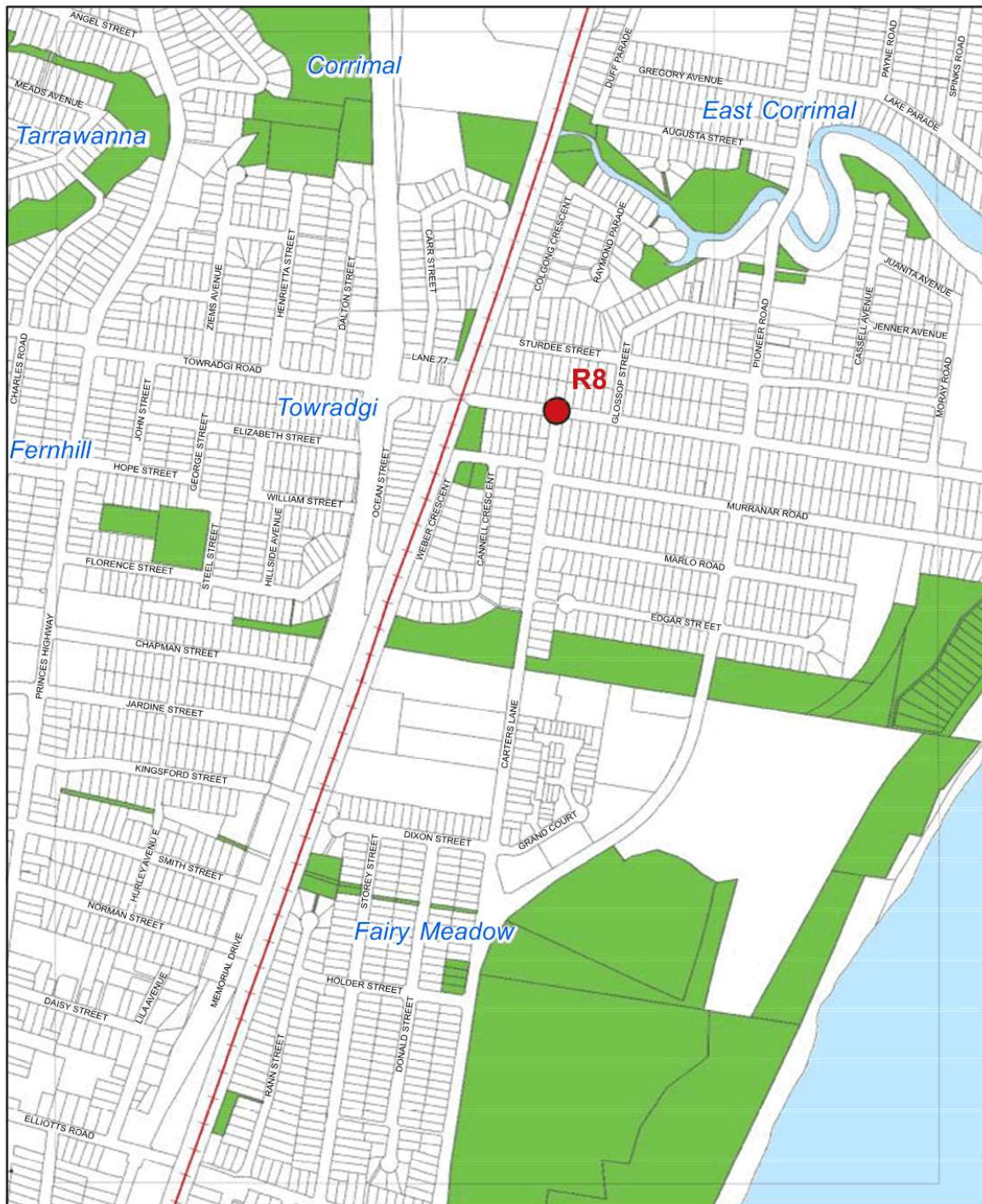
32. Schedule 5 - Works Schedule – Maps

Projects locations are noted as best as possible given their nature and scale of mapping. (Clauses 19 & 20)



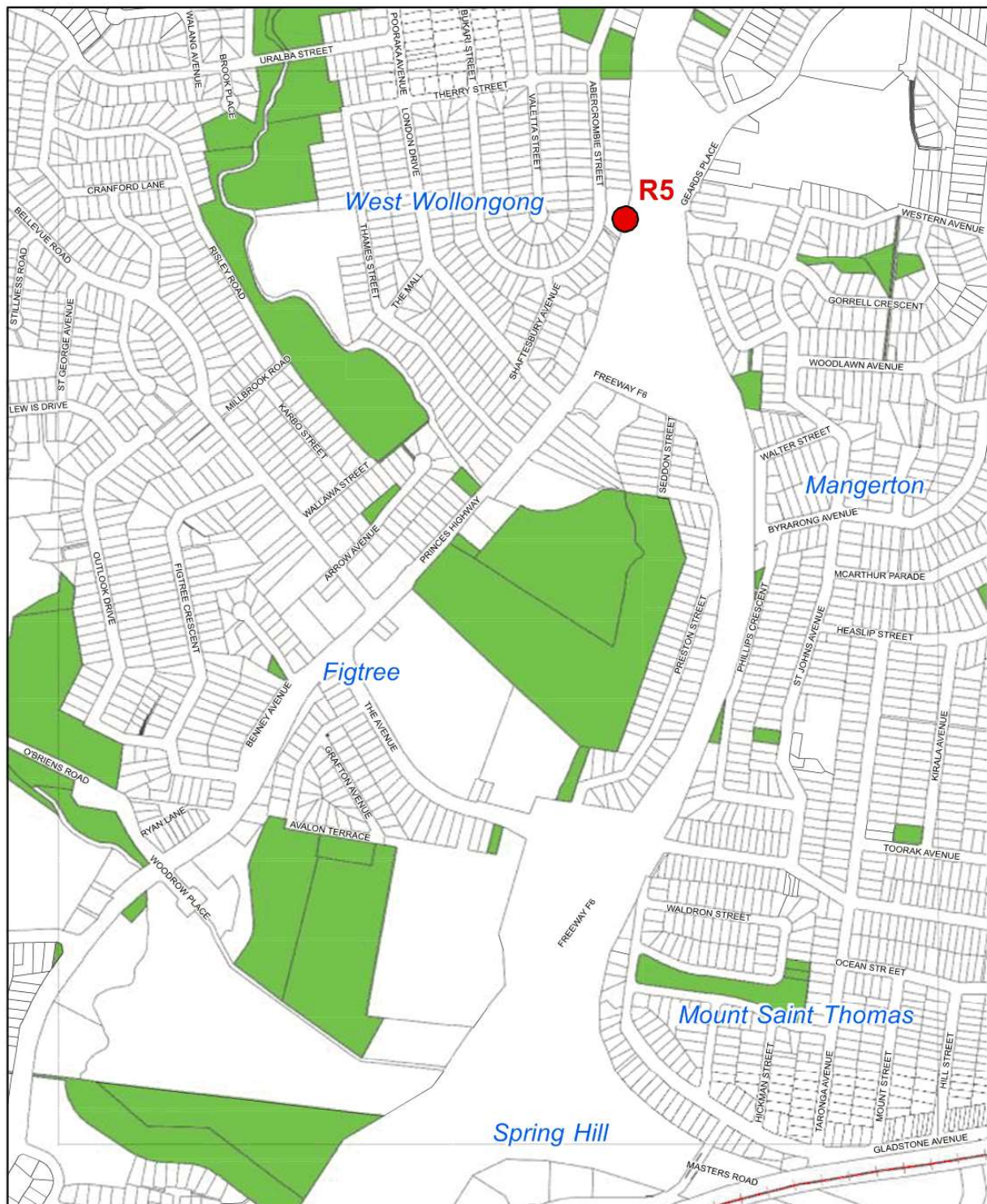


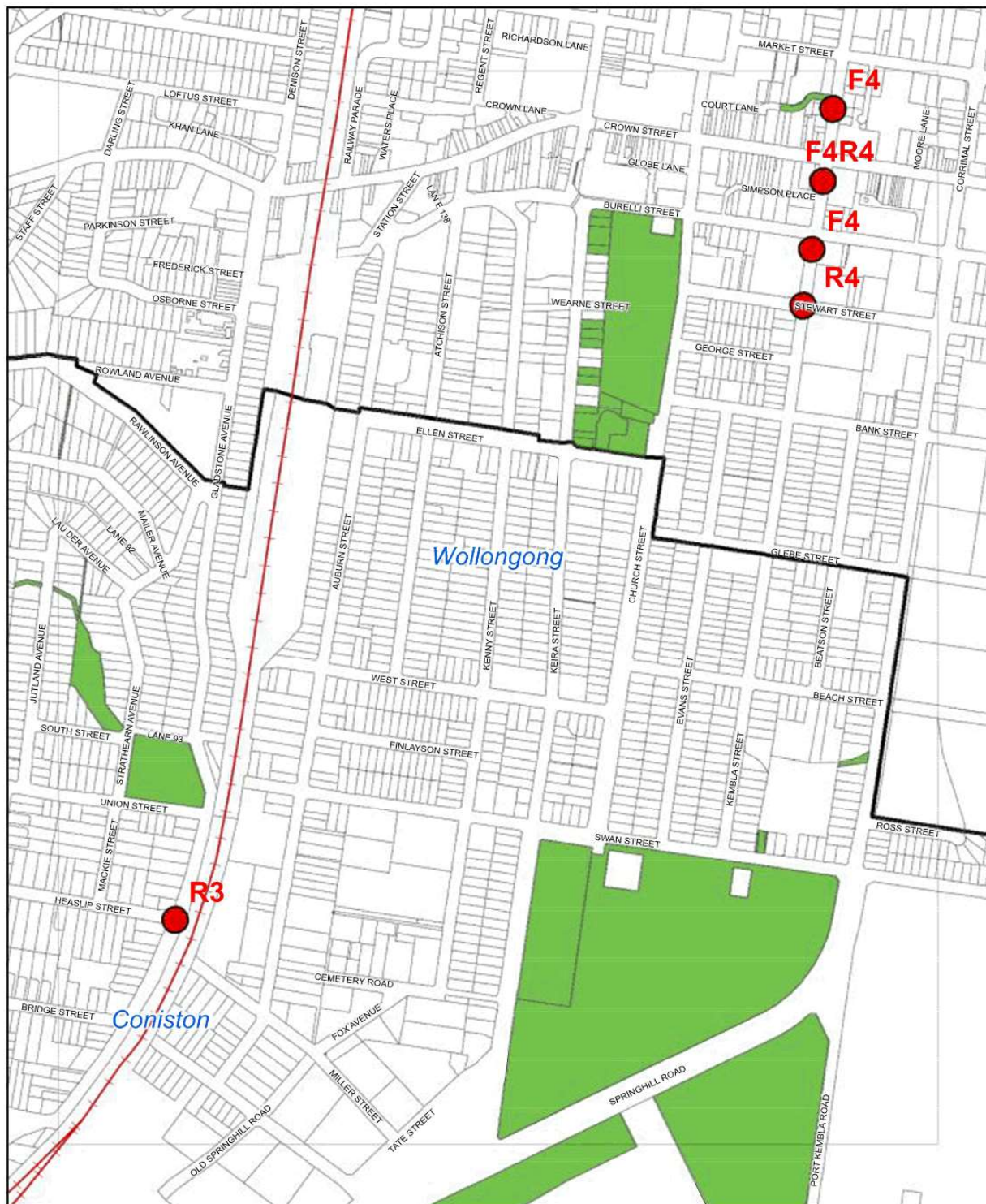


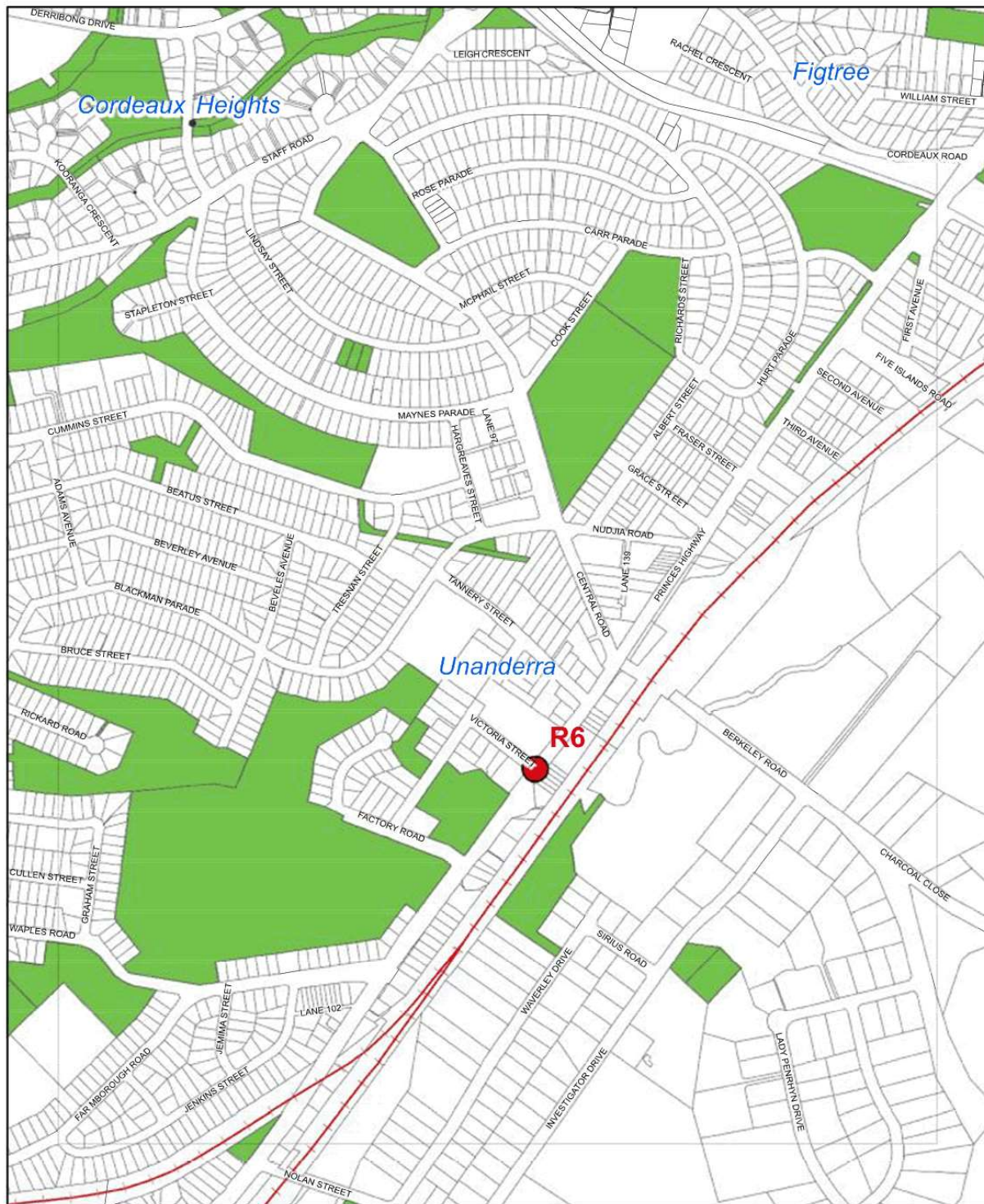


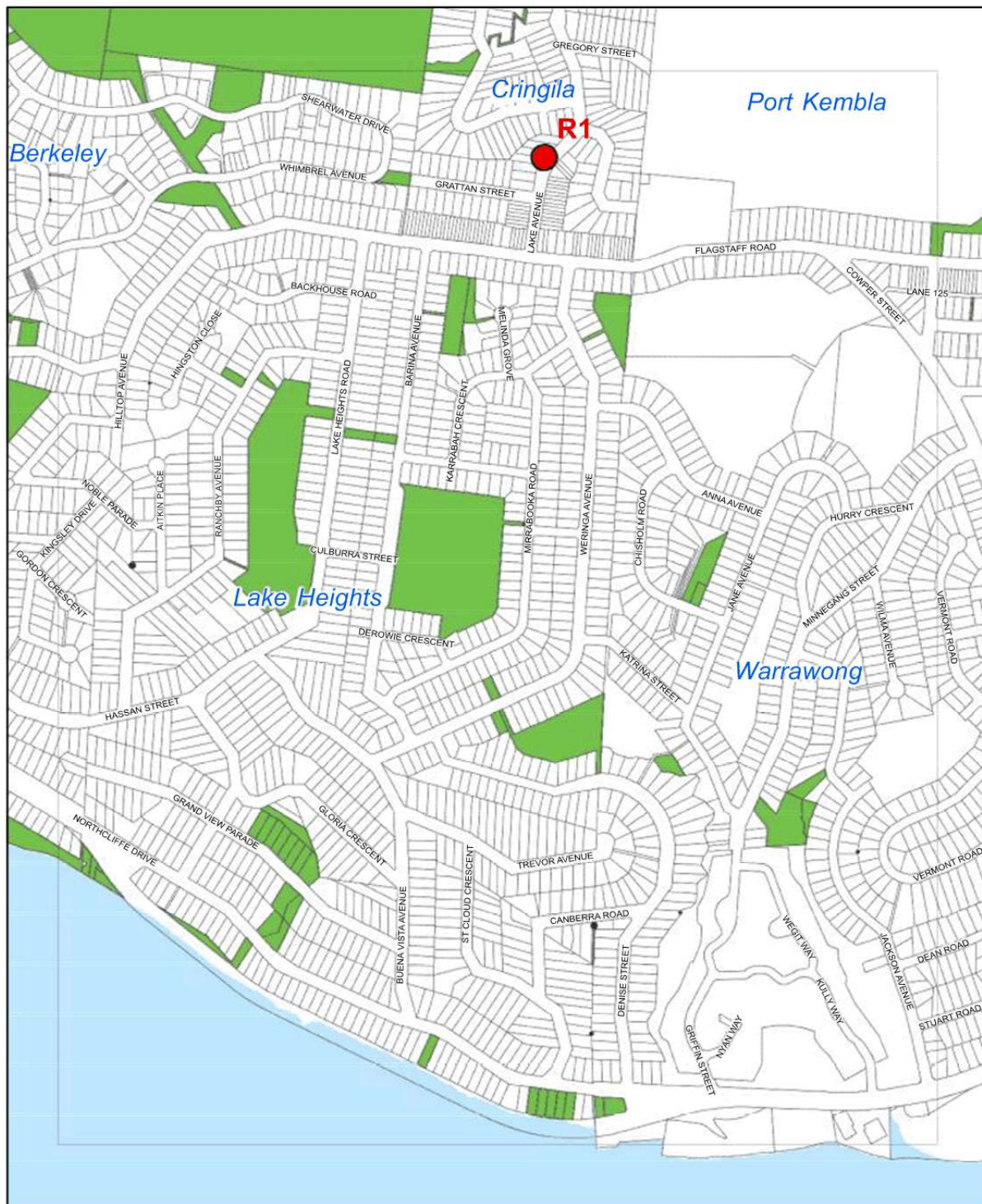














UNIVERSITY
OF WOLLONGONG
AUSTRALIA

20 October 2016

Mr David Farmer
General Manager
Wollongong City Council
Locked Bag 8821
Wollongong DC NSW 2500

Dear Mr Farmer

DRAFT WOLLONGONG SECTION 94A DEVELOPMENT CONTRIBUTIONS PLAN 2016

As you are aware there has been a series of discussions and interactions between Council and the University on this matter over recent months in the lead-up to Council resolving to place its Draft Wollongong Section 94A Development Contributions Plan 2016 on public exhibition. This included a presentation by the University to a briefing session of Councillors and senior staff on 29 August outlining UOW's position with regard to the application of Section 94A to developments on the Wollongong Main Campus and potential changes being considered by Council.

The Wollongong campus of UOW is the location of the majority of our academic and research facilities. Expansion of these facilities raises the profile of UOW as well as the city of Wollongong as a destination. There is considerable social and economic benefit to the community through the continued development of UOW's Main Campus.

These academic and research facilities are supported by a wide range of infrastructure and services aimed at improving the experience of the students and staff as well as the visiting community. These facilities are generally operated on a not-for-profit basis with any proceeds being reinvested in improved services onsite. Indeed the University is a not-for-profit public entity governed under the *University of Wollongong Act, 1989* and accountable to the Parliament of New South Wales with accountabilities also to the Audit Office of New South Wales.

On 5 September, following consideration of the staff report and draft plan, Council resolved that:

1. The draft Wollongong Section 94A Development Contributions Plan 2016 incorporate the following amendments:

- a) Update of the Works Program and maps to reflect the 2016-17 Capital Budget Delivery Program;*
- b) Update to clause 13 by deleting reference to 'universities' in clause 13(s) and adding the following exemption provisions for tertiary educational providers:*

An application by or on behalf of a tertiary education provider:

i) Full exemption may be allowed for facilities that are directly required by the main function of the educational facility, such as - class rooms, lecture theatre, training facility, administrative office, research facility.

ii) Partial (50%) exemption may be allowed for developments that are not directly required by the main function of the educational facility but will provide support to its main function, such as student accommodation, car park, sports facility, play grounds, food-court, display facility, function centre, convention hall, auditorium, community centre.

iii) Nil exemption for developments that are not directly required to the main function of the educational facility and/or have potential to create additional demand for public services and amenities. Development such as but not limited to – shops, supermarket, shopping centre, office for lease, business park, commercial centre, child care centre, entertainment facility.

- c) Deleting clause 25 (a), (b) and (c) which involve the provisions of Works in Kind Agreement which are not applicable under Section 94A plans and renaming 25(d) to 25 (a).*

- d) Including other minor changes as listed in the report.*

Melva Crouch CSM
Chief Administrative Officer

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2. *The draft Wollongong Section 94A Development Contributions Plan 2016 (Attachment 1) be exhibited for a minimum period of 28 days.*
3. *A letter be sent to the NSW Department of Planning and Environment seeking confirmation that Section 94A Development Contributions can be levied on Crown Authorities for ancillary development.*
4. *The Draft Plan include the form of words 'tertiary education provider' throughout the document.*

As per the University briefing to Council on 29 August and subsequent consideration of Council's resolution regarding the Draft Wollongong Section 94A Development Contributions Plan 2016 I wish to advise that:

The University of Wollongong believes that the current policy/practice of Wollongong City Council applying a full exemption from the payment of s94A contributions on all development on the main campus (and off-campus student accommodation), is appropriate and should be maintained.

This position is on the basis that the campus contributes significantly to the social, economic and environmental well-being of the city and that the services and infrastructure provided on-campus provide a significant material public benefit to the city, its citizens and visitors, beyond the offering of educational and research opportunities.

With regard to economic benefit alone it was estimated that in 2011 the annual economic contribution to the Illawarra for UOW operations and multiplier effects was in excess of \$1.3B (gross output), most of which accrued within the Wollongong LGA (Source – UOW *Leading Locally. Competing Globally*; 2013).

The development contributions system in NSW is based on the principle of developers contributing towards the cost of providing local infrastructure. We believe Council should consider the material public benefit provided by UOW through the infrastructure and facilities it makes available for public use (including infrastructure works carried out by UOW at our cost on public land), and provide an ongoing exemption from contributions on this basis.

UOW provides a wide range of social and recreational infrastructure available not only for the use of students and staff, but also use by the broader community. The University has undertaken a review of the community engagement and amenity provided through public access to its Wollongong Campus facilities and participation in programs as well as accommodation parking and transport initiatives. A copy of this report is attached (please refer to Attachment A). This review found significant community use of a wide range of 'municipal like' facilities including:

- The Library – The Library is not only used by senior high school students studying for their HSC as it offers a space that is more suited to this purpose than the Council provided libraries, but the facility is also used by local residents.
- The UniHall is used for a variety of public events including concerts, conferences, school graduation ceremonies and major fundraising events
- The Early Start Discovery Centre – This centre not only provides specialised learning spaces for young children which contribute to a life-long love of learning, but the public Discovery Space is emerging as a significant tourist attractor for the region.
- The University Recreation and Aquatic Centre (URAC) – URAC offers a competition standard swimming pool and indoor recreation facilities that take some pressure off Council provided facilities, and is a popular public fitness facility with unrestricted membership provisions.
- Sporting ovals – UOW's ovals are used for training and competition purposes by a range of local sporting clubs thus reducing the need for Council to provide the equivalent facilities.

It should be noted that many of the facilities provided by UOW are higher order facilities that are expensive to provide with higher standard playing surfaces, large event spaces and specialised learning spaces and this represents a significant saving to Council with regard to community usage.

Melva Crouch CSM
Chief Administrative Officer

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By making this infrastructure available to the broader community, not only is the university building valuable community connections but it is also reducing the demand on Council to replicate the facilities. It also reduces the Council resources required to manage and maintain these higher order facilities.

The local community also make use of free access to the fully University funded local bus shuttles that connect Main Campus, North Wollongong railway station, Gwynneville, Keiraville and the Innovation Campus. The University is pleased to provide open community access to these services initiated to assist access for UOW staff and students.

UOW offers student accommodation both on and off campus. The provision of student accommodation provides affordable housing for the student population, easing pressure on the general rental market in the region, and provides young students with a safe and supportive environment. Although we acknowledge that this accommodation may generate demand for infrastructure and services beyond the immediate campus area, we believe a full exemption from the payment of contributions for this type of development is warranted on the basis that the benefit to the broader community from the on-campus facilities and services, more than offsets any additional demand arising from the on-campus and off-campus student accommodation.

In addition to open public access to higher order facilities, UOW has delivered over \$1.6M in local infrastructure works since 2007, undertaken in whole or part on Council controlled lands or where benefits accrue off-campus (please refer to Attachment B). These were discretionary investments by UOW that were not mandated under Council's previous s94A plans.

Additionally, the University has programmed a further \$6.5M of local infrastructure works over the next 5 years under the UOW 2016-2020 Capital Plan, which again are to be undertaken in whole or part on Council controlled lands or where benefits accrue off-campus (please refer to Attachment C).

These past and future works include items that may be typically funded through Section 94A levies. In such circumstances UOW, through its non-mandated investments, is therefore providing Council with the opportunity to focus wider s94A levies it does receive (including from UOW on developments at the Innovation Campus) on other local infrastructure works elsewhere. Any future 'mandated' requirements for UOW contributions towards local infrastructure would represent a material change to planned expenditure and would necessarily lead to the University reviewing its planned future 'non-mandated' local infrastructure works on public land in order to balance our capital budget for this class of works.

As previously stated, the University's preferred outcome is the effective continuance of a full exemption from the application of s94A levies. However, if Council ultimately resolves to apply a regime of partial levying (based on development type) the University's preference would be to pursue a Voluntary Planning Agreement pathway for agreed investment by the University in conjunction with Council in public domain areas adjacent to the Wollongong Campus. This, for example, could include collaborative works to implement upgrades to the Northfields Avenue precinct, as identified in the recently completed Wollongong Campus Master Plan, or better activation of the northern frontage of the Council controlled Wollongong Botanic Gardens.

The current requirement to apply for an exemption from Council from the application of s94A levies for each new development proposal (in accordance with Clause 13(j) of Council's Section 94 Developer Contributions Plan 2015), is resource intensive. An ability to simplify or reduce the compliance impact of this approach would be welcomed.

Please do not hesitate to contact me if you would like to further discuss or clarify any aspect of this submission. The University of Wollongong looks forward to continued collaboration with Council for the benefit of both organisations and the wider community.

Yours sincerely



Melva Crouch CSM
Chief Administrative Officer

ATTACHMENT A



**UNIVERSITY
OF WOLLONGONG
AUSTRALIA**

Wollongong Campus: Community Engagement and Amenity

VISITORS TO WOLLONGONG CAMPUS 2015-2016

Prepared by the UOW Advancement Division (August 2016)

Executive summary

Wollongong campus provides substantial community amenity to the University of Wollongong's communities.

UOW has a real buzz about it that's noticeable as soon as you step onto campus. There are large numbers of visits made by community members to campus every day of the year. Local community members enjoy the public open space on campus as well as the many state of the art facilities. Many community members attend community events on campus, participate in campus tours or frequent the many recreational, education and research facilities provided. Casual visitors walk their dogs, ride bikes or enjoy passive recreation on the lawns. Wollongong campus is a great place to be, with an emphasis on connecting bright minds with the best possible insights and research to create a generation of thinkers – all proactively shaping the world we live in. UOW is a great place to work, study, learn, and visit – a great community asset.

COMMUNITY VISITS TO FACILITIES

There are large numbers of visits made by community members to Wollongong campus every day of the year. Wollongong campus provides substantial community amenity to both nearby residents and from outside the Illawarra. Community visitors to Wollongong campus can be categorised under several groups:

1. Recreation, function, and library facilities users,
2. Children and their carers visiting the Early Start Discovery Space,
3. Prospective students and their families, friends and teachers attending open events and enrichment activities
4. Visitors to public events e.g. conferences and public lectures.
5. Visitors who utilise campus accommodation, parking and transport initiatives

676,528 recreation, function & library facilities users	102,034 Early Start Discovery Space visitors	42,328 enrichment and outreach participants
15,125 public events	836,015 approx. annual community visitors to Wollongong campus	

Background

UOW AT A GLANCE

At UOW, we believe in the power of connecting people, ideas and places to change things for the better. The table below showcases the scope and scale of the University. UOW caters for **9,450** domestic student enrolments from the Illawarra. UOW's graduate employment rate of 75.1% domestic bachelor level graduates in full-time employment is higher than the national average of 67.4%.

32,208 students enrolled	131,601 UOW alumni	307 degrees on offer
27,874 students in Australia	95.1% of UOW students would recommend us	1,888 subjects
13,539 international students in Australia and abroad	143 nationalities represented at UOW	9,466 exchange students have studied at UOW
22,420 students based at Wollongong Campus	9,450 domestic students from the Illawarra	75.1% graduate employment (compared to national average 67.4%)
29 startup companies supported in iAccelerate	2,451 Staff (FTE)	11 campuses

1. RECREATION FUNCTION AND LIBRARY FACILITIES USERS

URAC

The University Recreational and Aquatic Centre (URAC) is a hub of campus life. URAC provides an Olympic swimming pool, gymnasium, tennis and squash courts, playing fields and other sports facilities. URAC also offers programs, events, facilities and manages commercial tenants and supports a wide range of community clubs. URAC has undergone a \$2 million renovation of its foyer, reception, Health Club, café and amenities as well as opening a UOW Sporting Hall of Fame. URAC has automated door counters on most of its entry points, including its eastern, western, front, gym, aerobic and Sports Hub entry doors. In 2015, 645,274 total visits were recorded. Usage remains high during the summer when the majority of students are on break (Figure 1). This reflects the large proportion of non-students that these facilities cater for. Use of outside facilities, including courts, ovals, hockey field and Kooloobong Oval are not covered by these door counts.

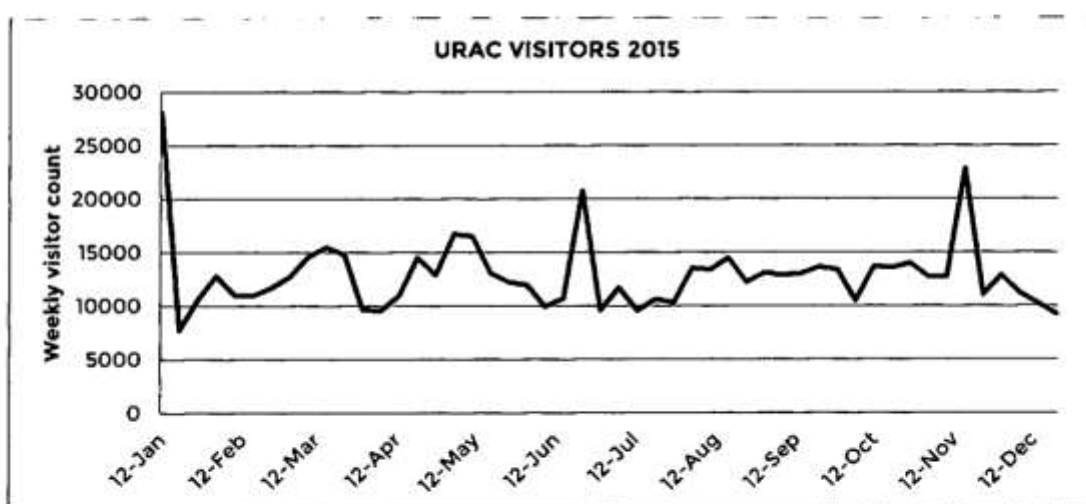


Figure 1. URAC visitation statistics recorded by automated door counts during the 2015 calendar year by week

98 individual sporting clubs, community groups, organisations and schools have utilised URAC facilities during 2015-2016. Including key local sporting organisations such as, *Illawarra Academy of Sport, Illawarra Water Polo, Cricket Illawarra, Illawarra Amateur Football, Illawarra Netball Association, Illawarra Triathlon Club, Wollongong City Netball, Wollongong Hawks, Wollongong Underwater Hockey, Activate Events, Wollongong Wizards Triathlon Squad, Bulli Surf Club, North Wollongong Surf Club, Wollongong City Surf Club, Wollongong Surf Club, and Illawarra Triathlon Club*. In addition to providing services to local clubs URAC attracts a number of regional, State, National and International sporting organisations to Wollongong including *Australian University Sport, Football South Coast, NSW AFL, Cutters, Royal Lifesaving Society, St George Illawarra Dragons, Swimming NSW, Triathlon Australia, Canadian National Triathlon Team, and Surf Life Saving NSW*. URAC also provide facilities for not for profit non-government organisation who themselves provide community services, examples of these groups include, *Australian Indigenous Mentoring Experience, Scouts and the Disability Trust*. 24 local schools used URAC facilities regularly during 2015.

Individual URAC memberships fluctuate throughout the year due to consumer demand. Memberships usually peak in April at approximately 3,400 individuals. The retail membership category makes up 11.35% of the total membership base. Concession members, who are pensioners, school and TAFE students, emergency services personnel, Alumni and UOW staff make up another 22.69%. Life members, who have paid six years of URAC fees, and generally not current students or staff, make up 4.61%. It is estimated that half of the concession and 80% of Life Members are not students or staff. From these figures it can be extrapolated that approximately 25% of memberships or 850 are held by community members.

Eastern University and Bravo Games

In July 2016 UOW together with Wollongong City Council and Destination Wollongong will host the Eastern University Games. The event will bring around 3,000 students to Wollongong to compete in 18 sports from 3-7 July. Approximately 100 community members participated in an adventure race which utilised the Ken Ausburn track as an entry to the Mt Keira foothills.

645,274 visitors to URAC	3,400 URAC membership approx.	850 (25%) approx. community memberships
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UNICENTRE

The UniCentre is a non-profit organisation receiving its income from trading operations. The UniCentre uses these funds to build new facilities, provide services for the benefit and welfare of its members, and provide recreation, artistic, cultural and developmental events for the University and the wider community. UniCentre provides high quality services and support to the Campus communities including food, beverage and coffee services, Functions & Events, UniBar, UniShop, Child Care, Post Office, to support non-commercial Student Engagement activities and provide high level social experiences within modern facilities.

During 2015, UniCentre started a major refurbishment program. The \$4.3M upgrade includes a refurbished commercial kitchen, reconfigured food hall, new supermarket and retail space along with a Student Health and Wellbeing Centre that co-locates medical, dental, counselling, chaplaincy and careers advisory services with seminar facilities. After more than 25 years of use, the Production Kitchen (previously located above UniShop) was re-created adjacent to the UniHall. The new production kitchen brings modern and efficient cooking production for UniCentre operations. A new retail grocery shop will be completed during 2016. During 2015 UniCentre welcomed two new tenancies to campus operations – Espresso Warriors at the Early Start facility providing 7 days per week service. Societea opened within Building 11. During the last 12 months UniBar presented 51 events, catering for 17,448 guests. 16 of the 51 events had tickets issues as either Student or General Admissions, at these events the majority of tickets were issues to members of the public 52% compared to the 48% sold to students. From these figures it is possible to extrapolate that total community guests to UniBar is approximately 9073.

UniCentre Events & Venues hosts a number of medium and large scale events on campus each year. For example, as part of UOW's 40 Years of Independence celebration a special anniversary Fellowship and Alumni Awards Dinner was held in the UniHall for more than 350 guests. The UniHall is a popular location for community events such as school formals and corporate events. For example, IRT is a regular client hosting its 2015 Resident's Christmas Lunch in UniHall for 450 festive retirees. The Education Management Conference Gala Dinner, the CMG Christmas Party and Alumni Awards showcased the audio visual, lighting and decorative potential of the UniHall solidify its place as a premier venue for high-profile Illawarra community events. During the last 12 months, 240 functions and events were held in UniCentre function rooms, catering for total of 22,995 guests. 87 (36%) of these events were hosted by organisations external to UOW who choose to use UOW as a venue for their event. Of those 87 external events, 13,050 guests attended – 57% of total function room guests.

The UniCentre Centre for Student Engagement (CSE) facilitated over 432 events on campus with 59,474 registered participants during 2015. Student volunteers contributed a total of 5,556 hours to running student engagement activities including community service initiatives. The number of registered Club-run activities was 1,736 with attendance of 66,158 people. Therefore the total reach of CSE activities, both facilitated internally or through student Clubs & Societies saw a reach of 125,632 participants across 2015. Whilst the participants are mostly students, staff and the general community are welcome to participate. For example the UOW Toastmaster's club attracts members from across the community and meets weekly on campus.

Kids Uni North and Kids Uni provides preschool and long day care services and Out of School Hours and Vacation Care services on campus. All Children's Services underwent National Quality Framework Rating and Assessment in 2015 both centres achieving an 'Exceeding' NQF result. This high rating demonstrates the quality care that the teams provide to the community and the children attending the services. Kids Uni has six rooms, catering for 150 zero to six year old babies and pre-schoolers each day.

UniCentre's Australia Post outlet provides 202 registered Post Boxes. 16.3% (33) of the users are organisations external to UOW.

51 UniBar events	17,448 guests at UniBar events	9,073 (52%) Approx. UniBar guests who are community members
240 UniCentre function room events	22,995 Total function room guests	13,050 (57%) function room guests who are community members.

LIBRARY

Library membership

Guest library membership is available to residents of the Wollongong and Shoalhaven Local Government Areas. In addition, many community members choose to use library facilities for private study. Guest/Community memberships currently number **362** which comprise 1.21% of total membership. Guest/Community members borrowed **2,028** items from the Library in 2015. UOW graduates are also eligible for Library membership. Alumni membership currently number **1,859** or 6.23% of the total membership. Alumni members borrowed 4,881 items during 2015.

Library tours and classes

The Library provided 22 tours and classes for High School and transitioning students during 2015, assisting **994** students in their transition to University.

Library exhibitions Program

The library has run a series of highly successful public exhibitions in the Library Panizzi Room. Each exhibition attracts many first time visitors to campus, entry is free and while visitation is not formally recorded, it is estimated to be more than 1000 visitors each year. Recent exhibitions have included:

- *Teachers College exhibition*, 7-20 March 2015
- *40 Years of Student Life*, 29 June 2015 – 6 September 2015
- *Sex to Satire: OZ Magazine 1963-1973*, 26 October 2015 – 15 January 2016,
- *24 Boxes: Unpacking the Cochrane Papua New Guinea Collection* 18 May - 18 September 2016

362	2,028	1000
guest library memberships	number of books borrowed by community members	exhibition visitors

2. EARLY START

UOW's new \$44-million Early Start building and Discovery Space is helping to transform early childhood education. The Early Start Discovery Space is an interactive educational space designed for children and adults to enjoy together. Australia's only dedicated 'children's museum', and the first-of-its-kind in the world based on a university campus, The Early Start Discovery Space is operated and supported by the University of Wollongong and has been built with a generous \$7 million contribution from The Abbott Foundation. As a hands-on creative learning venue, the Early Start Discovery Space has been specifically designed for children from birth to 12 years and their accompanying families, carers, educators and teachers. The Discovery Space has proved enormously popular in its first year with visitation figures exceeding expectations. **102,034** people have visited during the first 12 months of opening to 31 May 2016. 63% of general entry visitors (Figure 2) and 82% people taking up an annual membership (Figure 3) from the Illawarra and South Coast.

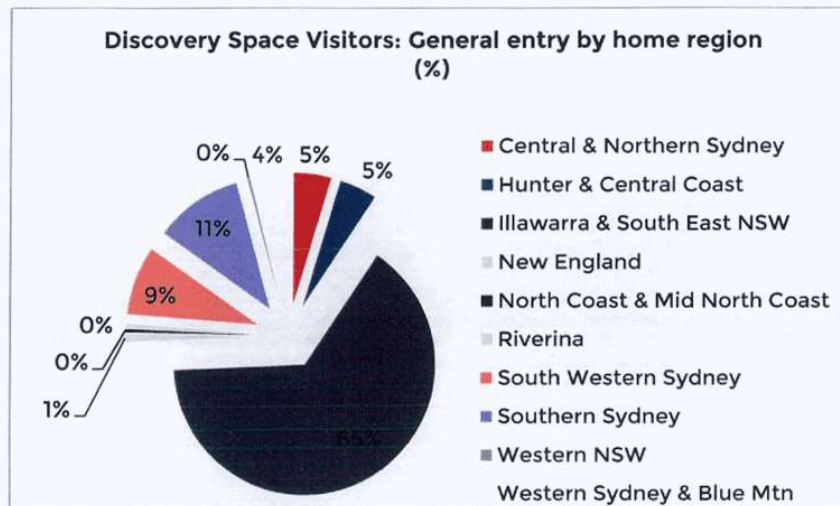


Figure 2. Early Start Discovery Space general visitors by home region.

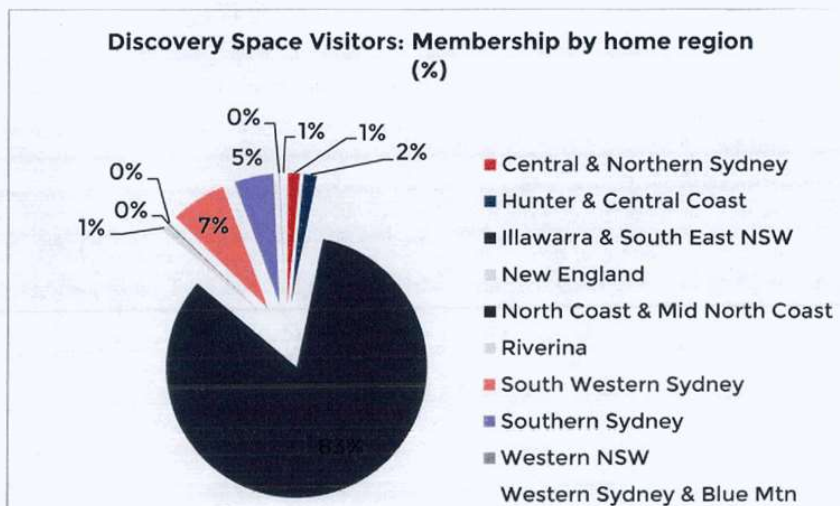


Figure 3. Early Start Discovery Space memberships by home region.

102,034

Discovery Space visitors

63%

of general entry visitors are from the Illawarra and South East

82%

of people with membership are from the Illawarra and South East

3. STUDENT OUTREACH AND ENRICHMENT

UOW is a sector leader in the provision of enrichment and aspiration raising activities for schools, TAFE students and community members. UOW delivers an extensive range of activities on campus to reduce perceived barriers to participation in higher education (Table 1). Prospective students visiting campus will often bring support people with them such as parents, carers, teachers and friends.

IN2UNI AND EARLY LABS

In2Uni is a program that aims to build aspirations for higher education, through a range of activities including academic mentoring, study skills workshops and on-site experiences for students, teacher and parents.

2015 Highlights

- 66 primary schools worked closely with the In2Uni team -all attended programs delivered on campus
- 36 high schools worked closely with the In2Uni team- most attended programs on campus. Two programs were delivered in schools to cater for the needs of particular cohorts.
- 136 UOW student mentors were involved in delivering activities
- 93,081 hours of engagement with local school students
- **10,183** individual primary and high school students' participating in activities delivered by the Outreach and Pathways team

Learning Labs, Early Learning Labs & Little Learning Labs: A Gifted & Talented School Holiday Program

UOW's highly successful Learning Labs program has expanded each year. The In2Uni Team at the University, has been steadily building the program since its inception in 2012. Due to a growing demand within the local community, the gifted and talented program is now on offer to students from Year 1 right through to Year 10. More than **1650** high-achieving students took part in fun and challenging workshops at the Wollongong campus during the July 2015 and January 2016 school holidays.

UOW'S DISCOVERY DAYS

UOW's Discovery Days gives students the opportunity to experience firsthand what a day at university is like. Students receive a personal timetable and attend lectures as if they were a UOW student. Held annually in February, **5732** Year 12 students from **166** High Schools visited Wollongong Campus 2-6 February 2015 to sample what university life is like.

OPEN DAY

UOW's Open Day featured tours of the Wollongong Campus's world-class teaching and learning spaces - the \$44-million Early Start building that is helping to transform early childhood education and the revolutionary, \$35-million Sciences Teaching Facility. More than 4,652 visitors registered in advance from across NSW and the ACT, and approximately **8000** people attended on the day.

CAMPUS TOURS FOR STUDENTS

Every Friday of the year at 10.30am prospective students and their parent are able to participate in personalised campus tour of the campus. In 2015 160 students and their friends and families participated in these tours, totalling **480** campus visitors.

<i>On campus activity</i>	<i>Dates</i>	<i>Visitors to campus</i>
In2Uni	Throughout year	10,183
Learning Labs	January and July holidays	1650
Discovery Days	2-6 February 2015	5,732
Open Day	15 August 2015	8,000
Personalised Campus Tours	10.30am Every Friday	480
Wollongong Campus Information Evening	12 May 2015	480
Early Admission activities for 3332 students and their families	28-30 September 2015	9,996
Miscellaneous School Group visits	Throughout year	300
Careers Advisers' Day	2-6 February 2015	177
UOW Illawarra Coal Science Fair	November	950
Science Experience	July	80
HSC Chemistry Revision Day	June/July	120
Year 10 Languages Day	February	270
High School Engineering Study Days		400
Legal Studies HSC Study Day	8 June	300
Year 12 Languages HSC Study Day	10 June	80
Business HSC Studies Day	21 June	400
Year 8 & 9 Maths Explorer Day	June	400
Maths HSC Revision Day	24 June	500
Engineering and Information Science High School Competitions	13 competitions throughout year	200
Economics HSC Day	6 September	450
Girls in STEM Camp	6 days in January	80
Australian Indigenous Mentoring Experience AIME	Throughout year	800
Indigenous Science, Medicine and Health Summer Camp	4 days December	60
Elevate: A Leadership Program for Year 11 students	Three events	240
Total participants in outreach and enrichment activities		42,328

Table 1. Summary of outreach and enrichment activities that occur on campus each year and approximate participant numbers

4. PUBLIC EVENTS

The University's public event, conference, lecture and special event program is extensive and attracts large number of visitors each year.

COMMUNITY CAMPUS TOURS

The University endeavours to create an enriched relationship with communities and, in doing so has established the Community Campus Tours Program. These tours provide members of the community an opportunity to learn, explore and discover the University and its grounds, whilst becoming immersed in the cultural, social and academic aspects which are delivered here. We encourage all members of the community to take part in these tours to discover the services and facilities which are available. During 2015-2016 375 community members participated in campus tours.

THE CAMPUS TREE WALKS

UOW has planted more than 50,000 mostly native trees and plants on the Wollongong campus since the University grounds were converted from farmland in the 1950s. The School of Biological Sciences' Janet Cosh Herbarium has developed a self-guided campus tree walks, which include 50 species of Eucalypts and rainforest trees that are native to the Illawarra region and provides information on their botanical, historical and cultural significance. In 1975, UOW landscape supervisor Leon Fuller commenced a program of propagating and planting indigenous trees and shrubs on the 82.4 hectares on which UOW resides between the escarpment of Mount Keira and the Pacific Ocean. This strategy of utilising Australian native plant species such as Eucalypts, Grevilleas, Banksias and Illawarra Flame Trees, was reinforced by Bruce Mackenzie's landscape master plan, completed in 1979, and has been maintained by subsequent landscape staff. The campus tree walks attract approximately 350 horticulture students and nature enthusiasts to campus each year.

THE SPIRIT OF ANZAC CENTENARY EXPERIENCE

The URAC Sports Hub was selected as a venue for The Spirit of Anzac Centenary Experience. Wollongong was the first community in New South Wales to see the Spirit of Anzac Centenary Experience when it opened on Monday 11 January 2016. The Spirit of Anzac Centenary Experience tells the story of Australia's involvement in the First World War and the ensuing century of service of the armed forces. The exhibition featured a 'Community Zone' for local Wollongong stories and artefacts. Entry to the Spirit of Anzac Centenary Experience was free and attracted in excess of 12,000 visitors.

PUBLIC LECTURES

Throughout the year, UOW's research centres host seminars, workshops and symposia; with many events timed to coincide with visits by national and international speakers. For example, the Illawarra Health and Medical Research Institute (IHMRI) hosts up to ten IHMRI Seminars and Community Addresses per year. These events bring national or international guest speakers and high-profile leaders to the region to share their latest research or expertise or discuss big-picture health issues. It is estimated that UOW's public lectures attract more than 1000 visitors to campus each year.

Big Ideas Festival

The Big Ideas Festival is an opportunity for UOW's newest professors to share their potentially world-changing research with the community. At a free public event on 25 August 2015, 12 of UOW's professors shared their research with the public and industry. Interactive research stalls, live music and networking complimented two sessions of short talks on a range of topics, from 3D printed edible robots to deciding when children are to blame for their actions. Approximately 400 community members attended.

CONFERENCES

UOW hosts many conferences each year, more than 1000 people attend conferences at UOW each year, recent examples held during 2015-2016 include:

- Australian Association for Caribbean Studies Conference 3-4 July 2015, 250 delegates.
- Australia's Multilingual Literary Heritage Workshop 6-7 July 2015, 250 delegates.
- Inaugural Literary Studies Convention I, 7-11 July 2015, 250 delegates.
- The annual meeting of the University Global Partnership Network (UGPN), 29 February – 3 March 2016, 85 delegates

725	12,000	2,400
campus tours	Spirit of ANZAC participants	conference & public lecture attendees

ACCOMMODATION PARKING AND TRANSPORT INITIATIVES

The proposed plan for an expansion of on-campus accommodation will include innovative approaches to transport, including additional car parking spaces, bike share and car share schemes and a commitment to neighbourhood amenity. In response to community feedback, the University is building a six-level car park as part of a major project to increase the amount and quality of parking on offer for residential students, and to develop the Wollongong campus into a vibrant destination of choice. When combined with the retained ground-level spaces, a total of 614 spaces will be available in the south-western car park (P3) when it is operational in 2017. This includes 359 spaces in the multi-storey car park, of which 275 will be dedicated spaces for student residents. The expansion of P3 will bring the total number of parking spaces on campus to **3,424**, an increase of 8.5 per cent. When combined with sustainable transport initiatives, the University precinct will lead the way in liveability and access. UOW's commitment to sustainable traffic and neighbourhood amenity also includes:

- Student resident transport information pack: this will be provided to students applying to live on campus before they arrive to promote the benefits of living on campus and the alternative transport options available.
- Free bicycle hire: A fleet of bicycles will be operated and maintained for student resident use, free of charge.
- Car share scheme: UOW will engage with a commercial operator to manage a car hire scheme, and will initially commit to three car spaces.
- Off campus parking survey: annual local street parking survey and participation in transport management studies.

Careful consideration of environmental impacts means the built environment for the new multi-storey carpark will not exceed the tree-top level, while the existing road layout and building footprint will be largely unchanged. While some spaces will be displaced to cater for new entry and exit points, there will be no net loss of general Pay and Display or UOW Permit Spaces once the car park is completed. UOW will continue to conduct an annual local street parking survey and share those results with Wollongong City Council (WCC) and Roads and Maritime Services. In conjunction with being an active participant in the Keiraville / Gwynneville Local Area Transport Management Study to address community concerns and provide valuable insights as we develop and refine the UOW Transport Strategy on an ongoing basis. The University has been successful in implementing sustainable transport strategies that have led to a shift in the way students and staff get to campus. This includes supporting measures such as public transport as well as providing bicycle parking and end of trip facilities. Currently almost half (44.5 per cent) of campus commuters now use transport means other than a car, compared to less than one third (31 per cent) in 2007. We are determined to continue to implement fresh thinking and innovative models that maintain UOW as a great place to live, study and work, as well as being mindful of the local community. UOW consistently spends on average in excess of \$1.4 million a year on transport initiatives. In 2016 alone, UOW will spend approximately \$900,000 on free shuttle buses to the Wollongong Campus for staff, students and visitors. A new hybrid bus was added to the UOW bus fleet in 2016 to improve air quality and reduce emissions as part of UOW's commitment to the environment. In 2015, over **4,480** people, on average, arrived by bus each day to the Wollongong Campus, compared to 1,094 in 2007. Recent transport initiatives have included the \$1.5 million upgrade to the bus interchange on Northfields Avenue and the addition of 79 spaces in car park P5. UOW also provides excellent end of trip facilities for cyclists to the Wollongong Campus, and has five secure rooms for staff and students with bicycle storage and showers, lockers and toilets. Two new facilities opened in 2015.

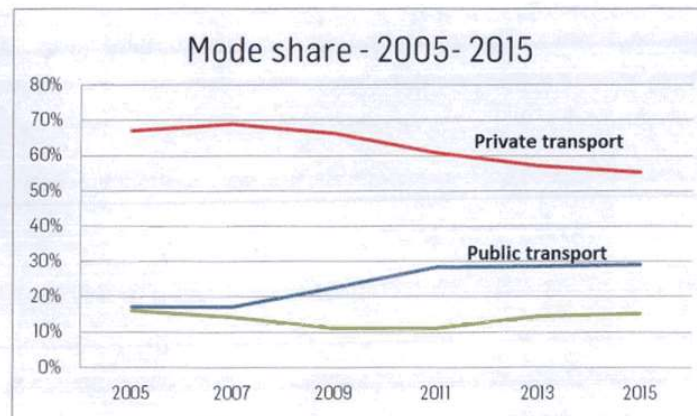


Figure 4. Transport to UOW Wollongong Campus shift in mode from private to public during the decade 2005 to 2015.

3,424	4,480	44.5%
car spaces on campus	people arriving by bus per day	campus commuters not using cars

Future amenity

Services and facilities on Wollongong Campus are undergoing big improvements in 2016 and beyond with facilities upgrades already underway to be combined with a restructure of retail and recreation amenities recommended to prepare for future needs. A comprehensive review has recommended combining UniCentre, and URAC which will provide further community amenity. This report demonstrates the wide community appeal and amenity of UOW Wollongong Campus facilities. Based on available information it is estimated that total community visitors to campus each year is in excess of 836,015 annually.

Appendix 1. Summary of community visitation

URAC total visits	645,274
Eastern University Games	3,000
Bravo games	100
UniBar	9,073
UniCentre events	13,050
KidsUni	150
Library memberships community	2,028
Library membership alumni	1,859
Library transition programs	994
Library exhibitions	1000
Total recreation, function and library facilities users	676,528
Early Start Discovery Space	102,034
In2Uni	10,183
Learning labs	1,650
Discovery days	5,732
Open day	8,000
Campus tours students	480
Wollongong Campus Information Evening	480
Early Admission Interviews for 3332 student and their families	9,996
Miscellaneous School Group visits	300
Careers Advisers' Day	177
UOW Illawarra Coal Science Fair	950
Science Experience	80
HSC Chemistry Revision Day	120
Year 10 Languages Day	270
High School Engineering Study Days	400
Legal Studies HSC Study Day	300
Year 12 Languages HSC Study Day	80
Business HSC Studies Day	400
Year 8 & 9 Maths Explorer Day	400
Maths HSC Revision Day	500
Engineering and Information Science High School Competitions	200
Economics HSC Day	450
Girls in STEM Camp	80
Australian Indigenous Mentoring Experience AIME	800

Indigenous Science, Medicine and Health Summer Camp	60
Elevate: A Leadership Program for Year 11 students	240
Participants in outreach and enrichment activities Subtotal	42,328
Community Campus tours	375
Campus tree walks	350
Spirit of ANZAC	12,000
Public lectures	1,000
Big Ideas festival	400
Conferences	1,000
Visitors to public events tours, conferences and public lectures Subtotal	15,125
Total annual visitors to Wollongong campus	836,015

Table 2. Total annual visitation to Wollongong Campus (2015-2016)

ATTACHMENT B: Local Infrastructure Works Undertaken by UOW, 2007 to Present

This table lists local infrastructure capital works carried out, and funded by, UOW between 2007 and the present (value is exclusive of GST) that have been undertaken in whole or part on Council controlled lands or where benefits accrue off-campus .

PROJECT/INITIATIVE	VALUE	COMMUNITY BENEFIT
Bus interchange upgrade (Northfields Avenue)	\$1,059,000	Improved public transport access. Contributions also by RMS (\$456,000) and Wollongong City Council (\$185,000) to total project cost of \$1,700,000
Eastern entry pedestrian access (Northfields Avenue & Eastern Gate)	\$80,000	Improve pedestrian/cycle safety and amenity
Stormwater management improvements (Northfields Avenue, and discharges beneath Irvine Street and M1 Motorway off/on ramps)	\$400,000	Improve stormwater management and downstream water quality. Mitigation of flood risk to campus and surrounding properties
Footpath pedestrian improvements (Northfields Ave pedestrian improvements – Adjacent to Kooloobong Student Accommodation)	\$80,000	Improve pedestrian/cycle safety and amenity
Total UOW Expenditure	\$1,619,000	

Source: UOW Facilities Management Division (August 2016)

ATTACHMENT C: Proposed Local Infrastructure Works to be Undertaken by UOW (2016-2020)

This table lists proposed local infrastructure works (value is exclusive of GST) planned to be undertaken over the next 5 years, in whole or part, on Council controlled lands or where benefits accrue off-campus, under the UOW 2016-2020 Capital Plan.

PROJECT/INITIATIVE	VALUE	COMMUNITY BENEFIT
Trash rack implementation	\$276,000	Improve stormwater management and downstream water quality. Mitigation of flood risk to campus and surrounding properties
Stormwater improvements to Riparian land and corridor (Cabbage Tree Creek tributary)	\$1,400,000	Improve stormwater management and downstream water quality. Mitigation of flood risk to campus and surrounding properties
Stormwater improvements to Northfields Avenue	\$1,000,000	New stormwater services along Northfields Avenue as part of broader Northfields Avenue improvement program
Undergrounding of electricity, streetscape and lighting improvements	\$3,800,000	Improve public safety and amenity as part of broader Northfields Avenue improvement program
Total UOW Expenditure	\$6,476,000	

Source: UOW Facilities Management Division (August 2016)

Neighbourhood Forum 5 Wollongong's Heartland		Coniston, Figtree, Gwynneville, Keiraville, Mangerton, Mount Keira, Mount St Thomas, North Wollongong, West Wollongong, Wollongong City.
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Friday, 4th November 2016

The General Manager

Wollongong City Council

Dear Sir

S 94A Contributions Plan

At its meeting on 2nd November the Forum resolved to support the Section 94A Contributions Plan 2016, but that clause 13 u ii be amended to exclude accommodation and other facilities where these are being provided by the private sector and not the tertiary education facility itself.

Yours Faithfully

David Winterbottom

Secretary

ITEM 2

SUBMISSION ON THE DRAFT MEDIUM DENSITY HOUSING CODE AND DRAFT DESIGN GUIDE

The NSW Department of Planning and Environment are exhibiting a Draft Medium Density Housing Code and Draft Medium Density Design Guide to support the proposed introduction of a Medium Density Housing Code into State Environmental Planning Policy (Exempt and Complying Development) 2008 (Codes SEPP).

This report provides a response for Councils consideration as the submission from Wollongong City Council on this proposal.

RECOMMENDATION

The draft submission on the Draft Medium Density Housing Code and Medium Density Design Guide be endorsed for finalisation by the General Manager and provided to the State Government.

REPORT AUTHORISATIONS

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

ATTACHMENTS

- 1 Draft Submission on the Draft Medium Density Housing Code and Medium Density Design Guide

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

The State Environmental Planning Policy (Exempt and Complying Development) 2008 (Codes SEPP) was introduced in 2009 and details the State policy for Exempt and Complying development. The Codes SEPP has been amended on a number of occasions and currently includes ten codes, including:

- Exempt Development Code – minor development that does not require development assessment or an assessment of environmental impact, if it satisfies the nominated requirements.
- Complying Development – straight forward development types that may be assessed and approved by Council or an accredited certifier if it satisfies all specified requirements. The Complying Development Codes are:
 - General Housing Code (dwelling houses in residential areas);
 - Rural Housing Code (dwelling houses in rural areas);
 - Housing Alteration Code;
 - General Development Code;
 - Commercial and Industrial Code;
 - Commercial and Industrial (New Buildings and Additions) Code;
 - Subdivision Code;
 - Demolition Code; and
 - Fire Safety Code.

In November 2015 the NSW Department of Planning and Environment exhibited a Discussion Paper “*Expanding complying development to include low-rise medium density housing types*”. The Department’s view was that the General Housing Code provided effective State policy guidance for single dwellings, and the Apartment Design Code provided policy guidance for Apartment Buildings (Residential Flat Buildings), but there were no policies for medium density development referred to as the “missing middle”. The discussion paper outlined that it was proposed to amend the Codes SEPP to include low-rise medium density development, including:

- dual occupancies (2 dwellings on a single lot);
- manor homes (3 or 4 dwellings in a single building on a lot);
- townhouses and terraces (3-10 dwellings on a lot).

The discussion outlined the Government’s aim to provide more housing, more housing choice to address current and future housing needs.

In March 2016, Council officers submitted a submission advising the Department that that Council did not support the expansion of complying development to include medium density development. Some of the concerns were:

- The scale of development proposed, being medium density housing up to 10 dwellings, is considered well beyond the scope of “low risk/low impact” development which was intended for the Complying Development pathway.
- Private Certifiers, through the Complying Development process, do not operate equivalent systems to Councils to engage, inform, communicate and explain decisions with third parties. Removing these layers of scrutiny and transparency from the decision making process for medium density projects will be at odds with the expectations of neighbouring residents and communities and may undermine the credibility of Complying Development provisions in NSW.
- The Discussion Paper does not detail why these forms of development would be better addressed as Complying Development. There is no supporting evidence that councils are taking too long to assess these forms of development. Indeed, as development size and complexity increases, so does the need for a comprehensive assessment.
- Comments on various design standards.

The Department has now published the *Explanation of Intended Effects – proposed Medium Density Code* and *draft Medium Density Design Guide*, to progress the options outlined in the discussion paper. The Department is seeking submissions by 12 December 2016. The Department has not published the feedback it received on the Discussion Paper.

The Explanation of Intended Effects – proposed Medium Density Code outlines the proposed amendments to the Code SEPP and Standard Instrument LEPs (such as the Wollongong LEP 2009). The following forms of medium density housing are proposed to be made complying development in the R1, R2, R3 and RU5 zones:

- Dual occupancies - 2 dwellings on one lot, either attached or detached, 1 or 2 storey, and subdivided into either torrens or strata lots. All dwellings to have road frontage and be positioned “side-by-side” (no battleaxe development)
- Dual occupancy (attached – one above the other) – 2 storey, strata titled only
- Multi Dwelling housing (terraces) – 3 or more dwellings, 1 or 2 storey, strata or torrens titled fronting the road;
- Manor homes – 3-4 dwellings in a 2 storey building, strata titled only.

At this stage battle-axe style dual occupancies (dwelling in front and rear of a property) or multi dwelling housing are not proposed to be permitted as Complying Development.

The draft Medium Density Design Guide outlines the proposed design requirements for the above forms of development, plus multi-dwelling housing and master planned estates which can be assessed by Council through a development application.

Similar to the discussion paper, the policy background outlines the need to provide more housing for the growing and ageing State population, provide more housing choices and more sustainable and affordable housing options.

The Guide is divided into four parts:

- Part 1 – Introduction
- Part 2 – Design Guidelines. This part is to be used by Council's to review planning controls and by designers to justify variations to the design criteria. The part includes nine design principles and 26 design elements. The design principles are:
 - Context and Neighbourhood Character;
 - Built form and scale;
 - Density;
 - Sustainability;
 - Landscape;
 - Amenity;
 - Safety;
 - Housing diversity and social interaction; and
 - Visual appearance.
- Part 3 – Design Criteria. This part contains the objectives and criteria to be satisfied for each type of permitted medium density housing.
- Part 4 – Delivery. This part contains information to assist Council with the delivery of medium density housing in terms of neighbourhood assessment and development assessment.

If progressed, the new Medium Density Housing Code will enable development proposals to be assessed by Council officers or a private certifier based on the requirements in the Medium Density Housing Code and Medium Density Design Guide. Applications will not be assessed under the Wollongong Local Environmental Plan 2009 (apart from the requirement that the use is permitted in the zone) or the Wollongong Development Control Plan 2009.

Submissions on the Medium Density Housing Code close on 12 December 2016. Council officers have contacted the Department of Planning and Environment and advised them that Wollongong City Council's submission is being considered by Council at its meeting of 12 December 2016 and will be provided to the Department the following day.

A Councillor briefing on the proposal occurred on 5 December 2016.

PROPOSAL

The objective of providing housing choice and more affordable housing is supported. Whether the proposed policy is the best way to achieve those objectives is another question.

The NSW Government has recently been promoting the record housing supply numbers in the State, however house prices have increased by 30%. Housing supply is only one part of the complex housing affordability issue.

Similar to the March 2016 submission on the Discussion Paper, Council officers have concerns about the Medium Density Housing Code and Medium Density Design Guide:

Legislative framework

The draft amendments to the Codes SEPP have not been exhibited for comment. The Explanation of Intended Effects brochure does provide an indication of the proposed policy settings.

Locational requirements

The proposal is a significant shift from Council's current housing strategy.

Council currently encourages a variety of housing densities in strategic locations including the Wollongong City Centre (high density) and around transport nodes and town and village centres (medium density). The suburban areas have remained low density, although dual occupancy, multi-dwelling housing and residential flat buildings are permitted at a floor space ratio 0.5:1.

The proposed approach would allow the nominated medium density developments in the R1, R2 and R3 zones, where the lots are wide enough and large enough at a higher density (FSR) than currently permitted. It is noted that the RU5 Village zone is not used in Wollongong.

Council in assessing Development Applications for medium density housing development considers site constraints such as flooding, slope, bushfire risk, geotechnical hazards, significant trees, the ecology, heritage and traffic generation. The Codes SEPP does not require a detailed assessment of these issues. The proposed medium density development will be permitted in flood prone areas where a hydraulic engineer certifies that the proposal is not in a high risk area, is flood compatible, does not increase flooding elsewhere in the catchment and can withstand the forces of flooding.

Private certifiers

Private certifiers currently assess Complying Development applications for dwellings under the General Housing Code, and the other forms of development listed in the background. Private certifiers also sign-off on construction certificates, occupation certificates and subdivision certificates that buildings and subdivisions have been constructed in accordance with the development consent. However, private certifiers do not have equivalent governance structures to disclose conflicts of interest, keep and publish records relevant to development decisions and manage and respond to enquiries and complaints.

Infill medium density development is a more complex development type and receives the most community objections. Enabling private certifiers to make controversial development decisions through the Complying Development pathway is likely to undermine community confidence in the planning system.

Notification

Wollongong is defined as a regional area, and as such neighbours are not required to be notified that a complying development certificate has been issued, and are only given 2 days' notice prior to work commencing on-site.

Section 94/94A

The draft Code and draft Design Guide are silent on Section 94/94A development contributions. Council currently receives Section 94A development contributions from all forms of development with a value of more than \$100,000. If the proposal progresses, a standard condition should be included requiring the payment of a Section 94/94A development contribution to the relevant Council.

Council officers have prepared a submission on the Draft Medium Density Housing Code and Draft Medium Density Design Guide for Council's endorsement (Attachment 1).

CONSULTATION AND COMMUNICATION

The Draft Medium Density Housing Code and Draft Medium Density Design Guide were exhibited by the NSW Department of Planning and Environment from 12 October 2016 to 12 December 2016. Neighbourhood Forums were advised of the exhibition.

To assist the preparation of a submission, informal discussions have occurred with representatives of other Councils and Neighbourhood Forum 5.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 goal “we are a healthy community in a liveable city”.

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

If progressed, the new Medium Density Housing Code will override the provisions contained in the Wollongong Local Environmental Plan 2009 (apart from the requirement that the use is permitted in the zone) and the controls in the Wollongong Development Control Plan 2009.

FINANCIAL IMPLICATIONS

If progressed, development applications for medium density development will be able to be assessed by private certifiers. This is likely to reduce the number of development applications assessed by Council and development assessment income will need to be adjusted. Similar to other forms of complying development, Council will still be required to assess Complying Development applications as well as register and store the Complying Development Certificates (an administrative/record keeping function).

CONCLUSION

Given the complexity and significant community interest associated with infill medium density housing forms – Complying Development is not considered to be an appropriate approval pathway.

As previously suggested in a separate submission to the NSW Department of Planning and Environment in March 2016 the proposal to include medium density housing forms as Complying Development should be limited to greenfield land release areas where subdivisions can be appropriately designed and the community can have greater certainty in the future built outcomes.

A draft submission has been prepared to provide detailed feedback on the Draft Medium Density Design Guide and Medium Density Housing Code.



WOLLONGONG CITY COUNCIL

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016



Ms Lynne Sheridan
Director Codes and Approval Pathways
NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Our Ref:
File:
Date:

Z16/271555
ESP-100.07.002
12 December 2016

Dear Ms Sheridan

DRAFT MEDIUM DENSITY DESIGN GUIDE AND EXPLANATION OF INTENDED EFFECT FOR THE NEW MEDIUM DENSITY HOUSING CODE

Reference is made to the current exhibition of the Draft Medium Density Design Guide, Explanation of Indented Effect for the new Medium Density Housing Code and associated exhibition materials. Thank you for the opportunity to make a submission on this significant proposal.

This submission was formally endorsed by Council at its meeting on 12 December 2016. The submission is divided into 'General Comments' and 'Specific Comments' on the proposals contained within the Medium Density Housing Code exhibition material.

GENERAL COMMENTS

The proposed Medium Density Housing Code and associated exhibition material represents a very significant policy shift for communities in NSW. The scale of development included being medium density housing, is considered well beyond the scope of "low risk/low impact" or "straightforward" development which was intended for the Complying Development pathway.

As development size and complexity increases, so does the need for a comprehensive assessment. The larger the site and development, the more issues that potentially need to be addressed. A "tick a box" approach is rarely appropriate.

In addition, private certifiers do not have in place adequate governance structures to manage conflicts of interest, keep appropriate records of decisions, and respond to community enquiries. Using the Complying Development Pathway for medium density housing development will undermine community confidence and trust in the planning system.

In short, Wollongong City Council does not support the expansion of the complying development provisions to include medium density housing as complying development throughout the State.

Key concerns with the Draft Medium Density Housing Code and associated exhibition materials are outlined below.

The Importance of Community Consultation

The planning system in NSW (rightly or wrongly) has established, at its core, the expectation that neighbours will be consulted (and their views considered) before development proposals in their immediate surroundings are determined.

At present, private certifiers, through the existing Complying Development process, do not operate equivalent systems to engage, inform, communicate and explain decisions with third parties. The community expectation to have a say on proposals which directly affect them is well established in Wollongong and the expansion of complying development to include the medium density housing code does not offer any level of community consultation. The proposed expansion is likely to create community distrust, confusion and ambiguity towards the planning system.

A more rigorous level of community consultation is required to be included in the assessment process for any medium density code assessed development. This may be supported by defined design criteria which the community may influence change in relation to e.g. streetscape, articulation, landscaping, overall appearance, colour, materials and finishes of the proposed development. This will ensure the community is able to have their say on the proposed development occurring in their neighbourhood, ensure the desired future character of the area is achieved and provide a level of accountability for certifying authorities assessing such development.

Many Councils', like Wollongong City Council, have established robust systems, such as Independent Hearing and Assessment Panels (IHAPs) for engaging with proponents and objectors to determine development applications in a rigorous, transparent and efficient manner.

Private Certifying Authorities

Private Certifiers, through the Complying Development process, do not operate equivalent systems to engage, inform, communicate and explain decisions with third parties. Removing these layers of scrutiny and transparency from the decision making process for medium density development is at odds with the expectations of neighbouring residents and communities and is likely to undermine the credibility of the Complying Development approval pathway.

Wollongong is classified as a "regional" area and neighbours are not required to be notified before a Complying Development Certificate is issued, and will only be given 2 days' notice prior to works commencing.

Private Certifying Authorities do not operate with similar governance and reporting structures to Councils or the perception of transparency. For example, Councils are required to ensure appropriate record keeping and access to information as required by the Government Information (Public Access) Act 2009. Many Councils like Wollongong City Council have online DA tracking systems to view information and make submissions. Such systems are not in place for Private Certifying Authorities contributing to the perception of a lack of transparency and governance.

It is Council's experience Private Certifying Authorities are often reluctant to consider aspects of development outside the Building Code of Australia requirements when assessing Complying Development. This is a significant misalignment with community expectations which rightfully assume precise and comprehensive assessment of all issues relevant to the development.

Implementation of the exhibited Medium Density Housing Code

Although the intent of the Medium Density Housing Code (and associated exhibited material) is understood, the blanket introduction across all areas in New South Wales where such development is zoned and permissible is not supported. In the Wollongong LGA this approach is likely to undermine the viability of development occurring within and around city, town and village centres and other strategic locations which are well serviced. Existing land / property prices will likely see such Medium Density Housing Code development implemented in more distant and affordable locations away from such centres. Generally these areas are more remote from services such as public transport and lack the infrastructure required to support such growth. In Wollongong, many established residential / mixed use areas away from the city / town centres are affected by numerous site constraints e.g. slope, geotechnical issues, flood, biodiversity, bushfire. Implementation of medium density development in such areas without individual assessment of such constraints is not recommended.

In relation to site constraints, much of Wollongong is affected by steep slopes, instability and geotechnical constraints. The introduction of medium density via Complying Development should be limited to sites which have less than 5 degree slope in any direction in the affected building envelope.

The Medium Density Housing Code (and associated exhibited material) creates further discrepancy between local planning controls and development assessed via the Complying Developing process. The allowance in the exhibited code for increasing the Floor Space Ratio (FSR) above the allowable limits in the Wollongong Local Environment Plan LEP 2009 (LEP) should be removed. These provisions relate to two dwellings side by side, terraces and townhouses. The proposed new provisions would override the Wollongong LEP FSR controls that have been defined through a transparent community engagement process. Other larger differences between the exhibited Medium Density Housing Code and local planning provisions in Wollongong relate to solar and daylight access (both for the subject development and adjacent

dwellings), building setbacks, building articulation and the public domain interface. Such differences ignore the views of the local community and will likely cause apprehension, discontent, and distrust in the community.

The introduction of any Medium Density Housing Code is likely better positioned in designated areas closer to Wollongong City Centre, around regional and / or town centres, and / or in close proximity to transport nodes (e.g. within 800m of train stations). Adoption of this approach may support the viability of existing local town and village centres where density is desired and better utilize areas which have appropriate transport and local services.

It is recommended that Local Councils be given the task of identifying suitable locations for the application of the Medium Density Housing Code provisions. This may include designated sections of new release housing estates. Such introduction would enable upfront consultation and education with the future property owners / investors, and allow development outcomes to be transparently communicated.

S94/ 94A contributions

The draft Code and Guide do not mention Section 94/94A development contributions. It is unclear how Section 94/94A contributions are to be levied. For dwelling house CDCs, Council has found that certifiers have issued CDCs without Section 94A being paid, or have included a vague condition indicating that it is the owners' responsibility to pay any required contribution to the Council. It is difficult for Council to chase up payment from an unsuspecting owner. This situation is anticipated to become worse with the expansion of the Code to medium density development, as a larger number of contribution payments from possibly multiple owners will be required.

Local Character

Whilst the draft code contains a large amount of content related to preservation of local character and includes a range of "Design Guidelines", it is not reasonable to anticipate that a single private certifier can adequately consider and comprehend the full complexity of these matters without the benefit of community consultation processes and broader community input. Further, the code is heavily reliant upon Councils having defined very clearly a wide range of local character matters. Whilst Councils have often defined broad local character statements at a suburb level, this does not allow for careful consideration of localised street character and precincts that create unique environments within places and at a smaller local scale.

Heritage

It is noted that the Medium Density Housing Code is not proposed to apply to Heritage Items, nor to Heritage Conservation Areas. However, this would not prevent the application of the code, through private certification on land immediately adjacent to a heritage item or area. These developments may also potentially impact on the significance of heritage items. Consideration should be given to removing the application of the code from properties immediately adjacent to heritage items.

Removal of trees and clearing of vegetation

It is understood that biodiversity issues are not a consideration in the context of the Medium Density Housing Code and exhibited material. An assessment of the immediate and cumulative impacts of the removal and clearing of trees and vegetation requires careful consideration. This is currently enabled through the development assessment process but will be reduced if the Code is adopted as exhibited. There will be increased potential for diminished regulation of the management or removal of trees through the application of clause 3.6A 'removal or pruning of trees and vegetation' through complying development.

SPECIFIC COMMENTS

Comments relating to the exhibited Draft Medium Density Design Guide Part 3.1 Two Dwellings side by side

Minimum lot size - Comments relate to Design Criteria: 3.1A

It is noted the minimum lot size for each dwelling is noted as 200m² or 6m.

Clarification is required to determine if the 6m is a minimum frontage for each dwelling? Or is this minimum 6m at the building line? Or is this a minimum 6m dimension for the entire building envelope?

It is also unclear whether the lot areas specified for setbacks and floor space ratio are referring to the parent lot or the proposed lot. If individual lots are proposed to have a minimum area of 200m², the parent lot will need to have an area of at least 400m².

Front setbacks - Comments relate to Design Criteria: 3.1A

The front setbacks for smaller lot sizes as proposed for primary road / front setback are not supported. These setbacks are small, and coupled with the articulation zone proposed, will result in haphazard development likely to affect line of sight, amenity, and the overall streetscape in the immediate vicinity. In the longer term this will also enable dwellings on larger lots to creep forward and reduce the front setback to be similar to those developed under this code. Additionally, the perceived bulk and scale of such developments is likely to increase if inadequately articulated.

A more uniform and consistent approach, regardless of lot size is recommended for adoption in this code e.g. Wollongong Development Control Plan 2009 (DCP) adopts a uniform approach, generally being either 6m for infill development (or the average of dwellings within 40m of either side of the development) or 4.5m for development in greenfield sites.

Additionally, car parking requirements in the Wollongong DCP require 2 spaces for dual occupancy dwellings over 125m². For side by side dual occupancy this is often designed so that each dwelling has one garage space, and each meet a 5.5m clearance from the front boundary to enable car to be parked off-street.

Side setbacks - Comments relating to Design Criteria 3.1A

Regarding the provision relating to the rear half of the lot, or distance >15m from front boundary: Building envelope defined by 45 degree plan projected from a height of 3.6m above the boundary. It is not clear to the average reader how the clause '*Building envelope defined by 45 degree plan projected from a height of 3.6m above the boundary*' is calculated. It is recommended this criteria be reworded or an equation inserted to more effectively communicate the application and intent of the clause.

Maximum FSR for each lot - Comments relating to Design Criteria 3.1B

The maximum FSR applied to medium density housing as per Wollongong Local Environment Plan 2009 (LEP) in R2 zones is generally 0.5:1.

The proposed FSR per dwelling for all lot sizes, particularly smaller lots 200-300m² and 300-400m², is significantly higher than Wollongong LEP and is not supported. This provision has been developed without community consultation and may result in development out of character with many streets as well as overlooking and overshadowing impacts. This will also result in further disparity between the scale permissible to be built via complying development under this proposed Design Guide when compared to Wollongong LEP.

It is recommended the maximum FSR for each lot be reduced and brought back into line with the FSR contained in the relevant local environment plans.

Landscaped area - Comments relating to Design Criteria 3.1C

The combined maximum FSR and landscape area requirements are likely to push development to double storey. Is this the intent of the Design Criteria?

Support is provided for Design Criteria which relate to tree planting onsite. Further amendment is recommended to require trees to be planted a minimum of 3m from the dwellings or any other proposed or existing structure on site. In accordance with Wollongong LEP trees may be removed without consent if less than 3m from development. If the intent is to 'green' these new development areas, the recommended amendment will ensure these trees have a better chance of survival.

It is recommended a minimum qualification level be introduced for those persons preparing a landscape plan. Wollongong DCP has recently increased the qualification level for those persons preparing landscape plans due to longer term issues with inexperienced persons preparing such plans. Such qualification may be a landscape architect or landscape designer with a minimum of 3 years' experience.

The inclusion of a planting list is recommended, or reference the applicable Council DCP's (if they include recommended planting lists) to encourage the planting of suitable local native vegetation.

Local character and context - Comments relating to Design Criteria 3.1D

Providing a design verification statement will not ensure development has regard for the character or desired future character of the area. It is recommended this criteria be strengthened to ensure development is actually required to respond to the desired future character as sought by the local community.

Public domain interface - Comments relating to Design Criteria 3.1 E

Provision relating to the height of front fencing exceeds that in Wollongong DCP and the existing provisions of the Codes SEPP. Maximum height as per Wollongong DCP is 1.2m as opposed to that maximum proposed in the design criteria being 1.5m with an average no greater than 1.2m.

Orientation and Siting - Comments relating to Design Criteria 3.1G

Design Criteria relating to solar access to adjacent properties living rooms requiring a minimum of 2hr solar access is not supported. It is recommended this minimum be increased to include a minimum of 3hr continuous solar access to living areas (similar to Wollongong DCP), and consideration be given to overshadowing impacts resulting on areas of private open space (POS).

In relation to Design Criteria 26, *Every wall that faces the street has a window to a habitable room at each level*, further specification is recommended to ensure such windows are transparent.

Solar and daylight access - Comments relating to Design Criteria 3.1I

Design criteria 34 and 35 which allow sunlight access to be discontinuous are not supported. The provision of continuous access to sunlight is recommended as a minimum requirement. It is recommended such draft criteria be further refined to ensure a minimum of 3hr direct sunlight access be required per dwelling, and in POS and living areas of adjacent dwellings, and not the proposed 2 hrs (discontinuous) direct sunlight.

Private Open Space - Comments relating to Design Criteria 3.1M

The provision of 16m² private open space is small particularly as lot sizes increase. The provision of POS in Wollongong DCP is 24m². It is recommended private open space increase with increasing lot e.g., 450m² or larger the requirement for minimum POS being 24m² is recommended for each dwelling.

Additionally, the provision recommending private open space should be 50% covered may work to enclose, or suggest to the occupant they may enclose this space.

Storage - Comments relating to Design Criteria 3.1N

Are there any setback requirements from neighbouring properties, or design requirements for such storage e.g. for bike storage?

Car and bicycle parking - Comments relating to Design Criteria 3.1 O

Regarding design criteria 62 – Question: can the covered parking space for a bicycle also be integrated with (or is there a separate requirement for) storage requirements as per design criteria 57. This is not clear and should be clarified either way.

Design criteria 63 – comment. It is assumed the design criteria for dwellings setback 4.5-5.5m is not compete and requires review.

At grade car parking provisions (e.g. as per design criteria 63) will not allow a car to be parked off the road with a clear pedestrian footpath to minimise pedestrian interference. It is recommended this be reviewed to ensure all car parking required for the development, be off street and minimise such interference e.g. setback 5.5m.

Design Criteria 64 – recommend this provision is amended to ensure garage width is not more than 50% of the dwelling frontage, not based on lot width.

Design Criteria 64 – recommend strengthening wording for lots less than 7.5m in width to state car parking must be provided via a secondary road, parallel road or lane ... rather than current wording which states

where the lot width is <7.5m, the car space and/ or garage is provided from a secondary road parallel road or lane.

Recommend additional information be included relating to access / driveway requirements e.g. driveway widths.

Architectural form and roof design - Comments relating to Design Criteria 3.1U

Design criteria 77 are unclear and re-wording is recommended to provide further clarity around this issue.

Visual appearance and articulation - Comments relating to Design Criteria 3.1V

The importance and need of an articulation zone is supported however an articulation zone of 1.5m forward of the building line is not supported. This is viewed as excessive and likely to increase bulk and scale of the dwelling from the street. This articulation zone coupled with front setback proposed e.g. for a 200m² lot (3.5m setback) will enable development to occur within 2m from the front boundary. It is recommended this be revised and a smaller articulation zone permitted.

Pools and ancillary development - Comments relating to Design Criteria 3.1W

Recommend specification to clarify swimming pools are not included as part of the required landscaped area or POS requirements.

Water management and conservation – Comments relating to Design Criteria 3.1Y

An additional objective should be included to ensure that new developments do not increase stormwater flows downstream when compared to the existing scenario and do not adversely impact on downstream properties as a result of stormwater.

With respect to the design criteria relating to stormwater disposal and detention tank locations require amendment as outlined below:

- Stormwater disposal to a Council or interallotment drainage system under a charged system should be removed from the design criteria for medium density development as this proposal can lead to greater chance of pipe blockages, increased maintenance for owners, less opportunity to capture runoff in surface pits if the outlet is higher than surface pits, and redirection of runoff away from the natural flow path (thereby increasing flows downstream and placing additional pressure on the receiving drainage systems).
- The disposal of stormwater from a medium density development via a charged system is contrary to Wollongong DCP 2009 provisions and is not supported.
- Stormwater disposal to an on-site disposal system should be removed from the design criteria as this proposal has a greater potential for Stormwater impacts to surrounding properties due to increased impervious areas and less space to locate the large disposal system on site when compared to a single dwelling disposal system.
- The disposal of stormwater from a medium density development to an on-site disposal system is contrary to Wollongong DCP 2009 provisions and is not supported.

Waste Management Plans – Comments relating to Design Criteria 3.1Z

The requirement for a waste management plan was integrated into many local government area DCP's for use during demolition and construction works. This is an existing provision in many Council DCP's and something that is recommended for inclusion in any expansion for the complying development codes in relation to medium density development.

**Comments relating to the exhibited Draft Medium Density Design Guide
Part 3.2 Terraces**

Minimum lot size - Comments relate to Design Criteria: 3.2A

Comment - same as specified for two dwellings side by side applied to terrace development.

Front setbacks - Comments relate to Design Criteria: 3.2A

Comment - same as specified for two dwellings side by side applied to terrace development.

Side setbacks - Comments relating to Design Criteria 3.2A

Comment - same as specified for two dwellings side by side applied to terrace development.

Maximum FSR for each lot - *Comments relating to Design Criteria 3.2B*

Comment - same as specified for two dwellings side by side applied to terrace development.

Landscaped area - *Comments relating to Design Criteria 3.2C*

Comment - same as specified for two dwellings side by side applied to terrace development.

Local character and context - *Comments relating to Design Criteria 3.2D*

Comment - same as specified for two dwellings side by side applied to terrace development.

Orientation and Siting - *Comments relating to Design Criteria 3.2G*

Comment - same as specified for two dwellings side by side applied to terrace development.

Solar and daylight access - *Comments relating to Design Criteria 3.2I*

Comment - same as specified for two dwellings side by side applied to terrace development.

Private Open Space - *Comments relating to Design Criteria 3.2M*

Comment - same as specified for two dwellings side by side applied to terrace development.

Car and bicycle parking - *Comments relating to Design Criteria 3.2O*

Comment - same as specified for two dwellings side by side applied to terrace development.

Visual appearance and articulation - *Comments relating to Design Criteria 3.2V*

Comment - same as specified for two dwellings side by side applied to terrace development.

Water management and conservation - *Comments relating to Design Criteria 3.2Y*

Comment - same as specified for two dwellings side by side applied to terrace development.

Waste Management Plans - *Comments relating to Design Criteria 3.2Z*

Comment - same as specified for two dwellings side by side applied to terrace development.

**Comments relating to the exhibited Draft Medium Density Design Guide
Part 3.3 Multi Dwelling Housing**

Landscaped area - *Comments relating to Design Criteria 3.3C*

Comment - same as specified for two dwellings side by side applied to multi dwelling housing.

Local character and context - *Comments relating to Design Criteria 3.3D*

Comment - same as specified for two dwellings side by side applied to multi dwelling housing.

Orientation and Siting - *Comments relating to Design Criteria 3.3G*

Comment - same as specified for two dwellings side by side applied to multi dwelling housing.

Solar and daylight access - *Comments relating to Design Criteria 3.3I*

Comment - same as specified for two dwellings side by side applied to multi dwelling housing.

Car and bicycle parking - *Comments relating to Design Criteria 3.3O*

Comment - same as specified for two dwellings side by side applied to multi dwelling housing.

Visual appearance and articulation - *Comments relating to Design Criteria 3.3V*

Comment - same as specified for two dwellings side by side applied to multi dwelling housing.

Water management and conservation - *Comments relating to Design Criteria 3.3Y*

Comment - same as specified for two dwellings side by side applied to multi dwelling housing.

Waste Management Plans – Comments relating to Design Criteria 3.3Z

Comment - same as specified for two dwellings side by side applied to multi dwelling housing.

**Comments relating to the exhibited Draft Medium Density Design Guide
Part 3.4 Manor Houses**

The term "Manor Houses" is a misnomer and is not supported. According to the Macquarie Dictionary, "a manor is the main house on a country estate". Wikipedia notes that "a manor house is a large country house, which was historically the capital residence within a manor, in which dwelled the lord of the manor" (edited). The use of the term to describe 2, 3 or 4 dwellings within a large building is confusing, and has likely originated from the marketing of a particular housing product. The term / definition in the SEPP Sydney Region Growth Centres 2006, should be amended, rather than making that definition apply across the State.

Front setbacks - Comments relate to Design Criteria: 3.4A

Comment - same as specified for two dwellings side by side applied to Manor houses.

Side setbacks - Comments relating to Design Criteria 3.4A

Comment - same as specified for two dwellings side by side applied to Manor houses.

Landscaped area - Comments relating to Design Criteria 3.4C

Comment - same as specified for two dwellings side by side applied to Manor houses.

Local character and context - Comments relating to Design Criteria 3.4D

Comment - same as specified for two dwellings side by side applied to Manor houses.

Orientation and Siting - Comments relating to Design Criteria 3.4G

Comment - same as specified for two dwellings side by side applied to Manor houses.

Solar and daylight access - Comments relating to Design Criteria 3.4I

Comment - same as specified for two dwellings side by side applied to Manor houses.

Private Open Space - Comments relating to Design Criteria 3.4M

Comment - same as specified for two dwellings side by side applied to Manor houses.

Car and bicycle parking - Comments relating to Design Criteria 3.4O

Comment - same as specified for two dwellings side by side applied to Manor houses.

Visual appearance and articulation - Comments relating to Design Criteria 3.4V

Comment - same as specified for two dwellings side by side applied to Manor houses.

Water management and conservation – Comments relating to Design Criteria 3.4Y

Comment - same as specified for two dwellings side by side applied to Manor houses.

Waste Management Plans – Comments relating to Design Criteria 3.4Z

Comment - same as specified for two dwellings side by side applied to Manor houses.

Please contact Andrew Carfield, Director Planning & Environment – Future City & Neighbourhoods on 4227 7284 should you require further information.

Yours faithfully

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

ITEM 3 SUBMISSION ON THE DRAFT COASTAL MANAGEMENT SEPP

The NSW Government is seeking feedback on its proposed new State Environment Planning Policy for Coastal Management, which will form an essential element of the coastal reforms policy framework being introduced across the State. This report provides a response for Council's consideration, as the submission from Wollongong City Council on this proposal.

RECOMMENDATION

The draft submission on the draft Coastal Management SEPP be endorsed for finalisation by the General Manager and provided to the State Government.

REPORT AUTHORISATIONS

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

ATTACHMENTS

- 1 Draft Submission on Draft Coastal Management SEPP

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

Coastal Reforms Policy Framework

The new policy framework on coastal management being introduced by the State Government consists of three main components:

- 1) The Coastal Management Act (2016), which defines the coastal zone in terms of four management areas – the coastal wetlands and littoral rainforests area, the coastal vulnerability area, the coastal environment area, and the coastal use area – each with its own set of management objectives, which are to be given effect through implementation of a new Coastal Management State Environmental Planning Policy (SEPP), and the preparation of coastal management programs by local councils;
- 2) A Coastal Management SEPP, which would integrate several current coastal management SEPPs into a single SEPP, identify the land areas making up the four coastal management areas, and specify the development controls applying to those areas; and
- 3) A Coastal Management Manual providing guidance to councils for preparing coastal management programs and on applying the development controls listed in the Coastal Management SEPP. Coastal management programs are to replace coastal zone management plans over time.

Council provided a submission on proposals for the above components, when they were placed on public exhibition by the State Government earlier in the year. At that time, the full Coastal Management SEPP and the associated mapping identifying the four coastal management areas were not included. The Coastal Management Act (2016) has since passed both houses of parliament and will be enacted when the Coastal Management SEPP and the Coastal Management Manual are finalised.

The full draft Coastal Management SEPP and on-line mapping associated with the draft SEPP are now being exhibited, and submissions on these will be accepted up to 23 December 2016. Comments are also invited on two other associated documents. These are the Draft Standard Instrument (Local Environmental Plans) Amendment (Coastal Management) Order 2016, and the Draft Local Planning Direction – Coastal Management, which seek to align local planning processes with the objectives of the

coastal reforms. The on-line mapping of the coastal management areas can be viewed at <http://www.planning.nsw.gov.au/CoastalReform>

Draft Coastal Management SEPP and Mapping

The draft Coastal Management SEPP seeks to integrate into a single SEPP the coastal management provisions currently existing through a series of different SEPPs and planning controls. These include SEPP 14 (Coastal Wetlands), SEPP 26 (Littoral Rainforests), SEPP 71 (Coastal Protection), the matters related to coastal protection works in SEPP (Infrastructure), and to coastal management in Clause 5.5 of the Standard Instrument for preparing Local Environment Plans. Development controls in the new SEPP are now proposed to be more targeted to the particular management area where they apply rather than being applied for the entire coastal zone. The four management areas making up the coastal zone are identified through a series of on-line maps accompanying the draft SEPP. The mapping of these areas and their management implications, in particular for the Wollongong LGA, are described below.

Coastal wetlands and littoral rainforests area

The coastal wetlands and littoral rainforests area has been mapped as the land occupied by the coastal wetlands and littoral rainforests and certain land within a 100 m proximity area of these features. The submission Council provided on the coastal reform documents exhibited earlier this year included references that should be used to map these areas in the Wollongong LGA, but this information does not appear to have been fully utilised in the mapping exhibited. Nevertheless, the area mapped as coastal wetlands and littoral rainforests in our LGA in the draft Coastal Management SEPP is greater than what is currently mapped under SEPP 14 and SEPP 26. While small patches of littoral rainforests have been mapped only in the area north of Stanwell Park, several creeks and lagoons along the Wollongong coastline and further inland have been mapped as coastal wetlands, and these areas will be afforded greater protection under the new SEPP. This will mean that some works that could previously be carried out in these locations without development consent will now require consent.

New development controls will also apply in some adjoining areas within a 100 m buffer if they are not zoned for residential or rural living. Many of the newly mapped coastal wetlands in the Wollongong LGA have developed land within the 100 m buffer, where consent authorities will now need to be satisfied that any new development in those areas does not adversely impact the nearby wetlands.

Coastal vulnerability area

The coastal vulnerability area is meant to identify the land subject to current and future coastal hazards. The hazards to be considered are beach erosion, shoreline recession, coastal lake or watercourse entrance instability, coastal inundation, tidal inundation, coastal cliff or slope instability, and erosion and inundation of foreshores caused by tidal water and waves including the interaction of those waters with catchment floodwaters. Two maps make up the coastal vulnerability area under the draft SEPP – the Coastal Vulnerability Area Map and the Local Government Coastal Hazard Map.

The Coastal Vulnerability Area Map is currently blank and is expected to be populated over time from mapping undertaken by local councils as and when they prepare their coastal management programs. Councils were previously led to believe that the SEPP would provide this mapping at the outset and no additional mapping effort would generally be required of them. The Local Government Coastal Hazard Map includes areas where councils have already incorporated provisions relating to these coastal hazards in their Local Environment Plans or Development Control Plans. There are over a dozen such councils in the State, but as Wollongong Council is not in this category, no area in our LGA is currently included in the Local Government Coastal Hazard Map. There is scope for the coastal hazard maps prepared by Council to be included in this layer if our DCP and/or LEP are updated to make provisions for these mapped areas.

The specific development controls listed in the draft SEPP for the coastal vulnerability area are meant to apply only to areas that will be mapped in the Coastal Vulnerability Area Map in the future. For areas identified in the Local Government Coastal Hazard Map, local controls will continue to apply, but as not all coastal hazards may have been considered in these maps, the draft SEPP has a transition clause which requires coastal hazards to be considered throughout the coastal zone by all consent authorities. Under this requirement, consent authorities must be satisfied that the proposed development is not likely

to cause increased risk of coastal hazards on that land or other land. In doing so, local hazard studies, such as those undertaken by Wollongong Council, can continue to be utilised.

Coastal environment area

The coastal environment area is meant to include land containing coastal features such as the coastal waters of the State, estuaries, coastal lakes, coastal lagoons, and land adjoining those features, including headlands and rock platforms. The draft SEPP identifies the land making up this area in the Coastal Environment Area Map, which currently includes State waters and estuaries and a 100m landward area, coastal lakes and coastal lagoons and 500m landward area, and sensitive coastal lakes and coastal lagoons and a 500m landward area and any additional catchment area. Headlands and rock platforms are currently not mapped, but intended to be included over time as better information becomes available.

The Coastal Environment Area Map for the Wollongong LGA shows inclusion of the State waters and a 100m landward area, several coastal creeks and lagoons and a 100 m landward area, and Lake Illawarra and Bellambi Lagoon and a 500 m landward area. Lake Illawarra and Bellambi Lagoon are identified in a schedule to the draft SEPP, as coastal lakes where a 500 m landward area would be included. The development controls applying to this area will require consent authorities to ensure that proposals protect the environment, Aboriginal cultural heritage and the surf zone. Except for considering the impact on the surf zone, none of these development controls impose any new consideration beyond what currently exists for this area under SEPP 71 and Clause 5.5 of the Standard Instrument.

Coastal use area

The coastal use area is land adjacent to coastal waters, estuaries, coastal lakes and lagoons where development is or may be carried out. The draft SEPP identifies the land making up this area in the Coastal Use Area Map, which starts at the local government boundary, typically the low water mark, and extends 1 km landward of coastal waters, estuaries and coastal lakes. In the area between Northern Beaches and Sutherland, the coastal use area is mapped differently in recognition of the greater density of development in this area, and the areas mapped are 200m landward of the open coast, and 100m landward of estuaries, bays and other estuaries.

The Coastal Use Area Map for the Wollongong LGA shows inclusion of land 1 km landward of coastal waters, estuaries and coastal creeks and lagoons, and this is generally not different to the extent that is currently mapped as the coastal zone under SEPP 71. The furthest westwards this area extends to are the regions on the western boundary of Lake Illawarra. In the north, significant parts of the escarpment are also included. The development controls applying to this area are similar to some of the controls currently applying, and require several public interest criteria to be addressed. These include matters such as maintaining or improving public access to the foreshore, minimising overshadowing or loss of views, maintaining the scenic nature of the coast, protecting Aboriginal cultural heritage and the surf zone.

Overlapping coastal management areas

The land areas making up the four coastal management areas are not mutually exclusive. If management areas overlap on any land and the development controls applying to that land are inconsistent, the draft SEPP proposes that the development controls from management areas prevailing would be in the order from the coastal wetlands and littoral rainforests area, then the coastal vulnerability area, then the coastal environment area, and lastly the coastal use area to the extent of the inconsistency.

Approval pathways for coastal protection works

Coastal protection works are defined to be beach nourishment activities or works, and activities or works (such as seawalls, revetments, and groynes) to reduce the impacts of coastal hazards on land adjacent to tidal waters. The draft SEPP is changing the approval pathways for these activities and works. In the main, these changes involve the role of the NSW Coastal Panel in approving coastal protection works being taken over by the relevant Joint Regional Planning Panel (JRPP) with inclusion of appropriate

coastal expertise, and temporary coastal protection works by private landowners without development consent being no longer permitted.

For private landholders, all coastal protection works will now require consent. Where a coastal management program or coastal zone management plan does not exist or where they exist but coastal protection works are not identified as an action, the JRPP will be the consent authority. Where coastal protection works are identified as an action in a coastal management program or coastal zone management plan, the local council will be the consent authority.

For public authorities, the approval pathways depend on the nature of the coastal protection works. Beach nourishment or placing of sandbags as emergency protection works that are identified in an Emergency Action Sub Plan will be considered exempt development, but if not identified, can still proceed with Part 5 assessment. Minor routine repairs or maintenance of existing coastal protection works will also only need Part 5 assessment. For all other coastal protection works that are identified in a coastal management program or coastal zone management plan, works can also proceed with only Part 5 assessment. However, if these other coastal protection works are not identified in a coastal management program or coastal zone management plan, then consent from the JRPP will be required.

Draft Standard Instrument (Local Environmental Plans) Amendment (Coastal Management) Order 2016

This proposal seeks to remove Clause 5.5 from the Standard Instrument for Local Environment Plans, as the matters relating to coastal development in this clause are now presumed to have been incorporated into the draft SEPP.

Draft Local Planning Direction – Coastal Management

This planning direction is proposed to apply to the four management areas making up the coastal zone, or to land identified as subject to current or future coastal hazards in a study undertaken by or on behalf of the relevant planning authority, or by or on behalf of a public authority and provided to the relevant planning authority. It specifies the matters to be considered in future planning proposals applying to this land, which will include restricting the rezoning of land which would enable increased development or more intensive landuse in coastal hazard areas or in the coastal wetlands and littoral rainforests area. It will also require a planning proposal to be prepared for any amendment of the four coastal management area maps.

PROPOSAL

A draft submission is included (Attachment 1) for Council to consider as its response to the documents the State Government is exhibiting. The draft submission includes some general comments on how the coastal reforms relating to the policy framework have progressed, and more specific comments relating to each of the documents currently on exhibition.

The general comments express concern that the two essential elements of the coastal reforms policy framework – the Coastal Management SEPP and the Coastal Management Manual - that are meant to provide guidance to councils when the Coastal Management Act is enacted, are far from being sufficiently developed to allow the repeal of the current framework at any time soon. The State Government is recommended to defer the introduction of the new framework until this guidance material is fully developed. The specific comments identify where issues are apparent with the proposed mapping and development controls for the four coastal management areas, and make recommendations on how these can be addressed. In assessing the adequacy of the development controls, the submission is seeking to ensure that no current protection provisions are lost under the new policy framework.

Council is recommended to endorse the draft submission for finalisation by the General Manager and forwarding to the State Government by the closing date for submissions.

CONSULTATION AND COMMUNICATION

Council officers from the Environmental Planning and the Landuse Planning teams of the Environmental Strategy and Planning Division, and the Development Assessment and Certification Division have been involved in preparing the submission. Council officers also attended an information session held by the NSW Department of Planning to further understand the implications of the draft SEPP and associated documents for Wollongong City Council.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 goal “We value and protect our environment”. It specifically delivers on the following:

Community Strategic Plan	Delivery Program 2012-2017	Annual Plan 2016-17
Strategy	5 Year Action	Annual Deliverables
1.2.1 A suite of actions to manage and protect against the future risk of sea level rise is enacted.	1.2.1.1 Finalise and implement the Coastal Zone Management Plan.	Continue to monitor and participate in the NSW Coastal Reforms.

CONCLUSION

The NSW Government is exhibiting its proposals for a new Coastal Management SEPP. By providing a submission, Council can bring its concerns on the proposals to the attention of the State Government before the SEPP is finalised.

Submission on the Draft Coastal Management SEPP

From

Wollongong City Council

Introduction

The NSW Department of Planning is exhibiting the draft State Environment Planning Policy (Coastal Management) 2016 for public feedback. Comments are also invited on the mapping of the four coastal management areas making up the coastal zone, where the new SEPP would apply, and on two other associated documents. These are the draft Standard Instrument (Local Environmental Plans) Amendment (Coastal Management) Order 2016, and the draft Local Planning Direction – Coastal Management. Wollongong City Council has reviewed all these items in providing this submission. The submission starts with some general comments on Council's perception of the intent of the coastal reform framework and the significance of the proposed SEPP within it. More specific comments relating to each of the items currently on exhibition are then provided.

General Comments

Council acknowledges that the coastal zone is not homogenous and the management requirements can differ across this area. Therefore, defining this zone in terms of different management areas with their own management objectives appears to be a pragmatic reform. The question still remains, however, whether the four management areas adequately represent all the values and threats associated with the coastal zone.

Council understands that the composition of the coastal zone as being made up of four management areas is no longer open for discussion, as this was done under the Coastal Management Act, which has now been finalised. How well these management areas can be identified and their management considerations applied are now the next big challenges. The Coastal Management SEPP and the Coastal Management Manual are meant to address some of these challenges, but judging from the progress made with preparing these two items so far, the reforms are not ready to be introduced at any time soon.

The draft SEPP placed on exhibition integrates various coastal management SEPPs into a single SEPP, as intended, but it has not made much progress into tackling one of the main challenges of coastal management currently, which is the issues faced by councils in managing the coastal hazards area. This area remains largely unmapped in the draft SEPP, and the responsibility for mapping it is now being shifted to local councils, as and when they prepare their coastal management programs over the coming years. This is a significant departure from the approach that was previously communicated, whereby the SEPP would set the direction and the mapping for use by councils. It now appears that the work of local councils is required to further develop the SEPP mapping over time. The issues around managing the coastal hazards area therefore will remain unresolved for some time yet.

The Coastal Management Manual was meant to provide guidance to councils on how coastal management programs are to be prepared, including how the provisions of the Coastal Management SEPP are to be implemented in assessing development proposals. Since its exhibition in early 2016, no updated versions of the manual have been made available. Without knowledge of what guidance is now included in the manual in relation to implementing the proposed SEPP, commenting on the viability of the proposed development controls in it is not easy. If the manual were to be changed again in a significant way to align with the proposed SEPP, which appears likely, then further consultation with councils should be undertaken. This also means that the coastal reforms are not ready to be introduced yet.

Comments on the Draft State Environment Planning Policy (Coastal Management) 2016

The draft SEPP identifies and maps the four coastal management areas making up the coastal zone as defined in the Coastal Management Act, proposes development controls for these areas, and outlines the approval pathways for the installation of coastal protection works. The comments provided below relate largely to the mapping and development controls for the four coastal management areas.

Coastal wetlands and littoral rainforests area

Mapping

The draft SEPP identifies the coastal wetlands and littoral rainforests area as consisting of the areas mapped as “coastal wetlands”, “littoral rainforests”, the “proximity area for coastal wetlands,” and the “proximity area for littoral rainforests” in the accompanying maps. The factsheet that the NSW Department of Planning has provided for this management area describes the information that was used to map “coastal wetlands”, but no such information is included for “littoral rainforests”. Therefore, whether vegetation communities beyond those recorded in SEPP26 have been considered for the mapping is not known. Council raised several concerns relating to the definition and mapping of the coastal wetlands and littoral rainforests area in the submission it provided on the coastal reforms in February 2016.

In March 2016, Council officers provided additional information to the Department of Planning for the mapping of coastal wetlands and littoral rainforests in the Wollongong LGA. This information indicated that the mapping of littoral rainforests needs to consider other mapping units (MU5 Littoral Windshear Thicket and MU6 Hind-dune Littoral Rainforests) that occur in our LGA and are considered littoral rainforests in the Native Vegetation of the Illawarra Escarpment and Coastal Plain by NPWS (2002). The mapping exhibited for littoral rainforests has still not included all of these areas. **Council requests that the mapping be reviewed to include all vegetation communities recognised as littoral rainforests in the Wollongong LGA.**

Several new areas beyond those occurring in SEPP 14 have been mapped as coastal wetlands in the Wollongong LGA. Council is concerned with the way the proximity areas for coastal wetlands have been mapped. The rationale behind excluding some land zonings (R1, R2, R3, R4, R5 and RU5) from this map is not clear, as these land zonings are likely to have as much an impact, if not more, than other land zonings that are included. Figures 1 and 2 show examples from the mapping where

residential areas in the immediate edges of the wetlands are proposed to be exempt from the development controls for this area, whereas other less intensive landuse zonings (such as E4 – Environmental Living and SP3 – Tourist) in the proximity are not exempt. In another example shown in Figure 3, the removal of residential zonings from the proximity area has resulted in loss of connectivity between the wetland and its proximity area, which defeats the purpose of having a proximity area to buffer the wetlands.

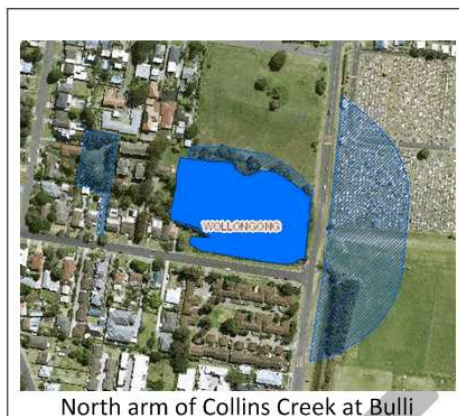
Land within 100 m of coastal wetlands and littoral rainforests, regardless of the zoning, is considered to be a **sensitive coastal location** and subject to various development control requirements under current legislative provisions. These provisions are being diluted in the proposed SEPP by exempting any such land with residential and certain rural zonings from the development controls that would apply to other land within 100 m of the coastal wetlands and littoral rainforests. **Council does not wish to see loss of any current protections with the proposed reforms and recommends that proximity areas for coastal wetlands and littoral rainforests are mapped uniformly without consideration of the type of land zoning in the area.**



Figure 1 Examples where exclusion of the residential zoning has resulted in significant areas in the proximity of coastal wetlands being exempt from the development controls applying elsewhere within this area



Figure 2 Examples showing the inclusion of land zonings with potentially less impact than the residential zoning being included in the proximity area for coastal wetlands while land with residential zoning is excluded



North arm of Collins Creek at Bulli

Figure 3 Example showing where exclusion of the residential zoning has resulted in the loss of connectivity between the wetland and the proximity areas where development controls would apply

Development Controls

Development controls are proposed for the mapped coastal wetlands and littoral rainforests areas as well as their proximity areas to ensure no adverse impacts on the biophysical, hydrological and ecological integrity of the coastal wetlands and littoral rainforests. The success of these controls in achieving this outcome will depend on how well any proposed development can be assessed for these potential impacts. Biophysical, hydrological and ecological integrity is open to very broad interpretation, and guidance material should be provided as to how consent authorities should interpret these concepts and undertake development assessment in a rigorous manner. The Coastal Management Manual is meant to provide such guidance, but since its public exhibition earlier this year, no updated version has been made available for councils to determine whether the guidance required has been provided and will be adequate. **Council recommends that the development controls for the coastal wetlands and rainforests area be accompanied by detailed guidance on their implementation by consent authorities, and the coastal reforms are not introduced until this guidance is made available.**

Coastal Vulnerability area

Mapping

The coastal vulnerability area is identified in the draft SEPP as land mapped in the Coastal Vulnerability Area Map and in the Local Government Coastal Hazard Map. The Coastal Vulnerability Area Map currently does not show coastal vulnerability areas anywhere in the State, while the Local Government Coastal Hazard map shows their presence in some council LGAs. Development controls for the coastal vulnerability area are given under Clause 13 of the draft SEPP. However, they are proposed to apply only to areas identified in the Coastal Vulnerability Area Map, which currently has no mapped areas, and not to any of the areas identified in the Local Government Coastal Hazard Map, where only local controls would apply. Therefore, the purpose of including the Local Government Coastal Hazard Map in the SEPP is not clear, especially when Clause 16 of the draft SEPP requires consideration of the risks from coastal hazards to be considered throughout the coastal zone. There is also the question of whether a consistent approach was used by the various

councils in mapping these hazards to merit their inclusion in a State-wide SEPP. **Council recommends that the benefits of including the Local Government Coastal Hazard Map in the SEPP be further explored before it is finalised.**

The absence of any State –derived mapping of the coastal vulnerability area in the SEPP is a surprise, particularly as earlier consultation on the reforms suggested that this mapping would be included and required to be used by councils when preparing their coastal management programs. In most instances, no additional mapping effort from councils was anticipated. Now, the State Government intends to get local councils to undertake this mapping when preparing their coastal management programs, and have these feed into the SEPP. This is an unusual process for the development of a SEPP and represents a significant change in the approach that was previously proposed. It also means that the draft Coastal Management Manual that was previously exhibited would now need to be changed to reflect these new arrangements for preparing coastal management programs. This level of change warrants further consultation with councils. **Council recommends that before the draft Coastal Management Manual is finalised, further opportunity be provided to councils to comment on any significant changes made to the approach required of them when preparing coastal management programs.**

The factsheet for the coastal vulnerability area indicates that local councils are expected to undertake further mapping of their coastal hazard areas or update their existing maps to conform to the new management framework over the next five years. As a result, the Coastal Vulnerability Area Map layer is expected to be populated by December 2021, when the requirement to consider the risks from coastal hazards across the entire coastal zone will no longer be necessary. This may be an ambitious target given that local councils are not required to prepare coastal management programs unless directed to by the Minister under the provisions of the Coastal Management Act. Does this imply that all coastal councils will be directed to prepare coastal management programs within the next five years? If this is the case, then it will also conflict with the transitional provisions for coastal zone management plans that are certified before the enactment of the new Act, which do not require the preparation of coastal management programs until December 2021. **Council recommends the expectations around local councils contributing to the development of the coastal vulnerability area mapping by December 2021 be clarified.**

Development Controls

The proposed development controls for the coastal vulnerability area are quite generic and they will need to be applied differently depending on the coastal hazard under consideration. Therefore, specific guidance on how these controls are to be assessed and applied for each of the seven coastal hazards is necessary. Without full knowledge of the guidance that is to be provided in the Coastal Management Manual on this matter, commenting on how well the proposed development controls will serve to achieve the management objectives for this area is difficult. **Council recommends that the development controls for the coastal vulnerability area be accompanied by detailed guidance on their implementation by consent authorities, and the coastal reforms are not introduced until this guidance is made available.**

Coastal environment area

Mapping

The coastal environment area is meant to include land containing coastal features such as coastal waters of the State, estuaries, coastal lakes, coastal lagoons and land adjoining those features, including headlands and rock platforms, but the mapping provided at this stage does not include all such areas, and in particular no inclusion of headlands or rock platforms. The State Government has indicated its intention to update this mapping as better information becomes available on areas, including on headlands and rock platforms, considered worthy of protection. Headlands and rock platforms are valuable features of the coastal environment and should be included in this coastal management area from the outset, regardless of their status. **Council recommends that headlands and rock platforms are included in the mapping of the coastal environment area before the draft SEPP is finalised.**

The current mapping has used fixed distances to identify areas around features such as State waters, estuaries, coastal lakes and coastal lagoons to be included as the coastal environment area. More flexibility is necessary as the use of fixed distances has resulted in some unusual situations. Figure 4 shows locations in the Wollongong LGA where pockets of the dunes have been left out of the mapping while other surrounding land has been included. The management objectives for the coastal environment area mention a number of coastal features that are worthy of protection, and this includes dunes. Figure 5 shows examples where parts of the beach have not been mapped while areas on top of a cliff have been included as the coastal environment area. **Council recommends that the ruleset for mapping the coastal environment area be reconsidered to address the anomalies identified for this area in the Wollongong LGA.**



Figure 4 Examples showing pockets of dune areas being excluded from the coastal environment area while other surrounding areas are included

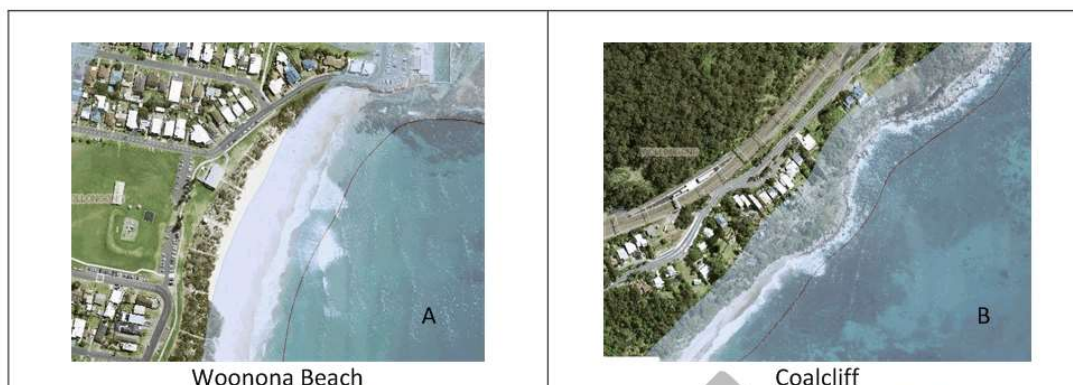


Figure 5 Examples showing exclusion of parts of the beach from the coastal environment area (A) while cliff tops are included (B)

Development Controls

As for the development controls for other management areas, these controls will also need to rely on additional guidance being provided to ensure that the desired management objectives for this area are being achieved. If for example, the proposed controls are to include statements like “not likely to cause **adverse impacts**”, then adverse impacts need some sort of definition or regulation. A definition around what constitutes an adverse impact has been an issue brought before the federal court. Reference is made to cases such as those against the Queensland Environment Minister regarding application of the Environmental Protection and Biodiversity Conservation Act (1999) in the Nathan Dam Case (2004). This case prompted further policy work to define (in a convoluted manner) ‘impact’ in the EPBC Act 1999, Section 527E. **Council recommends that the development controls for the coastal environment area be accompanied by detailed guidance on their implementation by consent authorities, and the proposed SEPP is not introduced until this guidance is made available.**

The controls relating to coastal lakes and lagoons could also be improved to include considering climate change and impacts such as *sea level rise* and *eutrophication*, as coastal lakes may experience more exacerbated impacts around these factors. It appears that the only coastal management area considering ‘future’ scenarios is the coastal vulnerability area. Another control that should be included for this area is that the development does not reduce public access, amenity and use of beaches, foreshores, headlands and rock platforms, as recreational amenity is one of the significant community values associated with this area.

Coastal use area

Mapping

The mapping of the coastal use area is similar to the mapping of the coastal zone in SEPP 71, which identifies this area as being 1 km landward of coastal waters, estuaries and coastal lakes in most areas of the State. While this approach is generally satisfactory, further assessment is required in some areas. In the Wollongong LGA, for example, a considerable section of the escarpment has been mapped as the coastal zone, while in the adjacent LGA, the area mapped is much narrower

(see example in Figure 6). The justification for including a large section of the escarpment as the coastal use area in the Wollongong LGA should be reconsidered before this SEPP is finalised, and should not have to be put off for a later stage to be addressed through a planning proposal. **Council recommends that the mapping of the coastal use area in the Wollongong LGA where it overlaps with the Illawarra escarpment be reconsidered before the draft SEPP is finalised.**

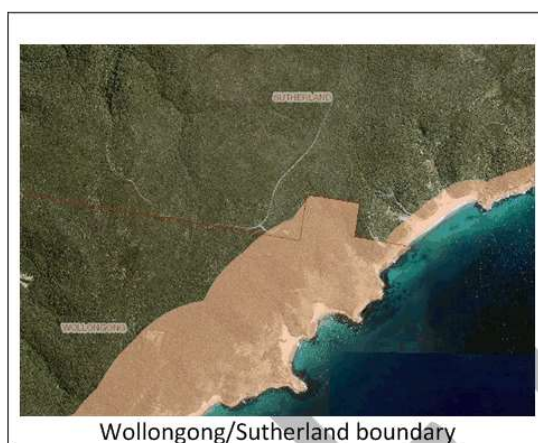


Figure 6 Discrepancy in the mapping of coastal use area along two adjacent local government areas

Development Controls

The development controls for the coastal use area emphasise requirements relating to the built environment, aesthetics and recreational use, and not on the ecological values of this or adjacent areas. Therefore, unless this area overlaps with the coastal environment area, any adverse impact of developments on the ecological values of this area or adjacent sensitive areas could be overlooked. Under current legislation, effluent, stormwater, and cumulative impacts are required to be considered throughout the coastal zone in an integrated manner while the proposed reforms can result in the exemption of the coastal use area from these considerations. **Council recommends that the controls relating to water sensitive design, including consideration of effluent and stormwater management, that are included for the coastal environment area, are also included for the coastal use area.**

Current provisions under SEPP 71 and Clause 5.5 of the Standard Instrument – Principal Local Environment Plan contain additional provisions that do not appear to have been retained in the proposed reforms. The requirement to identify opportunities for new public access to the foreshore is missing from the public access provisions, as is the need for conservation of items of heritage, archaeological or historical significance. **Council recommends that opportunities to create new public access to the foreshore and the need to conserve items of heritage, archaeological or historic significance be included in the development controls for the coastal use area.**

Comments on the Draft Standard Instrument (Local Environmental Plans) Amendment (Coastal Management) Order 2016

This order seeks to remove Clause 5.5 from Standard Instrument Local Environment Plans, as its provisions are deemed to have been incorporated into the development controls of the new proposed SEPP. However, as already noted, provisions relating to cumulative impacts of development, and potential off-site impacts of effluent and stormwater management that are present in Clause 5.5 have not been adequately captured in the proposed reforms. **Council requests that there is no loss of the protection provisions currently applying under Clause 5.5 when it is repealed with the proposed reforms.**

Comments on the Draft Local Planning Direction – Coastal Management

Under this planning direction, the coastal management area maps can only be amended through a planning proposal. Given that the maps currently exhibited are work in progress, and the State Government seeks to have these maps (in particular the coastal vulnerability area map) updated with the help of councils, there should be a transitional provision to defer the requirement for a planning proposal to change the maps until all map layers are fully populated. **Council recommends that a transitional arrangement be considered for the requirement to alter maps through a planning proposal.**

ITEM 4 FUTURE DIRECTION OF WOLLONGONG CITY COUNCIL'S YOUTH SERVICES

This report provides an overview of Council's current Youth Services Program, outlining its strengths and vulnerabilities. Based on the history of youth services provided, changes to service models in the youth services sector and recommendations from the Youth Services Review, it is proposed a new model for Wollongong City Council's delivery of youth services is implemented and is outlined in this report.

RECOMMENDATION

- 1 The current model of service provision of the Neighbourhood Youth Work Program (NYWP) be dissolved on 30 June 2017.
- 2 Option 1: Model A, as the preferred model, be implemented from 1 July 2017.

REPORT AUTHORISATIONS

Report of: Sue Savage, Manager Community Cultural and Economic Development (Acting)
Authorised by: Kerry Hunt, Director Corporate and Community Services - Creative, Engaged and Innovative City (Acting)

ATTACHMENTS

- 1 The Future Direction of Wollongong City Council's Youth Services

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

Wollongong City Council's Youth Services Program consists of Wollongong Youth Services (WYS) and the Neighbourhood Youth Work Program (NYWP). WYS is located in the Wollongong CBD (Youth Centre) and aims to improve the lives of local young people through four priority areas: youth participation and community development; targeted programs; music, art and culture and sector co-ordination and development. WYS is a generalist youth service and has a focus on community development, capacity building and connecting young people with the services, support and opportunities which best meet their individual needs. These include education, training and employment, relationship breakdown, homelessness, drug and alcohol support needs, mental health needs, social inclusion and more.

WYS also coordinates program delivery at Warrawong, through KLA W (Kemblawarra, Lake Heights and Warrawong Youth Project). KLA W provides both centre based and outreach structured programs from Warrawong Community Centre, Warrawong High School and Warrawong Library. There is a strong focus on capacity building and advocacy.

WYS also oversees the delivery of the funding program for NYWP, introduced in 1979. WCC provides funding, under an annual agreement, to community organisations to provide generalist youth services and community development activities in specific suburbs of the LGA. Currently funding is provided to five organisations being Berkeley Development Association, Cringila Co-operative, Careways (Dapto), Helensburgh Community Centre and Port Kembla Youth Project Inc.

Funding is available for programs in Koonawarra and Bellambi, however, they are not currently being utilised. This is a result of Koonawarra Area Residents Association disbanding in 2014 and Bellambi Neighbourhood Centre Committee being unable to recruit and retain appropriate staff. The suggested solution currently is for Council to directly deliver the program in Bellambi, similar to the situation at Warrawong and this is being explored with the new Bellambi Neighbourhood Centre Board.

The region's young people, the Wollongong LGA, and the youth service model landscape have changed significantly since the inception of the NYWP. Reviews of the services provided under the NYWP have been undertaken in 1988, 2001 and 2015 with a suite of recommendations made to refine the program and to increase its impact, consistency and sustainability. The first two reviews resulted in minor changes to the administration of the projects only but did not respond to the identified inadequacies of the NYWP model or potential improved delivery approaches. However, the 2015 Review recognised systemic and long term deficiencies that create a poor value model, requiring significant change to continue to be relevant and efficient to youth sector service delivery.

The most recent Youth Services Review (Review), delivered by external consultant Primitive, examined the youth services program Wollongong City Council (WCC) provides through both WYS and the NYWP. The strengths and vulnerabilities of the current NYWP's were detailed in the Review. Overall, NYWP's are not meeting WCC objectives. Some key issues include:

- Projects are not undertaking adequate levels of community development work.
- Many have under-developed outcomes-based program planning, review, evaluation and improvement mechanisms in place.
- Poor and inconsistent data collection across the Program.
- Generally, participation rates are low.
- High level of program delivery in primary schools, resulting in program delivery to participants outside the target age of funding agreement.
- High level of service delivery within school hours at high schools as an additional program which is similar to schools' core education programs.
- One or more existing NYWP providing services at the same high school creating duplication and/or overlap of services.
- Services are being provided to people less than 12 years of age, which is outside the funded target group 12-24 years.
- Very few youth leadership and participation mechanisms in place.
- Issues were recognised regarding auspice organisations capacity to deliver the project. For example Warrawong Residents Forum no longer delivers youth services, Koonawarra Area Residents Association have disbanded, Bellambi Neighbourhood Centre Committee is currently in the process of re-establishing itself and Thirroul Neighbourhood Centre is reviewing its operations and is potentially at risk.

NYWP has been in partnership with Family and Community Services (FACS) co-funding the program. The program has operated for over 30 years in the current model. There is no current logical criteria to the allocated funding amounts, which have varied from \$600 to \$60,775 per annum.

FACS funding model underwent reforms in 2008 and is currently in the process of undergoing significant reform again. The new model is significantly different to previous and existing models. The FACS reform program will focus on services which can help prevent children and young people coming into the statutory child protection system. Their target groups are vulnerable children, young people and families, with particular focus on children aged 0-3, young parents and Aboriginal children, young people and families. The reform is currently in Phase 3 which includes planning and designing the new Targeted Early Intervention (TEI) service system. It is anticipated that from July 2017 transitioning to the new service system will commence. This places additional instability on the current NYWP model. Additionally, as FACS move towards tighter objectives and restricted parameters also highlights the significance of WYS role in the provision of generalist services to young people. As detailed, providing a generalist services allows a gateway for all young people to access services and build capacity based on individual needs.

PROPOSAL

Two options are proposed and outlined below.

Option 1: Model A

WCC's Youth Services Program is delivered wholly by WYS. Building on the current WYS team, additional youth development workers (YDW) will be employed by WCC to plan, develop and deliver WCC programs and services for young people. The whole WYS team would be based at the Wollongong Youth Centre and deliver services in four key locations: central, south, west and north, as depicted in the figure below. The three focus outreach locations have been determined based on the areas identified high need, as presented above. Other geographic locations can be included in program delivery on a needs basis and as partnership opportunities arise, ensuring alignment with WYS goals.



The model allows WYS to determine the program approach and delivery ensuring consistency and quality in service while providing program delivery which meets WCC objectives. The proposed model allows the hybrid model, recommended by the Review, and recently adopted by WYS, to be implemented across the program. The program will focus on building capacity and implementing participation methods for young people. The team of YDW will work in the community to establish strong relationships and deliver programs in partnership.

Option 2: Model B

The same structure as Model A, however it introduces a procurement process to engage community organisations to deliver services for young people in the south, west and north areas. This would align with WCC Procurement Policy and ensure funds are allocated to providers (current or new) through Council's standard procurement processes. The funding arrangements would be for a fixed term proposed to be two years.

Discussion

Model A provides the foundation for consistency and efficiency in service delivery and will ensure service provision to young people in the LGA is not impacted by the viability and capacity issues of some NYWP delivery organisations. The provision of services to young people has been affected by committees disbanding or resignation of Youth Workers, resulting in breaks or cessation in service delivery. Service delivery would remain consistent if delivered by WYS as a stable organisation, delivering the program from its own resources, with a pool of skilled Youth Development Workers who can readily address program staffing.

The model addresses the inconsistency of skills and experience of NYWP Youth Workers as identified through the review. Differences exist in minimum qualification required to undertake the role of youth worker. WYS requires degree qualified YDW and NYWP are generally TAFE qualified. WYS YDW's are employed under the Enterprise Agreement (EA) while NWYP Youth Workers are employed under the Social and Community Services Award presenting challenges in costing. However, while wages under the EA are higher, the required level of qualification, experience and skills is also notably higher,

therefore providing higher quality standards in terms of strategy, programming, community engagement and understanding youth development and adolescence.

Model B establishes contracted partnerships with other agencies, to undertake service delivery on Council's behalf, however it does not address many of the current issues associated with NYWP. Issues that were highlighted in the background discussion including: the stability and viability of community organisation/s for service consistent delivery, under-developed outcomes-based program planning, poor and inconsistent data collection and services being provided to people outside the funded target group of 12-24 years, would potentially remain unchanged.

The review established the inconsistency in NYWP program planning, data collection, review and evaluation and established that an inadequate level of community development work was being undertaken. Model A is considered to address these inconsistencies by bringing each of the areas into line with WYS current methods and allowing one, consistent approach to the delivery of programs. This does not, however, mean service delivery would be the same in each location, but rather reflective of need. Model A is favoured over Model B in its ability to ensure program delivery is undertaken in line with WCC policies, procedures and WHS standards.

Model A would continue to encourage a strong focus on establishment of partnerships with other youth service providers. The development of partnerships allows for more effective service delivery, less duplication, efficient resourcing, improved service coordination, stronger connections to community and the ability for WYS as a generalist service to work closely with targeted service providers to address the needs of young people.

Throughout the LGA there is substantial inequality which results in particular areas requiring assistance to move out of disadvantage. Model A allows a more flexible approach to target the focus service provision in the areas of most need. This does result in a reduced geographical spread of current youth services, however, it is recognised in the Review that Helensburgh, for example, does not have a high youth population and is not assessed as being an area of high needs. Additionally, generalist youth services are located in Thirroul and Engadine providing easy access to services for young people.

WYS has coordinated service delivery in Kemblawarra, Lake Heights and Warrawong for over 10 years as a result of the Warrawong Residents Association requested the funds be given back to Council and Council deliver the youth service directly. More recently, WYS has commenced planning services delivery in Bellambi given a similar set of circumstances in the Bellambi community organisation.

Overall, Model A is seen as the preferred option as it will provide increased coordination across WCC Youth Services Program throughout the LGA and will benefit from the strong reputation WCC has in the community, and ultimately be better value for money and better service outcomes for young people.

Community managed committees and programs at Thirroul and Helensburgh are currently at risk. Cringila is no longer guaranteed NYWP funding, due to connection and dependency with Family and Community Services. There are very few generalist youth development services in the service network. Most programs directly align to outcomes defined by the State or Federal Government such as early intervention, accommodation, employment, housing and education programs.

Refer to attachment for additional information and for an overview of the proposed communication strategy if the proposal is adopted.

CONSULTATION AND COMMUNICATION

Internal and external consultations with key stakeholders were conducted as part of the review process and they have continued to be informed as the project progresses.

These included:

- WYS youth workers
- NYWP Management Committees
- Family and Community Services NSW

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 goal 5 “We are a health community in a liveable city”. It specifically delivers on the following:

Community Strategic Plan	Delivery Program 2012-2017	Annual Plan 2016-17
Strategy	5 Year Action	Annual Deliverables
5.1.1 We work in partnership to build on opportunities to strengthen vulnerable communities	5.1.1.1 Partner with community based organisations in the provision of services	Implement recommendations of the youth services review including the future direction of Neighbourhood Youth Projects
5.6.1 Projects that building on community strengths are encouraged	5.6.1.1 Deliver a diverse suite of projects to the community that foster and enhance community strengths	Deliver a range of youth services with a focus on youth participation and community development, targeted programs, music and culture, and sector development and coordination.

FINANCIAL IMPLICATIONS

There will be no additional cost implications as a result of this proposal. The existing Youth Services budget will be utilised to implement the proposed model.

CONCLUSION

Youth Services play an integral role in strengthening our community and enhancing the lives of young people. The current model for service delivery is not meeting Council objectives. The proposed model has been informed by an independent review; it aligns with the evolving youth sector landscape and reflects the needs and population of young people. The proposed model will provide better coordination across Council's Youth Services Program and creates a framework for strategic development in turn enhancing outcomes for young people and the community.

The Future Direction of Wollongong City Council's Youth Services

Introduction

This report provides an overview of Council's current Youth Service Program, outlining its strengths and vulnerabilities. The current model for delivery of Wollongong City Council's (WCC) Youth Services in the LGA consists of Wollongong Youth Services and the Neighbourhood Youth Work Program (NYWP). Based on history, changes to the youth sector landscape and recommendations from the Youth Services Review, it is proposed a new model for the delivery of youth services is implemented.

Background

Wollongong City Council's Youth Services Program consists of Wollongong Youth Services (WYS) and the Neighbourhood Youth Work Program (NYWP). WYS is located in the Wollongong CBD (Youth Centre) and aims to improve the lives of local young people through four priority areas:

- youth participation and community development
- targeted programs
- music, art and culture and
- sector coordination and development.

WYS is a generalist youth service and has a focus on community development, capacity building and connecting young people with the services, support and opportunities which best meet their individual needs. These include education, training and employment, relationship breakdown, homelessness, drug and alcohol support needs, mental health needs, social inclusion and more.

Generalist youth services work within an intervention and prevention framework based on an empowerment and harm minimisation approach, as opposed to a welfare approach. Generalist youth centres and youth workers are critical to 'the development of coordinated and effective youth services that assist all young [people] at the time they most need support' [source: Vulnerable Youth Framework discussion paper. p.iii].

WYS coordinates program delivery at Warrawong, through KLAWE (Kemblawarra, Lake Heights and Warrawong youth project). KLAWE provides both centre based and outreach structured programs from Warrawong Community Centre, Warrawong High School and Warrawong Library. There is a strong focus on capacity building and advocacy.

WYS also oversees the delivery of the funding program for NYWP. WCC provides funding, under an annual agreement, to community organisations to provide generalist youth services and community development activities in specific suburbs of the LGA. Currently funding is provided to five organisations being Berkeley Development Association, Cringila Co-operative, Careways, Helensburgh Community Centre, and Port Kembla Youth Project Inc. Funding is available, however, it is not being utilised currently for programs in Koonawarra and Bellambi. This is a result of Koonawarra Area Residents Association disbanding in 2014 and Bellambi Neighbourhood Centre

committee being unable to recruit and maintain appropriate staff, so suggested that a solution was for Council to directly deliver the program, similar to the circumstances at Warrawong (and as suggested in proposed Model A).

NYWP has been in partnership with Family and Community Services (FACS) with FACS co-funding the program. The program has operated for over 30 years in the current model. There is no longer any logic to the allocated funding amounts, which have varied from \$600 to \$60,775 p/a. Over time the number of NYWP's has reduced. The table details the services and their current status with the program.

Suburb	Service	Current Status
Berkeley	Berkeley Development Association	Funded - operating
Dapto	Careways	Funded - operating
Cringila	Cringila Cooperative	Funded - operating: Entirely funded by WCC since 2015 when FACS funding was withdrawn
Helensburgh	Helensburgh Community Centre	Funded - operating
Port Kembla	Port Kembla Youth Project Inc	Funded - operating
Koonawarra		Funding available however not currently allocated pending outcome of review.
Bellambi		Funded – Delivered by WYS
Kemblawarra, Lake Heights and Warrawong		Funded - Delivered by WYS

Review of Youth Services

WYS has a long history of service provision to young people in the Wollongong LGA. The NYWP began in 1979, and the centrally-located Wollongong Youth Services has been operating since 1993. Throughout this time the region's young people, the Wollongong LGA, and the youth service landscape have changed significantly. Reviews of the services provided under the NYWP have been undertaken in 1988, 2001 and 2015 with a suite of recommendations made to refine the program and to increase its impact, consistency and sustainability. The first two reviews resulted in minor changes only to the administration of the projects but did not respond to the identified inadequacies of the NYWP model or potential improved delivery approaches. However the 2015 Review recognised systemic and long term deficiencies that create a poor value model, requiring significant change to continue to be relevant and efficient to youth sector service delivery.

The most recent Youth Services Review (Review), delivered by external consultant Primitive, examined the youth services program Wollongong City Council (WCC) provides through both WYS and the NYWP. The methodology included structured interviews with program stakeholders; focus groups with young people currently using WYS and NYWP; surveys of current service users and

surveys with local students including those currently not accessing any of these services. Overall, the Review found that:

- Community development programs can positively impact young people
- The youth services program Council provides is having a significant impact on service users level of social capital
- The youth services program is largely providing programs that cultivate the conditions necessary to promote social capital outcomes
- The youth services Council funds have a good reputation as places to go for support if young people need it.

The strengths and vulnerabilities of the current NYWP's were detailed in the Review. NYWP's provide a connection to local communities and allow young people to access services in their own suburb. A number of Projects have developed innovative services, programs and strategies. However, overall, NYWP's are not meeting WCC outcomes. Some key issues include:

- Projects are not undertaking adequate levels of community development work
- Many have under-developed outcomes-based program planning, review, evaluation and improvement mechanisms in place
- Poor and inconsistent data collection across the Program
- Generally participation rates are low
- High level of program delivery in primary schools, resulting in program delivery to participants outside the target age of funding agreement
- High level of service delivery in high schools programs including some NYWP providing services at the same high school
- Services are being provided to people less than 12 years of age, which is outside the funded target group 12-24 years.
- Very few youth leadership and participation mechanisms in place
- Issues were recognised regarding auspice organisations capacity to deliver the project. For example Warrawong Residents Forum no longer delivers youth service provision, Koonawarra Area Residents Association have disbanded, Bellambi Neighbourhood Centre committees is trying to re-establish and Thirroul is reviewing its operations and is at risk .

The Future Direction of WCC's Youth Service Program

The current youth services model is not meeting Council objectives. It is proposed a new model is introduced which:

- Provides consistency and efficiency in service delivery
- Allows transparency, benchmarking and consistent record keeping
- Builds capacity in young people
- Establishes partnerships with other agencies to provide and enhance quality services and programs
- Provides services and support for high needs young people
- Provides targeted programs
- Develops a more effective range of participation methods for young people
- Provides better coordination across the Program.
- Creates a framework for strategic development and outcomes.

A new model should align with the changes to the youth sector, provide improved quality and stability in service delivery; focus on service provision in the LGA's most disadvantaged areas and have a strong focus on partnerships. The proposed model will be presented further in this report.

Changes to the Youth Sector

▪ Program Reform: Targeted Earlier Intervention (TEI)

FACS provides funding to WCC to part fund two of the YDW positions. This is to deliver information and referral services.

FACS also provide funding to Bellambi, Berkeley, Dapto, Port Kembla and Helensburgh NYWP's and Thirroul and Unanderra Neighbourhood Centres for the provision of youth services.

In 2008, FACS implemented reforms to their funding model resulting in a focus on providing prevention and early intervention services as part of the NSW Government Action Plan *Keep Them Safe*. As a result, the funding provided to service providers under the NYWP model is now used to implement this program often with a dedicated Early Intervention Placement Prevention worker. This position operates outside of the NYWP model providing support, referral and advocacy to young people and families. The model introduced in 2008 has specific deliverables, which are significantly refined compared to the NYWP deliverables.

In 2015, FACS conducted sector-wide consultations to obtain feedback on improving TEI and from this developed aims and guiding principles that underpin the TEI reform process. These include: services are evidence informed and targeted to need; an outcomes-focused approach; an integrated service system; earlier intervention remains the focus and priority of TEI services; and working in partnership and joint service design and delivery.

The reformed program will continue to focus on services which can help prevent children and young people coming into the statutory child protection system. The target group is vulnerable children, young people and families, with particular focus on children aged 0–3, young parents and Aboriginal children, young people and families. The reform is currently in Phase 3 which includes planning and designing the new TEI service system. It is anticipated that from July 2017 transitioning to the new service system will commence. The new model is significantly different to previous and existing models.

No decision has been made about the future service model. Districts will undertake planning with services to suit local conditions and needs. District planning will be guided by clear parameters of the new program structure, the TEI outcomes framework, district budgets, and local data. Decisions regarding future funding distribution will not be made until the shape of reform is determined and Districts have undertaken local consultation and planning.

This places additional instability on the current NYWP model. Additionally, FACS move towards tighter objectives and restricted parameters also highlights the significance of WYS role in the provision of generalist services to young people. As detailed, providing a generalist services allows a gateway for all young people to access services and build capacity based on individual needs.

▪ **Service delivery structure at WYS**

Changes have commenced to service provision at WYS. The Review recommended a shift towards a hybrid model of youth service provision. A hybrid model includes both direct service provision and strategic planning and provides a range of benefits. Youth Development Workers (YDW) add to the work of direct service provision by including extra elements of participation that enhance the outcomes of programming; strong strategic direction is undertaken and supported by local research and planning; strategic engagement and involvement with other services and funding bodies.

A key focus of WYS is on increasing young people's opportunity to develop new skills and build capacity. An extensive research and engagement project was undertaken by WYS in May 2016 to determine the needs and interests of young people in the LGA. The information gathered from young people during this period was used to inform Wollongong Youth Services' program planning process. Some of the changes include six month programming, reduced drop in, increased structured programs such as barista, art and guitar workshops and a computer programming course, structured events on Friday evenings and increased opportunities for young people to participate in decision making. WYS have been actively seeking opportunities to increase their profile in the community through marketing, media and attending community events.

The new approach has diversified our program offering, increased the number of new participants to the services, increased skills and connected young people to additional opportunities.

Quality and Stability in Service Delivery

The Review found significant capacity issues impacting NYWP delivery organisations. These are current points of value loss, or, in the case of a number of NYWP's, pose a risk to sustainability in the near future. Given the viability and capacity issues for some delivery organisations under the NYWP, the Review suggested any further developments in the NYWP will need to assess and take into account the capacity of the delivery organisations to deliver service to a reasonable level.

The Review also established the inconsistency in skills and experience of NYWP Youth Workers. There is inconsistency in program planning, data collection, review and evaluation and not undertaking adequate levels of community development work. The model should provide a quality and consistent service to the community.

Partnerships

The partnership and project development work of the YDW's across the LGA creates greater opportunities for efficiency in direct service provision, for example, sharing of resources between Council programs and other organisations and reduction of duplication.

The Review highlighted the need to prioritise partnerships with other compatible organisations. Organisations with more partnerships are able to run more programs, at a lower cost and time expense, and also engage greater numbers of young people. Partnerships also add to community connectedness outcomes, providing a range of adults and other community members as assets for young people in the programs. Therefore, partnerships with other organisations should be a hallmark of the youth services program design. Like youth participation, this is a cultural phenomenon, and must permeate the delivery organisation and the Project that it creates. For the

purpose of creating value across project design into the future, each project should have a strong partnership focus.

Service provision focused in the LGA's most disadvantage area

There is considerable inequality within the Wollongong LGA. For example, suburbs in the LGA range from being ranked nationally on the 95th percentile such as Stanwell Park, Stanwell Tops and Coalcliff to some of the most disadvantaged suburbs in the state such as Warrawong on the 3rd percentile.

Studies have shown that disadvantage is associated with higher rates of health issues, disability, drug and alcohol use, crime, low educational attainment, low productivity and economic participation and many more issues. The Socio-Economic Indexes for Areas (SEIFA) is often used to map disadvantaged communities. SEIFA analyses attributes that reflect disadvantage in census data, such as low income, low educational attainment, single parents with dependents, renting social or government housing, high unemployment, and jobs in relatively unskilled occupations.

The LGA's substantial inequality means that there are particular populations in the LGA that will require assistance to move out of disadvantage. The following table provides the SEIFA in order of highest disadvantage to lowest.

Suburb	Warrawong	Cringila	Bellambi	Koonawarra	Port Kembla	Berkeley	Dapto	Helensburgh
SEIFA Index	752	789	814	848	872	882	956	1075

The LGA also records numbers of young people who are disengaged, meaning, young people aged 15-24 not employed or in education. In 2011, 9.4% of Wollongong City's population aged 15 to 24 years were not employed or engaged in education. Proportions ranged from a low of 0.0% in Austinmer to a high of 23.4% in Warrawong. The five areas with the highest percentages were:

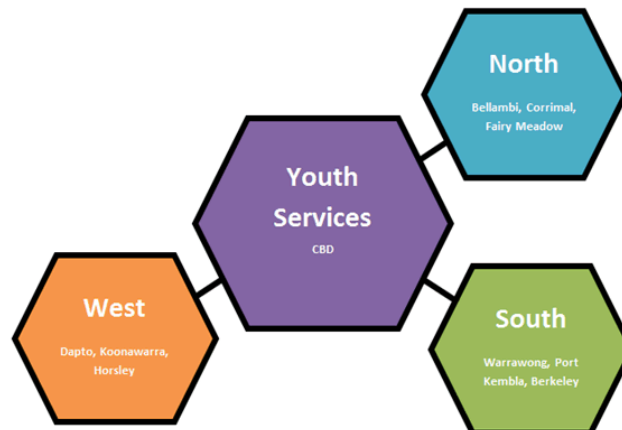
Suburb	Warrawong	Cringila	Port Kembla	Bellambi	Koonawarra
Youth Disengagement Rate	23.4%	22.0%	21.2%	19.3%	18.8%

Proposed Model for delivery of WCC's Youth Services Program

Model A

WCC's Youth Services Program be wholly delivered by WYS. Building on the current WYS team, additional Youth Development Workers (YDW) will be employed by WCC to plan, develop and deliver WCC programs and services for young people. Following a WCC recruitment process using the YDW person specifications will ensure the service is being delivered by suitably qualified, skilled and experienced YDW's and the same level of expertise is delivered across the program. This will also ensure all YDW are provided the same access to training, support and resources and develop a team culture that will enhance service delivery and partnership development potential.

It is proposed that the team is based at Wollongong Youth Centre and deliver services in four key locations; central, south, west and north, as depicted in the below figure. The three focus outreach locations have been determined based on the areas identified high need, as presented above. Other geographic locations can be included in program delivery on a needs basis and as partnership opportunities arise, ensuring alignment with WYS goals.



The model allows WYS to determine the program approach and delivery ensuring consistency and quality in service while providing program delivery which meets WCC objectives. Model A allows the hybrid model, recommended by the Review and recently adopted by WYS, to be implemented across the program. The program will focus on building capacity and implementing participation methods for young people. The team of YDW will work in the community to establish strong relationships and deliver programs in partnership.

The model provides the foundation for consistency and efficiency in service delivery and will ensure service provision to young people in the LGA is not impacted by the viability and capacity issues of some NYWP delivery organisations. The provision of services to young people has been effected by committees disbanding or resignation of Youth Workers, resulting in breaks or cessation in service delivery. Service delivery would remain consistent if delivered by WYS as a stable organisation, delivering the program from its own resources, with a pool of skilled Youth Development Workers who can readily address program staffing.

The model addresses the inconsistency of skills and experience of NYWP Youth Workers as identified through the review. Differences exist in minimum qualifications required to undertake the role of youth worker. WYS requires degree qualified YDW and NYWP are generally TAFE qualified. WYS YDW's are employed under the Enterprise Agreement (EA) while NYWP Youth Workers are employed under the Social and Community Services Award presenting challenges in costing. However, while wages under the EA are higher, the required level of qualification, experience and skills is also notably higher, therefore providing higher quality standards in terms of strategy, programming and understanding youth development and adolescence.

The Review established the inconsistency in NYWP program planning, data collection, review and evaluation and established an inadequate level of community development work being undertaken. Model A addresses these inconsistencies by bringing each of these areas into line with WYS current methods and allowing one, consistent approach to the delivery of programs. The new model will ensure program delivery is undertaken in line with WCC policies, procedures and WHS standards.

The approach of Model A provides a strong focus on establishment of partnerships with other youth service providers. The development of effective partnerships allows more effective service delivery, less duplication, efficient resourcing, improved service coordination, stronger connections to community and the ability for WYS as a generalist service to work closely with targeted service providers to address the needs of young people.

Throughout the LGA there is substantial inequality which results in particular areas requiring assistance to move out of disadvantage. The target areas detailed in Model A focuses service provision in the areas of most need. This does result in a reduced geographical spread of youth services, however it is recognised in the Review that Helensburgh does not have a high youth population, is not an area of high needs and the service is not providing value for money. Additionally, generalist youth services are located in Thirroul and Engadine providing access to services for young people.

WYS has coordinated service delivery in Kemblawarra, Lake Heights and Warrawong for over 10 years when Warrawong Residents Association requested the funds be given back to Council and Council deliver the youth service directly. More recently, WYS has commenced planning services delivery in Bellambi under similar circumstances. The Model replicates the current structure of service delivery for Central, South and North.

Overall, Model A will provide better coordination across WCC Youth Services Program and will benefit from the strong reputation WCC has in the community, and ultimately be better value for money and better outcomes for young people.

Strengths

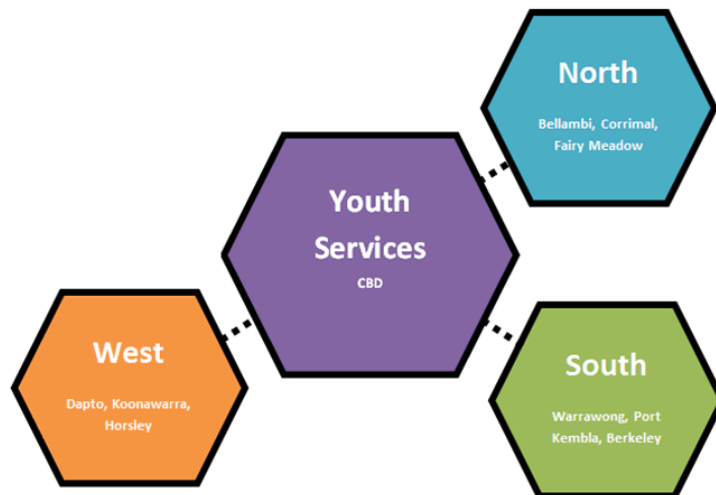
- Provides consistency and efficiency in service delivery across the whole youth service program including Thursday nights and Saturdays
- Establishes partnerships with other agencies to provide quality services and programs
- Provides services and support for high needs young people
- Greater stability and viability of service delivery
- Operates under WCC policies, procedures and WHS standards
- Benefits from the strong reputation WCC has in the community
- Provides better coordination across the Program
- Aligns with WYS current delivery of youth services in Kemblawarra, Lake Heights and Warrawong
- Ability and capacity to provide services from both the Wollongong Youth Centre and in an outreach model

Weaknesses

- Reduced geographical spread of youth services – however it is recognised in the Review that Helensburgh is not high youth population or a high needs area and the service is not providing value for money. A youth service operates at Thirroul which is outside WCC NYWP funding
- Increased responsibility for WCC
- Changed work load for WYS Coordinator

Model B

Model B adopts the same structure as Model A however suggests a process would be implemented to determine organisations to deliver services for young people in the South, West and North areas. The process would align with WCC Procurement Policy and ensure that funds are allocated to providers (current or new) through a transparent process.



Strengths

- Establishes partnerships with other agencies to provide quality services and programs
- Provides services and support for high needs young people

Weaknesses

- Contract Management requirements
- Little control over program delivery in outreach areas
- Many of the current issues with NYWP are not addressed
- Reduced geographical spread of youth services
- Stability and viability of service delivery dependant on organisations which apply
- Does not operate under WCC policies, procedures and WHS standards
- WYS currently employs a permanent part time YDW to develop and deliver services in the identified south area.

Implementation Considerations

Budget

BUDGET OVERVIEW					
CURRENT		MODEL A		MODEL B	
3 FT YDW WYS	322 000	3 FT YDW	322 000	3 FT YDW	322 000
WYS casual budget	40 000	4 PT YDW 20hrs (1 existing + 3 new)	220 000	1 PT YDW 20hrs	55 000
WYS program budget	40 000	WYS casuals	60 000	WYS casuals	38 000
1 PT YDW KLAW 20hrs	55 000	Program budget	128 000	WYS Program budget	45 000
KLAW program + casuals	28 000			Funded projects	270 000
NYWP funding	245 000				
Total	730 00		730 000		730 000

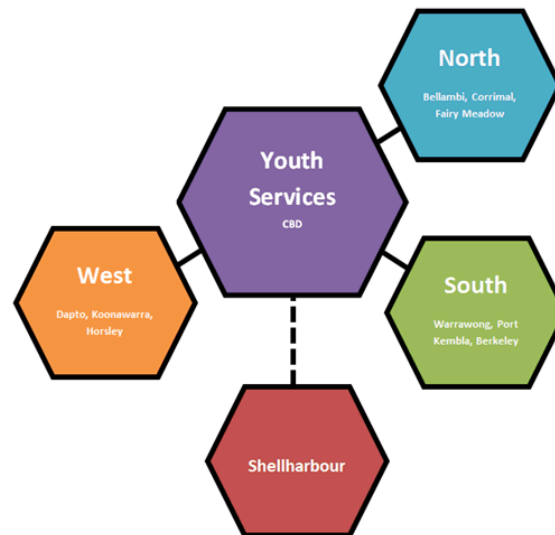
Additional Budget Considerations

WYS delivers the youth program in Kemblawarra, Lake Height and Warrawong (referred to as KLAW). WCC employs a permanent part time YDW to develop and implement the program with the support of casual YDW. The project is funded through the NYWP allocation for the Warrawong area.

WYS currently employs casuals to cover drop in on Thursday evening and Saturdays. If Model A is adopted there is potential to utilise permanent staff on Saturdays to increase consistency in service delivery during the weekend.

Potential Merger

Model C considers a youth services program based on the outcome of a proposed merger. Shellharbour Youth Services could become another outreach area to WCC youth service program.



Draft Communication Strategy

Key Messages

- Decision informed by the independent Review
- The current model is not meeting Council objectives
- Provides services and support for high needs young people
- Provides better coordination across the Program
- The allocation of funding does not reflect the needs or population of young people
- The region's young people, the Wollongong LGA, and the youth service landscape have changed significantly over the 30 years since the program was introduced

PR Risks

Risk	Mitigation
Risk to reputation – NYWP organisations unhappy with the new model	NYWP's have been informed throughout the Review process. Provide six months notification Maintain communication Encourage NYWP YDW's to participate in recruitment Refer to key messages
Political agendas in NYWP areas	Refer to key messages

Stakeholders

Internal	External
Lord Mayor and Councillors	Services
EMC	Bellambi Neighbourhood Centre
Director CCS	Berkeley Neighbourhood Centre
Manager CCED	CareWays
CCD Manager	Cringila Co-op
Youth Services team	Helensburgh Community Centre
Media Team	Port Kembla Youth Project
Customer Service	NYWP Partners Organisations
	Shellharbour Youth Services
	Wollongong Youth Network
	Community
	Young people
	General community
	Neighbourhood Forums
	Other
	FACS
	Media

Proposed Methodology

Stakeholders	Method	Frequency/Timing
Director Community and Corporate Services	Meeting	15 November 2016 Ongoing
General Manager	Meeting	28 November 2016
Lord Mayor and Councillor's	Lord Mayor and Ward Councillor's meetings	1 December 2016
	Council Briefing	5 December 2016
	Council Report	12 December 2017
Council Staff	Internal Project Brief	5 December 2016
	Internal Stakeholder meeting	Monthly
Services	Individual face to face meeting with management committees	Planned for 2-6 December 2016
	Notification of Council papers	6 December 2016
	Outcome of Council meeting	13 December 2016
	Follow up Individual face to face meetings	20 December 2016
	Written correspondence updates	As required

Stakeholders	Method	Frequency/Timing
Community	Council papers	7 December 2016
	Media Release	Early March 2017
	Meet and Greet events	May 2017
	Promotional material	May-June 2017
FACS	Face to Face meeting	November 2016
	Notification of Council papers	6 December 2016
	Outcome of Council meeting	13 December 2016
	Email updates	As required

Implementation Timeline

Date	Option A	Option B
December 2016	Council Meeting	Council Meeting
December 2016	Internal Stakeholder meeting – review communication strategy	Internal Stakeholder meeting – review communication strategy
December	Notify NYWP	Notify NYWP
January		Commence tender process
March 2017	Commence recruitment	
May 2017	New team established	Announce tender awards
May – June 2017	Program transition	Develop new reporting framework
30 June 2017	NYWP program ends	NYWP program ends
July 2017	New model commences	New model commences

ITEM 5 BULLI BEACH DUNE MANAGEMENT OPTIONS

The *Wollongong Dune Management Strategy for the Patrolled Swimming Areas of 17 Beaches* identifies dune management actions to address line of sight, recreational amenity and beach access issues. For Bulli Beach the actions identified within the Strategy are to build a tower and/or remove vegetation from the frontal zone and reshape the frontal dune. These management actions are required to address issues of poor line of sight to the swimming area, recreational amenity and beach access.

A Preliminary Options Report investigated these options in relation to sightlines and dune profile, recreational amenity, access and impacts on coastal processes and existing hazards lines. The report identifies a range of reasons why dune re-profiling is not a suitable option, including the increased exposure of the Bulli Surf Life Saving Club and surrounding buildings to risks from coastal hazards. The report recommends installation of a tower as the preferred option.

RECOMMENDATION

- 1 Dune re-profiling not be progressed at Bulli Beach.
- 2 Installation of a tower to address sight line issues at Bulli Beach be progressed through the annual planning process.
- 3 Dune vegetation management works continue to be undertaken at the site in accordance with the Dune Management Strategy.

REPORT AUTHORISATIONS

Report of: Renee Campbell, Manager Environmental Strategy and Planning

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

ATTACHMENTS

- 1 Bulli Beach Dune Management Options Preliminary Options Report

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

The Bulli Beach dune management project is an action from Council's *Wollongong Dune Management Strategy for the Patrolled Swimming Areas of 17 Beaches*. Issues of concern at Bulli Beach are the poor line of sight for lifesavers and lifeguards to the swimming area, periodic scarping creating a safety risk and impacting on beach access, and reduced width of sandy beach available for recreation. These issues have been assessed as 'moderate', and the management option identified in the Dune Management Implementation Plan for Bulli Beach was "*build a tower and/or removal of vegetation from the frontal zone and reshaping*".

The same issues were assessed as being 'severe' at Woonona, Towradgi and Fairy Meadow beaches, and frontal zone vegetation removal and reshaping works have occurred at these beaches in 2014, 2015 and 2016 respectively. Vegetation removal and reshaping was also implemented at Corrimal beach in 2016 due to amenity issues associated with beach width. Each of these projects involved the preparation of a Preliminary Options Report, including a reassessment of the existing coastal hazard lines, based on the preferred option. In each of these projects, the coastal hazard assessment showed that the proposed works would not significantly increase the risk of impacts from storm erosion or coastal inundation. These reshaping projects then proceeded to design stage, including the preparation of a Review of Environmental Factors and seeking a Crown Lands licence, and were subsequently implemented.

This Preliminary Options Report, prepared by consultants Royal Haskoning DHV, assessed the constraints and risks associated with each of the options for Bulli Beach (tower and/or re-profiling), particularly for coastal hazard risks.

PROPOSAL

The Bulli Beach Dune Management Project seeks to achieve the following objectives:

- Achieve unobstructed sight line from the surf lifeguard/lifesaver facilities to the patrolled beach area including all-tide water edge (objective of first and foremost importance);
- Improve access, including grade of access points, for the public and lifeguard/lifesaver equipment.
- Reduce the scale of dune scarping.
- Improve amenity and width of the sandy beach for recreational use.
- No sand to be removed from the beach.

Royal Haskoning DHV prepared the Preliminary Options Report which outlines the following for each of the two options.

Dune Re-profiling

Dune re-profiling would achieve a clear line of sight from the existing viewing facility and would provide flatter beach access ways.

This option would initially increase beach width from approximately 12m to 20m at high tide, but when wave run-up is taken into account, this additional beach width would be minimal. Also, once the beach had returned to equilibrium profile, the increase in beach width would be minimal. The impacts of windblown sand and landward sand drift after re-profiling would also have an impact on recreational amenity for users of the reserve behind the beach.

The Preliminary Options Report outlines the result of the coastal hazard assessment, showing that dune re-profiling would reduce the volume of material in front of the SLSC, which will further expose the assets to coastal hazards unless additional coastal protection works are implemented or the SLSC building is relocated further landward. The Report also identifies the risk of increased infilling of the Bulli pool with sand until the beach returns to an equilibrium state and wave overtopping of the lowered dune crest.

Install an Observation Tower

Installation of an observation tower will address the sight line issues.

While it does not address recreational amenity issues and only addresses access in terms of lifeguards/lifesavers being located closer to the beach, the option has no impact on coastal hazard risks and minimal impact on beach ecology.

Other Options

The scope of the Preliminary Options Report was limited to assessing the two options of installing a tower and/or dune re-profiling, as per the Dune Management Strategy Implementation Plan. Other options such as reinstating the buried seawall or constructing a new seawall were not included in the Preliminary Options Report, however they are discussed below to provide additional background information.

Reinstating the Buried Seawall

A seawall is buried under the sand dune in front of the Surf Life Saving Club. The Dune Management Strategy Implementation Plan identified an action to assess the status of this seawall for protection against coastal hazards. This assessment was undertaken in 2014. It concluded that the wall appeared too low in height and of a construction level that would fall well short of current standard for a primary seawall. The Preliminary Options Report also considered the results of this assessment, and a topographical survey data, and concluded that the seawall would be undermined and fail during a storm event in excess of an approximately 20 year ARI, leaving the reserve and buildings unprotected. There

is also evidence of significant windblown sand occurring on the reserve and road when this wall was in use, prior to revegetation of the dunes undertaken in the 1980's.

Constructing a new seawall

The option of constructing a seawall was not included in this investigation as it was deemed unsuitable in the Dune Management Strategy. The reasoning outlined in the Strategy included that in the long term, seawalls can result in the loss of sand on the beach and the recreational opportunities associated with the beach. Approval for a seawall includes a development application determined by the NSW Coastal Panel. The draft Coastal Zone Management Plan (2012) estimated that seawall costs are of the order of \$5,000 - \$10,000 per metre length of wall. For a 200m wall along Bulli Beach, this would equate to \$1 - 2 million, not including any costs relating to sand nourishment and ongoing maintenance.

The following table summarises the advantages and disadvantages of the above options.

Option	Advantages	Disadvantages
Dune re-profiling	<ul style="list-style-type: none"> Would address sight line issues and access issues. 	<ul style="list-style-type: none"> Increase exposure to coastal hazards. Minimal impact on beach width. Possible impacts from windblown sand on reserve behind the beach and increased infilling of Bulli pool.
Install a tower	<ul style="list-style-type: none"> Would address sight line issues. No increased impact on coastal hazard risk. Minimal ecological impact. 	<ul style="list-style-type: none"> No impact on beach width. Only a small improvement in access issues.
Re-instating buried seawall	<ul style="list-style-type: none"> Would address sight line, beach width and access issues. 	<ul style="list-style-type: none"> Wall is not of a height or construction level suitable for current seawall standards. Increased exposure to coastal hazards. High risk of windblown sand on to the reserve and road.
Construct a new seawall	<ul style="list-style-type: none"> Would address sight line and access issues (impact on beach width issues unsure without detailed investigation) 	<ul style="list-style-type: none"> Long term loss of beach and recreational opportunities. Unsure if approvals would be obtained (NSW Coastal Panel). Design specifications of wall to address coastal hazard risk unsure without a detailed investigation. High cost.

CONSULTATION AND COMMUNICATION

The Preliminary Options Report was presented to the Bulli Surf Life Saving Club on 14 November 2016. He stated that a flatter dune profile would be ideal for surf lifesaving patrols and it is the preference of many Bulli club members that the existing seawall be re-instated so that the beach is returned to its state prior to the re-vegetation works undertaken in the 1980's. However, he agreed that considering the outcomes of the Preliminary Options Report, additional vegetation management to reduce plant heights on the dune crest and engagement with Bulli club members in the decision for determining the location of the tower is desired.

The Preliminary Options Report was presented to the Estuary and Coastal Zone Management Committee at its meeting on 28 September 2016. Some Committee members supported the Consultant's recommendation for not proceeding with re-profiling and instead building a tower, other members requested re-profiling of the dune still occur.

The Office of Environment and Heritage (OEH) have been consulted and provided technical advice on the Preliminary Options Report. OEH is in support of the option to build a tower and not to undertake dune re-profiling.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 goal “We value and protect our environment”. It specifically delivers on the following:

Community Strategic Plan	Delivery Program 2012-2017	Annual Plan 2016-17
Strategy	5 Year Action	Annual Deliverables
1.2.1 A suite of actions to manage and protect against future risks of sea level rise enacted	1.2.1.1 Finalise and implement the Coastal Zone Management Plan	Continue implementation of priority actions from the Dune Management Strategy

RISK ASSESSMENT

The Preliminary Options Report outlines significant risks associated with the option to re-profile the dune, including the risk of increased infilling of the Bulli pool until the beach returns to equilibrium state, wave overtopping of the lowered dune crest and most importantly, increased exposure of the Surf Life Saving Club to coastal hazards. While the option to build a tower does not address the beach amenity issues (beach width), it also does not impact on coastal processes or the hazard lines, and therefore involves less risk than the re-profiling option.

FINANCIAL IMPLICATIONS

Capital funding of \$170,000 was allocated to investigate, design and undertake the re-profiling work at Bulli Beach in 2016-17. If the preferred option is to instead install a tower, a business proposal will be prepared to allocate this funding towards the installation of a tower. The ongoing operational costs associated with a tower will also need to be funded. The costs associated with a tower will be determined through detailed design. The cost for the design and construction of lifeguard towers at other beaches has been in the order of \$165,000.

CONCLUSION

The Bulli Beach Dune Management Project is an action from Council’s Wollongong Dune Management Strategy for the Patrolled Swimming Areas of 17 Beaches.

Two options have been proposed to address issues at Bulli Beach - build a tower and/or remove frontal vegetation and re-profile the dune. Potential negative impacts of each of the options, including risk to infrastructure from coastal hazards, have been assessed. Based on this assessment, it is recommended that re-profiling not occur due to a range of risks associated with coastal processes and coastal hazards. As such, a tower is recommended to be installed to address the sight line issues at Bulli Beach.



REPORT

Bulli Beach Dune Management Options

Preliminary Options Report

Client: Wollongong City Council

Reference: M&APA1396R001D02

Revision: 00/Final

Date: 07 September 2016



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Document title: Bulli Beach Dune Management Options

Document short title: Bulli Beach Design Report

Reference: M&APA1396R001D02

Revision: 00/Final

Date: 07 September 2016

Project name: Bulli Beach Dune Management

Project number: PA1396

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Date / initials: 7/9/16 GPB

Classification

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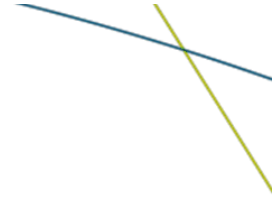
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Attachment A – Geotechnical Investigation



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1 Introduction

1.1 Overview

Last century many beach fringe areas in the Wollongong Local Government Area (LGA) were unvegetated. There had been clearing for urban development, grazing, and at some locations, sand mining. Coastal storms in the 1960s and 1970s caused significant erosion which led to dune stabilisation programs being implemented in the mid-1980s. A number of beaches attracted major dune stabilisation and revegetation works. Wollongong City Council (Council) has continued with dune maintenance.

The program has proved to be most successful, to the point where the degree of dune build up and establishment of vegetation at some dunes has conflicted with lifeguard activities, the recreational use of the adjacent beaches and biodiversity.

The draft Coastal Zone Management Plan (CZMP) was completed in 2012. The CZMP identified community concerns regarding coastal dune management and a Dune Management Strategy (DMS) was prepared.

Bulli Beach is one of eight beaches where excessive dune and vegetation growth is interfering with sight lines, recreational amenity and beach access. A range of management options have been considered including installation of lifeguard towers, removal of vegetation and reshaping the dune. These options are variably associated with implementation constraints and risks.

1.2 Study Area

The proposed Bulli Dune Reshaping Project is located approximately 10 km north of the Wollongong CBD on the NSW South Coast. The project is funded by Council. The study area is shown in **Figure 1**. The area is immediately seaward of Bulli Surf Life Saving Club (SLSC). Whartons Creek is located at the southern end of the site and the Bulli Pool is located at the northern end of the site.



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Figure 1: Bulli Beach showing general study area (LPI, 2016).

1.3 Project Understanding

Five key project objectives are indicated in the Brief namely:

- i. Achieve unobstructed sight line from the surf lifesaving club viewing platform and new lifeguard tower to the patrolled beach area including all-tide water edge.
- ii. Improve access, including grade of access points, for the public and lifeguard/ lifesaver equipment.
- iii. Reduce the scale of scarping.
- iv. Improve amenity and width of the sandy beach for recreational use.
- v. No sand to be removed from the beach.

The first objective is considered a primary objective of first and foremost importance.

1.4 Collation and Review of Background Information

As part of the development of the preferred option, a wide range of background information was reviewed to establish an understanding of the existing environment and opportunities and constraints associated with the dune management strategy. A brief overview of each report is provided herein.

1.4.1 Coastal Processes Study and Restoration Plan for Waniora Point, Bulli (PBP and WP, 2008)

The report outlined coastal processes in the region and noted there is no evidence of extensive net longshore sediment transport because the beaches are compartmentalised between rocky reefs to the north and south, which inhibit transport over these boundaries. It was reported that sand is removed from the children's section of the pool about every 4 weeks in summer and 6 weeks in winter and it is removed from the main section pool about three to four times per year.



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Design storm demand was determined based on Gordon (1987). Assuming a wave coefficient of 0.94 and a 100 year Average Recurrence Interval (ARI), the storm demand was adopted as 200 m³/m above 0 m AHD. However, sand would be expected to return during calmer periods. Sand drift or landward transport of sand is minimal due to the dune vegetation coverage. A conservative allowance of 0.05 m/year recession was adopted as the long term recession due to net sediment loss rate in the study.

The hazard lines were mapped representing the "Zone of Slope Adjustment" after a severe coastal storm. The immediate hazard line passes through the northeast corner of the SLSC building and the 2058 hazard line approximately cuts through the centre of the building. The hazard lines are reproduced in **Figure 2**.



Figure 2: Hazard lines at Bulli Beach (PBP and WP, 2008).

In regards to the dunes seaward of the SLSC, the report stated "in general, it is recommended that a vegetated dune be maintained at Bulli SLSC, with mobile lifesaver patrols utilised so as to allow direct line-of-sight monitoring of swimming areas as required. If significant enhancement to patrol monitoring can be demonstrated, selective trimming of dune vegetation, replacement with lower-level species, and/or construction of a detached elevated patrol room could be considered."

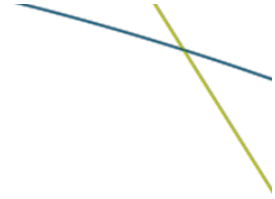
1.4.2 Wollongong City Council Coastal Zone Study (Cardno Lawson Treloar, 2010)

The study examined the full LGA. A number of parameters in the report are useful for the study herein. The following parameters were derived for a location immediately south of Wharton's Creek:

- 100 year ARI nearshore (6 m water depth) wave condition was 4.33 m;
- 100 year ARI offshore significant wave height was 10.6 m;
- 100 year ARI design still water level, including wave setup, in 2010 was 3.43 m AHD;



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- Sea Level Rise was adopted as 0.34 m by 2050 and 0.84 m by 2100;
- Closure depth was adopted as 10.6 m;
- Storm demand based on SBEACH calculations was 212 m³/m, which was factored up to 250 m³/m. SBEACH modelling was undertaken by applying 100 year ARI parameters, adopting a 7 day storm event developed by Carley and Cox (2003);
- Median grain size (D₅₀) for Bulli Beach was 0.36 mm. This was based on one test pit excavated near the southern end of the beach.

The investigation did not consider the effects of creek or lagoon entrance breakout events.

A review of historical beach change was also undertaken, which noted, *"the southern beachfront at Bulli experienced heavy erosion as a result of the 1974 storms, losing over 200 m³/m of sand volume in some areas of the beach front. The northern beachfront also experienced some erosion, but the extent of this was significantly less than the southern beachfront due to the wave protection offered by rocky outcrops that surround the headlands. Between 1974 and 1993, there was a considerable accumulation of sand above the mean water level. More recently, between 1990 and 2005, there has been no significant variation in beach volumes."*

The hazard lines mapped for this investigation show the immediate (2010) hazard line cutting to within approximately 8 m of the SLSC building with the zone of reduced foundation capacity (ZRFC) extending about 9 m landward (so just clipping the SLSC building). More than 80% of the building is affected by a design storm ZRFC in 2100. The hazard lines are reproduced in **Figure 3**.

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Figure 3: Hazard lines at Bulli Beach (Cardno Lawson Treloar, 2010).

1.4.3 Wollongong Coastal Zone Management Plan: Management Study and Implementation Action Plan Final Draft (BMT WBM, 2012)

The report noted that sand drift has been a hazard at a number of locations throughout the LGA in the past, including at Bulli Beach. Dune rehabilitation works were undertaken at a number of locations and the local community at Bulli have observed that the rehabilitation works have effectively mitigated the sand



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drift hazard. The report also noted that Bulli Pool is vulnerable to sand build-up. It is reported that works are required to remove the sand from inside the pool at regular intervals (~ 6 monthly). (Note: previous reports noted that sand is removed from the children's pool about every 4 weeks in summer and 6 weeks in winter with sand removed from the main section pool about three to four times per year).

Erosion and recession risk level and treatment options are detailed in the report for a number of infrastructure and recreational amenity items at Bulli Beach. Of particular interest to the project are Bulli Beach, coastal dune systems and Bulli Surf Club. The findings of the report are summarised in **Table 1**.

Table 1: Erosion and recession risk level and risk treatments.

	Erosions and Recession Risk Level by 2010	Erosions and Recession Risk Level by 2050	Erosions and Recession Risk Level by 2100	Erosion and Recession Risk Treatments
Bulli Beach and Coastal Dune Systems	High	Extreme	Extreme	<ul style="list-style-type: none"> •Revitalise dune care programs. •Accept loss as sacrificial.
Bulli Surf Club	High	Extreme	Extreme	<ul style="list-style-type: none"> •Relocate out of hazard zone. •Apply development controls and redesign or retrofit in current location.

The inundation risk level for Bulli SLSC is medium by 2010, high by 2050 and extreme by 2100. However, the inundation risk would be treated by the erosion management options.

1.4.4 Geotechnical Investigation – Bulli Beach Retaining Wall: in front of Bulli Beach SLSC (WCC, 2014)

The investigation comprised two test pits to expose the seawall in front of the SLSC. It was noted that the crest of the seawall was approximately 0.8 m below the ground level and 1.9 m below the SLSC concourse. It was reported that the wall was overtopped in storm events including an event in 1994.

The wall was observed to be founded on “beach rounds / armour layer without a lower footing bed or piling evident”. The wall was approximately 2 m high and comprised hand packed sandstone blocks with a rendered seaward face. The crest of the wall was approximately 0.6 m wide and the backfill material comprised boulders in a sand matrix.

Following the geotechnical investigation, it was concluded that:

- the height of the wall was insufficient to prevent overtopping;
- design and construction of the wall did not meet current engineering standards;
- foundations of the wall were inadequate and did not extend 2 m below the depth of storm bite¹; and,
- the wall could be damaged and overtopped if it was to be exposed.

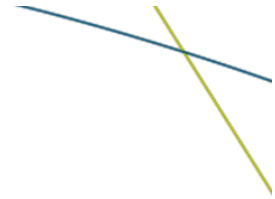
It was noted complete removal of the foredune to expose the seawall, without additional coastal protection measures, could expose the SLSC to coastal inundation and undermining. If the foredune was to be

¹ Conventional back beach seawall design in NSW allows for a design scour level of approximately 2m below MSL, and storm bite assessments consider volumetric changes above MSL (NSW Government, 1990).



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removed, rip rap armour should be installed seaward of the existing seawall. However, if the rip rap does not limit overtopping, coastal inundation and damage to the SLSC could occur.

A full copy of the WCC report including photographs are appended in **Attachment A**.

1.4.5 Wollongong Dune Management Strategy for the Patrolled Swimming Areas of 17 Beaches (GHD, 2014)

The study examined 17 beaches, including Bulli. The study assessed aerial photographs and photogrammetry to understand dune morphology. It found:

- No evidence of any dune vegetation in front of the Bulli SLSC from 1948 to 1986. In this period:
 - beach width ranged from 15 to 50 m;
 - beach volume ranged from 70 to 180 m³/m;
 - dune volume ranged from 60 to 90 m³/m; and,
 - dune height ranged from 2 to 3 m AHD.
- Dune reconstruction works, including planting was carried out by Council around 1986 and dune vegetation is evident from 1993, which has increased in extent and density. Since 1986:
 - beach width ranged from 30 to 40 m, a net decrease;
 - beach volume ranged from 160 to 190 m³/m, a net increase;
 - dune volume ranged from 120 to 130 m³/m, a net increase; and,
 - dune height ranged from 4 to 5m AHD, a net increase.
- The 2012 aerial photograph shows that the dune vegetation has spread approximately half the way from the back of the beach to the high tide mark and the width of the remaining bare sandy area in 2012 was approximately 20 m.

The photogrammetry results suggest that the size of the dune has increased significantly since the dune works and the dune volume and height indicators are the clearest signal for this. The report noted that a 2013 on-ground survey showed the presence of a 1.5 m high scarp, located within 23 m of the 0 m AHD mark (approximately mean sea level). It was not noted in the report whether this scarp may be linked to the breakout of Whartons Creek (refer 2013 photograph in **Figure 4**).

Overall, the beach was assessed to have moderate sight line, beach access and recreational amenity issues. A total of 11 management options were assessed for the beach, some of which were a combination of single options. A multi-criteria analysis was completed for the options. The options are listed below in order of preference:

1. Build a tower
2. Build a tower and remove vegetation from frontal zone
3. Raise level of observation area in SLSC
4. Reduce dune height by re-profiling
5. Improve beach access ways
6. Management of subspecies of *Acacia longifolia*
7. Raise level of observation area in SLSC and remove vegetation from frontal zone
8. Remove trees and shrubs affecting line of sight
9. Additional management of noxious and invasive weed species
10. Remove vegetation from frontal zone
11. Maintain current management

1.4.6 Whartons Creek Entrance Management Study and Plan (RHDHV, 2015)

Whartons Creek is located south of Bulli SLSC. The entrance is trained by gabions walls on both sides and it is intermittently open and closed to the ocean. It is noted that the entrance breakout channel occasionally migrates to the north, towards Bulli SLSC, which can result in the development of a steep erosion scarp and back beach scour over a lateral distance of up to 150 m as depicted in **Figure 4** (note: it is unclear whether this is the erosion scarp referred to in GHD's report in 2014).



Figure 4: Northerly creek breakout and erosion scarp seaward of Bulli SLSC (WCC 19/11/2013).

The preferred entrance management measure, recommended in the Entrance Management Plan and adopted by Council, is to relocate sand from the south side to the north side of the entrance combined with very infrequent event-based relocation of sand or mechanical entrance breakout prior to/at the commencement of an intense rainfall event.

In regard to the Bulli SLSC, the report stated “a retaining wall/seawall (now buried in the vegetated dune) is located in front of the SLSC, which is now buried in the vegetated dune. The seawall extends south for about 70 m. It is noted WCC excavated two test pits in front of the SLSC in 2014.”

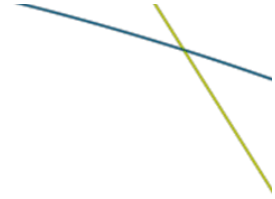
1.4.7 Beach and Dune Monitoring (WCC, 2016)

The report presents the results from recent beach monitoring works following beach re-profiling at Woonona and Towradgi Beach.

The works at Woonona involved removing 15 to 30 m of vegetation from the seaward face of the dune, to realign the vegetation boundary with that from 1986. The foredune was lowered by up to 1 m and battered at a design slope of 1:50 (V:H) with sand placed in a berm with the design crest at 1.5 m AHD and a design seaward slope of 1:6 (V:H). The reduction in volume of the foredune due to the works was measured to be 8 to 12 m³/m.



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The works at Towradgi involved removing 20 to 30 m of vegetation from the seaward face of the dune. The foredune was lowered by up to 2 m and battered at a design slope of 1:12 (V:H). The sand was used to fill depressions in the back dune and excess sand was placed in a berm with the design crest at 1.5 m AHD and a design seaward slope of 1:3 (V:H). The reduction in volume of the foredune due to the works was measured to be 5 to 10 m³/m. Dune fencing was installed to stabilise sand in the back beach area.

The report found that the re-profiling at both sites achieved the desired outcomes immediately following the works. Where the former foredune was located, the profile has remained largely unchanged. However, at both locations, the back dune elevation and volume has increased in the months following the re-profiling work and the growth of the back dune is equal to or in excess of the volume of material that was removed from the foredune. Furthermore, the sand placement has not lasted at either location with accretion and erosion controlled more by natural processes rather than the works program.

Implications and considerations for future works noted in the document include:

- Possibility of new foredune forming in the back dune of cleared area, which could impact sight lines and protect against coastal hazards;
- The requirement to maintain vegetation lines following the works as the long term success of this work will depend on how well this boundary is maintained;
- Merits of placing sand where it could be more exposed to high energy waves.

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1.5 Historic Photographs

A selection of historic aerial photographs presented in previous reports is provided below. The photographs provide context to a number of features onsite, including the buried seawall and dune protection works, which were undertaken in 1986.



1958

Photograph 1: Bulli Beach in 1958 with seawall in front of SLSC (GHD, 2014)



1958

Photograph 2: Bulli Beach in 1958 with seawall in front of SLSC (GHD, 2014)



Photograph 3: Bulli SLSC and seawall in 1975 (Courtesy of Bulli SLSC).



Photograph 4: Dune stabilisation work in 1986 (GHD, 2014 courtesy of Ian Foreman).



Photograph 5: Windblown sand in the reserve behind Bulli Beach in 1986 (GHD, 2014).



Photograph 6: Windblown sand at Bulli Beach accessway in May 1997 (PBP and WP, 2008).



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1.6 Site Inspection and Survey

A site inspection was undertaken on 23 June 2016. The following observations were made during the site inspection:

- rock platform at the northern end of the beach is clearly outcropping (**Photograph 7**). Concrete walls were also observed at the northern end of the beach. Part of the rock visible today may be the remains of an old swimming pool, which was constructed in 1903 and lengthened in 1917. It is reported that the northern wall and part of the eastern wall of this pool has now been demolished, but remains are still visible (PBP/WP, 2008).
- The beach is relatively flat and narrow. The width of the beach at high tide was approximately 5 m at the northern end and increasing in width towards the south to around 20 m (**Photograph 8**).
- The dune face is relatively steep and vegetated with generally low species including spinifex and pigface. A back dune or hind dune formation was not clearly visible in the dune profile (**Photograph 9**). Significant scarping of the beach was not visible at any location along the beach.
- Further south along Bulli Beach, the vegetation increases in height and includes coastal wattle (*Acacia sophorae*) and coastal tea-tree (*Leptospermum laevigatum*). (**Photograph 10**)
- Well established dune stabilisation area showing surf club located about 8 m behind the timber fence line (**Photograph 11**).
- The entrance to Whartons Creek was open with a channel in an easterly direction (**Photograph 12**).



Photograph 7: Rock outcrops at concrete walls at southern end of Bulli Beach.



Photograph 8: Fore dune at Bulli Beach. No significant scarping observed.



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Photograph 9: Dune at Bulli Beach, in front of SLSC. Generally low lying vegetation and back dune formation not observed in the dune profile.



Photograph 10: Dune vegetation south of SLSC includes taller vegetation such as coastal wattle and coastal tea-tree.



Photograph 11: SLSC approximately 8 m behind the dune.



Photograph 12: Entrance to Whartons Creek.

A survey was completed by Total Surveying Solutions on 13 July 2016. The survey extended from the northern end of Bulli Beach near the ocean pool to the southern side of Whartons Creek. The survey identified the back of the dune and SLSC and extended to approximately -0.8 m AHD.

1.7 Seawall Fronting Bulli SLSC

A seawall is buried by the sand dune in front of the SLSC. Based on a review of historical photographs, the seawall is approximately sited under the timber fence, which marks the landward extent of the dune vegetation.

The WCC geotechnical investigation, undertaken in December 2014, noted the crest of the seawall was approximately 0.8 m below the ground level. The ground level along the timber fence line is at or above 4.2 m AHD as shown in the recent survey completed for this investigation (Total Surveying Solutions survey 13/7/16). Based on the available information, the crest of the seawall is therefore approximately 3.4 m AHD. Since the seawall was noted to be approximately 2 m high, the toe of the seawall would be approximately 1.4 m AHD.

The existing volume of sand above 0 m AHD, seaward of the seawall is approximately 160 m³/m as defined by the Zone of Wave Impact in the Wedge Failure Plane Model developed by Nielsen et al (1992), and adopted by OEH for beach erosion assessment. This equates to the volume of material required to



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satisfy the storm demand for around a 20 year ARI storm event (Gordon, 1987). The assessment on storm demand assumes that the 100 year ARI storm demand at Bulli Beach is $250 \text{ m}^3/\text{m}$ (Cardno Lawson Treloar, 2010), which corresponds to a high demand beach on the NSW coast (Gordon, 1987). The assessment of the storm event corresponding to the available volume of material is shown graphically in **Figure 5** (Gordon, 1987). It follows that the existing seawall would be undermined and fail during a storm event in excess of approximately 20 year ARI, leaving the reserve and SLSC unprotected.

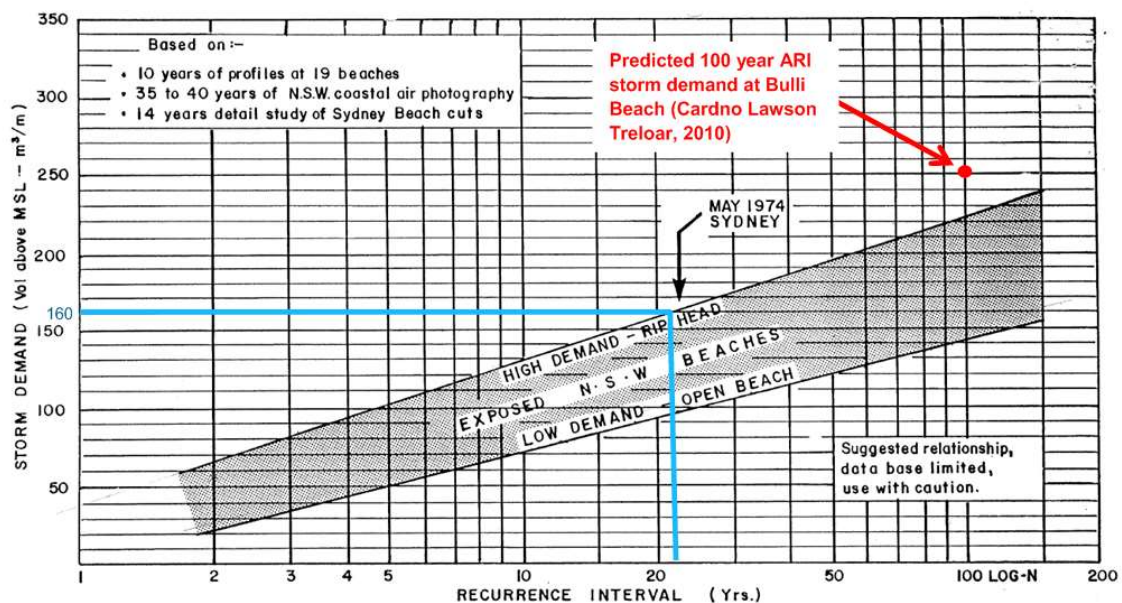


Figure 5: Storm event assessment for $160 \text{ m}^3/\text{m}$ of material seaward of seawall at Bulli (Gordon, 1987).

2 Options Assessment

2.1 Options Considered

Two main options to achieve the primary study objectives were considered, which include:

1. Dune Re-profiling; and,
2. Surf Life Saving Club Tower.

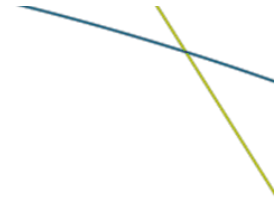
Both of these options were considered in the *Wollongong Dune Management Strategy for the Patrolled Swimming Areas of 17 Beaches* (GHD, 2014) and at the time, constructing a SLSC tower was the preferred option.

2.1.1 Dune Re-profiling

Dune re-profiling was implemented to manage sight line, recreational amenity and beach access issues at Woonona Beach and Towradgi Beach. The preferred option in the GHD (2014) for Woonona Beach was to relocate the existing tower and remove vegetation from the frontal zone and at Towradgi Beach, the preferred option was to build a tower and remove vegetation from the frontal zone. At both of these locations, the vegetated dunes were wide and had spread more than three-quarters of the way from the



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back of the beach to the high tide mark and the remaining bare sandy area within this zone was only about 10 m wide. The dune profiles were well developed with a foredune and back dune profile clearly visible. In addition, buildings and other assets (with the exception of SLSC towers) were set back from the foreshore and were not at risk of coastal hazards before or after implementation of the works.

The dune reprofiling option for Bulli Beach is considered below in relation to:

- Sight lines and profile development;
- Recreational amenity;
- Access; and,
- Impacts on coastal hazards and hazard lines.

Sight Lines and Profile Development

A dune re-profiling option at Bulli Beach was developed to provide line of sight from the second floor of the SLSC, the current clubhouse vantage for lifeguard observation, to a nominal high water mark swash line under normal conditions (+2 m AHD). The post works profile included an allowance of 1.5 m near the back of the dune for secondary/tertiary vegetation growth and 0.3 m near the seaward face for primary vegetation/groundcover growth. Similar to Towradgi and Woonona Beaches, it was proposed to bench the sand at 1.5 m AHD across the existing outer berm and top of swash zone, with a seaward slope of 1 in 3 (V:H). The sand placement geometry at Bulli is proposed to increase recreational amenity and beach width, as was the case at Towradgi and Woonona Beaches.

A typical existing foreshore profile and post work profile developed to achieve the objective at a location immediately seaward of the SLSC is presented in **Figure 6**. The Figure also includes a line of sight, which provides a visual representation of the view from the SLSC lifeguard observation point to the beach. The volume of material to be removed from the dune is approximately 25 m³/m. The crest of the dune decreases from 5.8 m AHD to 4.6 m AHD.

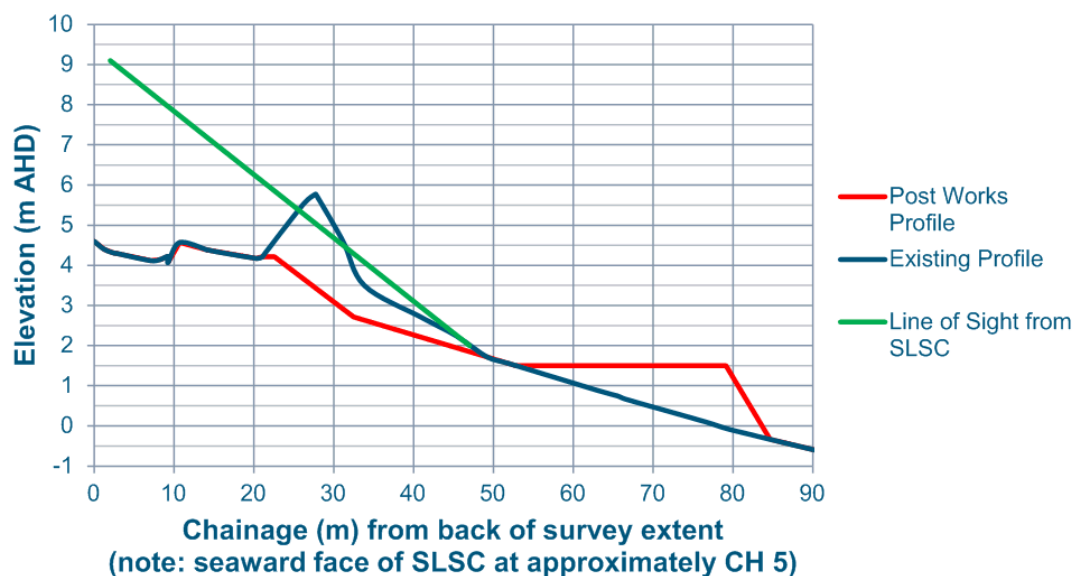


Figure 6: Typical existing foreshore profile and post works profile to achieve line of sight objectives seaward of SLSC.



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Alternate options for the sand placement were considered, particularly in light of the post works monitoring surveys at Woonona and Towradgi Beach (WCC, 2016). At these locations, the vegetated back dune elevations and volumes increased following the works. The increase in volume was equal to or in excess of the volume of material that was removed from the foredune.

It would be expected that the grain size of material in the dunes is finer than that found on the beach below the mean high water mark. The Cardno Lawson Treloar (2010) did not examine variations in grain size in a cross shore direction and reported a single median grain size of 0.36 mm for Bulli Beach. However, generally, sand dunes are Aeolian deposits, which comprise loose, fine grained sand deposits. These deposits accrete in areas where wind velocity reduces such as around dune forming fences, in the lee of sand dunes and around dune vegetation. Once deposited, the sand is bound by the root system of dune vegetation and the dune vegetation provides protection from the wind, which limits sand drift (landward windblown sediment transport). When a beach and dune system is in equilibrium, there is a minimal quantity of fine grained sand on the beach, which could be viably transported by the wind and contribute to dune formation. Removing vegetation from the sand dunes and excavating the underlying material essentially exposes fine grained sand, which is free to be transported by wind and/or waves. As such, there is potential for rapid sand transport and regrowth of the sand dunes.

It would appear that removing vegetation from the sand dunes and excavating the underlying material at Woonona Beach and Towradgi Beach has increased the volume of fine grained sand on the beach and resulted in rapid growth of back dunes around the seaward dune vegetation or dune fences. If this were to occur at Bulli Beach, it would potentially result in encroachment towards the SLSC and impact on the newly created sight lines. As such, alternate placement options for the excavated material were considered. This included placing the material in a hind dune or taking the material off site. Neither of these placement options would benefit recreational amenity. Removing material from the site is not a viable solution as it removes sand from the beach system and directly exposes assets to coastal hazards. Placing the material in a hind dune is not an option because the dune width at Bulli Beach is insufficient to place the material further landward and moving the dune further landward would potentially not resolve the sight line issues in the long term. As such, the placement location on to the outer berm has been retained.

A secondary concern regarding the placement location of the material is the potential for sand losses from the beach due to longshore sediment transport. Longshore sediment transport rates are highest in the swash zone between approximately -0.5 m AHD and +1.5 m AHD (Bruun, 1981). In NSW, the direction of net longshore sediment transport is northerly and the net rate of longshore sediment transport in the Wollongong region is in the order of 25,000 m³ per year (Gordon, 1987). However, the rate of longshore sediment transport locally could potentially increase if the beach is not in an equilibrium profile with additional sand located on the outer berm and in the swash zone. Since this additional sand is fine grained given its source from the back of the beach and foredune, it follows that the rate of longshore sediment is likely to be higher than if the material was coarser and would be found naturally in this part of the beach.

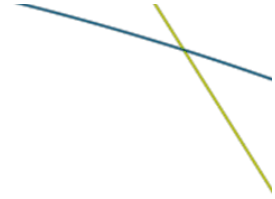
The rate and direction of sediment transport is evident by infilling of the Bulli Pool. The PBP and WP (2008) outlined cleaning requirements and includes a series of photographs, which indicated infilling of the pool with sediment transported in a northerly direction from Bulli Beach.

Sand placement in the swash zone would potentially be transported in a northerly direction and contribute to a substantially accelerated infilling of Bulli Pool. Increased infilling rates would occur over a relatively short period of time until the beach reaches an equilibrium profile. Monitoring of Woonona and Towradgi Beach indicates that the beach returns to an equilibrium profile in less than 2 years. However, the volume of sand excavated at these previous locations is less than that proposed at Bulli Beach and the length of time to reach equilibrium state is dependent on a range of factors including coastal storms.



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Recreational Amenity

The placement of sand is proposed to increase beach width and improve recreational amenity. *Beach Width: the Ideal, Expectations and Observations (Davey et al, 2014)* included a detailed literature review to determine an acceptable beach width. The study concluded that there was a substantial knowledge gap within the Australian coastal literature regarding ideal beach width for recreational amenity. Furthermore, the study developed beach nourishment profiles for the Kingscliff area on the far North Coast of NSW, which aimed to maintain a minimum dry beach width of 20 m regardless of tidal action, wave run-up and erosion due to moderate coastal storms.

The current beach width at Bulli Beach is significantly less than 20 m when tidal action, wave run-up and erosion due to moderate coastal storms are taken into account. Placing sand at 1.5 m AHD as proposed would increase the beach width from approximately 12 m to 32 m at high tide. However, this does not include wave run-up. Under moderate wave run-up conditions, the additional beach width would potentially be minimal. Furthermore, once the beach has returned to an equilibrium profile (say in 2 years), the increase in beach width and recreational amenity would be minimal.

Removing vegetation from the dune and re-profiling the beach could be expected to result in an increase in the volume of windblown sand and landward sand drift. This was noted to occur prior to the dune stabilisation works in 1986 as depicted in **Photograph 4**. If this were to occur, it would decrease recreational amenity for users of the reserve, while the erosion hazard would be increased due to the loss of sand from the beach.

Access

The dune profile works would provide for flatter beach accessways. The accessways could be widened and/or stabilised through the use of board and chain arrangements as required for vehicle or pedestrian access to the beach.

Impact on Coastal Processes and Hazard Lines

The RHDHV (2015) noted that a retaining wall/seawall (now buried in the vegetated dune) is located in front of the SLSC, which is now buried in the vegetated dune. WCC's geotechnical engineer concluded that the wall appears too low and is of a construction that falls well short of current engineering standards for seawalls. As such, the wall should not be relied upon to provide coastal protection.

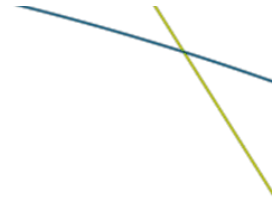
The Cardno Lawson Treloar (2010) used SBEACH to assess storm demand at Bulli Beach. SBEACH modelling was undertaken by applying 100 year ARI parameters and adopting a 7 day storm event as per Carley and Cox (2003). The calculated storm demand was 212 m³/m, which was factored up to 250 m³/m. This is a typical high demand beach volume developed by Gordon (1987). The investigation did not consider the effects of creek or lagoon entrance breakout events and the storm demand value was based on a location immediately south of Whartons Creek. Storm demand may be less at the northern end of Bulli Beach, near the SLSC, due to nearshore rock outcrops/reefs. RHDHV (2015) noted that the entrance breakout channel occasionally migrates to the north, towards the SLSC, which can result in the development of a steep erosion scarp and back beach scour over a lateral distance of up to 150 m. The migration of Whartons Creek breakout channel may substantially increase storm demand values, however, an Entrance Management Plan has been developed to mitigate breakout to the north.

SBEACH modelling was undertaken for Bulli using the same parameters applied by Cardno Lawson Treloar (2010). The model was calibrated to replicate output storm demand values at the location immediately south of Whartons Creek. The storm demand value calculated for the existing profile,



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immediately seaward of the SLSC, was $258 \text{ m}^3/\text{m}$ while the storm demand value for the post works profile was $262 \text{ m}^3/\text{m}$. This is a similar approach to that undertaken by Cardno in developing post work profiles for Woonona Beach and Towradgi Beach and the increase in storm demand is similar to that found at those two beaches. The SBEACH modelling indicates that immediately following the works, the storm demand would increase slightly, by around 2 to 7 %.

In light of the uncertainties, the 100 year ARI storm demand value has been adopted as $250 \text{ m}^3/\text{m}$ above 0 AHD.

The existing volume of sand above 0 m AHD, seaward of Bulli SLSC is $218 \text{ m}^3/\text{m}$ as defined by the Zone of Wave Impact in the Wedge Failure Plane Model developed by Nielsen et al (1992). This volume is insufficient to satisfy the 100 year ARI storm demand. While the proposed work does not technically alter the volume of sand above 0 m AHD in the short term, there are uncertainties relating to the erosion, transport and longevity of the sand placement given the higher than usual proportion of fine grained material placed on the outer berm. These include:

- The possibility that material would be subject to increased wave erosion in a storm event;
- The potential for accelerated spreading of sand in a longshore direction, due to the profile being changed from its natural shape and regime. If material were to be transported alongshore, it would not be available to meet the storm demand requirements near Bulli SLSC; and,
- The possibility that the volume and height of back dunes would increase. The beach monitoring program at Woonona and Towradgi Beaches indicated this occurred at both beaches following the dune re-profiling works. An increase in the height and volume of back dunes would reduce the erosion hazard, however, there is insufficient space seaward of the SLSC at Bulli for this to occur and there would be potential for landward sand drift whereby the material would not be on the beach to meet the storm demand requirements.

Given the uncertainties and difficulty in accurately quantifying longshore and cross-shore erosion, it is prudent to assume the sand which is relocated as part of the re-profiling works would not contribute to the sand reserves to feed the storm demand. The works would therefore result in a decrease in the volume of sand seaward of the SLSC to $193 \text{ m}^3/\text{m}$.

The volume of material seaward of the SLSC is currently insufficient to satisfy the 100 year ARI storm demand. It is our assessment that the works would in effect reduce the volume of material in front of the SLSC, which must be considered to be unacceptable unless additional coastal protection works are undertaken or the SLSC is relocated further landward. In addition, the dune re-profiling would result in lowering of the dune crest resulting in increased overtopping.

Overall, the proposed works would increase exposure of the SLSC to coastal hazards.

2.1.2 Surf Life Saving Tower

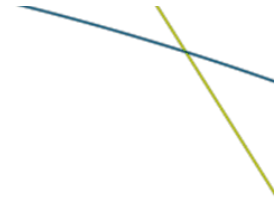
Installing a Surf Life Saving Club Tower at Bulli Beach was the preferred option in the GHD (2014). The option was preferred as although it only addresses the sight line issues it has no impact on coastal hazard risk and only a minor negative impact on ecology.

The SLSC tower option is considered below in relation to:

- Sight lines;
- Recreational amenity;
- Access; and,
- Impacts on coastal hazards and hazard lines.



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Sight Lines

The SLSC tower could be sited to provide adequate sight lines to the 2 m AHD contour at Bulli Beach (high water mark swash line under normal conditions). Possible locations for the SLSC tower are south of the Whartons Creek Entrance or immediately south of the SLSC, both within the existing dunes.

Recreational Amenity

A SLSC tower would have no impact on recreational amenity.

Access

A SLSC tower would have no impact on access. However, access from the SLSC tower to the beach for vehicle access should be incorporated for quick response times in an emergency.

Impact on Coastal Processes and Hazard Lines

An SLSC tower would have no impact on coastal processes or hazard lines. The tower would potentially impact dune vegetation locally around the tower. Furthermore, the SLSC tower would be located within the 2010 immediate hazard line. Options for a portable structure permitting drag-back prior to severe storms could be examined.

2.2 Identification of Preferred Option

The background information does not include dune re-profiling as a preferred option. The following reports refer to the two options proposed:

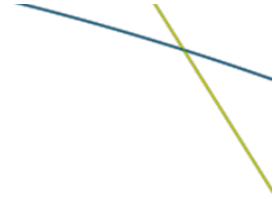
- *Coastal Processes Study and Restoration Plan for Wianiora Point, Bulli (PBP and WP, 2008)* stated, "in general, it is recommended that a vegetated dune be maintained at Bulli SLSC, with mobile lifesaver patrols utilised so as to allow direct line-of-sight monitoring of swimming areas as required. If significant enhancement to patrol monitoring can be demonstrated, selective trimming of dune vegetation, replacement with lower-level species, and/or construction of a detached elevated patrol room could be considered."
- *Wollongong Dune Management Strategy for the Patrolled Swimming Areas of 17 Beaches (GHD, 2014)* identified the beach as having moderate sight line, beach access and recreational amenity issues. A total of 11 management options were assessed for the beach with the preferred option being to build a tower.
- *Whartons Creek Entrance Management Study and Plan (RHDHV, 2015)* noted that WCC assessed the seawall in front of the SLSC and concluded that the wall appears too low and is of a construction that falls well short of current engineering standards for seawalls. As such, it should not be relied upon for coastal protection.
- *Beach and Dune Monitoring (WCC, 2016)* noted a number of implications and uncertainties in regards to monitoring of the works at other beaches including possibility of new foredune forming in the back dune of cleared areas and the merits of placing sand where it could be more exposed to high energy waves.

Dune re-profiling is not the preferred option at Bulli Beach for the following reasons:

- The dune width is insufficient to accommodate the placement of excavated sand. Consequently, the material would need to be placed on the beach in a high energy environment. In the short term, beach widths would increase, which improves recreational amenity, however, the longevity



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- of the sand placement would be short lived and there would be minimal long-term benefit for recreational amenity.
- Previous projects involving placement of sand on the beach have resulted in growth of the back dunes. At Bulli Beach, there is insufficient space for growth of the back dunes without impacting sight lines or resulting in landward sand drift or encroachment of the dune towards the SLSC.
 - The proposed sand placement location would be expected to result in increased infilling of the Bulli Pool until the beach returns to an equilibrium state.
 - The SLSC and surrounding buildings would be further exposed to coastal hazards if the works were to be undertaken.
 - Lowering of the dune crest would result in increased wave overtopping.

As such, construction of a portable SLSC tower within the 2010 immediate hazard line is the preferred option. The proposal does not impact on coastal processes or the hazard lines. However, it provides no benefit to beach amenity and minor negative impact on ecology.

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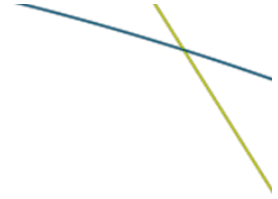


3 References

- BMT WBM (2012), *Wollongong Coastal Zone Management Plan: Management Study and Implementation Action Plan Final Draft*, prepared for Wollongong City Council, January 2012.
- Bruun, Per (1981), *Port Engineering, Third Edition*, ISBN 0-87201-739-7, Gulf Publishing Company, Houston, Texas.
- Cardno Lawson Treloar (2010), *Wollongong City Council Coastal Zone Study*, Report No. LJ2822/R2564/z2 prepared for Wollongong City Council, June 2010.
- Carley, J. T., and Cox, R. J. (2003) *A Methodology for Using Time-Dependent Beach Erosion Models for Design Events*. Proceedings of Coasts and Ports Australasian Conference 2003. Auckland.
- Davey, E., Coghlan, I., Carley, C. and Lofthouse, J. (2014), *Beach Width: the Ideal, Expectations and Observations*.
- GHD (2014), *Wollongong Dune Management Strategy for the Patrolled Swimming Areas of 17 Beaches*, prepared for Wollongong City Council, February 2014.
- Gordon, A. D. (1987) *Beach Fluctuation and Shoreline Change – NSW*. Proceedings of Coasts and Ports 1987, Launceston Tasmania.
- Nielsen A.F., Lord D.B. and Poulos, H.G. (1992) Dune stability considerations for building foundations, *Civil Engineering Transactions of the Institute of Engineers Australia*, CE34 No. 2 June 1992, page 167–173.
- NSW Government (1990), *Coastline Management Manual*, ISBN 0730575063.
- Patterson Britton & Partners and Worley Parsons (PBP and WP, 2008), *Coastal Processes Study and Restoration Plan for Waniora Point, Bulli*, July 2008.
- Royal HaskoningDHV (RHDHV, 2015), *Whartons Creek Entrance Management Study and Plan*, prepared for Wollongong City Council, December 2015.
- LPI (2016), Spatial Information Exchange map viewer, //maps.six.nsw.gov.au, Land and Property Information
- Wollongong City Council (WCC, 2016), *Beach and Dune Monitoring*
- Wollongong City Council (WCC, 2014), GT14.396 Bulli Beach Retaining Wall, Geotechnical Investigation



Open



Attachment A – Geotechnical Investigation

GT14.396 Bulli Beach Retaining Wall : in front of Bulli Beach SLSC : geotechnical inspection

I attended site yesterday at the above and viewed and photographed two test pits dug by excavator and hand on top and around the historical seawall.

I noted:

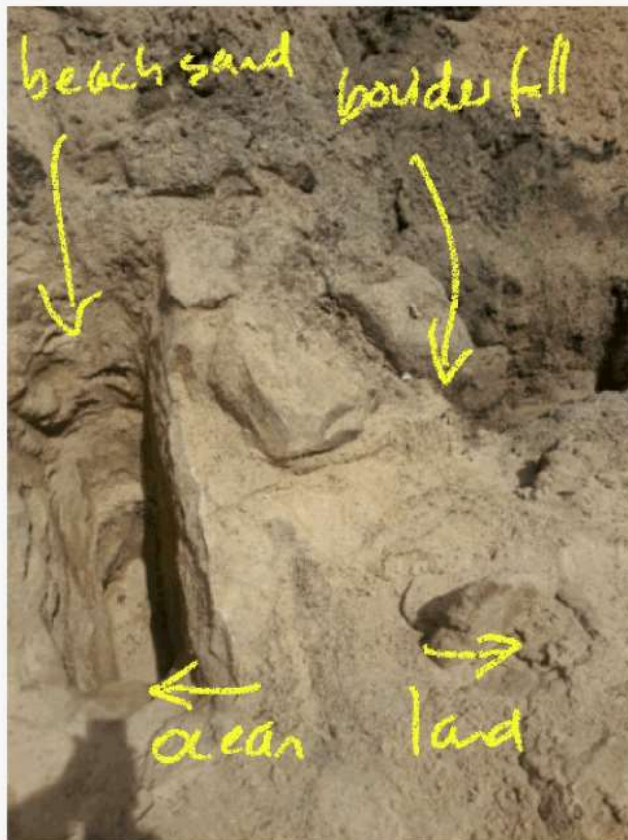
1. The wall in TP1 and TP2 was essentially the same construction, terminating at around the same height (same RL by survey), being around 0.8m below ground (sand level) and about 1.9m below the SLSC concourse. The top of the wall appeared to be low set in the topography, maybe RL3 or thereabouts.
2. The wall is founded on the beach rounds / armour layer without a lower footing bed or piling evident and is about 0.6m (2ft) wide at the top.
3. Test pits were too short to determine the existence of any rear buttressing, counterforts or continuity – reference is made to the historical photo record for information in this regard
4. The wall in TP1 had lost its stone flagging
5. Both sections of wall have roughly equilibrium earth pressures from a forward sand dune and rear sandstone boulder packing (about 0.2m to 0.3m diameter) backfill in the current state.

It is reported that:

1. It has been overtopped in storm events (1994 was recited)

This wall construction appears too low in height (survey required to confirm) and of a construction level that would fall well short of the current standard for a primary seawall, i.e. a stand alone primary protective mass wall / integrated buttress. We could expect damage and overtopping if the sea were allowed to run right up to the wall. From the photo record, it appears that there was a substantial beach with a beach creek / small lagoon providing some forward protection however in large storm events this could be expected to disappear completely. The underlying beach armour level shows the depth of historic storm scour (below the base of the wall).

Modern primary seawalls no founded directly on hard rock typically extend to at least RL-2 below the depth of storm bite (North beach for example). Where not available, suitably designed armour bouldering can be applied to the beach side as forward protection with the knowledge that movement and damage will occur due to settlement and unit migration. Removal of the foredune completely to expose the old wall without some other engineering measures could credibly expose the SLSC structure to overtopping and possibly undermining. If the height were found to be adequate for wave run up protection, then as a minimum measure rip rap armour (needs to be designed) should be applied throughout. Where the height also is inadequate, the wall should not be relied upon for asset protection.



Test pit 1, photo 1.
(northern pit)
exposed hand
packed sandstone
boulder wall,
mortar faced. No
mortaring evident
from rear of wall

Test pit 1, Photo2.
Boulder backfill in
sand matrix. wall
about 600mm
wide at top.
Sandstone
capping flags not
present





Test pit2, south wall, photo3. 2M high sandstone, hand packed and render faced. Intact structure, no visible voids. Appears to be founded on beach rounds (large pebble armour). No evidence of footing or piling

Test pit 2 photo4.
Top of wall same RL as north wall.



ITEM 6

REVIEW OF DELEGATIONS TO THE GENERAL MANAGER IN LIGHT OF
LOCAL GOVERNMENT ACT AMENDMENTS

With the recent commencement of Phase 1 amendments to the *Local Government Act 1993*, it is appropriate for Council to consider its Delegations to the General Manager, specifically with respect to the acceptance of tenders.

RECOMMENDATION

- 1 Council note the report on Delegations to the General Manager – Tendering.
- 2 Council delegate to the General Manager all of the delegable functions of the Council, but excluding:
 - a Those functions specified in clauses (a) to (u) of section 377(1) of the Local Government Act 1993.
 - b The granting of leases of Council property where the total lease rental payable to Council for the term of the lease is more than \$1 million (including GST).
 - c The granting of leases of Council property where the term of the lease is for 10 years or more.
 - d The acceptance of tenders required to be invited pursuant to section 55 of the Local Government Act 1993 as at the date of this delegation.
- 3 Council fix the amount of \$3,000 as the amount above which any individual rate charge or debt owed to the Council may be written off only by resolution of the Council pursuant to clauses 131(1) and 213(2) of the Local Government (General) Regulation 2005.
- 4 Council delegate to the General Manager the determination of certain Development Applications in accordance with the Independent Hearing and Assessment Panel Charter.
- 5 Council receive a report in the final quarter of each calendar year of in-progress tenders to consider providing delegation to accept specific tenders within a specified time period.
- 6 Council delegate to the General Manager, Lord Mayor and Deputy Lord Mayor the authority to accept, or otherwise, tenders under the following Request for Tender processes between 13 December 2016 and 29 January 2017:
 - i T16/34 Nicolson Park Woonona - Playground Replacement
 - ii T16/38 Solar Photovoltaic Systems
 - iii T16/40 Bridge Maintenance of Cabbage Tree Creek Fairy Meadow
 - iv T16/41 Cathodic Protection of Bridge 2 at Yallah Bay Road Yallahwith a report on the exercise of such delegation to be provided to the Ordinary Meeting of Council in February 2017.

REPORT AUTHORISATIONS

Report of: Clare Phelan, Executive Strategy Manager
Authorised by: Kerry Hunt, Director Corporate and Community Services - Creative, Engaged and Innovative City (Acting)

ATTACHMENTS

There are no attachments for this report.

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

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

BACKGROUND

The NSW Parliament passed amendments to the *Local Government Act 1993* (the Act) in the *Local Government Amendment (Governance and Planning) Act 2016*. These reforms are known as the Phase 1 amendments, with some coming into force on 30 August 2016. Further Phase 1 amendments were commenced on 23 September 2016.

Included in the 23 September 2016 amendments, was a change to section 377 *General power of the council to delegate*. This section of the Act provides that a council may, by resolution, delegate to the General Manager any of the functions of the council, with the exception of a range of specific functions which are not permitted to be delegated. Previously, a council was not able to delegate the acceptance of tenders to the General Manager. From 23 September 2016, this restriction was amended such that a council may now delegate to the General Manager, the function of accepting tenders except where such tenders relate to the provision of services currently provided by members of staff of the council.

The rationale provided for this particular amendment to the Act, as articulated in the Local Government Acts Taskforce report and subsequent NSW Government response, was the transfer of more operational matters to the General Manager; and to streamline regional procurement initiatives.

The General Manager's delegations were adopted by Council on 28 November 2011, resolved as follows:

- 1 *Council delegate to the General Manager all of the delegable functions of the Council but excluding:*
 - a *Those functions specified in clauses (a) to (u) of section 377(1) of the Local Government Act 1993.*
 - b *The granting of leases of Council property where the total lease rental payable to Council for the term of the lease is more than \$1 million (including GST).*
 - c *The granting of leases of Council property where the term of the lease is for 10 years or more.*
- 2 *Council fix the amount of \$3,000 as the amount above which any individual rate charge or debt owed to the Council may be written off only by resolution of the Council pursuant to clauses 131(1) and 213(2) of the Local Government (General) Regulation 2005.*
- 3 *Council delegate to the General Manager the determination of certain Development Applications in accordance with the Independent Hearing and Assessment Panel Charter.*

As the delegations currently stand, the General Manager now as the authority to accept tenders, excluding those relating to the provision of services currently provided by members of staff of the Council. This increased delegation has not been exercised, and all tenders have continued to be reported to Council for resolution.

Since the commencement of this current term of Council, a total of 158 tenders have been reported to Council. Note, this number includes formal evaluation processes relating to the leasing and licencing of land typically referred to as a "tender", however with respect to the Act, falling outside the scope of section 55 of the Act – requirements for tendering, except in limited circumstances. The delegation relating to leasing and licencing of the land is distinct from the delegation subject of this report.

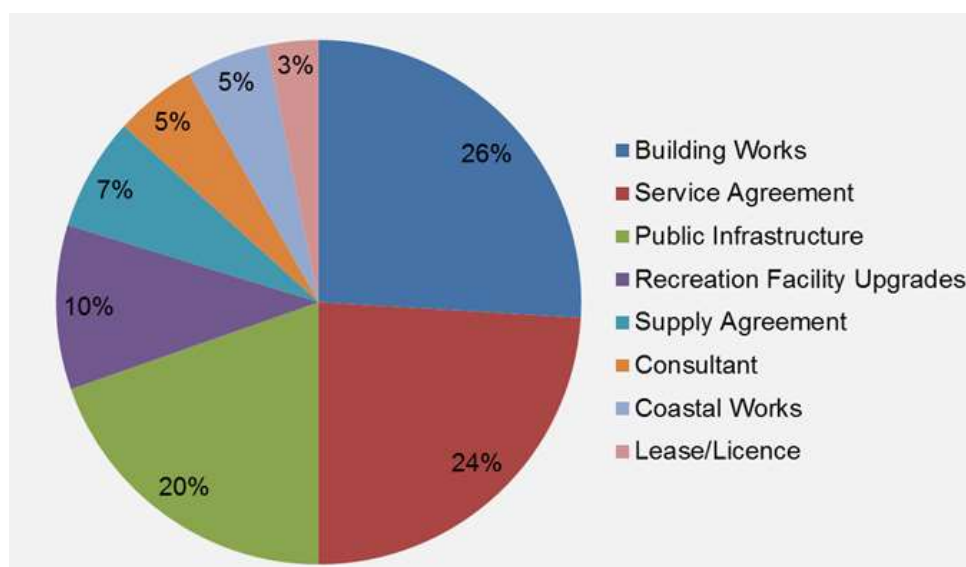
Whilst the average value of tenders considered by council over this period is \$1.6 million, the majority of tenders (77%) have a value less than \$1 million (excluding GST).

Table 1: Number of Tenders considered by Council since September 2011 by Value

Tender Value (excl GST)	Count	%	Cumulative %
Under \$150,000	24	15.19	15
\$150,000 - \$500,000	66	41.77	57
\$500,000 - \$1 million	31	19.62	77
\$1 million - \$5 million	28	17.72	94
Over \$5 million	9	5.70	10

The range of tenders considered by Council is broad. The majority of tenders are captured across the categories of Building Works, Service Agreements and Public Infrastructure.

Picture 1: Percentage of Tenders by Type



PROPOSAL

A range of options with respect to delegation of acceptance of tenders in accordance with section 377 of the Act are available to Council. The following options are not intended to be exhaustive. Section 380 of the Act requires that each council must review all of its delegations during the first 12 months of each term of office. However, the council must also at any point in time, by resolution, amend the delegations of the General Manager.

Option 1

The existing delegations to the General Manager remain unaltered. This would have the effect of delegating to the General Manager the authority to accept all tenders except those relating to the provision of services currently provided by the staff of Council.

Option 2

Amend the delegations of the General Manager to ensure current practice is maintained. That is, all tenders are reported to Council for determination (excluding those processes specifically excluded under section 55(3) of the Act).

This would require the addition of point 1d to the General Manager's delegations:

- 1 *Council delegate to the General Manager all of the delegable functions of the Council but excluding:*
 - a *Those functions specified in clauses (a) to (u) of section 377(1) of the Local Government Act 1993.*
 - b *The granting of leases of Council property where the total lease rental payable to Council for the term of the lease is more than \$1,000,000 (including GST).*
 - c *The granting of leases of Council property where the term of the lease is for 10 years or more.*
 - d ***The acceptance of tenders required to be invited pursuant to section 55 of the Local Government Act 1993 as at the date of this delegation***

This option ensures Council maintains decision making authority for all tenders. However, maintaining the status quo does remove the opportunity for realising any time savings specifically related to the timing of Council meetings.

Option 3

Amend the delegations to allow the General Manager to accept tenders of a particular type and/or dollar value. This would provide Council and staff with a matrix approach to determine which tenders could be accepted under delegation, and which type of tenders would need to be referred to Council for determination. The appropriate pathway for acceptance would need to be determined at the procurement planning stage, and incorporated into project timelines.

Example 1: The General Manager be delegated authority to accept tenders relating to the provision of materials and services under the value of \$1 million excluding GST

Example 2: The General Manager be delegated authority to accept tenders up to the value of \$1 million excluding GST excluding any tenders relating to Building Works.

Example 3: The General Manager be delegated authority to accept tenders relating to the provision of operating materials and contracts.

Example 4: The General Manager be delegated authority to accept tenders initiated via the Illawarra Joint Organisation.

Option 4

Amend the delegations of the General Manager to ensure current practice is maintained, however providing some authority for the acceptance of tenders across the traditional summer break period from mid-December to late January.

Operating a dual-delegation presents Council with an opportunity to leverage off a traditionally underutilised period of time. Given the significant increase in Council's annual capital works program, effective utilisation of this six-week period minimises risk of not achieving stated objectives. Further, it provides an opportunity for businesses looking to transact with Council to prepare for potential mobilisation or site-establishment earlier in the new year.

To support such a framework, in the final quarter of each calendar year, a report could be submitted to a meeting of Council advising all in-progress or scheduled tender processes. Council may elect to resolve to delegate the General Manager, in conjunction with the concurrent approval of the Lord Mayor and Deputy Mayor (or their respective nominees), the authority to accept tenders on behalf of Council.

It would be appropriate to ensure information on the exercise of any such delegation is circulated to elected members.

At the present time, tenders in-progress are shown in Table 2 below.

Table 2: Schedule of Tenders in Progress

Tender No.	Tender Description	Recommended for decision under delegation
T15/20	Debris Control Structure - Foothills Road, Mt Ousley	
T16/29	Stage 2: Construction of a new Landfill Cell at Whytes Gully Waste and Resource and Recovery Park	
T16/32	Blue Mile Tramway Seawall and Shared Path upgrade	
T16/34	Nicolson Park Woonona - Playground Replacement	✓
T16/38	Solar Photovoltaic Systems	✓
T16/39	Review of Towradgi Creek Floodplain Risk Management Study and Plan	
T16/40	Bridge Maintenance of Cabbage Tree Creek Fairy Meadow	✓
T16/41	Cathodic Protection of Bridge 2 at Yallah Bay Road Yallah	✓
T16/42	Review of Hewitts Creek Floodplain Risk Management Study and Plan	

CONSULTATION AND COMMUNICATION

In considering the range of options available to Council, the matter of delegations has been canvassed with Elected Members, Executive Management, the Finance Division, Executive Strategy, and Legal.

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 2016-17
Strategy	5 Year Action	Annual Deliverables
4.4.1 Positive leadership and governance, values and culture are built upon	4.4.1.2 Ensure appropriate strategies and systems are in place, monitored and reviewed	Respond to Local Government Reform agenda including Fit for the Future and Local Government Act review

CONCLUSION

The recent implementation of further Phase 1 amendments to the *Local Government Act 1993* make it timely for Council to review the current delegations to the General Manager, specifically in relation to the acceptance of tenders.

ITEM 7 DRAFT COUNCIL POLICY: RELATED PARTY DISCLOSURE

From 1 July 2016, AASB 124 Related Party Disclosures (AASB 124) became operative. This means Council must now disclose related party relationships, transactions and outstanding balances, including commitments in the Annual Financial Statements. Council officers have been working through an implementation process since August 2016. Since that time extensive research has been undertaken to determine an approach towards compliance with AASB 124 and a draft policy has been prepared to facilitate compliance.

RECOMMENDATION

The Related Party Disclosure Policy be adopted.

REPORT AUTHORISATIONS

Report of: Brian Jenkins, Manager Finance

Authorised by: Kerry Hunt, Director Corporate and Community Services - Creative, Engaged and Innovative City (Acting)

ATTACHMENTS

- 1 Draft Council Policy: Related Party Disclosure

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

The recommendation of this report is consistent with the requirements of the OLG Guidelines *Council Decision Making During Merger Proposal Periods*.

BACKGROUND

From 1 July 2016, AASB 124 Related Party Disclosures will apply to local government. This means Council must disclose related party relationships, transactions and outstanding balances, including commitments in the Annual Financial Statements. While these disclosures have been long-standing in the private sector, they are a new requirement for the public sector.

Establishment of a policy to define the parameters for related party transactions and the level of disclosure and reporting required for Council is necessary to achieve compliance with AASB 124. The draft Related Party Disclosure Policy, including Related Party Disclosure by Key Management Personnel and Privacy Collection Notices, is attached.

What is a Related Party?

Parties are related where one can control or influence the other's financial and operating decisions. Council's related parties include *Key Management Personnel* (KMP) and *entities* that Council has control or significant influence over (for example joint ventures, subsidiaries, etcetera). Council's KMP have been proposed to include the Lord Mayor, Councillors, General Manager, Directors and the Public Officer. AASB124 also includes the close family members of each KMP and the entities that KMP or their close family members control or jointly control as related parties.

The proposed determination of KMP is based on interpretation of AASB124 (that defines KMP as those persons that have the responsibility to *plan, direct and control* the activities of Council), consultation with Office of Local Government (OLG) and the Local Government Association of Queensland (LGAQ).

New information needs to be collected from Council's KMP to comply with AASB 124

To comply with AASB 124, Council needs to collect information from its KMP to identify related party relationships and transactions. The proposed policy requires all KMP to periodically provide a Related Party Disclosure notifying any existing or potential related party transactions between Council and

related parties. After transactions are verified in Council's business systems the information will be added to a Register of Related Party Transactions.

Council's KMP are accustomed to making disclosures under various returns, however AASB124 also requires disclosure of material transactions in the financial statements. Under the policy, the Related Party Disclosures made by KMP and the Register of Related Party Transactions are not intended to be available for inspection by the public, although the reporting of transactions and relationships will be. Where a material transaction has occurred, it will be disclosed in the financial statements, other transactions are able to be disclosed in aggregate, where appropriate.

What will be disclosed?

The standard requires disclosure of **material** transactions with related parties. A **related party transaction** is a transfer of resources, services or obligations between a reporting entity and a related party, regardless of whether a price is charged. Disclosure will include:

- Remuneration information for KMP. To be reported at an aggregate level for the following categories:
 - (i) short-term employee benefits (including non-monetary benefits);
 - (ii) post-employment benefits;
 - (iii) other long-term benefits, and
 - (iv) termination benefits.
- Transactions between Council and KMP or entities owned or controlled by KMP or their close family members, and
- Transactions with Council and other related entities such as Joint Ventures, Subsidiaries, etc.

The approach taken towards the development of the policy

The draft policy has been developed after consideration of information presented by the OLG, information garnered from Victorian councils that have been early adopters, information garnered from Queensland councils that are further progressed than NSW councils in their implementation, LGAQ, PWC Auditors and other accounting reference materials. Materials available on the internet, webinars, presentation slides and discussions with representatives from these organisations have been referenced in developing the draft policy. With compliance, consistency and timing in mind and in the absence of any specific guidelines by the OLG, a draft policy is now proposed which very closely follows the approach adopted by a number of Council's Queensland counterparts.

Learnings and changes in the proposed approach taken during the policy development period

- Data Collection

Earlier thoughts, including information provided to councillors, considered the approach recommended by the OLG at that time, which proposed Council ask its KMP to complete a declaration advising who their related entities and close family members are, regardless of whether a transaction may ever occur. Under this approach, Council's systems would then be checked to identify transactions with those persons/organisations, with material transactions being reported in Council's financials. This approach would have required requests to KMP to provide details about their close family members, even if they had nothing to do with Council. As this approach was further investigated, it was not supported by Council's General Legal Counsel on the basis that asking for information about a KMP's close family members and their entities when many, if not virtually all, of those persons and entities will not have anything to do with Council is overly intrusive and unnecessary. The alternative now proposed, is asking for the details of those persons and entities where a transaction has or is likely to occur.

Adding weight to this approach was the consideration that Council's Queensland counterparts have also shifted their approach from collecting information about transactions that *may* occur to transactions that *have* occurred. This was based on legal advice that the LGAQ received on behalf of their member councils. Further, the LGAQ developed a suite of model documents, including draft policies, forms and notices for their member councils. Anecdotal evidence suggests that these policies are yet to be signed

off by the Queensland Auditor General. It is noted that model documents have not been developed for NSW councils and the OLG has confirmed they do not anticipate doing so in the future.

- Identification of KMP

Correct identification of Council's KMP is an important step towards compliance. Early assessment indicated Council's senior managers would be deemed as KMP.

The original guidance from the OLG stated that "KMP will include all Councillors, the General Manager and all 'Senior Staff' as determined by the act". Based on this earlier information it had been considered that Council's KMP were likely to include the Lord Mayor, Councillors, General Manager, directors and senior managers. Further research led to the conclusion that Council's KMP should include the Lord Mayor, Councillors, General Manager, Directors and Public Officer. The senior managers of Council are no longer considered to be KMP.

During a webinar hosted by the OLG, it was presented that KMP are those persons that have the responsibility to *plan, direct and control* the activities of Council. An indicator of this responsibility is having voting power in decisions at an Executive meeting. Being present at such meetings, providing information and even making recommendations does not constitute power to plan, direct and control. From this, it was concluded that senior managers are not KMP of Council. Council's interpretation of this definition has been discussed with the OLG who concurred. It has also been confirmed that the OLG's earlier reference to senior staff as being included as KMP will be removed from the next Code of Accounting Practice update.

- Privacy of information collected

During earlier research on AASB 124 it was not known if the information required to be collected from KMP would be accessible under the Government Information (Public Access) Act 2009 [GIPA]. Under the proposed policy, information collected about KMP in periodic Related Party Disclosures and the personal information contained in the Register of Related Party Transactions is proposed to not be available for inspection by the public, while the reported information will be publically available.

- Potential to combine Related Party Disclosures with Disclosure of Interests Returns

During consultation with KMP the desire to combine related party and pecuniary interest disclosures was expressed and it was agreed that this would be explored. Further research considering the purpose of the disclosures, the information captured and the audience, led to the conclusion that separate disclosures are required. This conclusion was supported by the OLG who has recommended that these disclosures be managed separately.

Auditor Consultation of Policy Required

The agreement of Council's external auditor with the proposed approach towards Related Party Disclosures is required. The transition of external audit to the NSW Auditor General currently underway is not optimal in the timing of this policy's adoption. Given AASB 124 is operative, it is recommended that the policy be adopted without delay. In the event that Auditor consultation requires alteration, amendments will be proposed.

CONSULTATION AND COMMUNICATION

Council's General Counsel – Jeff Reilly

Governance and Corporate Support Coordinator – Peter Weber

Team Leader Corporate Support – Linda Watkins

Executive Management Committee – Report of 9 August and 22 November

Senior Management Group – Presentation on 24 August 2016

Councillors' Briefing Session – Presentation on 29 August 2016

Office of Local Government - Code of Accounting Practice and Financial Reports Update #24; Webinar 12 October 2016; various discussions with Laura Love

LG Solutions – Debits and Credits November Edition

External Auditors, PricewaterhouseCoopers – Presentation on Related Party Disclosures; discussion

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 2012-2017	Annual Plan 2016-17
Strategy	5 Year Action	Annual Deliverables
4.4.5 Finances are managed effectively to ensure long term financial sustainability	4.4.5.1 Effective and transparent financial management systems are in place	Provide accurate and timely financial reports monthly, quarterly, and via the annual financial statement Continuous Budget Management is in place, controlled and reported Manage and further develop compliance program Monitor and review achievement of financial strategy

RISK ASSESSMENT

Non-compliance with AASB 124 will potentially lead to a qualified audit in the 2016-17 reporting period.

FINANCIAL IMPLICATIONS

AASB 124 requires an additional disclosure in the notes to Council's Financial Statements, titled "*Related Party Transactions*" for periods after July 1, 2016. It is unlikely that this will impact Council's financial result and comparatives are not required.

Any financial implications will relate to indirect costs associated with researching, collecting and recording information which are expected to be minimal.

CONCLUSION

Council is now required to comply with AASB 124. Introduction of a policy is a necessary step towards achieving compliance. It is recommended that Council adopt the Related Party Disclosure Policy including attachments. The draft policy has been prepared after extensive research and is based upon examples being applied by Queensland councils.



RELATED PARTY DISCLOSURE POLICY

COUNCIL POLICY

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

BACKGROUND

This Policy has been developed to provide guidance in complying with the *Local Government Act*, section 413(3), which requires Council to prepare its General Purpose Financial Statements in compliance with Australian Accounting Standards. The relevant standard for the purpose of this Policy is *AASB 124 Related Party Disclosures*, July 2015 (AASB 124).

OBJECTIVE

The objective of the Policy is to ensure that the existence of certain related party relationships, related party transactions and information about the transactions, necessary for users to understand the potential effects on the Financial Statements are properly identified, recorded in Council's systems, and disclosed in Council's General Purpose Financial Statements in compliance with AASB 124, the *Privacy and Personal Information Protection Act 1998* [PPIPA] and the *Government Information (Public Access) Act 2009* [GIPAA].

POLICY STATEMENT

Council in complying with disclosure requirements in AASB 124, will;

- (1) identify related party relationships, related party transactions and ordinary citizen transactions;
- (2) identify information about the related party transactions for disclosure;
- (3) Establish systems to capture and record the related party transactions and information about those transactions;
- (4) identify the circumstances in which disclosure of the items in subparagraphs (1) and (2) are required; and
- (5) determine the disclosures to be made about those items in the General Purpose Financial Statements for the purpose of complying with AASB 124.

STATEMENT OF PROCEDURES

1 AASB 124 DISCLOSURE REQUIREMENTS

1.1 Disclosures

To comply with AASB 124, for annual periods beginning on or after 1 July 2016, Council will make the following disclosures in its General Purpose Financial Statements:

- (a) Relationships between Council and its subsidiaries, irrespective of whether there have been transactions between them.¹
- (b) Key management personnel (KMP) compensation in total and for each of the following categories:^{2 3}
 - (i) short-term employee benefits;
 - (ii) post-employment benefits;
 - (iii) other long term benefits; and
 - (iv) termination benefits.
- (c) Amounts incurred by Council for the provision of KMP services that are provided by a separate management entity.⁴
- (d) The information specified in Section 1.2 for related party transactions with the following persons during the periods covered by the Financial Statement:⁵
 - (i) Council subsidiaries;
 - (ii) entities who are associates of Council or of a Council subsidiary;
 - (iii) joint ventures in which Council or a Council subsidiary is a joint venturer;
 - (iv) Council's KMP;
 - (v) other related parties, comprising:
 - (a) a close family member of a KMP of Council;
 - (b) entities controlled or jointly controlled by a KMP of Council;
 - (c) entities controlled or jointly controlled by a close family member of a KMP of Council;
 - (d) other entities as specified in AASB 124, paragraph 9(b)(iii), (iv), (v) and (viii),

1.2 Disclosed Information

For each category of related party transactions specified in Section 1.1(d), Council will disclose the following information in Council's General Purpose Financial Statements:

- (a) the nature of the related party relationship;
- (b) the amount of the transactions;
- (c) the amount of outstanding balances, including commitments, and:
 - (i) their terms and conditions, including whether they are secured, and the nature of the consideration to be provided in settlement; and
 - (ii) details of any guarantees given or received;
- (d) provisions for doubtful debts related to the amount of outstanding balances; and
- (e) the expense recognised during the period in respect of bad or doubtful debts due from related parties.

1.3 Disclosed in Aggregate or Separate

¹ See AASB 124, paragraphs 13, Aus13.1, 14, 15, and 16.

² See AASB 124, paragraphs 17 and 17A.

³ Note: This requirement is in addition and separate to the disclosure of senior management remuneration in Council's annual report, pursuant to the *Local Government (General) Regulation 2005*, clause 217.

⁴ See AASB 124, paragraph 18A.

⁵ See AASB 124, paragraphs 18 to 24.

For each related party category specified in Section 1.1(d), Council will disclose information specified in Section 1.2 for related party transactions of a similar nature in aggregate except when separate disclosure is necessary for an understanding of the effects of related party transactions on the Financial Statements of Council, having regard to the following criteria:

- (a) the nature of the related party relationship;
- (b) the significance of the transaction (individually or collectively) in terms of size or value (including where the materiality arises due to the fact that no consideration for the transaction is given or received by Council);
- (c) whether the transaction is carried out on non-arm's length terms;
- (d) whether the nature of the transaction is outside normal day-to-day business operations,

based on the factors and thresholds under the direction of the Responsible Accounting Officer in consultation with Council's external auditor.

2 IDENTIFYING COUNCIL RELATED PARTY RELATIONSHIPS AND TRANSACTIONS

2.1 Identification

The Responsible Accounting Officer is responsible for identifying Council subsidiaries, associates and joint ventures (incorporated and unincorporated) from the Related Entities Register, a document which is prepared to substantiate Note 19 of the Financial Statements "Interests in Other Entities".

2.2 Control or Joint Control

To determine whether Council has control or joint control of an entity, the Responsible Accounting Officer is responsible for applying Australian Accounting Standards AASB 10 Consolidated Financial Statements and AASB 11 Joint Arrangements.

2.3 Associate or Joint Venture

To determine whether an entity is an associate of, or in a joint venture with, Council or a Council subsidiary the Responsible Accounting Officer is responsible for applying AASB 128 investments in associates and joint ventures.

2.4 Electronic Investigation

The Responsible Accounting Officer is responsible for investigating through Council's business system whether any identified Council subsidiaries, associates or joint ventures have an existing related party transaction with Council.

2.5 Information Extraction

The Responsible Accounting Officer is responsible for identifying and extracting information specified in Section 1.2 against each existing related party transaction in Council's business systems for the purpose of recording the related party transactions and associated information in a register of related party transactions.

2.6 Manual Investigation and Recording of Information

For related party transactions that are not captured by Council's business systems, the Responsible Accounting Officer is responsible for manually reviewing the transactional documentation and record the information specified in Section 1.2 for the subject transaction in the register of related party transactions.

3 IDENTIFYING RELATED PARTY TRANSACTIONS WITH KMP AND THEIR CLOSE FAMILY MEMBERS

3.1 Related Party Disclosures

KMP must provide a related party disclosure in the form set out in Attachment A, notifying any existing or potential related party transactions between Council and either themselves, their close family members or entities controlled or jointly controlled by them or any of their close family members, subject to Section 3.5, to the Manager Governance + Information by no later than the following periods during a financial year (**specified notification period**):

- (a) 30 days after the commencement of the application of this Policy;
- (b) 30 days after a KMP commences their term or employment with Council;
- (c) 30 November each year;
- (d) 30 June each year.

3.2 Related Party Disclosure Form

At least 30 days before a specified notification period, the Manager Governance + Information will provide KMP with a Related Party Disclosure Form (Attachment A) and a Privacy Collection Notice (Attachment B).

3.3 Suspected Related Party Transaction

If a KMP suspects that a transaction may constitute a related party transaction, the KMP should provide a related party disclosure to the Manager Governance + Information for consideration and determination.

3.4 Other Notifications

The notification requirements in Section 3 are in addition to the notifications a KMP must make to comply with:

- (a) for Councillors, the *Code of Conduct - Councillors*; and
- (b) for the General Manager and other Senior Executive Officers who are KMP, the *Code of Conduct - Staff*; and
- (c) the disclosure of interests in a written return pursuant to section 450A of the *Local Government Act 1993* and *Local Government (General) Regulation 2005*.

3.5 Exclusions

The notification requirements in Section 3 do not apply to:

- (a) related party transactions that are ordinary citizen transactions not assessed as being material as determined under Section 4; and
- (b) the Lord Mayor and Councillors expenses incurred and facilities provided during the financial year under Council's *Payment of Expenses and Provision of Facilities to Lord Mayor and Councillors' Policy*, the particulars of which are contained in Council's Annual Report pursuant to the *Local Government (General) Regulation 2005*, clause 217.

3.6 Information Extraction

The Responsible Accounting Officer is responsible for identifying information specified in Section 1.2 against each notified related party transaction in Council's business systems for the purpose of recording the related party transactions and associated information in the register of related party transactions.

3.7 Other Sources of Information

To ensure all related party transactions are captured and recorded, the Responsible Accounting Officer is responsible for reviewing, if required, other sources of information held by Council including, without limitation:

- (a) a register of interests of a KMP and of persons related to the KMP;
- (b) minutes of Council and committee meetings;
- (c) Council's Contracts' Register.

3.8 Manual Investigation and Recording of Information

For notified related party transactions that are not captured by Council's business systems, the Responsible Accounting Officer is responsible for manually reviewing the transactional documentation and record the information specified in Section 1.2 for the subject transaction in the register of related party transactions.

4 ORDINARY CITIZEN TRANSACTIONS

4.1 Non-material in Nature

A KMP is not required to notify in a related party disclosure and Council will not disclose in its Financial Statements, related party transactions that are ordinary citizen transactions assessed to be not material in nature.

4.2 Material in Nature

A KMP is required to notify in a related party disclosure and Council will disclose in its Financial Statements in accordance with Section 1, related party transactions that are ordinary citizen transactions assessed to be material in nature.

4.3 Materiality Assessment

The Responsible Accounting Officer is responsible for reviewing and assessing the materiality of related party transactions that are ordinary citizen transactions to determine whether the disclosure of such transactions are necessary for an understanding of the effects of the related party transactions on the Financial Statements having regard to the criteria specified in Section 1.3.

As a general rule, Council will utilise \$10,000 as the threshold for materiality.

4.4 Information Extraction

The Responsible Accounting Officer is responsible for identifying information specified in Section 1.2 against each notified related party transaction that is an ordinary citizen transaction assessed as being material in nature in Council's business systems for the purpose of recording the related party transactions and associated information in a register of related party transactions.

5 REGISTER OF RELATED PARTY TRANSACTIONS

5.1 Maintain a Register

The Responsible Accounting Officer is responsible for maintaining and keeping up to date a register of related party transactions that captures and records the information specified in Section 1.2 for each existing or potential related party transaction (including ordinary citizen transactions assessed as being material in nature) during a financial year.

5.2 Contents of Register

The contents of the register of related party transactions must detail for each related party transaction:

- (a) the description of the related party transaction;
- (b) the name of the related party;
- (c) the nature of the related party's relationship with Council;
- (d) whether the notified related party transaction is existing or potential;
- (e) a description of the transactional documents the subject of the related party transaction;
- (f) the information specified in Section 1.2.

The Responsible Accounting Officer is responsible for ensuring that the information specified in Section 1.2 is disclosed in Council's Financial Statements to the extent, and in the manner stipulated by AASB 124, subject to Section 1.3.

6 INFORMATION PRIVACY

6.1 Confidential

The following information is classified as confidential and is not available for inspection by or disclosure to the public, including through a GIPAA application:

- (a) information (including personal information) provided by a KMP in a related party disclosure; and

- (b) personal information contained in a register of related party transactions.

6.2 When Consent is Required

Except as specified in this Policy, Council and other permitted recipients will not use or disclose personal information provided in a related party disclosure by a KMP or contained in a register of related party transactions for any other purpose or to any other person except with the prior written consent of the subject KMP.

6.3 Permitted Recipients

The following persons are permitted to access, use and disclose the information (including personal information) provided in a related party disclosure or contained in a register of related party transactions for the purposes specified in Section 6.4:

- (a) the General Manager;
- (b) the Responsible Accounting Officer, Director Corporate & Community Services, Financial Services Manager;
- (c) Manager Governance + Information;
- (d) Professional Conduct Coordinator;
- (e) an Auditor of Council (including an Auditor from the NSW Auditor General's Office);
- (f) Other Officers as delegated by the General Manager.

6.4 Permitted Purposes

A person specified in Section 6.3 may access, use and disclose information (including personal information) in a related party disclosure or contained in a register of related party transactions for the following purposes:

- (a) to assess and verify a notified related party transaction;
- (b) to reconcile identified related party transactions against those notified in a related party disclosure or contained in a register of related party transactions;
- (c) to comply with the disclosure requirements of AASB 124;
- (d) to verify compliance with the disclosure requirements of AASB 124.

- 6.5 An individual may access their personal information provided by a KMP in a related party disclosure or contained in a register of related party transactions in accordance with *Council's Privacy Management Plan*.

7 GOVERNMENT INFORMATION (PUBLIC ACCESS) [GIPAA] STATUS

7.1 No Public Inspection

The following documents are not open to or available for inspection by the public:

- (a) related party disclosures provided by a KMP; and
- (b) a register of related party transactions.

7.2 Not GIPAA - accessible

A GIPAA application seeking access to:

- (a) a document or information (including personal information) provided by a KMP in a related party disclosure; or
- (b) personal information contained in a register of related party transactions;

will be refused on the grounds the document or information comprises information for which there is an overriding public interest against disclosure pursuant to Section 14 of GIPAA.

7.3 Transactional Documentation

A GIPAA application seeking access to and release of transactional information and documentation the subject of a related party transaction with Council will be considered, assessed and decided in accordance with Council's usual procedures regarding applications made under GIPAA.

8 DEFINITIONS

Each of the following expressions in bold bears the meaning shown below:

Arm's length terms

Terms between parties that are reasonable in the circumstances of the transaction that would result from:

- (a) neither party bearing the other any special duty or obligation; and
- (b) the parties being unrelated and uninfluenced by the other; and

each party having acted in its own interest.

Associate

In relation to an entity (***the first entity***), an entity over which the first entity has significant influence.

Close family members or close members of the family

In relation to a KMP, family members who may be expected to influence, or be influenced by that KMP in their dealings with Council will include:

- (a) that person's children and spouse or domestic partner;
- (b) children of that person's spouse or domestic partner; and
- (c) dependants of that person or that person's spouse or domestic partner.

For the purpose of AASB 124, close family members could include extended members of a family (such as, without limitation, parents, siblings, grandparents, uncles/aunts or cousins) *if* they could be expected to influence, or be influenced by, the KMP in their dealings with Council.

Control

Control of an entity is present when there is:

- (a) power over the entity; and
- (b) exposure or rights to variable returns from involvement with the entity; and
- (c) the ability to use power over the entity to affect the amount of returns received

as determined in accordance with AASB 10 *Consolidated Financial Statements, Paragraphs 5 to 18, Appendices A (Defined Terms) and B (Application Guidance)*.

Joint control

The contractually agreed sharing of control of an arrangement, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.

Joint venture

An arrangement of which two or more parties have joint control and have right to the net assets of the arrangement.

Joint venturer

A party to a joint venture that has joint control of that joint venture.

KMP

Person(s) having authority and responsibility for planning, directing and controlling the activities of Council.

Specifically, KMP of Council are the:

- (a) Lord Mayor;
- (b) Councillors;
- (c) General Manager;
- (d) Directors;
- (e) Public Officer.

Ordinary citizen transactions

Transactions that an ordinary citizen would undertake with Council, which is undertaken on arm's length terms and in the ordinary course of carrying out Council's functions and activities.

Examples of ordinary citizen transactions assessed to be not material in nature are:

- (a) paying rates and utility charges;
- (b) using Council's public facilities after paying the corresponding fees.

Related party

A person or entity that is related to Council pursuant to the definition contained in AASB 124, Paragraph 9.

Examples of related parties of Council are:

- (a) Council subsidiaries;
- (b) KMP;
- (c) close family members of KMP;
- (d) entities that are controlled or jointly controlled by KMP or their close family members.

Related party transaction

A transfer of resources, services or obligations between the Council and a related party, regardless of whether a price is charged.

Examples of related party transactions are:

- (a) purchases or sales of goods;
- (b) purchases or sales of property and other assets;
- (c) rendering or receiving of services;
- (d) rendering or receiving of goods;
- (e) leases;
- (f) transfers under licence agreements;
- (g) transfers under finance arrangements (example: loans);
- (h) provision of guarantees (given or received);
- (i) commitments to do something if a particular event occurs or does not occur in the future;
- (j) settlement of liabilities on behalf of Council or by Council on behalf of that related party.

Related party disclosure

A document entitled *Related Party Disclosure by Key Management Personnel* in the form set out in Attachment A.

Significant influence

The power to participate in the financial and operating policy decisions of another entity but is not control or joint control of those policies, as determined in accordance with Australian Accounting Standard AASB 128 *Investments in Associates and Joint Ventures*, Paragraphs 3, 5 and 6.

9 LEGISLATIVE REFERENCES

Local Government Act 1993 and Local Government (General) Regulation 2005,
Accounting Standard AASB 124 July 2015 Related Party Disclosures
Privacy and Personal Information Protection Act 1998 [PPIPA]
Government Information (Public Access) Act 2009 [GIPAA].

10 RELATED POLICIES / PROCEDURES

Code of Conduct - Staff

Code of Conduct - Councillors

Payment of Expenses and Provision of Facilities to Lord Mayor and Councillors' Policy

Privacy Management Plan

SUMMARY SHEET	
Responsible Division	Finance
Date adopted by Council	[To be inserted by Corporate Governance]
Date of previous adoptions	[List previous adoption dates]
Date of next review	[List date - Not more than 4 years from adoption]
Legislative or other requirement for review DELETE THIS WHOLE ROW IF NOT APPLICABLE	[List review timeframe and Act, policy or review requirement]
Responsible Manager	[Position title only - Line Manager or above]
Authorised by	[Manager/Director's title only]

DRAFT



Attachment A

Related Party Disclosure by Key Management Personnel

[Note: This document is confidential and is not GIPAA-accessible. See Council's Related Party Disclosure Policy]

Name of Key Management Personnel: _____

Position of Key Management Personnel: _____

Please read the Privacy Collection Notice provided with this notification, which explains what is a related party transaction and the purposes for which Council is collecting and will use and disclose, the related party information provided by you in this notification.

Please complete the table below **for each related party transaction with Council** that you, or a close member of your family, or an entity related to you or a close member of your family:

- (a) has previously entered into **and** which will continue in the **##insert relevant financial year Eg. 2016/2017##** financial year; or
- (b) has entered into, or is reasonably likely to enter into, in the **##insert relevant financial year Eg. 2016/2017##** financial year.

Description of Related Party Transaction	Is transaction existing/potential?	Related Party's Name (Individual's or entity's name)	Related Party's Relationship/ Reasons why related	Description of Transaction Documents or Changes to the Related Party Relationship

Description of Related Party Transaction	Is transaction existing/potential?	Related Party's Name (Individual's or entity's name)	Related Party's Relationship/ Reasons why related	Description of Transaction Documents or Changes to the Related Party Relationship

Notification

I _____, _____ notify that, to the best of my knowledge, information and belief,
 (Full name) (Position)

as at the date of this notification, the above list includes all existing and potential related party transactions with Council involving myself, close members of my family, or entities controlled or jointly controlled by me or close members of my family, relevant to the **##insert relevant financial year Eg. 2016/2017##** financial year.

I make this notification after reading the Privacy Collection Notice provided by Wollongong City Council, which details the meaning of the words "related party", "related party transaction", "close members of the family of a person" and, in relation to an entity, "control" or "joint control", and the purposes for which this information will be used and disclosed.

I permit the Responsible Accounting Officer and the other permitted recipients specified in Council's Related Party Disclosure Policy to access the register of interests of me and persons related to me and to use the information for the purposes specified in that policy.

Signature of named Key Management Personnel: _____

Dated: _____

Attachment B

PRIVACY COLLECTION NOTICE

RELATED PARTY DISCLOSURES BY KEY MANAGEMENT PERSONNEL

Purpose of Collection, Use and Disclosure

Effective for annual periods beginning on or after 1 July 2016, Council must disclose certain related party relationships and related party transactions together with information associated with those transactions in its general purpose financial statements, in order to comply with *Australian Accounting Standard AASB 124 Related Party Disclosures July 2015 (AASB 124)*.

Related parties include Council's key management personnel (KMP), their close family members, and any entities that they or any of their close family members control or jointly control.

A related party transaction is any transaction (whether a transfer of resources, services or obligations) between the reporting local government and any of the related parties, whether monetary or not.

If there is a related party transaction with Council applicable to a reporting financial year, AASB 124 requires Council to disclose in the financial statements the nature of the related party relationship and information about the transaction, including outstanding balances and commitments associated with the transaction. Disclosure in the financial statements may be in the aggregate and/or made separately, depending on the materiality of the transaction.

For more information about Council's disclosure requirements under AASB 124, please refer to Council's Related Party Disclosure Policy.

Notifications by Key Management Personnel

In order to comply with AASB 124, Council has adopted a policy that requires all members of its KMP to periodically provide notifications to the Manager Governance + Information of any existing or potential related party transactions between Council and any of their related parties during a financial year, and any changes to previously notified related party relationships and transactions relevant to the subject financial year.

To this end, each KMP must provide a Related Party Disclosure, in the approved form, notifying any existing or potential related party transactions between Council and any related parties of the KMP, to the Manager Governance + Information by no later than the following periods during a financial year:

- 30 days after the commencement of the application of this policy;
- 30 days after a KMP commences their term or employment with Council;
- 30 November (each year); and
- 30 June (each year).

Note, these related party disclosure requirements are in addition to the notifications KMPs are required to make to comply with:

- for councillors, the Code of Conduct - Councillors; and
- for other KMPs, the Code of Conduct – Staff.

This includes disclosures relating to Conflicts of Interest (Pecuniary and Non Pecuniary) and Gifts and Benefits.

Council's Auditors may audit related party information as part of the annual external audit.

For privacy and right to information status of this information, please refer to Council's Related Party Disclosure Policy.

Who are KMPs?

KMPs are persons having authority and responsibility for planning, directing and controlling the activities of Council, directly or indirectly.

For Council, KMPs include the:

- Lord Mayor;
- Councillors;
- General Manager;
- Directors;
- Public Officer.

Who are close family members of a KMP Person?

Close family members, or close members of the family, of a KMP are family members who may be expected to influence, or be influenced by, that person in their dealings with Council and include:

- (a) that person's children and spouse or domestic partner;
- (b) children of that person's spouse or domestic partner; and
- (c) dependants of that person or that person's spouse or domestic partner.

Under AASB 124, close family members could include extended members of a family (such as, without limitation, a parent, grandparent, siblings, etc) *if* they could be expected to influence, or be influenced by, the KMP in their dealings with Council.

The following table may assist you in identifying your close family members:

Definitely a close family member	Maybe a close family member
Your spouse/domestic partner	Your brothers and sisters, if they could be expected to influence, or be influenced by, you in their dealings with Council
Your children	Your aunts, uncles and cousins, if they could be expected to influence, or be influenced by, you in their dealings with Council
Your dependants	Your parents and grandparents, if they could be expected to influence, or be influenced by, you in their dealings with Council
Children of your spouse/domestic partner	Your nieces and nephews, if they could be expected to influence, or be influenced by, you in their dealings with Council
Dependants of your spouse/domestic partner	Any other member of your family if they could be expected to influence, or be influenced, by you in their dealings with Council

What is an entity that I, or my close family member, control or jointly control?

Entities include companies, trusts, incorporated and unincorporated associations such as clubs and charities, joint ventures and partnerships.

Control

You control an entity if you have:

- (a) power over the entity;
- (b) exposure, or rights, to variable returns from your involvement with the entity; and
- (c) the ability to use your power over the entity to affect the amount of your returns.¹

Example of control

Fred is the Mayor of Sunny Shire Council and owns 100% of the ordinary shares in Sunny Development Company Pty Ltd (the company). The ordinary shares are the only shares in the company that have voting rights.

Fred controls the company because he has the power to affect the company's decisions and the return that he will get from the company.

Fred will need to include the company on his related party disclosure.

Joint control

To jointly control an entity there must be contractually agreed sharing of control of the entity, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.²

Example of joint control

Fred is the Mayor of Sunny Shire Council and owns 50% of the ordinary shares in Sunny Development Company Pty Ltd (the company). Fred's brother Stan owns the other 50% of the ordinary shares. Fred and Stan are the only Directors of the company and have equal voting rights on the board.

Fred and Stan have joint control of the company because any decisions require the unanimous consent of them both.

Fred will need to include the company on his related party disclosure and the entity's related party relationship with Fred and Stan.

In some cases, it will be obvious that you or a family member control or have joint control over an entity. In other cases it will be less clear.

If you are unsure whether you, or a close family member, has control or joint control of an entity then you should contact the Responsible Accounting Officer for a confidential discussion.

[End of Privacy Collection Notice]

¹ AASB 10 Consolidated Financial Statements, paragraphs 5 to 18, and Appendices A (Defined Terms) and B (Application Guidance).

² AASB 128 Investments in Associates and Joint Ventures, paragraph 3 (Definitions).

ITEM 8 TENDER T16/35 WHYTES GULLY COMMUNITY RECYCLING CENTRE

This report recommends acceptance of a tender for the Whytes Gully Community Recycling Centre in accordance with the requirements of the Local Government Act 1993 and the Local Government (General) Regulation 2005.

The purpose of the tender is to construct a community recycling centre at the Wollongong Waste and Resource Recovery Park.

RECOMMENDATION

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Project Coordination (Australia) Pty Ltd for the Whytes Gully Community Recycling Centre, for the sum of \$897,840.00, excluding GST.
- 2 Council delegate to the General Manager, the authority to finalise and execute the contract and any other documentation required to give effect to this resolution.
- 3 Council grant authority for the use of the Common Seal of Council on the contract and any other documentation, should it be required, to give effect to this resolution.

REPORT AUTHORISATIONS

Report of: Glenn Whittaker, Manager Project Delivery
Authorised by: Greg Doyle, Director Infrastructure and Works - Connectivity Assets and Liveable City (Acting)

ATTACHMENTS

- 1 Location Plan

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

In February 2013, the NSW Government announced the five-year "Waste Less Recycle More" initiative including the Improved Systems for Household Problem Wastes – Community Recycling Centre (Drop Offs) grants program. The aim of the program was to make it easier for households to recycle and remove problem wastes including unwanted paints, oils, gas bottles, car and household batteries, fluorescent tubes and globes and smoke detectors from kerbside rubbish systems.

Council has secured grant funding for the construction of a new Community Recycling Centre at Whytes Gully Landfill site, inside the Materials Recovery Facility site. The existing facility has been used for the past 15 years as a MRF for processing recycled goods. The new Community Recycling Centre will provide residents with a one-stop site for both the free drop off of problem wastes and the disposal of unwanted materials, reducing the demand on the Whytes Gully landfill as a disposal point.

Tenders were invited for the construction of a Community Recycling Centre, in the form of a large span open industrial shed style structure incorporating appropriate facilities, located in the Materials Recovery Facility (MRF) at Whytes Gully Resource Recovery Park Kembla Grange. The scope of work includes construction of the adjacent pavement, access loop road, stormwater controls and diversion/connection of services.

Tenders were invited by the selective tender method from Council's Panel of Building Contractors with a close of tenders of 10.00 am on 20 October 2016.

Three tenders were received by the close of tenders and all tenders have been scrutinised and assessed by a Tender Assessment Panel constituted in accordance with Council's Procurement Policies and Procedures and comprising representatives of the Project Delivery, City Works and Services, Governance and Information, 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:

MANDATORY CRITERIA

- Referees
- Financial Capacity

ASSESSABLE CRITERIA

- 1 Cost to Council - 50%
- 2 Appreciation of Scope of works and construction methodology – 10%
- 3 Experience and satisfactory performance in undertaking projects of similar size, scope and risk profile - 5%
- 4 Staff qualifications and experience - 10%
- 5 Demonstrated strengthening of local economic capacity - 5%
- 6 Project Schedule - 10%
- 7 Workplace Health and Safety Management system - 5%
- 8 Environmental Management Policies and Procedures - 5%

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

The Tender Assessment Panel utilised a weighted scoring method for the assessment of tenders which allocates a numerical score out of 5 in relation to the level of compliance offered by the tenders to each of the assessment criteria as specified in the tender documentation. The method then takes into account pre-determined weightings for each of the assessment criteria which provides for a total score out of 5 to be calculated for each tender. The tender with the highest total score is considered to be the tender that best meets the requirements of the tender documentation in providing best value to Council. 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
Project Coordination (Australia) Pty Ltd	1
Patterson Building Group	2
Edwards Construction (NSW) Pty Ltd	3

PROPOSAL

Council should authorise the engagement of Project Coordination (Australia) Pty Ltd, to carry out the construction of the Whytes Gully Community Recycling Centre 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. An acceptable financial capability assessment has been received in relation to the recommended tenderer.

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

CONSULTATION AND COMMUNICATION

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

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 goal “We value and protect our environment”. It specifically delivers on the following:

Community Strategic Plan	Delivery Program 2012-2017	Annual Plan 2016-17
Strategy	5 Year Action	Annual Deliverables
1.3.1 The community actively avoids, reduces, reuses and recycles	1.3.1.1 Develop and implement programs that encourage community participation in reducing Wollongong's ecological footprint	Deliver Waste Minimisation Programs in accordance with the Waste Strategy

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 moderate based upon Council's risk assessment matrix and appropriate risk management strategies will be implemented.

FINANCIAL IMPLICATIONS

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

2016/17 Capital Budget

The project is funded by the following NSW EPA Waste Less, Recycle More Initiative:

- \$190,000 - Improved Systems for Household Problem Wastes Fund – Community Recycling Centres Grants Program
- \$450,000 - Better Waste and Recycling Fund

CONCLUSION

Project Coordination (Australia) Pty Ltd has submitted an acceptable tender for this project. Council should endorse the recommendations of this report.



ITEM 9

TENDER T16/36 GRAND PACIFIC WALK - PROVISION OF A FOOTPATH BETWEEN COALCLIFF AND STANWELL PARK

This report recommends that Council decline to accept any of the tenders submitted for Grand Pacific Walk - Provision of a Footpath between Coalcliff and Stanwell Park in accordance with clause 178(1)(b) of the Local Government (General) Regulation 2005.

The Tender Assessment Panel has concluded that none of the tenders is acceptable for the reason that they do not satisfy the mandatory criteria. It is anticipated that negotiations with suitable contractors will result in a satisfactory outcome being achieved.

RECOMMENDATION

- 1 a In accordance with clause 178(1)(b) of the Local Government (General) Regulation 2005, Council decline to accept any of the tenders received for Tender T16/36 Grand Pacific Walk - Provision of Footpath between Coalcliff and Stanwell Park and resolve to enter into negotiations with suitable contractors with a view to entering into a contract in relation to the subject matter of the tender.
- b In accordance with clause 178(4) of the Local Government (General) Regulation 2005, the reason for Council hereby resolving to enter into negotiations with suitable contractors and not inviting fresh tenders is that it is anticipated that a satisfactory outcome can be achieved with a contractor who demonstrates a capacity and ability to undertake the works.
- 2 Council delegate to the General Manager the authority to undertake and finalise the negotiations with a suitable contractor with a view to entering into a contract in relation to the subject matter of the tender.
- 3 Council grant authority for the use of the Common Seal of Council on the contract and any other documentation, should it be required, to give effect to this resolution.

REPORT AUTHORISATIONS

Report of: Glenn Whittaker, Manager Project Delivery

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

ATTACHMENTS

- 1 Location Plan

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

Tenders were required to be invited for the construction of portions of the Grand Pacific Walk (GPW) between Coalcliff and Stanwell Park. The GPW is a strategic project to create a shared pathway along the Wollongong coastline, linking the Royal National Park to the Lake Illawarra Foreshore and through to Shellharbour. The scope of works included in this tender is the construction of Sections 1, 2 and 4 of Stage 1 of the GPW, a 3.5 km section along Lawrence Hargrave Drive from Stanwell Park to Coalcliff that will provide an off-road pathway parallel to Grand Pacific Drive in an area that is currently un-serviced.

Tenders were invited by the open tender method with a close of tenders of 10.00 am on Thursday, 3 November 2016.

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

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

MANDATORY CRITERIA

- Referees
- Financial Capacity
- Certified WHS System
- Pre-Qualification under Roads and Maritime Services (RMS) National scheme as Category R1 or greater.

ASSESSABLE CRITERIA

- 1 Cost to Council - 35%
- 2 Appreciation of Scope of works and construction methodology – 15%
- 3 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 Management system - 5%
- 9 Environmental Management policies and procedures - 5%

PROPOSAL

The Tender Assessment Panel has concluded that none of the tenders is acceptable and has recommended that all tenders be declined and negotiations be undertaken with suitable contractors with a view to entering into a contract for the works.

The Panel anticipates that a satisfactory outcome will be achieved through a negotiation process conducted in accordance with Council's Procurement Policies and Procedures.

CONSULTATION AND COMMUNICATION

Members of the Tender Assessment Panel

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 goal 6 "We have sustainable, affordable and accessible transport". It specifically delivers on the following:

Community Strategic Plan	Delivery Program 2012-2017	Annual Plan 2016-17
Strategy	5 Year Action	Annual Deliverables
6.1.3 Interconnected and accessible cycleways and footpaths are planned and delivered	6.1.3.4 Use funds obtained from Restart NSW Illawarra to design and construct the Grand Pacific Walk - Stage one	Continue to construct Stage 1 of the Grand Pacific Walk

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.

The proposed works are complex and the site has significant constraints including geotechnical, geographical, overhead power lines, limited working hours due to RMS imposed Road Occupancy Licence conditions, pedestrian and traffic management issues and private driveways.

FINANCIAL IMPLICATIONS

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

Capital Budget 2016/17 and 2017/18

The overall Grand Pacific Walk project is supported by grant funding of \$5M under the Restart NSW Illawarra Infrastructure Fund.

CONCLUSION

Council should endorse the recommendations of this report to decline to accept any of the tenders submitted and finalise negotiations with a suitable contractor to undertake the works



ITEM 10 PROPOSED NAMING OF ROADS AT AVONDALE AND BULLI

Council has been requested to name a road at Avondale and an unnamed lane at Bulli.

This report seeks approval to take action under Section 162 of the Roads Act 1993 to name the roads.

RECOMMENDATION

Action be taken under Section 162 of the Roads Act 1993 to name the following roads:

- 1 Road at Avondale off South Avondale Road as “Linbrook Lane.”
- 2 Unnamed lane currently numbered as Lane 54 between George Avenue and William Street, Bulli as “Chilby Lane”.

REPORT AUTHORISATIONS

Report of: Peter Coyte, Manager Property and Recreation

Authorised by: Kerry Hunt, Director Corporate and Community Services - Creative, Engaged and Innovative City (Acting)

ATTACHMENTS

- 1 Map of road proposed to be named as Linbrook Lane
- 2 Map of lane proposed to be named Chilby Lane

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 has been requested to name the following roads at Avondale and Bulli:

- 1 The road currently known as Cedar Avenue which leads to the Cedars Estate off South Avondale Road, Avondale, shown hatched on Attachment 1. The residents of the estate have requested that Council officially name the road to assist service authorities and post and parcel delivery services to find the estate.

Although this road was unofficially named Cedar Avenue by the residents of the estate, there are already three other “Cedars” in the Wollongong Local Government Area – Cedar Grove, Keiraville, Cedar Avenue, Windang and Cedar Terrace, Woonona.

As the NSW Geographical Names Board will not approve the duplication of names in the Local Government Area, it is proposed to name the road as **Linbrook Lane** after a slab hut constructed in the local area in 1886. The property on which “Linbrook” stands was part of the land originally granted to Alfred Elyard in 1834 and is one of the farms derived from the break-up of the original “Avondale” Estate in 1893. “Linbrook” is of special interest as it is a rare late Victorian slab hut which was constructed approximately 50 years after slab huts were commonly constructed.

- 2 The lane currently numbered as Lane 54 which runs between George Avenue and William Street, Bulli, shown hatched on Attachment 2, is proposed to be named as **Chilby Lane**. As there has been a subdivision of a property in William Street adjoining the lane, the new lot requires a street number to be addressed to the lane. Consequently, the lane must be named.

Thomas Childerley arrived in Australia from Cambridge, England in 1819. Shortly after arriving, he moved to Harbour Street, Wollongong and then to Bulli. Before 1828, Thomas had changed his surname from Childerley to Chilby and in 1836, he married Janette Stewart and they had

17 children, many of whom later had up to 13 children each. As a result, the Chilby surname is very common in Bulli and the surrounding suburbs.

Although not officially named, the hill at the base of Bulli Pass and Hobart Street in Bulli, including George Avenue and William Street, was known as Chilby's Hill.

Thomas Chilby (Childerley) is regarded as one of earliest European pioneers in the region.

The two road naming proposals have been entered into the NSW Land and Property Information Online Road Naming System and the proposed names have been deemed suitable for use.

PROPOSAL

In accordance with the Roads Act 1993, action be taken under Sec 162 to name the subject roads by completing the actions required in the NSW Land and Property Information Online Road Naming System. Upon completion, the system will gazette the road names, at no cost to Council.

CONSULTATION AND COMMUNICATION

The two road naming proposals have been entered into the NSW Land and Property Information Online Road Naming System and the proposed names have been deemed suitable for use. Notification has been automatically forwarded by that system to service authorities and no submissions were received.

Letters were sent by Council to 40 residences in the Avondale area and 67 residences in the Bulli area and a notice was published in the Wollongong Advertiser on 22 June 2016 for the Avondale proposal and 19 October 2016 for the Bulli proposal. No objections were received to either of the proposed names.

PLANNING AND POLICY IMPACT

This report is in accordance with the Council policy "Road Naming".

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

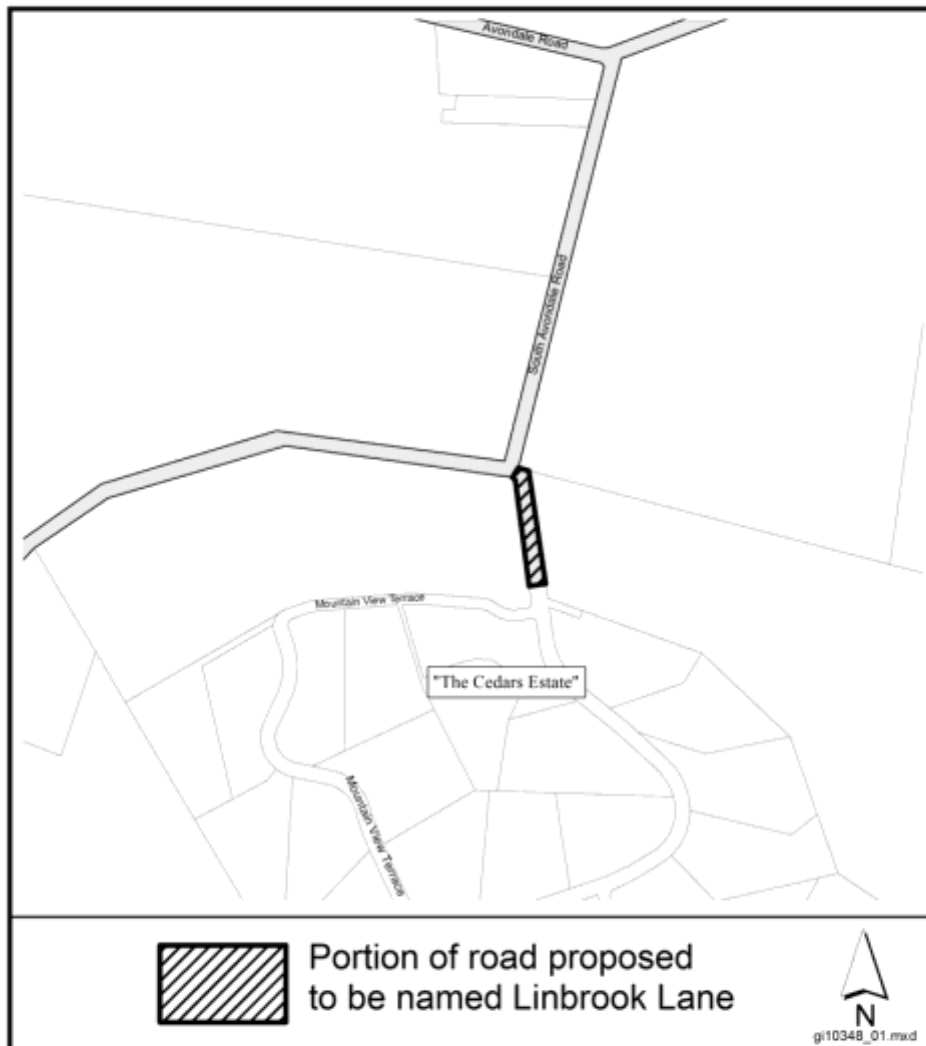
It specifically delivers on core business activities as detailed in the Property Services Service Plan 2015-16.

FINANCIAL IMPLICATIONS

The only cost that will be incurred in this matter will be for the publication of a notice in the NSW Government Gazette and this cost will be met by NSW Land and Property Information who publish the gazette notice on behalf of Council.

CONCLUSION

In order to assist service authorities and postal and delivery services to find addresses and to provide an address to a recently subdivided property, it is recommended that approval be granted to undertake action to name the two roads as set out in this report.



While every effort has been made to ensure the highest possible quality of data, no liability will be accepted for any inaccuracy of the information shown.
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ITEM 11

PROPOSED TRANSFER OF COUNCIL LAND TO ITSELF TO ENABLE ISSUE OF CERTIFICATES OF TITLE FOR LAND AT DAPTO

In 2013/14, Council completed road works on the extension of Fairwater Drive and the construction of Daisy Bank Drive between Fairwater Drive and Cleveland Road, Dapto.

The roads were defined by survey in DP 1188000 and dedicated as public road by publication of a notice in the NSW Government Gazette No 75 of 4 September 2015.

The residue of Council's land following that dedication comprises Lots 308 - 313 DP 1188000. In order for the Certificates of Title for these lots to be issued by NSW Land and Property Information (LPI), the LPI has advised that Council must take action to transfer the subject lots to itself.

This report seeks approval to the transfer.

RECOMMENDATION

- 1 Council authorise the transfer of Lots 308 – 313 DP 1188000 to itself.
- 2 The General Manager be delegated authority to finalise and execute the transfer and any other documentation required to give effect to this resolution.
- 3 Council grant authority for the Common Seal of Council to be affixed to the transfer document and any other documentation required to give effect to this resolution.

REPORT AUTHORISATIONS

Report of: Peter Coyte, Manager Property and Recreation

Authorised by: Kerry Hunt, Director Corporate and Community Services - Creative, Engaged and Innovative City (Acting)

ATTACHMENTS

- 1 Map of land proposed to be transferred by Council to itself to allow issue of titles

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

In 2013-14, Council completed road works on the extension of Fairwater Drive and the construction of Daisy Bank Drive between Fairwater Drive and Cleveland Road, Dapto.

The roads were defined by survey in DP 1188000 and dedicated as public road by publication of a notice in the NSW Government Gazette No 75 of 4 September 2015.

The residue of Council's land following that dedication comprises Lots 308 – 313 DP 1188000. Council's Legal Services Section lodged a request with LPI for the issue of the Certificates of Title for these lots.

However, upon receiving the request, the LPI advised that the Certificates of Title for the lots cannot issue until Council takes action to transfer the subject lots to itself. This entails a transfer document being prepared, signed under Council's Common Seal and lodged at LPI. Upon registration of the transfer document, the Certificates of Title for the land will issue.

PROPOSAL

It is proposed that in order for the Certificates of Title for Lots 308 – 313 DP 1188000 to issue, a transfer document be prepared, signed under Council's Common Seal and lodged with LPI. Upon registration of the transfer, the Certificates of Title will issue.

CONSULTATION AND COMMUNICATION

Legal Services Section

NSW Land and Property Information

PLANNING AND POLICY IMPACT

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

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

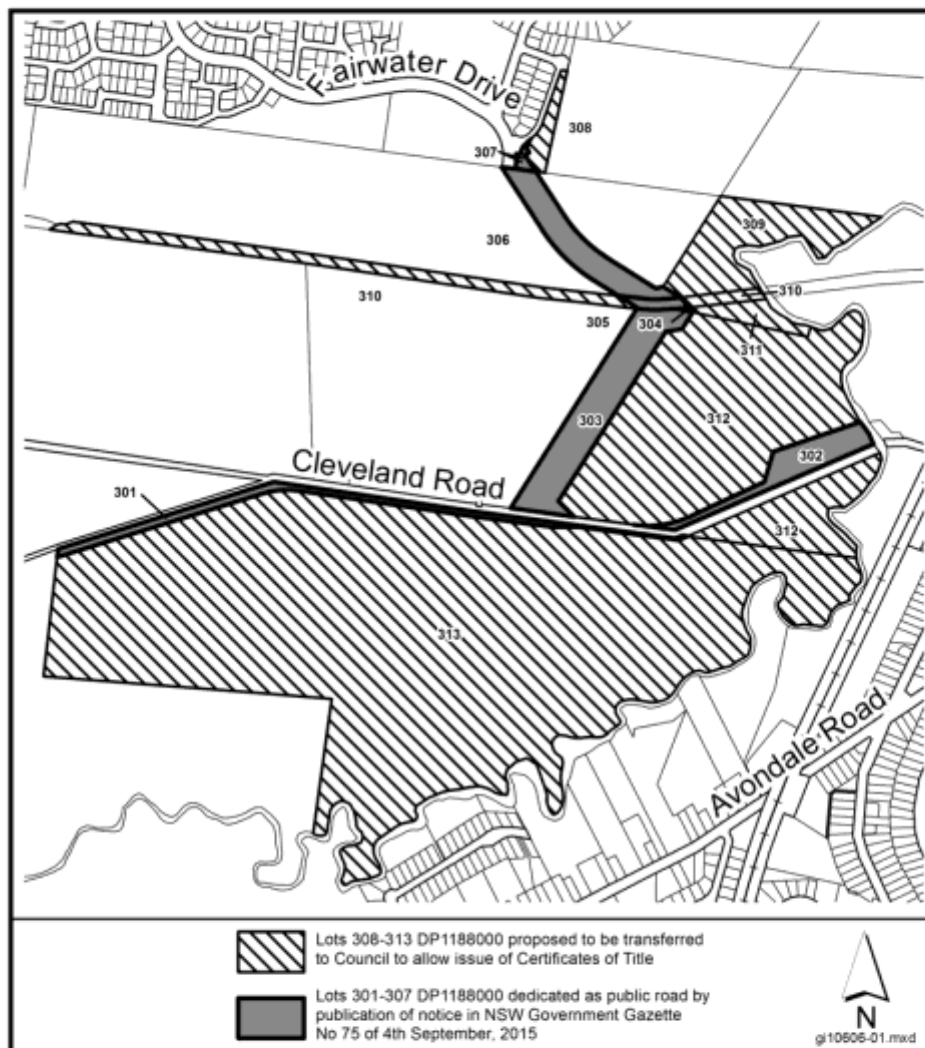
It specifically delivers on core business activities as detailed in the Property Services Service Plan 2015-16.

FINANCIAL IMPLICATIONS

The only cost that will be incurred in this matter will be for the lodgement of the transfer document at LPI which is available in the current Legal Services budget.

CONCLUSION

As the issue of the Certificates of Title for Lots 308 – 313 DP 1188000 will complete this matter, it is recommended that Council approve the recommendations as set out in this report.



ITEM 12 MODEL CODE OF CONDUCT COMPLAINTS STATISTICS REPORT 2015-2016

The Procedure for the Administration of the Codes of Conduct requires the Complaints Coordinator to provide complaint statistics to Council within three months from the end of September each year.

RECOMMENDATION

The report on Model Code of Conduct Complaints Statistics report for 2015-2016 be received and noted.

REPORT AUTHORISATIONS

Report of: Catherine Geenty, Professional Conduct Coordinator
Authorised by: David Farmer, General Manager

ATTACHMENTS

- 1 Mode Code of Conduct Complaints Report – 1 September 2015 to 31 August 2016

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

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

BACKGROUND

Under Part 12.1 of the Procedure for the Administration of the Codes of Conduct, the Complaints Coordinator must arrange for the following statistics to be reported to the Council within three months of the end of September each year:-

- a the total number of Code of Conduct complaints made about Councillors and the General Manager under the Code of Conduct in the year to September;
- b the number of Code of Conduct complaints referred to a Conduct reviewer;
- c the number of Code of Conduct complaints finalised by a Conduct reviewer at the preliminary assessment stage and the outcome of those complaints;
- d the number of Code of Conduct complaints investigated by a Conduct Reviewer;
- e the number of Code of Conduct complaints investigated by a Conduct Review Committee;
- f without identifying particular matters, the outcome of Code of Conduct complaints investigated by a Conduct reviewer or Conduct Review Committee under these procedures;
- g the number of matters reviewed by the Office and, without identifying particular matters, the outcome of the reviews; and
- h the total cost of dealing with Code of Conduct complaints made about Councillors and the General Manager in the year to September, including staff costs.

Under Part 12.2 of the Procedure, Council is to provide the Office of Local Government with a report containing the statistics referred to in Part 12.1 within three months of the end of September each year.

CONSULTATION AND COMMUNICATION

The complaint statistics were reported to the Office of Local Government via email on 14 November 2016.

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 core business activities in the Governance and Administration Service Plan 2016/17.

CONCLUSION

The report presents to Council the complaint statistics relating to the Model Code of Conduct for 2015-2016.

Model Code of Conduct Complaints Statistics Wollongong City Council

Number of Complaints

- | | | | |
|---|---|---------------------------------------------------------------------------------------------------------------------------------------|---|
| 1 | a | The total number of complaints received in the period about councillors and the General Manager (GM) under the code of conduct | 1 |
| | b | The total number of complaints finalised in the period about councillors and the GM under the code of conduct | 1 |

Overview of Complaints and Cost

- | | | | |
|---|---|----------------------------------------------------------------------------------------------------------------------------------------------|---|
| 2 | a | The number of complaints finalised at the outset by alternative means by the GM or Mayor | 1 |
| | b | The number of complaints referred to the Office of Local Government under a special complaints management arrangement | 0 |
| | c | The number of code of conduct complaints referred to a conduct reviewer | 0 |
| | d | The number of code of conduct complaints finalised at preliminary assessment by conduct reviewer | 0 |
| | e | The number of code of conduct complaints referred back to GM or Mayor for resolution after preliminary assessment by conduct reviewer | 0 |
| | f | The number of finalised code of conduct complaints investigated by a conduct reviewer | 0 |
| | g | The number of finalised code of conduct complaints investigated by a conduct review committee | 0 |
| | h | The number of finalised complaints investigated where there was found to be no breach | 0 |
| | i | The number of finalised complaints investigated where there was found to be a breach | 0 |

j	The number of complaints referred by the GM or Mayor to another agency or body such as the ICAC, the NSW Ombudsman, the Office or the Police	0
k	The number of complaints being investigated that are not yet finalised	0
l	The total cost of dealing with code of conduct complaints within the period made about councillors and the GM including staff costs	0
Preliminary Assessment Statistics		
3	The number of complaints determined by the conduct reviewer at the preliminary assessment stage by each of the following actions:	
a	To take no action	0
b	To resolve the complaint by alternative and appropriate strategies	0
c	To refer the matter back to the GM or the Mayor, for resolution by alternative and appropriate strategies	0
d	To refer the matter to another agency or body such as the ICAC, the NSW Ombudsman, the Office or the Police	0
e	To investigate the matter	0
f	To recommend that the complaints coordinator convene a conduct review committee to investigate the matter	0
Investigation Statistics		
4	The number of investigated complaints resulting in a determination that there was no breach , in which the following recommendations were made:	
a	That the council revise its policies or procedures	0
b	That a person or persons undertake training or other education	0
5	The number of investigated complaints resulting in a determination that there was a breach in which the following recommendations were made:	

a	That the council revise any of its policies or procedures	<input type="text" value="0"/>
b	That the subject person undertake any training or other education relevant to the conduct giving rise to the breach	<input type="text" value="0"/>
c	That the subject person be counselled for their conduct	<input type="text" value="0"/>
d	That the subject person apologise to any person or organisation affected by the breach	<input type="text" value="0"/>
e	That findings of inappropriate conduct be made public	<input type="text" value="0"/>
f	In the case of a breach by the GM, that action be taken under the GM's contract for the breach	<input type="text" value="0"/>
g	In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993	<input type="text" value="0"/>
h	In the case of a breach by a councillor, that the matter be referred to the Office for further action	<input type="text" value="0"/>
6	Matter referred or resolved after commencement of an investigation under clause 8.20 of the Procedures	<input type="text" value="0"/>
Categories of misconduct		
7	The number of investigated complaints resulting in a determination that there was a breach with respect to each of the following categories of conduct:	
a	General conduct (Part 3)	<input type="text" value="0"/>
b	Conflict of interest (Part 4)	<input type="text" value="0"/>
c	Personal benefit (Part 5)	<input type="text" value="0"/>
d	Relationship between council officials (Part 6)	<input type="text" value="0"/>

e	Access to information and resources (Part 7)	0
Outcome of determinations		
8	The number of investigated complaints resulting in a determination that there was a breach in which the council failed to adopt the conduct reviewers recommendation	0
9	The number of investigated complaints resulting in a determination that there was a breach in which the council's decision was overturned following a review by the Office	0

ITEM 13 OCTOBER 2016 FINANCIALS

The October 2016 financial results are within projections compared to phased budget across the key indicators. The Operating Result [pre capital] is favourable by \$5.0M and the Funds Result shows a favourable variance compared to the phased budget of \$4.5M (\$3.5M from operations and \$1.0M capital).

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

The reports and variances presented include the September Quarterly Review proposals.

Council has expended \$22.9M on its capital works program representing 22.7% of the annual budget. The year to date budget for the same period was \$22.9M. This report proposes a reduction in the capital program amounting to \$4.3M.

RECOMMENDATIONS

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

REPORT AUTHORISATIONS

Report of: Brian Jenkins, Manager Finance

Authorised by: Kerry Hunt, Director Corporate and Community Services - Creative, Engaged and Innovative City (Acting)

ATTACHMENTS

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

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

This report presents the Income and Expense Statement, Balance Sheet and Cash Flow Statement for October 2016. Council's current budget has a Net Funding (cash) deficit of \$2.5M, an Operating Deficit [pre capital] of \$1.8M and a capital expenditure of \$100.6M. The current annual Net Funding budget includes a transfer to reserve of \$3.1M comprising \$2.6M that relates to the 2015-16 year end positive funds result and \$0.5M that relates to the September Quarterly Review positive result.

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

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

FORECAST POSITION		Original Budget	Revised Budget	YTD Forecast	YTD Actual	Variation
KEY MOVEMENTS		1-Jul	28-Oct	28-Oct	28-Oct	
Operating Revenue	\$M	262.0	262.9	86.7	88.0	1.3
Operating Costs	\$M	(262.1)	(264.7)	(84.0)	(80.3)	3.7
Operating Result [Pre Capital]	\$M	(0.0)	(1.8)	2.6	7.6	5.0
Capital Grants & Contributions	\$M	32.9	18.8	4.4	4.0	(0.4)
Operating Result	\$M	32.9	17.0	7.1	11.7	4.6
Funds Available from Operations	\$M	61.8	61.9	20.7	24.2	3.5
Capital Works		101.6	100.6	22.9	22.9	0.0
Contributed Assets		-	-	-	-	-
Transfer to Restricted Cash		-	8.1	8.1	8.1	-
Borrowings Repaid	\$M	7.3	7.3	0.9	0.9	0.0
Funded from:						
- Operational Funds	\$M	61.8	61.9	20.7	24.2	3.5
- Other Funding	\$M	47.1	51.5	11.7	12.7	1.0
Total Funds Surplus/(Deficit)	\$M	(0.1)	(2.5)	0.5	5.0	4.5

Financial Performance

The October 2016 Operating Result [pre capital] shows a positive variance compared to budget of \$5.0M.

The Operating Result includes non-cash or restricted variations such as lower expenditure on externally funded operational projects (\$0.7M), depreciation (\$0.3M) and operational income, including the domestic waste revenue transferred to restricted cash (\$0.5M), resulting in Funds Available from Operations of \$3.5M.

Funds Result

The Total Funds result includes the funds component of the operating result in addition to lower Council funded capital expenditure of \$1.0M, resulting in a positive variance of \$4.5M.

Capital Budget

As at 28 October 2016, Council had expended \$22.9M or 22.7% of the approved annual capital budget of \$100.6M. This spend is in line with the year to date phased budget. There are a number of proposed changes to the total Capital Budget resulting from proposed transfers between programs and an overall reduction of \$4.3M in various types of externally or loan funded projects. These changes are detailed in the Manager Project Delivery Commentary attached.

Liquidity

Council's cash and investments decreased during October 2016 to holdings of \$159.2M compared to \$171.2M at the end of September 2016. This reflects normal trends for this time of the year as Council awaits its second rates instalment in November.

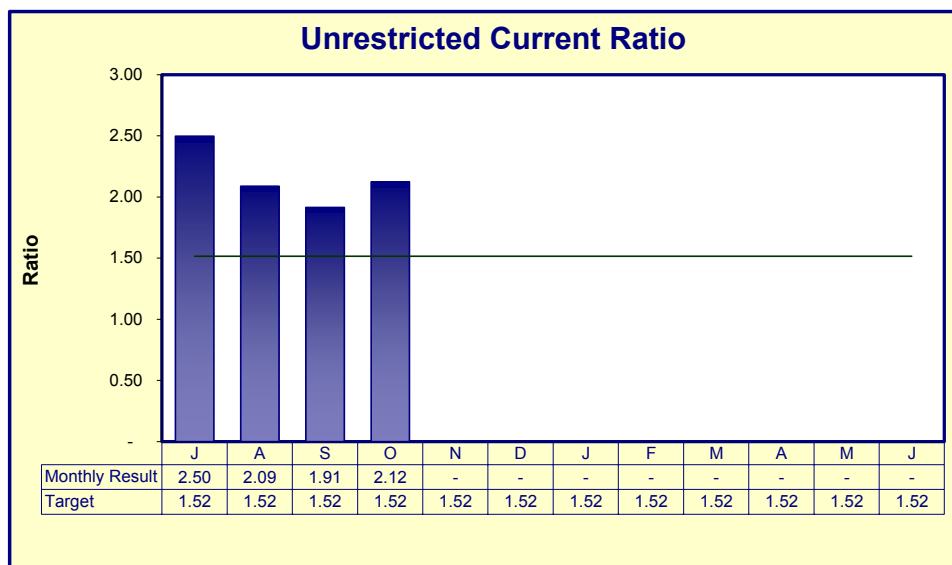
CASH, INVESTMENTS & AVAILABLE FUNDS				
	Actual 2015/16 \$M	Original Budget 2016/17 \$M	September QR 2016/17 \$M	Actual Ytd 28 October 2016 \$M
Total Cash and Investments	154.0	133.7	126.9	159.2
Less Restrictions:				
External	75.3	88.8	72.7	79.7
Internal	55.3	37.6	43.7	61.7
Total Restrictions	130.6	126.4	116.4	141.5
Available Cash	23.5	7.3	10.6	17.7
Adjusted for :				
Current payables	(34.9)	(23.6)	(23.8)	(27.9)
Receivables	22.9	23.0	25.3	23.7
Other	2.9	4.6	3.3	6.2
Net Payables & Receivables	(9.1)	4.0	1.4	1.9
Available Funds	14.4	11.3	12.0	19.5

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.

Based on the end of year results for 2015-16, the adjusted Available Funds forecast is within Council's Financial Strategy target of 3.5% to 5.5% of Operational Revenue [pre capital]. Based on the Adopted 2016-17 Annual Plan, the target Available Funds is between \$9.2M and \$14.4M for year ending 30 June 2017. The actual Available Funds at 28 October 2016 are impacted by the progress of planned expenditure to date.

Council resolved during August to transfer \$2.6M, equivalent to the net improvement in the funds result, from the 2015-16 financial year to restricted cash for Strategic Projects. This reduces the Available Funds and will increase the internal restrictions by the same amount. An additional \$0.5M was adopted to be transferred to the Strategic Projects restriction in November as part of the September Quarterly Review.

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 October 2016, receivables totalled \$23.7M, compared to receivables of \$22.9M at October 2015. Fluctuations relate to the timing of rates payments which are accrued before the actual payments are due.

Payables

Payables (the amount of money owed to suppliers) of \$27.9M were owed at October 2016 compared to payables of \$31.7M in October 2015. The difference in payables relate to goods and services and capital projects delivered but not yet paid for and timing of the Financial Assistance Grant payments.

Debt

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

Council's Financial Strategy includes provision for additional borrowing in the future and Council will consider borrowing opportunities from time to time to bring forward the completion of capital projects where immediate funding is not available. 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 (LIRS) 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, Shared Path Renewal, Missing Links Construction Program and building refurbishment works for Berkeley Community Centre, Corrimal Library and Community Centre, 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 – Fowlers Road project.

Council has drawn down a further \$5.5M as an additional part of Round Three of the LIRS Program. This amount will also support the West Dapto Access – Fowlers Road project.

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

Assets

The Balance Sheet shows that \$2.5B of assets are controlled and managed by Council for the community as at 28 October 2016. The 2016-17 capital works program includes projects such as the

West Dapto Access strategy, Helensburgh Tip rehabilitation, land acquisitions, civil asset renewals including roads, car parks and buildings and purchase of library books. At the end of October, capital expenditure amounted to \$22.9M

PLANNING AND POLICY IMPACT

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

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

CONCLUSION

The results for October 2016 are positive although generally within expectations over a range of financial indicators. Based on this information it is expected that Council will achieve the forecast annual results with further potential for improvement against budget.

WOLLONGONG CITY COUNCIL				
1 July 2016 to 28 October 2016				
	2016/17 Original Budget \$'000	2016/17 Current Budget \$'000	2016/17 YTD Budget \$'000	2016/17 Actual YTD \$'000
Income Statement				
Income From Continuing Operations				
Revenue:				
Rates and Annual Charges	184,035	184,106	60,528	60,626
User Charges and Fees	33,594	34,545	11,172	11,982
Interest and Investment Revenues	4,253	4,517	1,407	1,801
Other Revenues	10,205	9,756	2,993	2,731
Grants & Contributions provided for Operating Purposes	29,961	30,008	10,578	10,719
Grants & Contributions provided for Capital Purposes	32,947	18,818	4,418	4,020
Other Income:				
Profit/Loss on Disposal of Assets	0	0	0	20
Total Income from Continuing Operations	294,994	281,750	91,096	91,900
Expenses From Continuing Operations				
Employee Costs	117,960	119,283	38,755	37,770
Borrowing Costs	4,131	4,131	1,358	1,360
Materials, Contracts & Other Expenses	89,066	90,959	26,899	24,035
Depreciation, Amortisation + Impairment	64,840	64,840	21,791	21,516
Internal Charges (labour)	(12,352)	(12,914)	(4,246)	(3,957)
Internal Charges (not labour)	(1,566)	(1,560)	(513)	(416)
Total Expenses From Continuing Operations	262,079	264,740	84,044	80,307
Operating Results From Continuing Operations	32,916	17,010	7,052	11,593
Net Operating Result for the Year	32,916	17,010	7,052	11,593
Net Operating Result for the Year before Grants & Contributions provided for Capital Purposes	(31)	(1,808)	2,633	7,572
NET SURPLUS (DEFICIT) [Pre capital] %	11.2%	6.0%	7.7%	12.6%
Funding Statement				
Net Operating Result for the Year	32,916	17,010	7,052	11,593
Add back :				
- Non-cash Operating Transactions	78,451	78,677	26,328	26,044
- Restricted cash used for operations	15,013	16,894	4,864	4,166
- Income transferred to Restricted Cash	(52,489)	(38,690)	(13,589)	(13,643)
- Payment of Accrued Leave Entitlements	(11,943)	(11,943)	(3,926)	(3,955)
Funds Available from Operations	61,948	61,948	20,727	24,205
Advances (made by) / repaid to Council	0	0	0	0
Borrowings repaid	(7,285)	(7,285)	(948)	(929)
Operational Funds Available for Capital Budget	54,663	54,663	19,780	23,276
CAPITAL BUDGET				
Assets Acquired	(101,627)	(100,577)	(22,938)	(22,863)
Contributed Assets	0	0	0	0
Transfers to Restricted Cash	0	(8,100)	(8,100)	(8,100)
Funded From :-				
- Operational Funds	54,663	54,663	19,780	23,276
- Sale of Assets	1,743	1,743	264	407
- Internally Restricted Cash	21,770	19,389	2,195	2,833
- Borrowings	0	5,500	5,500	5,500
- Capital Grants	11,065	12,616	1,362	1,498
- Developer Contributions (Section 94)	6,008	6,129	811	770
- Other Externally Restricted Cash	5,620	5,025	1,398	1,449
- Other Capital Contributions	850	1,105	192	256
TOTAL FUNDS SURPLUS / (DEFICIT)	93	(2,508)	463	5,026

CAPITAL PROJECT REPORT							
as at the period ended 28 October 2016							
ASSET CLASS PROGRAMME	\$'000		\$'000		YTD EXPENDITURE	\$'000	
	CURRENT BUDGET		WORKING BUDGET			VARIATION	
	EXPENDITURE	OTHER FUNDING	EXPENDITURE	OTHER FUNDING		EXPENDITURE	OTHER FUNDING
Roads And Related Assets							
Traffic Facilities	1,900	(1,561)	2,050	(1,561)	531	150	(0)
Public Transport Facilities	271	(20)	271	(20)	9	(0)	0
Roadworks	13,610	(4,315)	13,570	(4,305)	4,121	(40)	10
Bridges, Boardwalks and Jetties	1,939	(100)	1,939	(100)	897	0	(0)
TOTAL Roads And Related Assets	17,720	(5,996)	17,830	(5,986)	5,558	110	10
West Dapto							
West Dapto Infrastructure Expansion	9,296	(8,826)	5,001	(4,531)	641	(4,295)	4,295
TOTAL West Dapto	9,296	(8,826)	5,001	(4,531)	641	(4,295)	4,295
Footpaths And Cycleways							
Footpaths	4,408	(1,650)	4,658	(1,650)	1,700	250	0
Cycle/Shared Paths	7,540	(3,540)	7,290	(3,540)	976	(250)	(0)
Commercial Centre Upgrades - Footpaths and Cyclew	4,115	(1,000)	4,115	(1,000)	1,515	0	0
TOTAL Footpaths And Cycleways	16,063	(6,190)	16,063	(6,190)	4,192	(0)	0
Carparks							
Carpark Construction/Formalising	350	0	350	0	87	0	0
Carpark Reconstruction or Upgrading	1,221	0	1,221	0	565	0	0
TOTAL Carparks	1,571	0	1,571	0	652	0	0
Stormwater And Floodplain Management							
Floodplain Management	2,433	(560)	2,318	(560)	280	(115)	0
Stormwater Management	1,768	(550)	1,883	(550)	127	115	0
Stormwater Treatment Devices	373	(175)	373	(175)	228	(0)	0
TOTAL Stormwater And Floodplain M	4,574	(1,285)	4,574	(1,285)	635	0	0
Buildings							
Cultural Centres (IPAC, Gallery, Townhall)	1,100	0	1,100	0	256	(0)	0
Administration Buildings	1,475	0	1,475	0	247	(0)	0
Community Buildings	11,207	(1,993)	11,207	(1,993)	4,187	0	(0)
Public Facilities (Shelters, Toilets etc.)	2,020	(170)	2,020	(170)	1,064	(0)	(0)
Carbon Abatement	1,000	(1,000)	1,000	(1,000)	29	(0)	0
TOTAL Buildings	16,802	(3,163)	16,802	(3,163)	5,782	(0)	(0)
Commercial Operations							
Tourist Park - Upgrades and Renewal	750	0	750	0	301	(0)	0
Crematorium/Cemetery - Upgrades and Renewal	130	0	160	0	46	30	0
Leisure Centres & RVGC	150	0	150	0	2	0	0
TOTAL Commercial Operations	1,030	0	1,060	0	349	30	0
Parks Gardens And Sportfields							
Play Facilities	1,250	(50)	1,250	(50)	8	0	0
Recreation Facilities	2,225	(413)	2,400	(468)	1,218	175	(55)
Sporting Facilities	971	(455)	1,138	(446)	331	167	9
Lake Illawarra Foreshore	50	0	50	0	13	0	0
TOTAL Parks Gardens And Sportfield	4,496	(918)	4,838	(965)	1,570	342	(46)

CAPITAL PROJECT REPORT							
as at the period ended 28 October 2016							
ASSET CLASS PROGRAMME	\$'000		\$'000		YTD EXPENDITURE	\$'000	
	CURRENT BUDGET		WORKING BUDGET			VARIATION	
	EXPENDITURE	OTHER FUNDING	EXPENDITURE	OTHER FUNDING		EXPENDITURE	OTHER FUNDING
Beaches And Pools							
Beach Facilities	660	0	660	0	53	0	
Rock/Tidal Pools	1,825	(165)	1,880	(165)	664	55	
Treated Water Pools	1,470	(10)	1,399	(10)	400	(71)	
TOTAL Beaches And Pools	3,955	(175)	3,939	(175)	1,118	(16)	
Natural Areas							
Environmental Management Program	0	0	0	0	0	0	
Natural Area Management and Rehabilitation	275	0	275	0	17	0	
TOTAL Natural Areas	275	0	275	0	17	0	
Waste Facilities							
Whytes Gully New Cells	5,790	(5,790)	5,790	(5,790)	1,132	(0)	
Whytes Gully Renewal Works	795	(795)	795	(795)	11	(0)	
Helelsburgh Rehabilitation	4,129	(4,129)	4,129	(4,129)	9	(0)	
TOTAL Waste Facilities	10,714	(10,714)	10,714	(10,714)	1,153	(0)	
Fleet							
Motor Vehicles	1,783	(940)	1,783	(940)	457	0	
TOTAL Fleet	1,783	(940)	1,783	(940)	457	0	
Plant And Equipment							
Portable Equipment (Mowers etc.)	355	(53)	355	(53)	22	(0)	
Mobile Plant (trucks, backhoes etc.)	3,611	(1,361)	3,611	(1,361)	9	(0)	
Fixed Equipment	320	0	320	0	0	(0)	
TOTAL Plant And Equipment	4,286	(1,414)	4,286	(1,414)	31	(0)	
Information Technology							
Information Technology	1,160	0	1,160	0	137	0	
TOTAL Information Technology	1,160	0	1,160	0	137	0	
Library Books							
Library Books	1,193	(66)	1,193	(66)	394	(0)	
TOTAL Library Books	1,193	(66)	1,193	(66)	394	(0)	
Public Art							
Public Art Works	200	0	200	0	35	(0)	
Art Gallery Acquisitions	110	0	110	0	44	(0)	
TOTAL Public Art	310	0	310	0	79	(0)	
Emergency Services							
Emergency Services Plant and Equipment	900	0	900	0	15	(0)	
TOTAL Emergency Services	900	0	900	0	15	(0)	
Land Acquisitions							
Land Acquisitions	2,943	(2,825)	2,993	(2,825)	48	50	
TOTAL Land Acquisitions	2,943	(2,825)	2,993	(2,825)	48	50	
Non-Project Allocations							
Capital Project Contingency	1,227	0	922	0	0	(305)	
Capital Project Plan	280	0	105	0	34	(175)	
TOTAL Non-Project Allocations	1,507	0	1,027	0	34	(480)	
Loans							
West Dapto Loan	0	(2,900)	0	(2,900)	0	0	
LIRS Loan	0	(6,094)	0	(6,094)	0	0	
TOTAL Loans	0	(8,994)	0	(8,994)	0	0	
GRAND TOTAL	100,577	(51,507)	96,319	(47,248)	22,863	(4,259)	4,259

Manager Project Delivery Division
Commentary on October 2016 Capital Budget Report

As at 28th October 2016, year to date expenditure was \$22.9M of the approved capital budget of \$100.6M. This value is in line with the forecast expenditure of \$22.9M 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 decrease of \$ 4.3M in the overall capital budget to \$96.3M.

Program	Major Points of change to Capital Budget
Traffic Facilities	Reallocate budget from Capital Budget Contingency to Traffic Facilities
Road Works	Reallocate budget from Road Works Program to Crematorium/Cemetery Upgrades & Renewal.
West Dapto Infrastructure Expansion	Rephase West Dapto funding to future year
Footpaths	Reallocate budget from Cycle/Share Paths to Footpaths program.
Cycle/Share paths	Reallocate budget from Cycle/Share Paths to Footpaths program.
Floodplain Management	Reallocate budget from Floodplain Management to Stormwater Management program.
Stormwater Management	Reallocate budget from Floodplain Management to Stormwater Management program
Crematorium/Cemetery Upgrades & Renewal	Reallocate budget from Road Works Program to Crematorium/Cemetery Upgrades & Renewal.
Recreation Facilities	Reallocate budget from Capital Project Planning Programming to Recreation Facilities
Sporting Facilities	Reallocate budget from Capital Budget Contingency to Sporting Facilities Reallocate budget from Recreation Facilities to Sporting Facilities
Rock/Tidal Pools	Reallocate budget from Treated Water Pools to Rock/Tidal Pools
Treated Water Pools	Reallocate budget from Treated Water Pools to Rock/Tidal Pools
Land Acquisitions	Reallocate budget from Capital Budget Contingency to Traffic Facilities
Capital Project Contingency	Reallocate budget from Capital Project Planning Programming to Recreation Facilities
Capital Project Plan	Multiple distributions to various capital programs detailed above.

WOLLONGONG CITY COUNCIL			
		Actual 2016/17 \$'000	Actual 2015/16 \$'000
BALANCE SHEET			
		as at 28/10/16	as at 30/06/16
CURRENT ASSETS			
Cash Assets		115,324	112,276
Investment Securities		33,781	31,663
Receivables		23,709	21,280
Inventories		6,027	6,028
Other		6,205	3,207
Assets classified as held for sale		0	0
Total Current Assets		185,046	174,453
NON-CURRENT ASSETS			
Non Current Cash Assets		10,085	10,085
Property, Plant and Equipment		2,266,444	2,265,412
Investment Properties		4,775	4,775
Westpool Equity Contribution		1,310	1,310
Intangible Assets		839	1,042
Total Non-Current Assets		2,283,453	2,282,624
TOTAL ASSETS		2,468,499	2,457,077
CURRENT LIABILITIES			
Current Payables		27,924	33,258
Current Provisions payable < 12 months		16,716	16,998
Current Provisions payable > 12 months		37,858	37,858
Current Interest Bearing Liabilities		7,160	6,690
Total Current Liabilities		89,658	94,804
NON-CURRENT LIABILITIES			
Non Current Interest Bearing Liabilities		38,285	33,940
Non Current Provisions		44,662	44,031
Total Non-Current Liabilities		82,947	77,970
TOTAL LIABILITIES		172,604	172,774
NET ASSETS		2,295,895	2,284,303
EQUITY			
Accumulated Surplus		1,169,322	1,168,876
Asset Revaluation Reserve		985,155	984,780
Restricted Assets		141,417	130,647
TOTAL EQUITY		2,295,895	2,284,303

WOLLONGONG CITY COUNCIL		
CASH FLOW STATEMENT		
as at 28 October 2016		
	YTD Actual 2016/17 \$ '000	Actual 2015/16 \$ '000
CASH FLOWS FROM OPERATING ACTIVITIES		
Receipts:		
Rates & Annual Charges	57,996	174,893
User Charges & Fees	17,671	33,314
Interest & Interest Received	2,139	5,633
Grants & Contributions	15,182	55,323
Other	1,674	22,139
Payments:		
Employee Benefits & On-costs	(36,186)	(100,072)
Materials & Contracts	(15,956)	(56,091)
Borrowing Costs	(452)	(1,547)
Other	(11,802)	(37,388)
Net Cash provided (or used in) Operating Activities	30,266	96,204
CASH FLOWS FROM INVESTING ACTIVITIES		
Receipts:		
Sale of Infrastructure, Property, Plant & Equipment	407	919
Deferred Debtors Receipts	-	-
Payments:		
Purchase of Investments	-	-
Purchase of Investment Property	-	-
Purchase of Infrastructure, Property, Plant & Equipment	(29,986)	(81,467)
Purchase of Interests in Joint Ventures & Associates	-	-
Net Cash provided (or used in) Investing Activities	(29,579)	(80,548)
CASH FLOWS FROM FINANCING ACTIVITIES		
Receipts:		
Proceeds from Borrowings & Advances	5,500	-
Payments:		
Repayment of Borrowings & Advances	(1,021)	(6,369)
Repayment of Finance Lease Liabilities	-	-
Net Cash Flow provided (used in) Financing Activities	4,479	(6,369)
Net Increase/(Decrease) in Cash & Cash Equivalents	5,166	(15,832)
plus: Cash & Cash Equivalents and Investments - beginning of year	154,024	169,856
Cash & Cash Equivalents and Investments - year to date	159,190	154,024

WOLLONGONG CITY COUNCIL		
CASH FLOW STATEMENT		
as at 28 October 2016		
	YTD Actual 2016/17 \$ '000	Actual 2015/16 \$ '000
Total Cash & Cash Equivalents and Investments - year to date	159,190	154,024
Attributable to:		
External Restrictions (refer below)	83,324	75,276
Internal Restrictions (refer below)	58,093	55,377
Unrestricted	17,773	23,371
	159,190	154,024
External Restrictions		
Developer Contributions	17,017	15,370
RMS Contributions	885	222
Specific Purpose Unexpended Grants	5,763	4,655
Special Rates Levy Wollongong Mall	224	132
Special Rates Levy Wollongong City Centre	28	6
Local Infrastructure Renewal Scheme	22,782	18,157
Unexpended Loans	7,280	7,207
Domestic Waste Management	10,033	9,955
Private Subsidies	4,313	3,938
West Dapto Home Deposit Assistance Program	9,889	9,790
Stormwater Management Service Charge	1,441	1,388
West Dapto Home Deposits Issued	85	85
Carbon Price	3,584	4,371
Total External Restrictions	83,324	75,276
Internal Restrictions		
Property Development	4,024	4,121
Property Investment Fund	8,199	8,135
Strategic Projects	26,972	23,883
Future Projects	5,282	5,564
Sports Priority Program	330	497
Car Parking Strategy	1,007	909
MacCabe Park Development	890	841
Darcy Wentworth Park	179	170
Garbage Disposal Facility	9,583	10,008
Telecommunications Revenue	167	155
West Dapto Development Additional Rates	801	527
Southern Phone Natural Areas	418	476
Lake Illawarra Estuary Management Fund	241	91
Total Internal Restrictions	58,093	55,377

ITEM 14 STATEMENT OF INVESTMENTS - OCTOBER 2016

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

Council's average weighted return for October 2016 was 2.41% which was above the benchmark return of 1.72%. The result was primarily due to solid returns received on the term deposits, and the positive marked to market valuation of the Emerald Mortgage Back Securities investments in Council's portfolio. 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 October 2016.

REPORT AUTHORISATIONS

Report of: Brian Jenkins, Manager Finance
Authorised by: Kerry Hunt, Director Corporate and Community Services - Creative, Engaged and Innovative City (Acting)

ATTACHMENTS

- 1 Statement of Investments 28 October 2016
- 2 Investment Income Compared to Budget 2016-17

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 28 October 2016 were \$158,622,955 (Statement of Investments attached) [30 October 2015 \$155,084,648].

During October, Council posted a weighted average return of 2.41% (annualised) compared to the benchmark return of 1.72% (annualised Bloomberg Bank Bill Index). The result was primarily due to solid returns received on the term deposits, and the positive marked to market valuation of the Emerald mortgage back securities investments in Council's portfolio. 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 28 October 2016, year to date interest and investment revenue of \$1,625,613 was recognised compared to the year to date budget of \$1,187,559.

Council's CBA Zero Coupon Bond experienced no change in valuation for October. The valuation methodology used by Laminar (Council's investment consultants) discounts the bond using a margin for a straight four year CBA obligation but also considers the illiquidity premium, this being a restructured deal and there being limited bids on the security. As this bond gradually nears maturity, movements in interest rates and liquidity will have less of an impact on the securities valuation. While there will be short term fluctuations along the way, the investments valuation will gradually increase to its \$4M maturity value. Council's thirteen floating rate notes had a net decrease in value of \$9,455 for October.

Council holds two Mortgaged Backed Securities (MBS) recorded a net increase in value of \$4,934 for October. These investments continue to pay higher than normal variable rates. While the maturity dates are outside Council's control, the investment advisors had previously indicated that capital is not at risk at that stage and recommended a hold strategy due to the illiquid nature of the investment.

The NSW T-Corp Long-Term Growth Facility recorded a decrease in value of \$20,401 in October. The fluctuation is a reflection of the current share market volatility both domestically and internationally.

During the November 2016 RBA meeting, the official cash rate remained unchanged at the record low of 1.50%. The RBA has advised that it would continue to assess the outlook and adjust policy as needed to foster sustainable growth in demand and inflation outcomes consistent with the inflation target over time. The current inflation rate is quite low and below target.

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

PLANNING AND POLICY IMPACT

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

Community Strategic Plan	Delivery Program 2012-17	Annual Plan 2016-17
Strategy	5 Year Action	Annual Deliverables
4.4.5 Finances are managed effectively to ensure long term 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 investments for October 2016 have performed favourably compared to the year to date budget and the portfolio recorded an average weighted return above the annualised Bloomberg Bank Bill Index Benchmark.

WOLLONGONG CITY COUNCIL STATEMENT OF INVESTMENTS 28 October 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+	-	15,592,844	11am	28/10/2016	28/10/2016	1.90%	
NAB General Fund	A-1+	-	1,435,478	11am	28/10/2016	28/10/2016	1.90%	
IMB	A-2	1,000,000	1,000,000	T/Deposit	01/07/2016	31/10/2016	2.70%	
BWest	A1+	1,000,000	1,000,000	T/Deposit	03/02/2016	03/11/2016	2.85%	
CBA	A1+	2,000,000	2,000,000	T/Deposit	23/12/2015	17/11/2016	2.97%	
NAB	A1+	2,000,000	2,000,000	T/Deposit	18/01/2016	18/11/2016	3.01%	
ME	A2	1,000,000	1,000,000	T/Deposit	25/02/2016	21/11/2016	3.00%	
BOQ	A2	2,000,000	2,000,000	T/Deposit	29/09/2016	29/11/2016	2.60%	
NAB	A1+	1,000,000	1,000,000	T/Deposit	29/02/2016	30/11/2016	3.00%	
BWest	A1+	1,000,000	1,000,000	T/Deposit	07/12/2015	06/12/2016	2.90%	
NAB	A1+	1,030,000	1,030,000	T/Deposit	17/12/2015	19/12/2016	3.03%	
BEN	A2	2,000,000	2,000,000	T/Deposit	29/09/2015	22/12/2016	3.05%	
BWest	A1+	2,000,000	2,000,000	T/Deposit	23/12/2015	22/12/2016	3.00%	
BWest	A1+	1,000,000	1,000,000	T/Deposit	04/01/2016	03/01/2017	3.00%	
ME	A2	2,000,000	2,000,000	T/Deposit	17/12/2015	16/01/2017	3.05%	
SUN	A1	2,000,000	2,000,000	T/Deposit	23/12/2015	23/01/2017	3.00%	
WBC	A1+	3,000,000	3,000,000	T/Deposit	31/07/2015	31/01/2017	2.74%	
SUN	A1	2,000,000	2,000,000	T/Deposit	06/06/2016	31/01/2017	3.00%	
BOQ	A2	2,000,000	2,000,000	T/Deposit	04/01/2016	03/02/2017	2.95%	
CBA	A1+	2,000,000	2,000,000	T/Deposit	10/10/2016	07/02/2017	2.59%	
CBA	A1+	1,000,000	1,000,000	T/Deposit	19/09/2016	16/02/2017	2.58%	
BOQ	A2	2,000,000	2,000,000	T/Deposit	29/09/2016	27/02/2017	2.70%	
IMB	A2	2,000,000	2,000,000	T/Deposit	28/08/2015	28/02/2017	2.80%	
NAB	A1+	1,500,000	1,500,000	T/Deposit	31/08/2015	28/02/2017	2.79%	
SUN	A1	2,000,000	2,000,000	T/Deposit	13/07/2016	10/03/2017	2.75%	
BEN	A2	1,000,000	1,000,000	T/Deposit	11/09/2015	13/03/2017	2.90%	
SUN	A1	2,000,000	2,000,000	T/Deposit	29/09/2016	28/03/2017	2.60%	
BOQ	A2	2,000,000	2,000,000	T/Deposit	26/02/2016	29/03/2017	3.00%	
NAB	A1+	1,000,000	1,000,000	T/Deposit	29/02/2016	30/03/2017	2.95%	
ME	A2	1,000,000	1,000,000	T/Deposit	14/09/2016	12/04/2017	2.70%	
CBA	A1+	1,000,000	1,000,000	T/Deposit	23/03/2016	20/04/2017	2.88%	
BWest	A1+	1,000,000	1,000,000	T/Deposit	23/03/2016	21/04/2017	2.85%	
STG	A1+	2,000,000	2,000,000	T/Deposit	23/03/2016	24/04/2017	2.87%	
SUN	A1	1,000,000	1,000,000	T/Deposit	23/03/2016	26/04/2017	2.85%	
ME	A2	2,500,000	2,500,000	T/Deposit	18/02/2016	15/05/2017	3.13%	
STG	A1+	1,500,000	1,500,000	T/Deposit	27/11/2015	25/05/2017	2.81%	
SUN	A1	1,500,000	1,500,000	T/Deposit	27/11/2015	26/05/2017	2.81%	
ME	A2	1,000,000	1,000,000	T/Deposit	23/12/2015	15/06/2017	3.15%	
SUN	A1	1,500,000	1,500,000	T/Deposit	24/05/2016	23/06/2017	2.85%	
STG	A1+	2,000,000	2,000,000	T/Deposit	27/05/2016	26/06/2017	2.70%	
SUN	A1	2,000,000	2,000,000	T/Deposit	29/09/2016	26/06/2017	2.60%	
ME	A2	2,500,000	2,500,000	T/Deposit	22/08/2016	24/07/2017	2.70%	
BEN	A2	1,000,000	1,000,000	T/Deposit	29/09/2016	26/07/2017	2.80%	
BEN	A2	2,000,000	2,000,000	T/Deposit	29/09/2016	26/07/2017	2.90%	
BEN	A2	2,000,000	2,000,000	T/Deposit	31/07/2015	31/07/2017	3.00%	
ANZ	A1+	2,500,000	2,500,000	T/Deposit	06/08/2016	07/08/2017	2.64%	
BOQ	A2	3,000,000	3,000,000	T/Deposit	28/08/2015	28/08/2017	2.80%	
CBA	A1+	2,000,000	2,000,000	T/Deposit	09/08/2016	08/09/2017	2.61%	
BEN	A2	1,000,000	1,000,000	T/Deposit	11/09/2015	11/09/2017	2.95%	
ME	A2	2,000,000	2,000,000	T/Deposit	29/09/2016	29/09/2017	2.65%	
CBA	A1+	2,000,000	2,000,000	T/Deposit	29/09/2016	29/09/2017	2.59%	
ME	A2	1,000,000	1,000,000	T/Deposit	14/09/2016	13/10/2017	2.65%	
STG	A1+	1,000,000	1,000,000	T/Deposit	19/09/2016	19/10/2017	2.58%	
WBC	A1+	2,000,000	2,000,000	T/Deposit	19/10/2016	19/10/2017	2.56%	
BWest	A1+	3,000,000	3,000,000	T/Deposit	29/09/2016	30/10/2017	2.55%	
IMB	A2	3,000,000	3,000,000	T/Deposit	30/09/2016	30/10/2017	2.50%	
SUN	A1	2,000,000	2,000,000	T/Deposit	24/05/2016	24/11/2017	2.85%	
CBA	A1+	2,000,000	2,000,000	T/Deposit	27/05/2016	27/11/2017	2.71%	
BOQ	A2	2,000,000	2,000,000	T/Deposit	29/09/2016	28/12/2017	2.60%	
ME	A2	1,000,000	1,000,000	T/Deposit	14/09/2016	14/03/2018	2.65%	
BOQ	A2	2,000,000	2,000,000	T/Deposit	09/09/2016	10/09/2018	2.65%	
IMB	A2	2,000,000	2,000,000	T/Deposit	12/09/2016	12/09/2018	2.60%	
ME	A2	2,000,000	2,000,000	T/Deposit	14/09/2016	14/09/2018	2.65%	
SUN	A1	2,000,000	2,000,000	T/Deposit	29/09/2016	28/09/2018	2.60%	
Total			124,558,322					

WOLLONGONG CITY COUNCIL
STATEMENT OF INVESTMENTS
28 October 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
Commonwealth Bank Australia zero coupon bond with a \$4M face value	A-1+	2,000,000	3,810,886	BOND	21/01/2008	22/01/2018	
CBA	AA-	1,000,000	1,004,110	FRN	19/10/2015	19/10/2018	2.53%
CUA	BBB+	3,000,000	3,017,730	FRN	01/04/2016	01/04/2019	3.33%
Westpac	AA-	3,000,000	3,038,760	FRN	11/03/2016	10/05/2019	2.77%
Greater Bank Ltd	BBB+	2,000,000	2,016,880	FRN	07/06/2016	07/06/2019	3.32%
Bendigo Bank	A-	1,000,000	1,000,390	FRN	16/09/2015	17/09/2019	2.66%
NAB	AA-	3,000,000	3,005,010	FRN	24/06/2015	03/06/2020	2.52%
Bendigo Bank	A-	2,000,000	2,014,080	FRN	18/08/2015	18/08/2020	2.84%
SUN Corp	AA-	1,500,000	1,512,195	FRN	20/10/2015	20/10/2020	3.00%
NAB	AA-	1,000,000	1,013,070	FRN	05/11/2015	05/11/2020	2.86%
SUN	AA-	2,000,000	2,024,300	FRN	12/04/2016	12/04/2021	3.13%
AMP	A+	2,000,000	2,028,040	FRN	24/05/2016	24/05/2021	3.08%
Westpac	AA-	3,000,000	3,035,850	FRN	03/06/2016	03/06/2021	2.89%
ANZ	AA-	2,000,000	2,023,240	FRN	16/08/2016	16/08/2021	2.88%
EMERALD A Mortgage Backed Security *	AAA	679,163	505,290	M/Bac	17/07/2006	21/08/2022	2.18%
EMERALD B Mortgage Backed Security *	AA	2,000,000	1,259,080	M/Bac	17/07/2006	21/08/2056	2.48%
Total			32,308,911				

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	1,755,720	13/06/2007	-1.15%	-14.97%	4.71%

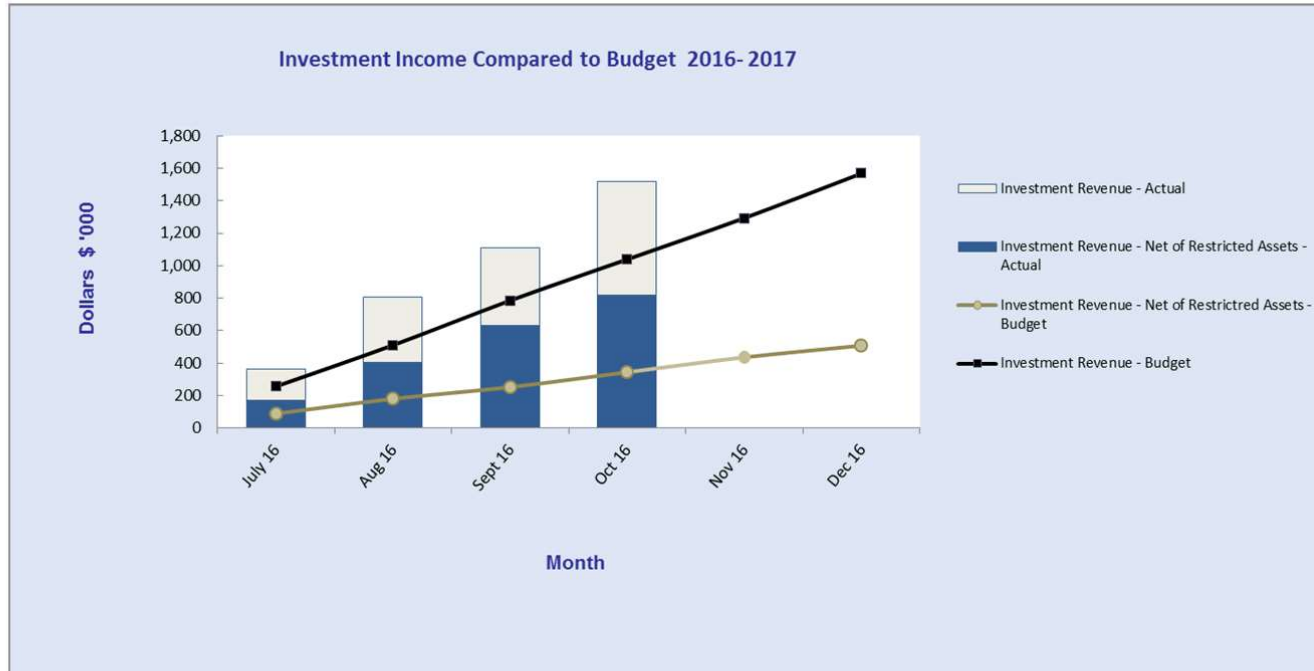
Investment Body	Face Value	Security
Southern Phone Company	2	shares
TOTAL INVESTMENTS	\$ 158,622,955	

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

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

Brian Jenkins

RESPONSIBLE ACCOUNTING OFFICER



ITEM 15

CITY OF WOLLONGONG TRAFFIC COMMITTEE - MINUTES OF MEETING HELD 16 NOVEMBER 2016

A meeting of the City of Wollongong Traffic Committee was held on 16 November 2016.

Items 1 – 5 have been adopted by Council through delegated authority.

Items 6 – 11 of the meeting must be determined by Council and are recommended to Council for approval for the temporary regulation of traffic on public roads for works or events by independent parties.

RECOMMENDATION

In accordance with the powers delegated to Council, the Minutes and recommendations of the City of Wollongong Traffic Committee Meeting held on 16 November 2016 in relation of the Regulation of Traffic be adopted.

REPORT AUTHORISATIONS

Report of: Mike Dowd, Manager Infrastructure Strategy and Planning
Authorised by: Greg Doyle, Director Infrastructure and Works - Connectivity Assets and Liveable City (Acting)

ATTACHMENTS

- 1 Standard Conditions for Road Closures
- 2 Standard Conditions for Street Parties
- 3 Traffic Management Plan - Tower Crane, Church Street Wollongong
- 4 Traffic Management Plan - Christmas Carols, Church Street Wollongong
- 5 Traffic Management Plan - Wollongong Sporting Car Club
- 6 Traffic Management Plan - Crane Lift, Ruddock Street Corrmal

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

REGULATION OF TRAFFIC

6 WOLLONGONG – WARD 2

Church Street – Installation of Tower Crane between Gipps and Edward Streets for building work

Background

A contractor has requested that Council agree to a full road closure of Church Street between Gipps and Edward Streets, to allow the installation of a tower crane at a new development; 28 – 30 Church Street, Wollongong.

The contractor has nominated Thursday 15th December as the date for the tower crane installation with a backup date of Friday 16th December 2016. The road closure will take effect from 7am to 5pm and arrangements have been made to permit access for residents. The closure will involve a relocation of bus route 65 for the duration, and adjustments to the bus zones in Keira Street to accommodate the Smiths Hill High School bus services.

There is a simple diversion in place for through traffic via Edward Street, View Street and Gipps Street (Gipps Street between Church and View Streets is two way.)

PROPOSAL SUPPORTED UNANIMOUSLY

The submitted traffic management plans (Attachment 3) be approved subject to:

- Council's Standard Conditions for Road Closures (Attachment 1)
- The school bus zones in Keira Street being extended by 30 Metres (outside Smith's Hill High School)
- The supply of a traffic controller by the Applicant, to be located at the school bus zones in Keira Street from 7am to 9am and 2pm to 3.30pm

Notification to the bus companies by Applicant to confirm the date of works.

7 WOLLONGONG – WARD 2

Church Street – Christmas Carols in the Mall – 17 December 2016

Background

Council is proposing a road closure for Church Street between Market Street and the Mall, as well as limited traffic movement in Court Lane, to permit a Christmas Carols event to be held in the Church Street part of the Mall. The closure is requested from 4pm to 10pm on Saturday 17 December 2016. The traffic control plans are to be tabled at the meeting.

PROPOSAL SUPPORTED UNANIMOUSLY

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

8 WOLLONGONG – WARD 2

Strathearn Avenue – Christmas Street Party – 24 December 2016

Background

Council has received a request for a road closure of Strathearn Avenue between Lauder Avenue and Union Street for a street party. The closure is requested from 4pm to 12am on Saturday 24 December 2016. The organiser has provided a comprehensive list of signatures from residents affected by the closure. Should access be required, the organisers have agreed to escort vehicles through the closed road as needed. It should be noted that the section of street being closed is south of the Number 24 bus route.

PROPOSAL SUPPORTED UNANIMOUSLY

The road closure be approved subject to Council's Standard Conditions for Street Parties (Attachment 2).

9 DAPTO – WARD 3

Avondale Road – Wollongong Sporting Car Club – Events for 2017

Background

The Wollongong Sporting Car Club has proposed a program of Huntley Hill Climb events for 2017 at the end of Avondale Road as has been approved in previous years. The course and the race program have been approved by the relevant racing authority and permission is currently being sought from the NSW Police. The races take place in the form of a time trial where one vehicle at a time traverses the course. This allows residents to be guided through the road closure as required.

Huntley Hillclimb Motorsport Events for 2017	
Sunday	12 February
Saturday	1 April
Sunday	2 April
Sunday	18 June

Sunday	20 August
Sunday	22 October
Sunday	26 November

PROPOSAL SUPPORTED UNANIMOUSLY

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

10 WOONONA – WARD 1

Royal Crescent – Street Party – 31 December 2016

Background

Subsequent to the meeting, Council has received a request from the community of Royal Crescent who have proposed a road closure between 37 and 45 Royal Crescent to allow a street party to be held on New Year's Eve 2016 for the purpose of fundraising to meet medical costs for a young resident with a chronic illness. The organisers have provided a full list of signatures supporting the event from residents affected by the road closure.

This section of Royal Crescent is opposite Woonona East Public School and there is a simple diversion via Dorrigo Avenue and Robertson Road. The area is also subject to a local 40 kph speed limit and the road closure will have little impact on the street network, for the period of the closure from 4.30pm till Midnight.

PROPOSAL SUPPORTED UNANIMOUSLY

The road closure be approved subject to Council's Standard Conditions for Street Parties (Attachment 2).

11 CORRIMAL – WARD 1

Ruddock Street – Crane Lift – 13, 14 or 15 December 2016 (One day only)

Background

Subsequent to the meeting, Council has received a request from a building contractor who has proposed a road closure of Ruddock Street, Corrimal to permit a crane to lift equipment into an industrial complex at No 20 Ruddock Street. Arrangements have been made to permit residents and other businesses in the area to have access to their properties during the closure.

The T junction of Railway Street and Ruddock Street restricts traffic entering Ruddock Street to left only, due to the proximity of the rail level crossing. The detour available around the closure is specified in the traffic control plans. As crane work is weather dependant, the contractor has proposed one day for the work, being either 13, 14 or 15 December 2016.

PROPOSAL SUPPORTED UNANIMOUSLY

The proposed road closure of Ruddock Street between 7am until 5pm on the chosen date (13, 14 or 15 December 2016) be approved subject to the submitted traffic management plans (Attachment 6) and Council's Standard Conditions for Road Closures (Attachment 1).

PLANNING AND POLICY IMPACT

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

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

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.

Attachment 2 – Standard Conditions for Street Parties – 1 of 2

STANDARD CONDITIONS FOR ROAD CLOSURES FOR STREET PARTIES

- 1 Each road affected by the closure approval shall be restored to full and uninterrupted traffic flow prior to the end of the closure.
- 2 The road shall be cleared sufficiently to allow an emergency vehicle access to a property within the closure area. For this reason, no barbeques, heavy tables or other heavy equipment is to be set up on the road pavement.
- 3 You are required to advertise the road closure in the local newspaper

E.g. Temporary Road Closure – Larkins Lane, Yallah
Date: 18 December 2015
Time: 2 pm – 7 pm
Event: Street Party
- 4 Council will notify emergency services and the Police Service.
- 5 NSW Police Service directions are to be strictly adhered to.
- 6 Council will endeavour to make available to you the following equipment for the closure

Regular Street Equipment Requirements	Cul - De - Sac Street Equipment Requirements
6 Barrier legs	3 Barrier legs
12 Road Barriers	6 Road Barriers
2 Road Closed Signs	1 Road Closed Signs
4 Flashing Lights	2 Flashing Lights

It should be noted that Council does not supply 9 volt batteries for flashing lights, however batteries can be made available for approximately \$3.40 each.

The flashing lights must be fixed to the barriers and operating prior to sunset.

It is your responsibility to collect this equipment from Council's Works Depot Store, Montague Street, North Wollongong, prior to 2.00 pm on the last working day prior to your proposed road closure, and return same on the next working day following the closure. Please ensure you sign a receipt when collecting and returning this equipment.

Equipment, which is returned damaged beyond use or not returned at all, will be replaced at your cost.

A sufficient number of people (at least 2), together with a vehicle suitable for the purpose of transporting the relevant equipment, are to be provided by the organisers for the loading and unloading of this equipment at the Depot.

- 7 You are requested to email Council's Events and Functions Coordinator events@wollongong.nsw.gov.au **two weeks prior to pick-up** to ensure availability of the equipment.
- 8 If Council's Store does not have sufficient equipment to lend, you are to obtain equipment from another source (e.g. hire firm), at your expense.

Attachment 2 – Standard Conditions for Street Parties – 2 of 2

TYPICAL ROAD CLOSURE SET UP FOR STREET PARTIES

