



BUSINESS PAPER

ORDINARY MEETING OF COUNCIL

To be held at 6.00 pm on

Monday 14 March 2016

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

Order of Business

- 1 Acknowledgement of Traditional Owners
- 2 Civic Prayer
- 3 Apologies
- 4 Disclosures of Pecuniary Interest
- 5 Petitions and Presentations
- 6 Confirmation of Minutes – Ordinary Council Meeting 22 February 2016
- 7 Public Access Forum
- 8 Call of the Agenda
- 9 Lord Mayoral Minute
- 10 Urgent Items
- 11 Agenda Items

Members

Lord Mayor –
Councillor Gordon Bradbery OAM (Chair)

Deputy Lord Mayor –
Councillor John Dorahy

Councillor Michelle Blicavs

Councillor David Brown

Councillor Leigh Colacino

Councillor Chris Connor

Councillor Bede Crasnich

Councillor Vicki Curran

Councillor Janice Kershaw

Councillor Ann Martin

Councillor Jill Merrin

Councillor Greg Petty

Councillor George Takacs

QUORUM – 7 MEMBERS TO BE PRESENT

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ITEM 1

REVIEW OF WOLLONGONG DEVELOPMENT CONTROL PLAN 2009 -
CHAPTER C3 BOARDING HOUSES

The Wollongong Development Control Plan 2009 (DCP) came into force on 3 March 2010. Chapter C3 Boarding Houses contains controls relating to the development of boarding houses. Boarding houses are an important component of our housing mix, particularly as a form of affordable rental housing. As part of the review of the DCP, two revised draft Boarding House chapters have been exhibited and deferred. Most recently, on 26 August 2013, Council resolved to defer amendments to the Boarding Houses Chapter pending a briefing. The briefing was held in October 2013 and a further briefing held on 29 February 2016.

It is recommended that Council progress adoption of the updated Wollongong Development Control Plan 2009 Chapter C3 Boarding Houses provided as Option 3 of this report.

RECOMMENDATION

- 1 The Wollongong Development Control Plan 2009 Chapter C3 Boarding Houses (Attachment 1) be adopted.
- 2 Information on Boarding Houses be made available on the Council website along with a link to the Boarding Houses Register managed by NSW Fair Trading.
- 3 A letter be sent to the NSW Department of Planning and Environment regarding discrepancies between legal definitions of boarding houses and request for a clearer outline of what definition is to be enforced.

ATTACHMENT

Wollongong Development Control Plan 2009 Chapter C3 Boarding Houses – for adoption

REPORT AUTHORISATIONS

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

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

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

BACKGROUND

To accompany the Wollongong Local Environmental Plan 2009 (Wollongong LEP 2009), Council prepared and exhibited the draft Wollongong Development Control Plan 2009. On 15 December 2009, Council endorsed the DCP and it came into force on 3 March 2010, after the notification of the Wollongong LEP 2009.

A review of the Wollongong DCP commenced in September 2010. The purpose of this on-going review is to examine how the DCP is operating and to identify any provisions that require amendments, clarification, simplification or correction to align with other state initiatives. The review of the chapters included provision of better guidance as to the intent of the controls and their clear objectives. Initially the review was conducted in stages, with nine chapters being reviewed and updated and a further four chapters and two appendices repealed. A further two chapters for the former Bulli Brickworks site and Brickyard Point (former Headlands Hotel site) have been added to the DCP.

A review of Chapter C3 Boarding Houses was initially included in the Stage 1 review endorsed for exhibition on 27 April 2011 and exhibited from 9 May to 20 June 2011. A submission from Neighbourhood Forum 5 raised concern as to the lack of parking provisions for student accommodation in residential areas as well as concern over “illegal” boarding houses. On 26 July 2011, Council deferred the adoption of the chapter due to changes to the *State Environmental Planning Policy (Affordable Rental Housing) 2009* (Affordable Rental Housing SEPP) which meant that the chapter required further review.

In addition, the *Boarding Houses Act 2012* was introduced in response to long-standing concerns around the condition of some boarding houses and associated risks to the health, safety and well-being of residents.

Following these changes in the State legislative frameworks, the DCP chapter was again reviewed (as part of the Stage 3 DCP review) with the aim of simplifying the requirements in the DCP and ensure no duplication, over complication or conflicts between the legislative layers. The revised draft C3 Boarding Houses chapter included stronger controls around appropriate locations for boarding houses ensuring residents have access, at suitable distances, to services including public transport educational facilities, places of employment and open space. The requirements of boarding house internal layouts were updated in the revised draft DCP to reflect the Affordable Rental Housing SEPP, to ensure consistency and to ensure that the intended purpose of boarding houses (to provide affordable rental housing options) was not compromised by unnecessary increased construction, maintenance or operational costs.

The revised draft chapter was endorsed for exhibition on 13 May 2013 and exhibited between 24 May and 15 July 2013. There were two submissions received from Neighbourhood Forum 5. On 26 August 2013, Council resolved (in part) that:

The DCP amendments for Boarding Houses be deferred pending a briefing to available Councillors on possible alterations.

A Councillor briefing was conducted on 21 October 2013. The briefing provided a summary of local planning controls (provisions of the Wollongong LEP 2009 and the DCP for boarding houses), the Affordable Rental Housing SEPP and background to the review. It highlighted the issues with having two sets of rules for boarding houses and why the DCP Chapter C3 Boarding Houses should be improved to reflect the Affordable Rental Housing SEPP and simplified local requirements. There was discussion around the key issues raised and how they could be resolved if appropriate. The key issues included:

- 'Illegal' boarding houses thought to be related to student housing and submissions wanted to see greater controls of lease arrangements.
- Submissions wanted to see a new definition of boarding houses for the DCP. If this was done by Council, the NSW Standard Instrument LEP (as the key legislative instrument) would overrule any definition changes made and included in the DCP and this was therefore not supported by Council officers.
- Car parking issues, particularly relevant to areas around the University of Wollongong with conflicts between students parking on residential streets. Requirements for boarding house parking are outlined in the Affordable Rental Housing SEPP, as well as the DCP Car Parking chapter.
- Noise issues raised as a problem related to boarding houses.
- Boarding houses within 150m proximity with another boarding house.
- Adjoining landowners to boarding houses to have access to contact details.
- Issues with language that's not prescriptive enough such as 'should', 'generally' and 'walking distance' when undefined.
- 24 hour contact person requirements for boarding houses (also a requirement under the *Boarding Houses Act 2012* through the boarding houses register).

The further review of the DCP chapter was deferred due to higher priority planning projects.

On 24 August 2015, Council endorsed the Gwynneville Keiraville Implementation Plan which included the following actions related to student accommodation:

- 2.5.1 Review legislative requirements around a range of student living scenarios, including:
 - Definition of housing converted for multiple student tenancy;
 - Investigations / learnings from other Councils;
 - Permissibility of multiple student tenancies for single homes.
- 2.5.3 Lobby for State Government changes and undertake community awareness and education with regard to Boarding House legislation. Investigate legislative

scope of influence of WCC LEP and DCP with regard to boarding house location, design, and definition.

On 5 November and 10 December 2015 Council officers met with representatives of Neighbourhood Forum 5 to discuss their concerns on boarding houses.

A further Councillor briefing on the revised draft DCP chapter was held on 29 February 2016.

Legislative Context

At a State level, the *State Environmental Planning Policy (Affordable Rental Housing) 2009* and the *Boarding Houses Act 2012* are the key legislation affecting Boarding Houses. At the local level, the Wollongong LEP 2009 is the key planning instrument and is supported by the Wollongong DCP 2009 which provides guidance to the application of the Wollongong LEP 2009.

State Environmental Planning Policy (Affordable Rental Housing) 2009

The intent of the Affordable Rental Housing SEPP is to increase the supply and diversity of affordable rental and social housing in NSW. The SEPP was introduced in 2009 and although there have been a number of subsequent amendments the intent has remained around provision of affordable housing for vulnerable and disadvantaged people.

The SEPP permits Boarding Houses within the following zones:

- B1 Neighbourhood Centre;
- B2 Local Centre;
- B4 Mixed Use;
- R1 General Residential;
- R2 Low Density Residential (within 400m of B2 Local Centre or B4 Mixed Use);
- R3 Medium Density Residential; and
- R4 High Density Residential.

The SEPP includes standards around landscaping, solar access, private open space, parking and accommodation size as well as maintaining existing controls around density and scale enforced under the LEP such as the maximum floor space ratio and building height. Notably it includes controls to take into account character of local area and restrictions to any strata subdivision or community title subdivision of a boarding house.

NSW Boarding Houses Act 2012

The *Boarding Houses Act 2012* (*the Act 2012*) was introduced as a whole-of-government response to concerns around safety and conditions of people living in boarding houses. In addition to establishing responsibilities to Government organisations (including Council), the aims of the Act include:

- 1 to establish a framework for registering 'General' boarding houses and 'Assisted' boarding houses;
- 2 to provide occupancy rights to residents of boarding houses;
- 3 to ensure that assisted boarding houses meet certain specific standards; and
- 4 to promote the sustainability of boarding houses.

The legislation provides the framework for Council's regulatory role and joint administration from NSW Fair Trading to maintaining the Boarding Houses Register which is publicly available and searchable as well as the NSW Department of Family and Community Services – Ageing Disability and Home Care.

Under the Act 2012, a '*General*' boarding house is a boarding premise accommodating five or more fee-paying, unrelated boarders. An '*Assisted*' boarding house is a boarding premises accommodating two or more people with 'additional needs' as defined by the Act 2012, residents who appear frail, or have intellectual or psychiatric disabilities, and who might require, or are being provided with, daily support services from the owner or manager. Assisted boarding houses have strict regulations applying, administered by NSW Department of Family and Community Services.

Wollongong Local Environmental Plan 2009

Boarding houses are defined by the NSW Standard Instrument LEP and in the Wollongong LEP 2009 as:

'boarding house' means a building that:

- (a) is wholly or partly let in lodgings, and
- (b) provides lodgers with a principal place of residence for 3 months or more, and
- (c) may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and
- (d) has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers,

but does not include backpackers' accommodation, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.

The Wollongong LEP 2009 permits with consent Boarding Houses in the following zones:

- B1 Neighbourhood Centre;
- B2 Local Centre;
- B3 Commercial Core;
- B4 Mixed Use;
- R1 General Residential;

- R2 Low Density Residential;
- R3 Medium Density Residential; and
- R4 High Density Residential.

This means in addition to the zoned areas permitted under the Affordable Rental Housing SEPP, the Wollongong LEP 2009 also permits boarding houses in the B3 Commercial Core zone and areas of R2 Low Density Residential zones that are further than 400m away from B2 Local Centres and B4 Mixed Use zones.

Although it doesn't seem obvious, the differences in definitions of a boarding house between the Act 2012 and the Standard Instrument LEP have created some grey areas when it comes to regulation and enforcement of permissible boarding houses. For example, there could be a 'boarding premises' that is a 'boarding house' under the LEP but is not a registerable boarding house because it doesn't have 5 or more unrelated, fee-paying boarders or lodgers which means it does not meet the definition for registration. The definition lacks any scale and in reality, could apply to many housing circumstances. Further to this, both definitions rely on a lodger, boarder and tenant being clearly distinguishable and this is not always the case. In addition, although a distinct character is implied, nowhere is it defined and raises an interesting legal parody. It is on this basis, it is recommended Council correspond with the NSW Department of Planning and Environment around the challenges these definitions (and missing definitions) raise.

PROPOSAL

Boarding Houses are an important component of our housing mix, particularly relevant as a key form of affordable rental housing. Boarding houses provide important low cost rental alternatives for lower income groups.

Wollongong's Boarding Houses Context

According to the Boarding Houses Register administered by NSW Fair Trading under *the Act 2012* (see below for more information), there are currently 25 listed 'General' boarding houses in our LGA and no 'Assisted' boarding houses. These houses service a wide range of people in the community and appear to be concentrated around lower socio-economic areas (featured in *Dropping off the Edge, 2015*). Suburbs with the highest number of registered boarding houses are Wollongong (11), Port Kembla (seven) and Cringila (four) - see Figure 1 below.

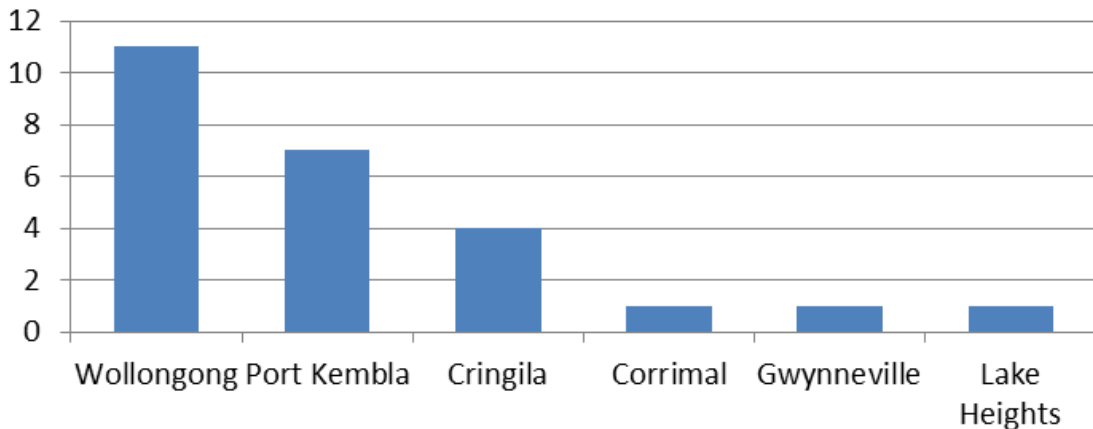


Figure 1: Registered Boarding Houses

The listed 'General' boarding houses in our LGA provide important low cost rental alternatives for lower income groups.

Regulation and Enforcement

Currently Council's regulation and enforcement of *the Act 2012* is implemented based on prompts from Development Application approval or through a complaint driven process in accordance with Council's Enforcement Policy and registrations on the Boarding Houses Register (managed by NSW Fair Trading). It is understood that boarding houses are seldom complained about when operating and there have been no recent complaints around noise. Council officers have advised there to be fewer than 20 investigations around boarding houses over the past year. Although there are triggers for inspections, boarding houses are typically inspected on a reactionary basis. Should there be any further increased need to audit and inspect potentially illegal boarding houses across parts of the LGA, there would be need to explore further resourcing.

Wider Research Context

The Dropping off the Edge 2015: A report following studies into disadvantage across Australia, broken down into States and Territories has identified three suburbs within the Wollongong LGA in the top 40 disadvantaged suburbs in NSW. *The Dropping off the Edge* report considered 21 socio-economic indicators for 621 NSW suburbs, identifying Berkley, Port Kembla and Warrawong falling well within the top 40 or top 5% of the most disadvantaged. The study also considered the historical context of this ranking with similar measures made in previous studies from 2007 and 1999 which had very similar results with consistency in the top 10% of disadvantaged places identified. This report is significant in that it highlights the challenges faced by the LGA and highlights the complex range of social determinants that influence the wellbeing of our residents. These results were built from a range of data sources including ABS census and State departmental data. They reflect similar results demonstrated through the ABS data results for the Wollongong City SEIFA Index of Disadvantage measures of the relative level of socio-economic disadvantage. More recent ABS figures show that 28.9% of

Wollongong LGAs residents have household incomes below \$600 gross weekly, compared with the NSW average of 24.2% and Australian average of 23.7% (ABS census data, 2011). This is considered to be below the low income tax threshold for an individual, let alone a household (2.5 people on average (ATO, 2015)).

Wollongong City Housing Studies: The Wollongong City Housing Study was adopted in 2005 and used to inform the development of the Wollongong LEP 2009 and the DCP 2009. The study included a section on low cost rental alternatives including boarding houses which listed some of the now registered houses in our LGA and pointing out they were of high demand. The preparation of a new housing study has commenced to update Council information and understanding of trends in our LGA, expanding on the strategic direction needed to service a growing and ageing population. While the review of the DCP – Boarding Houses is more specific in application than the housing study, it links back to Council's housing study and overarching strategies to provide housing diversity on a broader level. As a key form of affordable housing under the Affordable Rental Housing SEPP outlined below, the DCP needs to provide guidance to assist in delivering diverse and spatially appropriate developments on behalf of the community.

Understanding the proportion of vulnerable or disadvantaged population within the LGA highlights the role affordable rental housing, such as boarding houses, play in our community. Despite the critical role of boarding houses, it is also rather contentious and often faces strong community opposition (*Shanahan Planning, 2011*). However controversial, it is necessary for Council to ensure the right controls are introduced/maintained to ensure availability, safety and liveability is promoted.

Character of Local Area

Boarding houses which fall under the Affordable Rental Housing SEPP regulations are required to consider social context by means of consideration into character of the local area. Currently, Division 3, Clause 30A of the Affordable Rental Housing SEPP states:

Character of Local Area

A Consent Authority must not consent to development to which this division applies unless it has taken into consideration whether the design of the development is compatible with the character of the local area.

There have been a number of NSW Councils adopting Social Impact Assessment (SIA) requirements or similar as part of the development control requirements for boarding houses and in support of implementing this clause of the Affordable Rental Housing SEPP in outlying areas of their LGA. The SIAs are used as a means to demonstrate the impacts a proposed development may have on the existing social environment. There is a range to what this constitutes between different Councils. For example, Randwick Council requires an acoustic report prepared by a qualified acoustic consultant for new developments or modifications that would increase resident numbers. Ryde City Council requires a Local Area Character Statement to be submitted with a development application for a boarding house and set out guidelines for this as a Schedule to their DCP.

The DCP can include a statement such as this to ensure boarding houses that fall under the assessment of the LEP and DCP are considered in the same way as under the Affordable Rental Housing SEPP.

During internal consultation, concerns were raised around how social and physical impacts are understood and justifying boarding house developments (see next section). However, a requirement to provide a formal SIA would increase additional costs to the applicants. It is not the intent of Council to increase the cost and potentially risk the feasibility of a boarding house. Furthermore, as boarding houses are one type of residential development options amongst others, it would not be prudent for Council to introduce formal SIA requirements that have significant financial consequences without doing so to other forms of residential development. This is not to say social impact studies would not provide benefits and better understanding of social impacts. By considering local character and streetscapes the DCP could introduce these more social and physical elemental considerations by adding requirements around demonstrating a boarding house conforms with surrounding character. A suggested solution to this is to include a clause in **Option 3** adding a requirement for a Statement of Justification. This statement would provide means for both promoting the proposed development's benefits to the community as well as prompting considerations around local area character in line with the Affordable Rental Housing SEPP and the wider local government trends.

Management Plans

Feedback from previous development assessments highlighted that our current requirements for a Boarding House Management Plan are an important component of Council assessment of boarding houses. However, current requirements do not provide enough direction and structure. This has resulted in the submission of poor management plans with varied provision of additional information. Currently the management plan is required to provide the following information:

- a) The 24 hour contact details of the manager / caretaker (including phone number and mobile phone number) (can be provided at Occupation Certificate stage);
- b) Proposed staffing arrangements during the daytime and at night time;
- c) Proposed measures to ameliorate any potential noise or amenity impacts within the building and upon the surrounding locality;
- d) Proposed safety and security measures to be employed within the boarding house including prominent display boards within the building of emergency telephone numbers and other essential telephone numbers; and
- e) Proposed management practices to prevent the use of outdoor common open space areas between 10.00pm and 7.00 am.

Other Councils have overcome this issue by providing a simple but directive template for management plans as an appendix to the DCP. This option would ensure that applicants provide Council with adequate information about how the boarding house would operate to ensure amenity is maintained for the area in which the house is

situated. It also acts to prompt applicants to think through and plan for the operational phase of the boarding house once the construction is complete. A Boarding House Management Plan Template is included as Schedule 1 to Chapter C3 Boarding Houses and forms part of this reports recommendations.

CONSULTATION AND COMMUNICATION

The draft DCP Chapter C3 Boarding Houses was initially exhibited from 9 May to 20 June 2011 and one submission from Neighbourhood Forum 5 was received. The revised draft DCP chapter was exhibited from 24 May to 15 July 2013 and two submissions were received - one from Neighbourhood Forum 5 and one from a resident.

In context of the long history the Boarding Houses DCP chapter review has had and the last exhibition's submissions, selective consultation was conducted with Neighbourhood Forum 5 on 4 November 2015. The forum presented a new series of recommendations for Council to consider.

All recommendations made by Neighbourhood Forum 5 have been considered and comments are presented in the following table.

| NF5 recommendation | Comment |
|--|---|
| 1 Take into account changes in legislation. | The revisions made are in line with current legislative requirements and to reduce any additional requirements beyond these. References to the Boarding Houses Act 2012 and the ARHSEPP are made and paraphrasing removed to reduce any repetition and reduce risk of revision triggered by changes to state legislation. |
| 2 Only require consent for Boarding Houses needing registration. | The <i>Boarding Houses Act 2012</i> outlines what constitutes a registerable boarding house. The LEP and the SEPP definitions outline what a 'boarding house' is from a land use perspective. These are not identical definitions. A preferred approach would be to write to the NSW Department of Planning and Environment to request a review into a suitable solution as well as to raise the discrepancies around share housing forms. This can be done with the preference that definitions better align with the Boarding Houses Act 2012 and are enforceable. |
| 3 Include advice on definition like that from Ryde Council. | We will consider the best way to include more information on our website discussing boarding houses and a link to the registers and other relevant information as well as links to planning documents and Councils enforcement policy. These actions are included in the recommendation. |
| 4 Require parking and other factors to the SEPP standards. | Our car parking provisions refer back to DCP chapter E3 – Car Parking, Access, Servicing/ Loading Facilities and Traffic Management. The requirements that exist are very |

| NF5 recommendation | Comment |
|--|---|
| | <p>similar to those requirements in the Affordable Rental Housing SEPP. Bearing in mind the application of the chapter to areas outside accessible areas* of R2 Low Density Residential zoned land under the Affordable Rental Housing SEPP, the Chapter E3 requirement for boarding houses is as follows:</p> <p><i>City Wide: 0.5 car parking space per staff plus 1 car parking space per 5 beds.</i></p> <p>The Affordable Rental Housing SEPP requirements are as follows:</p> <p><i>In the case of development not in an accessible area* – at least 0.4 parking spaces are provided for each boarding room.</i></p> <p>The main difference between the requirements is introduced by the term “bed” from the DCP or “room” from the Affordable Rental Housing SEPP.</p> <p>If the boarding house assessed under the DCP has 2 beds per room (at 0.2 parking spaces per bed) as is permitted, the requirements are the same as the per room rates (0.4 parking spaces) from Affordable Rental Housing SEPP.</p> |
| <p>5 Restrict locations to 400 metres walking distance from a Neighbourhood Centre, railway station, a hospital or a University academic facility.</p> | <p>This would be more restrictive than the Affordable Rental Housing SEPP. It is not Wollongong City Council’s intent to further restrict the development of boarding houses in our LGA.</p> <p>The Affordable Rental Housing SEPP includes land within the R2 Low Density Residential zone in accessible areas* or within 400 metres walking distance of land within the B2 Local Centre zone or B4 Mixed Use zone.</p> |
| <p>6 Require conformity to multi-dwelling standards for new purpose built accommodation.</p> | <p>The standards for multi dwellings may not always be appropriate for boarding houses. For example, shared facilities are a key characteristic of a boarding house. This is not a standard for multi dwelling housing.</p> <p>This was clarified as referring to build form in the meeting held on the 10 December, 2015.</p> |
| <p>7 Provide advice about public access to the Register of Boarding Houses.</p> | <p>We aim to provide this information on our website and intend to include a link to where you can access the register managed by NSW Fair Trading</p> <p>http://parkspr.fairtrading.nsw.gov.au/BoardingHouse.aspx</p> |
| <p>8 Provide advice about public access to the 24 hour contact details.</p> | <p>Specific contact details are not made publicly available. <i>The Boarding Houses Act 2012</i> legislates the level of information to be made publicly available.</p> <p>The public are able to submit a request under the <i>Government Information (Public Access) Act 2009</i> to obtain further information from NSW Fair Trading, for the details</p> |

| NF5 recommendation | Comment |
|---|--|
| | managed under the boarding houses register. |
| 9 Provide advice about what represents an acceptable streetscape. | <p><i>“Character of the local area”</i> is the exact terms used in the Affordable Rental Housing SEPP, (character is also used in other sections of the DCP).</p> <p>Street scape as a term has been used in other parts of the DCP also and is defined in Appendix 4 of the DCP. This has been included in the DCP.</p> <p>This inclusion has been put forward as part of Option 3 of the Council report of the draft DCP C3 Boarding Houses amendment as part of the requirements for a statement of justification.</p> |

- * Accessible area (defined in the Affordable Rental Housing SEPP) means land that is within:
- (a) 800 metres walking distance of a public entrance to a railway station or a wharf from which a Sydney Ferries ferry service operates, or
 - (b) 400 metres walking distance of a public entrance to a light rail station or, in the case of a light rail station with no entrance, 400 metres walking distance of a platform of the light rail station, or
 - (c) 400 metres walking distance of a bus stop used by a regular bus service (within the meaning of the Passenger Transport Act 1990) that has at least one bus per hour servicing the bus stop between 06.00 and 21.00 each day Monday to Friday (both days inclusive) and between 8.00 and 18.00 on each Saturday and Sunday.

Internal consultation has also occurred with officers from the Development Assessment and Certification, Regulation and Enforcement and Community Cultural and Economic Divisions. The issues raised have been included (in summary) in the following table.

| Issue raised | Comment |
|---|---|
| Need to be more prescriptive with the management plan as there are currently wide ranges in quality of plans submitted. | A template management plan has been proposed with Option 3 . |
| Need to cover parking requirements for boarding houses. Car parking clauses do not provide enough spaces for | <p>Dot points addressing car parking and cross referencing the DCP general controls to be consistent, <i>Chapter E3 Car Parking, Access, Services/Loading Facilities and traffic Management</i> are included in section 4.1.3 <i>General Boarding House Controls</i> of both Option 2 and Option 3. This was intended to maintain consistency with the DCP's overall style.</p> <p>The DCP requires the same provision as the Affordable Rental Housing SEPP. Long term goals for Council</p> |

| Issue raised | Comment |
|---|---|
| boarding house residents. | include promotion of mode shift away from vehicles. Facilitating more cars will not encourage a shift needed particularly in accessible areas. |
| Will always need to include a fire safety section. | Fire safety has been included in all options. The conditions currently existing have been carried through in both Option 2 revision and Option 3 revision. |
| Parts of the table from the existing DCP chapter could be retained. | Parts were retained as dot points in section 4.1.3 <i>General Boarding House Controls</i> . |
| Complaints and noise issues with regulation have not really been an issue. Boarding houses do not generate a large number of complaints. | Noted. Option 3 also provides a section to prompt applicants to propose how they will manage complaints in the Complaints Handling section of <i>Schedule 1 – Boarding Houses Management Plan Template</i> . |
| Retaining info from SEPP - not all boarding houses are assessed under the Affordable Housing SEPP, and if all of the controls are stripped out, then we have nothing to use in those instances. | This advice is noted and all key standards covered in the Affordable Rental Housing SEPP are included in revised DCP of Option 3 . The stripping back relates to references of the SEPP contents no longer necessary with the DCP correlating closely to the clauses. This also means alterations to the SEPP will not necessarily trigger a full review of the DCP for Council. |
| Consider if Social Impact Assessments are necessary and appropriate as a required part of the DA application. | Following discussions around what can be done to promote the inclusion of social impacts, a clause requiring a statement of justification was added as part of Option 3 to 4.1.3 <i>General Boarding House Controls</i> . |
| Setbacks – Chapter B1 requires single story within the 8m rear setback in R2 zones. Chapter C3 Boarding Houses have 6m rear setback. | <p>Clause 3.2 (4) of Chapter C3 Boarding Houses states: <i>“Rear boundary setback shall be 6 meters”</i>. Clause 4.1.2 (4) of B1 Residential development states: <i>“In R2 Low Density Residential zones, where development occurs within the 8m rear setback the development is limited to single storey, so as to not adversely impact on the amenity of the adjoining property.”</i></p> <p>The wording of the Boarding Houses chapter has been changed to 8m for consistency.</p> |
| Communal living areas should be sited to minimise impacts on adjoining properties. The DCP could have something to reflect this. | <p>Clause has been added to reflect this issue in Option 3 Draft DCP Chapter stating:</p> <p><i>12. Communal living rooms should be appropriately located to minimise impacts on adjoining properties.</i></p> |

OPTIONS

There are a number of options available to progress the DCP review of Chapter C3 Boarding Houses.

Option 1 Continue with current DCP Chapter C3 Boarding Houses.

This option would see no changes and continuation with no changes made to the DCP. Considering the work done with this chapter to date, this is not a preferred option.

Option 2 Adopt the revised draft DCP Chapter C3 exhibited in 2013.

The last reviewed and exhibited DCP chapter be adopted following the previous post exhibition report and briefing session. Further consultation and improvements have been made since this time and therefore this option is not preferred.

Option 3 Adopt a modified C3 Boarding House chapter having regard to submissions received during the previous exhibition. *RECOMMENDED.*

Make minor amendments based on recommendations from internal consultation with Council officers and submissions from Neighbourhood Forum 5. Part of this option would be to develop an information page on the Council website along with a link to the Boarding House Register Managed by NSW Fair Trading.

Council officers recommend correspondence with the NSW Department of Planning and Environment regarding discrepancies between legal definitions of boarding houses and request for a clearer outline of what definition is to be enforced.

This option recommends adopting most of the changes previously exhibited around simplifying the DCP chapter and removing duplication of the Affordable Rental Housing SEPP, Australian Standards and the Building Code of Australia. Additional amendments to Chapter C3 proposed in this option (Attachment 1) include:

- An additional clause to reflect the Affordable Rental Housing SEPP prohibiting the subdivision of a boarding house.
- An additional clause to promote appropriate placement of communal areas to minimise impacts to adjoining properties.
- Additional wording under 3.2 *Setbacks* to align rear setbacks with DCP chapter B1 Residential Development.
- Requirement of a statement of justification that includes the boarding house objectives, characteristics and additional social parameters that justify the development. The purpose of the inclusion of this clause is to encourage the developer to justify and promote the role of the proposed development to the community.
- Some additional requirements in Boarding House Management Plans and a template Management Plan in the DCP. The main purpose to these additions is to ensure all vital issues are covered in a Management Plan submitted for boarding

house applications. The template Management Plan would then be submitted as a requirement for all boarding houses to improve and standardise Boarding House Management Plans.

PLANNING AND POLICY IMPACT

This report contributes to the Wollongong 2022 objective *Residents are able to have their say through increased engagement opportunities and take an active role in decisions that affect our city* under Community Goal – we are a connected and engaged community.

It also contributes to the objectives within Wollongong 2022 community goal *No.5 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 2014-2015 as part of the review of Wollongong Development Control Plan.

CONCLUSION

On 26 August 2013, Council resolved to defer amendments to the Boarding Houses Chapter pending a briefing. The briefing was held in October 2013 and a further briefing held on 29 February 2015. Boarding Houses are an important component of our housing mix particularly relevant as a key form of affordable rental housing that falls under the Affordable Rental Housing SEPP. The DCP needs to provide guidance to assist in the delivery of diverse and spatially appropriate housing developments on behalf of the community.

It is recommended that Council progress with the actions proposed in Option 3 with adoption of the updated DCP Chapter C3 Boarding Houses including Schedule 1 Boarding House Management Plan Template and to provide more information on our website with links to the FACS Boarding House Register. These actions work towards demystifying boarding houses in our LGA, community education around provision of housing mixture as well as providing a more robust framework for assessment of Development Applications.

ITEM 2

EXPANDED DESIGN REVIEW PANEL - STATE ENVIRONMENTAL PLANNING POLICY NO. 65 - DESIGN QUALITY OF RESIDENTIAL APARTMENT DEVELOPMENT

It is proposed to expand Council's Design Review Panel (DRP) to apply to new apartment buildings and new mixed commercial/residential development across the LGA. The current DRP process only applies to 'key sites' and buildings greater than 35 metres in height, primarily within the Wollongong City Centre. An expanded DRP, implemented in accordance with the recently amended State Environmental Planning Policy No 65 - *Design Quality of Residential Apartment Development* (SEPP 65), will ensure community expectations for the design quality of all apartments and commercial development across the LGA are achieved. This will also ensure clarity and consistency to design assessment and reduce the risk of costly delays for applicants.

RECOMMENDATION

- 1 Council endorse the expansion of the current Design Review Panel to comply with SEPP 65 (State Environmental Planning Policy No 65 - *Design Quality of Residential Apartment Development*).
- 2 The fee structure for the expanded Design Review Panel service be included and exhibited as part of 2016/17 Fees and Charges.
- 3 A review of the expanded Design Review Panel service be undertaken after 18 months.

ATTACHMENT

Memorandum of Understanding (MOU) for Panel Members

REPORT AUTHORISATIONS

Report of: Mark Riordan, Manager Development Assessment and Certification
Authorised by: Andrew Carfield, Director Planning and Environment – Future, City and Neighbourhoods

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

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

BACKGROUND

Council has utilised a DRP of various forms since 2004, however the Panel is currently only applicable to a limited range of development categories/sites in the Wollongong City Centre, as required under the Wollongong Local Environmental Plan 2009 (WLEP 2009). So, with the exception of several recent large proposals in the City Centre all

other apartment development across the LGA has been excluded from requiring DRP consideration. This is not consistent with other parts of NSW (particularly the Sydney Metro region) experiencing significant apartment growth.

The State Government, via the recently amended SEPP 65, is seeking to encourage Councils to apply a DRP, in accordance with SEPP 65, to all new apartment/commercial development (ie 3 storey and 4 or more units) in order to raise the standard of design quality across NSW. This is particularly relevant to a growing regional city such as Wollongong.

Whilst no definitive list is available of the Councils currently applying a SEPP 65 compliant DRP across NSW (some panels are established outside SEPP 65), it is widely understood that most Sydney metro Councils, and those experiencing apartment growth, apply a DRP as part of their development assessment process. This is also clear from the feedback provided by independent assessment panel members, IHAP and JRPP, with these panel members also recommending that Wollongong City Council expand the use of DRP.

The limited application of DRP in Wollongong has led to a number of applications being deferred by IHAP and JRPP on design concerns, which has in-turn frustrated applicants, adding time and cost to the assessment process.

SEPP 65 was amended on 19 June 2015 and commenced on 17 July 2015. It now allows councils to appoint DRP's under delegation from the Minister for Planning issued on 12 June 2015. The delegation requires that the appointment of a DRP must be consistent with clause 23 of the SEPP and Council must advise the Minister in writing of the DRP membership, this may be done by the General Manager. The functions of DRP's are outlined under clause 27 of the SEPP. Clauses 21 - 23 deal with appointments and clauses 24 – 26A deal with operations.

A number of NSW Councils also operate DRP's that assess development types outside of SEPP 65, such as townhouse, villa or boarding house proposals. It should be noted that the controls contained within the Apartment Design Guide (ADG), applied under SEPP 65, do not specifically address these other forms of development. Nevertheless the DRP, in these cases, will apply the design principles identified within the ADG to these other forms of development, in addition to local Development Control Plans. Whilst there is merit in this approach it is not recommended that Wollongong follow this model at this point in time, but instead proceed to implement a DRP that is consistent with the current SEPP 65. The possibility of further expanding the types of development considered by the Panel may be considered as part of a future review.

PROPOSAL

To address the risks associated with limited expert design review early in the development assessment process, it is proposed to expand the current role of the DRP and to establish it under the provisions of SEPP 65. As a result all new apartment and commercial development identified under SEPP 65 (see threshold triggers below) will be reviewed by an independent panel of architects/landscape architects (Design Review

Panel), against the Apartment Design Guide. The DRP recommendations will form an integral part of part of Council's development assessment process.

Triggers

The triggers for referral to the DRP under the SEPP are:

residential flat building, shop top housing or mixed use development with a residential accommodation component if:

- (a) the development consists of any of the following:
 - (i) the erection of a new building,
 - (ii) the substantial redevelopment or the substantial refurbishment of an existing building,
 - (iii) the conversion of an existing building, and
- (b) the building concerned is at least 3 or more storeys (not including levels below ground level (existing) or levels that are less than 1.2 metres above ground level (existing) that provide for car parking), and
- (c) the building concerned contains at least 4 or more dwellings.

WLEP has additional triggers under clause 7.18 (5) being:

- (a) development in respect of a building that is, or will be, greater than 35 metres in height,
- (b) development having a capital value of more than \$1,000,000 on a key site,
- (c) development for which the applicant has chosen to have such a review.

Establishment of Design Review Panel (DRP)

SEPP 65 calls up the Apartment Design Guide (ADG) which provides planning and design standards for apartment development across the State. Part 5 of the ADG explains the role of DRP's in the development assessment process and outlines administrative procedures and provides templates for the operation of a DRP. It is used to administer DRP's at all relevant stages of the development process.

Under this Guide, each DRP must consist of at least three (3) persons with expertise in architecture, landscape architecture or urban design. Councillors, council officers or council employees cannot be appointed as DRP members.

Steps to establish a DRP:

- Council resolves to establish a DRP.
- Seek expressions of interest from suitably qualified professionals.
- Assess the expressions of interest against the core selection criteria (contained in Part 5) and any other additional criteria established to address local issues.

- Appoint members for a term of at least 2 years.
- Determine and confirm all terms of the appointment, including remuneration details for each member.

It is proposed to establish an Memorandum of Understanding (similar to IHAP) for the DRP members as outlined at Attachment 1.

18 Month Review

Following 18 months of operation the expanded DRP will be reviewed. This review will consider DRP impacts on development outcomes and timing. The review will also consider options to expand the DRP function to capture other forms of development impacting urban design. The 18 month review will seek input and feedback from the community and the development industry.

CONSULTATION AND COMMUNICATION

The Executive Management Committee reviewed a report on the matter at its meeting of 15 December 2015 and resolved:

- 1 To endorse the preparation of a report to Council to expand the existing Design Review Panel (DRP) to enable it to review a wider range of apartment/commercial development, and to constitute the DRP in accordance with State Environmental Planning Policy 65 (SEPP 65).
- 2 To include options for development thresholds.
- 3 Development Assessment and Certification establish a fee structure for the expanded Design Review Panel to facilitate cost recovery for this service.
- 4 A report be prepared for consideration by Council.

This report is consistent with the above recommendations.

Finance and Environment Strategy and Planning have been consulted with no objections raised. The proposed fees have been incorporated into the Draft Annual Plan and attachments 2016-17 to be reported to Council. The proposal is consistent with *Wollongong Public Spaces Public Life 2014* and Housing Strategy.

The proposal is consistent with IHAP and JRPP recommendations.

Given the specialist nature of the service, a formal consultation period is considered unnecessary and unlikely to add value at this point. However, this should form part of the 18 month review following implementation of the expanded service.

The proposed fees for the DRP will need to be exhibited as part of Council's upcoming 2016/17 Fees and Charges review.

PLANNING AND POLICY IMPACT

This report relates to the commitments of Council as contained within the Strategic Management Plans: Wollongong 2022 Community Goal and Objective – This report contributes to the Annual Plan 2015-16 Objective 1.6.3. Annual Deliverable: Administer Design Review Panel in relation to key sites or significant development.

FINANCIAL IMPLICATIONS

To address the increased costs of administering the DRP, it is proposed that the recurrent DRP operating budget be increased from \$20,000 to \$50,000. However, this will be off-set by increased income (fees) totalling \$40,000 to \$50,000 depending on rate of development activity. The Environmental Planning and Assessment Regulation 2000 provides for a maximum fee of \$3,000 for SEPP 65 Design Review.

Based on development application numbers it's estimated that 15-22 new proposals will be referred to the DRP annually, comprised of general SEPP 65 proposals plus those lodged on key sites within Wollongong City Centre, or as required under the WLEP 2009. An additional 5-10 supplementary referrals are likely to be generated as applications are amended following the initial DRP meetings or undertake pre-lodgement meetings.

It is proposed to remunerate the panel members at the following rates:

- \$1,760 for the chair; and
- \$1,430 for each of the two other members;

totalling \$4,620 per meeting (These rates are consistent with those used for the IHAP). Due to the anticipated number of applications and to achieve economies of scale, it is proposed to hold monthly meetings (11), averaging two (2) applications per meeting. Based on these figures the meetings would cost Council \$50,820 per year.

To cover the cost of the service it is proposed to charge the following fees which are comparable to other LGAs:

- Development under SEPP65 - \$2,300 per meeting.
- Development under WLEP 2009 (required by clause 7.18) - \$2800 per meeting.
- Other development proposals - \$1,900 per meeting.

CONCLUSION

The establishment of an expanded SEPP 65 compliant DRP will ensure good design outcomes for new apartment/commercial development across the LGA, in line with State planning initiatives. New apartments provide a significant proportion of the housing growth in the LGA, contributing to housing choice and affordability.

An expanded DRP service will lead to improved Development Application processing, providing clarity and consistency to design assessment, and reducing the risk of costly amendments following review by IHAP or JRPP. The DRP will align with services provided by other large LGAs experiencing high rates of apartment growth, and be consistent with JRPP and IHAP recommendations. The service has been structured with the aim of being cost neutral to Council.

REF: CM33/16 File: PP-2014/13

ITEM 3

DRAFT PLANNING PROPOSAL REQUEST FOR DWELLING
ENTITLEMENTS AT LOT 1 DP 977471 DENMARK STREET,
WOMBARRA AND 335 LAWRENCE HARGRAVE DRIVE, CLIFTON

On 30 November 2015, Council received an application requesting the preparation of a draft Planning Proposal (or Proposals) to allow for the permission of a dwelling on two lots being Lot 1 Denmark Street, Wombarra and 335 Lawrence Hargrave Drive, Clifton.

The report presents the assessments of reports and supporting material submitted against key site specific considerations and Council's strategic directions. It is recommended that Council resolves not to support the requests for the preparation of a draft planning proposal to amend the Wollongong Local Environmental Plan 2009.

RECOMMENDATION

The proponent be advised that Council does not support the request to prepare a draft Planning Proposal(s) to amend the Wollongong Local Environmental Plan 2009 to permit a dwelling house at either Lot 1 DP 977471 Denmark Street, Wombarra or 335 Lawrence Hargrave Drive, Clifton.

ATTACHMENTS

- 1 Clifton site map
- 2 Wombarra site map
- 3 Excerpt from Wollongong Coastal Zone Study's landslide Susceptibility Mapping classification
- 4 Illawarra Escarpment Strategic Management Plan - Assessment for Wombarra site
- 5 Letter from Elton detailing conservation outcome options for Wombarra site

REPORT AUTHORISATIONS

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

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

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

BACKGROUND

In November 2014, a draft Planning Proposal request was submitted by Elton consulting on behalf of the landowners of 335 Lawrence Hargrave Drive, Clifton (Lot 8 DP 2281) and Lot 1 Denmark Street, Wombarra (Lot 1 DP 977471). Council officers responded to the request with a letter outlining the shortcomings of the Planning Proposal request.

Additional information was submitted on 22 October and 30 November 2015 to support the application for Council's consideration. Both sites are currently zoned E3 Environmental Management. The minimum lot size is 39.99 ha for the Wombarra site and 999m² for the Clifton site. Although a dwelling house is a permitted use with development consent in the E3 Environmental Management zone, the lots do not meet the lot size requirement and subsequently do not have entitlement for a dwelling house.



Figure 1: Site locations (except from Elton Concept Planning Proposal)

Clifton site (Lot 8 DP 2281) 335 Lawrence Hargrave Drive

This site (see Figure 1 and Attachment 1) is located south of the Sea Cliff Bridge, located on the eastern side of Lawrence Hargrave Drive, Clifton, adjacent to a 70m high cliff running along the coastline and has an area of 425m². The site is vacant and has no development history. Nearby Lot 1 DP1173706, three lots to the south (45m from south block boundary) and Lot 4 Section 1 DP 2281, three lots to the north (30m) have been developed with dwelling houses.

Adjacent lots to the north (Lots 5, 6 and 7) of the subject site are in Council ownership and zoned RE1 Public Recreation. South of the subject site, Lot 9 is Council owned, Lot 10 is in private ownership, and both lots are zoned E3 Environmental Management. These lots are all vacant of any development.

The current local planning controls implemented through the Wollongong Local Environmental Plan 2009 are:

- Zoned E3 Environmental Management;
- Minimum lot size of 999m²;
- Maximum building height of 9 metres;
- Floor space ratio 0.3:1;
- Not affected by Acid Sulfate soils or riparian land; and
- Foreshore building line restrictions apply.

The following reports were submitted to support the request:

- Zoning Comparison Table;
- Detail Survey;
- Dwelling House Concept Design;
- Geotechnical Assessment;
- Bushfire Protection Assessment; and
- Services locations.

Wombarra site (Lot 1 DP 977471) Denmark Street

This site (see Figure 1 and Attachment 2) is located south west of Denmark Street, Wombarra, west of Lawrence Hargrave Drive, on the foothills of the Illawarra Escarpment. The site has an area of 3.846ha with 193.7m of road frontage to Denmark Street. The site is well vegetated and has no dwelling or permanent structure on site.

The adjoining lot to the east and south zoned E3 Environmental Management is 20 meters wide between the subject site and the south west rail corridor. The adjoining lot to the west is zoned E3 Environmental Management on 4.45ha and has a dwelling located along Morrison Avenue, Wombarra. To the north a dwelling is located at 19 Denmark Street, Wombarra occupying a 6,567 m² lot.

The current local planning controls implemented through the Wollongong Local Environmental Plan 2009 are:

- Zoned E3 Environmental Management;
- Minimum lot size of 39.99ha;
- Maximum building height of 9 metres;
- No Floor space ratio restrictions;
- Not affected by Acid Sulfate soils or Foreshore building line maps; and
- A riparian corridor is identified to be traversing the site from west to east on the Riparian Land Map.

The following reports were submitted to support the request:

- Zoning Comparison Table;
- Detail Survey;
- Dwelling House Concept Design;
- Geotechnical Assessment;
- Bushfire Protection Assessment;
- Services locations;
- Arborist Report; and
- Flora and Fauna Assessment.

Council Officer Response

The Planning Proposal request was first responded to on 8 April 2015. The responding letter included the outcomes of the internal consultation process. In summary, there were concerns relating to both sites. The proponent was advised that the Wombarra site would unlikely to be able to be supported and the Clifton site had potential however there were numerous issues identified and more information required. The letter outlined the issues for each site summarised as follows:

335 Lawrence Hargraves Drive Clifton

- *Direct* and indirect impacts on ecology of adjacent property Lot 7317 Crown DP 1165768;
- *SEPP 71* and specific potential impacts relating to Clause 8 of the policy;
- *Clause 7.7* of the *Wollongong Local Environmental Plan 2009* (LEP 2009);
- *Environmental Planning and Assessment Act 1979*, Section 5 and 5A;
- *Environment Protection and Biodiversity Conservation Act 1999*;
- Need for a flora and fauna survey and assessment to determine the presence or absence of state or federally listed threatened or endangered ecological communities and relevance to the above mentioned Acts;
- Coastal Geotechnical risk – requirement for site remediation for any feasibility of residential development – further information required from geotechnical report;
- Demonstrate slope and stability risks are reduced to an acceptable level for the establishment of a potential building envelope; and
- Direct and indirect impacts on the village of Clifton in terms of visual connections. Visual impact assessment needed under requirements of the Illawarra Escarpment Strategic Management Plan 2015.

Lot 1 Denmark Street, Wombarra

- Ecological values of the site are of key concern as site is significantly vegetated without a clear area capable of accommodating a dwelling house;

- Site is attributed to form part of the Escarpment core containing a complete and continuous patch of Escarpment Blackbutt forest;
- Ecological values recognised as Natural Resource Sensitivity – Biodiversity in the LEP 2009;
- Identified as part of the Escarpment Moist Forrest Corridor in Illawarra Biodiversity Strategy 2011 and the Illawarra Regional Plan;
- Identified as of primary (highest) conservation significance in Bioregional Assessment Study part 3 (NPWS 2002);
- Considered to contain habitat for several threatened species;
- Mostly undisturbed and weed free;
- Building envelope inconstantly reported and would need to be clarified;
- Tree removal also inconstantly reported between documents submitted and would need clarification including requirements of an Asset Protection Zone (APZ). Unclear exact numbers of trees to be disturbed including consideration of indicative garage location;
- Planning Proposals within the Escarpment required to demonstrate no clearing of native vegetation for dwellings and APZs under Illawarra Escarpment Strategic Management Plan 2015;
- Effluent management – no information around services of a pump out system (considered the most appropriate option). No details of septic tank location, collection plan, and suitable access. No site and soil assessment submitted to support any alternative to this option;
- Conservation outcomes – no detail provided around how the proposal will contribute to the improved environmental outcomes through any permanent, legally binding mechanism;
- Riparian corridors and uncategorised flood risk associated with a category 1 watercourse which requires a 50m total riparian zone width. This would affect much of the proposed building envelop and APZ;
- Entire lot considered to be located in an area of landslip affectation;
- Disturbance of vegetation may impact land stability and increase erosion risk in prolonged rainfall events due to slope of site; and
- Following the Planning Proposal process if it were to be supported and successful, a Development Application for the proposed dwelling would still also be inconsistent with the LEP 2009 clauses 7.2 Natural Resource Sensitivity – biodiversity, 7.4 Riparian Lands, 7.8 Illawarra Escarpment Area.

Subsequent to Council's response, three Council officers met the applicants' consulting representatives on site to discuss the key issues articulated in Council's correspondence. Council officers raised concerns around development of the site and ability to uphold or improve environmental outcomes in line with the Illawarra Escarpment Strategic Management Plan 2015 amongst the other issues outlined above.

On 22 October 2015, the applicants advised they would be proceeding with the proposal for both sites and submitted additional information comprising:

Clifton Site

- Summary of key issues and response;
- Development plans;
- Structural design;
- Geotechnical assessment;
- Flora survey and vegetation assessment;
- BASIX certificate and plans;
- NATHERS certificate;
- Visual Impact assessment; and
- Letter of support from neighbouring property (two lots down in private ownership).

Wombarra Site

- Summary of key issues and response;
- Development plans;
- Foundation structure design;
- Geotechnical assessment;
- Flora and fauna assessment;
- Site and soil investigation;
- Arborist report;
- Consideration of site conservation outcomes;
- BASIX certificate and plans;
- NATHERS certificate;
- Concept stormwater plan;
- Drainage calculations; and
- Construction notes.

It is noted that when Council officers first responded to the request for draft Planning Proposal (8 April 2015), the *Illawarra Escarpment Management Plan 2015* was in draft form. The requirements outlined in the document set out criteria for assessment of planning proposals for both sites. This has not been submitted with the application; however Council officers have considered the assessment criteria and included it in Attachment 3.

PROPOSAL

The information submitted in entirety (both the initial submission November 2014 and information supplied to November 2015) has been considered for this application.

The revised request for draft Planning Proposal seeks to amend the Wollongong LEP 2009 by amending *Schedule 1 Additional permitted uses* to include:

Use of certain land at Denmark Street, Wombarra

- (1) This clause applies to land at Denmark Street, Wombarra, being Lot 1, DP 977471.
- (2) Development for the purposes of a dwelling house is permitted with consent.

Use of certain land at Lawrence Hargrave Drive, Clifton

- (1) This clause applies to land at 335 Lawrence Hargrave Drive, Clifton, being Lot 8, DP 2281.
- (2) Development for the purposes of a dwelling house is permitted with consent.

The purpose of the draft Planning Proposal request is to gain permissibility for the development of dwelling houses on Lot 1 DP 977471 in Wombarra and Lot 8 DP 2281 in Clifton. The proposal to amend the Wollongong LEP 2009 would allow the proponents to develop a dwelling house on each lot with development consent despite the minimum lot size requirements.

There are other options to facilitate establishing a dwelling house on the subject sites from a planning perspective. The proposal could work to change the zones from E3 Environmental Management to E4 Environmental Living which would allow for the smaller lot size and a dwelling house would be permissible with consent. Along with a zone change, this option would require a change to the minimum lot size controls for both sites. The smallest minimum lot size in Clifton and Scarborough is 549m² and the smallest minimum lot size in Wombarra's urban area, east of the train line is 449m². The Clifton site (425m²) would require changes to the minimum lot size map for new controls allowing development on a site with minimum lot size of 400m². This would be inconsistent with all lots appearing on the same lot size map from the Wollongong LEP 2009 (sheet LSZ_022). The Wombarra site (~3.846ha) would require changes to the minimum lot size map for new controls allowing development on a site with a minimum lot size of below 1.99ha or less also inconsistent with surrounding lots and as a lot size class, not currently applied to any lots in the area.

In the revised submission, the proponent indicated they would be open to each site being considered as a separate matter going forward should Council only support one site. The key planning and environmental constraints are summarised below.

KEY CONSIDERATIONS

Regional Strategic Planning for both sites

Illawarra Shoalhaven Regional Plan 2015

The Plan is a 20 year plan to be used to guide the regions sustainable growth. The Plan integrates economic, social and environmental considerations in the interest of achieving ecologically sustainable development for the region, outlining key goals and actions against them over the short, medium and longer term:

- 1 The Plan identifies certain centres appropriate for further growth; and
- 2 Clifton or Wombarra are not identified as centres appropriate for additional dwellings through higher densities (relevant to permitting a dwelling with a lot that would not meet minimum lot size) or appropriate zoning.

Actions from the Regional Plan relevant to the proposals are shown in the table below.

| Direction | Action | Comment |
|---|--|---|
| 2.2 Support housing opportunities close to existing services, jobs and infrastructure in the region's centres. | 2.2.1 Investigate the policies, plans and investments that would support greater housing diversity in centres. | Inconsistent - proposal would not add to supply of housing diversity in centres. |
| 2.5 Monitor the delivery of housing to match supply with demand. | 2.5.1 Monitor land and housing supply through the Illawarra Urban Development. | Inconsistent – proposal would not contribute to additional land and housing supply. |
| 5.1 Protect the regions environmental value by focusing development in locations with the capacity to absorb development. | 5.5.1 Avoid, minimise and mitigate the impact of development on significant environmental assets. | Inconsistent – proposal does not avoid, minimise or mitigate urban development impacts. |
| | 5.5.3 Protect the regions biodiversity corridors in local planning controls. | Inconsistent – proposal attempts to change controls in place to protect. |
| | 5.1.4 Create a consistent approach to protect important riparian areas in planning and development controls. | Not applicable. |

CLIFTON SITE

The proposed amendment to the Wollongong LEP 2009 at Clifton would allow for the development of a dwelling house (indicative plans were provided with the submission). The proposal aims to establish a dwelling house toward the road frontage of 335 Lawrence Hargrave Drive, Clifton.

Specific regional policies

SEPP 71 – Coastal Protection, NSW Coastal Policy 1997, Coastal Management Bill 2015 and Proposed Coastal Management SEPP

SEPP 71 Coastal Protection applies matters for consideration specifically stating:

The matters for consideration set out in clause 8:

- (a) *should be taken into account by a council, when it prepares a draft local environmental plan that applies to land to which this Policy applies.*

Matters relevant to this proposal are considered in the following table as outlined in Clause 8 of SEPP 71.

| Matters for Consideration | Comment |
|---|---|
| <p>(a) the aims of this Policy set out in clause 2:</p> <ul style="list-style-type: none"> (i) <i>to protect and conserve rock platforms;</i> (k) <i>to ensure that type, bulk, scale and size of development is appropriate for the location and protects and improves the natural scenic quality of the surrounding area; and</i> (l) <i>encourage a strategic approach to coastal management.</i> | <p>Noted. Current proposed provisions for drainage would not be consistent with aims of SEPP.</p> <p>Local strategic approach was set with the Wollongong LEP 2009. In particular with E3 Environmental Management zoning and Minimum Lot Size controls for the area in which the site is located to minimize future risks.</p> |
| <p>(d) the sustainability of development given its type, location and design and its relationship with the surrounding area.</p> | <p>Consistent.</p> |
| <p>(g) measures to conserve animals (within the meanings of the Threatened Species Conservation Act 1995) and plants (within the meaning of that Act), and their habitats.</p> | <p>Consistent. The Flora and Vegetation Assessment determined no littoral rainforest patches of vegetation present on the cliff edge or cliff line at the eastern end of the subject lot.</p> |
| <p>(i) existing wildlife corridors and the impact of development on these corridors.</p> | <p>Consistent.</p> |

| Matters for Consideration | Comment |
|--|--|
| (o) only in cases in which a council prepares a draft local environmental plan that applies to land to which this policy applies, the means to encourage compact towns and cities. | The proposal is considered to be inconsistent with the notion of compact towns and cities as it would extend the boundary of Clifton's residential development footprint and would not enhance densities of the residentially zoned areas. |

The SEPP 71 Coastal Protection also concerns the sites proposed effluent disposal as it must be as part of a reticulated system to comply and stormwater where *“that the development will, or is likely to, discharge untreated stormwater into the sea.”* (Clause 16).

Following the State Government Coastal Reforms stage 2, a Coastal Management Bill and proposed Coastal Management SEPP were on exhibition from 13 November 2015 – 29 February 2016. These reforms will be applicable to the subject site, replacing the current SEPP 71 with a more thorough effort to integrate coastal management. Council on 22 February 2016 endorsed a submission on the draft legislation.

Included in the exhibition material was the Explanation of Intended Effect, the proposed Coastal Management SEPP. Amongst the changes, the SEPP is still likely to have similar precautions referring back to the provisions in the standard instrument LEP, clause 5.5. However, amongst other key changes, the proposed Coastal Management Act will define four coastal management areas (as against the current coastal zone stretching 1km inland with a coastal sensitivity area of 100m). According to the Explanation of Intended Effect, the Coastal Management SEPP will include mapping of these four areas. The subject site is likely to be considered in Coastal Management Area 2: Coastal Vulnerability Area which will have its own specific requirements for management. Currently, mapping of this management area is being undertaken by Office of Environment and Heritage based on the latest scientific data and available technologies and is yet to be released for public exhibition.

Local Planning and zone objectives

Wollongong Local Environmental Plan 2009

The proposal is to retain the current zoning E3 Environmental Management for the establishment of a dwelling house on the subject site. A dwelling house is permitted with consent in the E3 Environmental Management zone. The objectives of the zone are:

- To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.
- To provide for a limited range of development that does not have an adverse effect on those values.

In terms of other development controls relevant to the subject site, the proposal could comply with all applicable conditions with the exception of minimum lot size of 999m²

given the site has an area of 425m². Additionally, the current indicative plan provided would not comply with Maximum Building Height of 9 metres, however this would be assessed in detail during the development assessment process should this request be supported.

The site is affected by the Foreshore Building Line mapped in the Foreshore Building Line map of the LEP 2009. This means provisions in clause 7.7 of the LEP apply to the lot. Pertinent is the objective where it states:

“The objective of this clause is to ensure that development in the foreshore area will not impact on natural foreshore processes or affect the significance and amenity of the area”.

It could be argued that as dewatering and improved drainage along the foot of the lot and towards the cliff line as proposed in the geotechnical reports could impact on the long term natural foreshore processes. This matter would need to be considered in further detail during a development application should this proposal for a dwelling on the Clifton site be supported.

Wollongong Coastal Zone Study 2010

The Wollongong Coastal Zone Study included a series of site inspections of the study area, detailed studies of the coastal and geotechnical processes affecting the study area and targeted stakeholder consultation in order to gain a clear understanding of the coastal processes and coastal hazards to inform a detailed risk assessment.

As part of the Wollongong Coastal Zone Study, a Geotechnical Hazard Assessment was conducted and forms an appendix to the overall report. The Geotechnical Hazard Assessment was to identify areas of the LGA that are susceptible to coastal processes and inform the establishment of a Coastal Influenced Geotechnical Hazard Zone. Utilising a range of data, the assessment also identified areas susceptible to landslide based on geology, soil and other physical characteristics. In the hazard assessment, the Clifton site is in the Landslide Susceptibility mapping categorised as high (>8% affected) (see Attachment 3).

Site Geotechnical Studies

Cliff stability, slope and slide are considered high risk within the coastal influenced geotechnical hazard zone. The 2010 Coastal Zone Hazard Study identified the site to have high landslide susceptibility classification in the more regional scaled study.

Two geotechnical studies were submitted for Lot 8 DP 2281, 335 Lawrence Hargrave Drive, Clifton. The first Geotechnical study was conducted by JK Geotechnics on 31 March 2014. The report concluded:

“risk analysis has shown that the site and the proposed development can achieve an ‘Acceptable Risk’ provided that the recommendations given in Section 6 below are adopted. These recommendations form an integral part of the Landslide Risk Management Process... The site is quite complex and is located with an area where there has been and most likely will continue to be some active soil movement....

even with sound engineer designed footing systems there is still some risk that soil movements will induce cracking or other unfavourable movements within structures. Flexible construction techniques where some movement of the structure can be tolerated without excessive distress to the structure are recommended.

Comments from Council staff review included:

- The adjoining Lots 5, 6, 7 and 9 were acquired many years ago by Council due to on-going significant slope instability and the belief that these lots were unable to be developed as a consequence.
- Site remediation is needed to reduce the risk to an acceptable level for residential development.
- Any development would require additional geotechnical advice followed by close liaison between the geotechnical consultant and the architectural and structural designers, that is: any current perceived stability is at best tenuous.
- The whole site is not suitable for development, JK have delineated two lines across the site. Line 1 which is the desirable eastern limit for development and Line 2 the absolute eastern limit for development.
- They have also modelled the site for drained conditions and the factor of safety increases to 2.5 which would be acceptable for some limited development concepts.
- Some limited forms of residential development may be feasible on this site once remedial works have demonstrated that the risk of slope instability has been reduced to an acceptable level.
- Provided these constraints are highlighted then there is no objection to the proposed rezoning of this site.

A second Geotechnical report by JK Geotechnics was submitted to Council with additional information in November 2015 provided a review of all site geotechnical studies and assessment of construction Proposal Plans 22 September 2015. Council staff have reviewed and provided the following comments:

- Report acknowledged that the site was found to be affected by “slip No.3” and reported on in Department of Main Roads (DMR) geotechnical report 1985. The study found that the slip 3 was a transitional or regressive slide which occurs as material is eroded from the tow of the slope at the edge or the cliff face. (This slip was also identified in JK Geotechnics 2014 report as a hazard with possible likelihood, minor consequence to property (1-10% damage cost) and very low final risk).
- Considering the previous study that identified the site is located in an existing slip (DMR 1985), Council staff do not agree the risk level for “Hazard E” is **Very Low**. According to Council’s risk matrix and Appendix C of Practice note for Landslide

Risk Management 2007, and section 14 of the report, if likelihood is Possible and consequence is Minor, the Final Risk level should be **Moderate**.

- Section 11.4 of Practice note for Landslide Risk Management 2007 (LRM), Coastal Cliffs advises “*LRM reports on coastal cliffs should include consideration of the existing slope profile, evidence of past instability, geology, defects, ground water, degradation cycles, and degradation rates and possible effects of wave attack, wave run-up and sea spray. The cliff areas should be examined from the face side as well as from the land side.*”
- Assumption made (section 16) that Lawrence Hargrave Drive is cut into bedrock are not believed to be based on any evidence as further movement has occurred within the road pavement.
- Provided the development includes drained conditions as recommended, some limited form of residential development is technically feasible on the site.
- It appears that drainage works to reduce landslide risk and facilitate the proposed development (in particular the recommended herring bone drains see Figure 2) would need to be constructed on land east of the subject site Lot 8 DP 2281 from the proposed dwelling to the cliff edge. This would also mean construction of drains in the “coastal foreshore area” triggering clause 5.5 in the LEP 2009. It seems that the drainage works would not be entirely within the site boundaries (see Figure 2 from JK Geotechnics report recommendations).

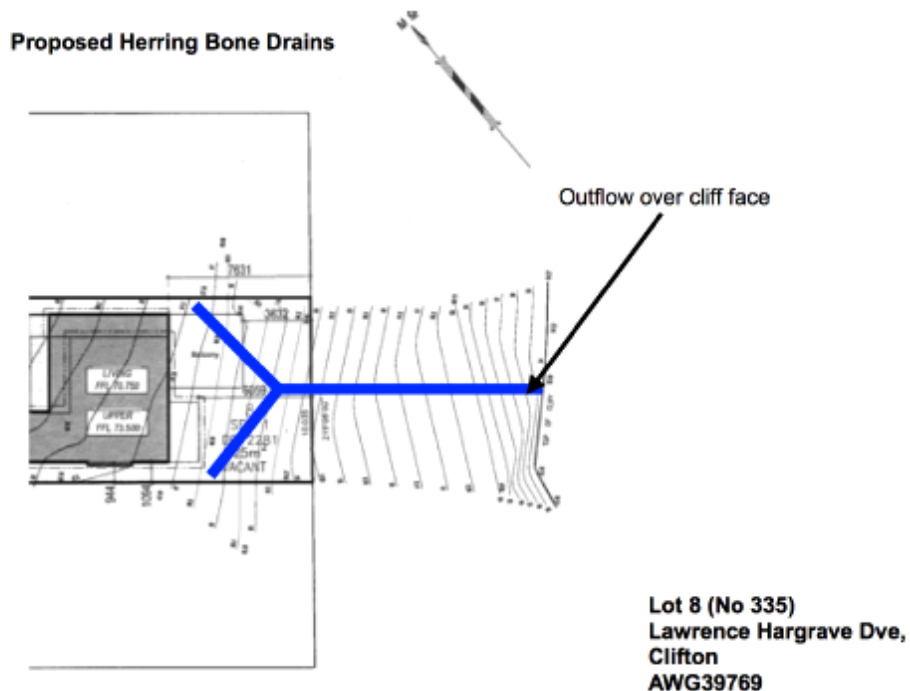


Figure 2: Proposed Clifton Site Drainage

- The Foreshore Building Line was mentioned but conditions this brings were not considered in the assessment (natural foreshore process, in particular the coastal processes) beyond identifying that the “Coastal Foreshore Area” is an arbitrary line drawn 10 metres from the cliff edge.
- It is also unknown if anything has changed from the building plans provided to geotechnical consultants for review (according to report were dated 22 September 2015) and the plans submitted to Council (dated 6 October 2015).

From a geotechnical perspective some limited form of residential development is technically feasible for this site and on this basis no objection was raised. However, we must consider risk in allowing a residential development to occur in the location. This is particularly pertinent considering Wollongong Council's position following *on-going significant slope instability* (Geotechnical review note) historically and its location as a known landslide area (Dekho mapping constraints layer based on Council records and Coastal Zone Study).

Biodiversity Conservation

Flora Survey and Vegetation Assessment prepared by Ecoplanning 14 June 2015 were submitted to Council with additional information in November 2015. The assessment considered the presence of Threatened Ecological Community, Littoral Rainforest on the subject site and adjoining lot.

Council staff reviewed and provided the following comments:

The Flora Survey and Vegetation Assessment states: *“No patches of Littoral Rainforest and Vine Thickets of Eastern Australia, as described under the EPBC Act 1999 occur on the subject site (Lot 8), or on the cliffline below the subject site or adjacent Lots”*.

There was no further consideration of the potential for direct and indirect impacts (such as changes to hydrology) on the Threatened Species Conservation and Environment Protection and Biodiversity Conservation Act listed Threatened Ecological Community Littoral Rainforest during the proposed construction and occupation of a future dwelling.

The report considered SEPP 71 – Coastal Protection with respect to matters of biodiversity. Other factors covered by SEPP 71 outside of biodiversity considerations were expanded upon in previous section *“Specific regional policies”* and below.

Council's Environmental officers have concluded they have no objection to the Planning Proposal to permit the establishment of a dwelling house on the subject lot on environmental grounds. A future dwelling on the subject lot would not be expected to have an adverse effect on the limited ecological values of the subject lot, or the native vegetation occurring on Lot 7317 Crown DP 1165768 located beyond the south eastern boundary of the subject lot.

Bushfire

Accompanying the application, a Bushfire Protection Assessment for the site was prepared by Eco Logical on 29 October 2014. The report concluded that as the land is

considered to be “infill” residential development, (meaning for this purpose that the site is accessible, and does not require extension of public roads, electricity or water supply) the proposed new dwelling can achieve all acceptable solutions required in ‘Planning for Bushfire Protection 2006’. There are no objections to the proposal on bushfire grounds.

Services and infrastructure

As mentioned above, the site is currently accessible by public roads. There are water and electricity lines running along Lawrence Hargrave Drive. The proposal did not include details regarding plans for sewerage disposal or details around plans for effluent systems. The proponent was advised that a pump out effluent system should be considered given the location. No further details were provided by the proponent to this means.

Drainage is a particularly important consideration for this site given the substrate soils, location adjacent to landforms such as a coastal cliff line and rock platform and their relationship to specific coastal processes. Clause 16 of SEPP 71 states:

The consent authority must not grant consent to a development application to carry out development on land to which this Policy applies if the consent authority is of the opinion that the development will, or is likely to, discharge untreated stormwater into the sea, a beach, or an estuary, a coastal lake, a coastal creek or other similar body of water, or onto a rock platform.

Local planning provisions relating to drainage support the above policy in Clause 5.5 of the LEP 2009:

(c) the proposed development will not discharge untreated stormwater into the sea, or any beach, estuary, coastal lake, coastal creek or other similar body of water, or a rock platform.

Given the above information, if the proposal for a dwelling was to be supported, alternative provisions to what is proposed in plans submitted around the recommendation of herringbone drainage systems may need to be considered. They would result in construction of subsurface pipes laid on bedrock in a herring bone pattern from the proposed balcony location to outflow over cliff face, recommended in the Geotechnical Report. There was no further sign of these in the plans provided (this may be further developed at DA stage). However, the issues around drainage disposal over the edge of the cliff remain, from both a Crown Lands perspective, impacts (direct and indirect) to natural coastal processes and protecting the rock platform below as well as disregard to the LEP and the SEPP 71 outlined above.

Summary of Council Officer’s overall recommendation for this site

Council officer recommends the Planning Proposal request, to amend the LEP to permit a dwelling house despite current restrictions enforced by minimum lot size, not be supported for this site. Not only is it important to consider the reasons for the controls in the first place (to restrict development on lots that are not appropriate in size for the location) and any precedence a decision to support this development may set in context of the location and any foreseeable future environmental conditions for the site.

WOMBARRA SITE

The proposed amendment at Wombarra would allow for the development of a dwelling house. The proposal aims to establish a dwelling house along the subject lots road frontage to Denmark Street.

The proposal included options for Council to consider legal mechanisms for establishing conservation requirements for part of Lot 1 DP 977471 to achieve desired conservation in perpetuity whilst allowing for development of a dwelling house.

Local Planning and zone objectives

Wollongong Local Environmental Plan 2009

The proposal is to retain the current zoning E3 Environmental Management for the establishment of a dwelling house on the subject site. A dwelling house is permitted with consent in the E3 Environmental Management zone. The objectives of the zone are:

- To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.
- To provide for a limited range of development that does not have an adverse effect on those values.

In terms of other development controls relevant to the subject site, the proposal could comply with conditions such as maximum building height of 9 meters with the exception of minimum lot size of 39.99 ha given the site is 3.846 ha.

The site is also mapped as Illawarra Escarpment, and has significant bushland on the Natural Resource Sensitivity map, and the Riparian Land Map shows a Riparian corridor across the site, as part of the Wollongong LEP 2009.

As part of Illawarra Escarpment land, clause 7.8 of the Wollongong LEP 2009 applies. The clause states:

- (3) *Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:*
- (a) *will be located so as to minimise any adverse impact on the natural features and environment of the Illawarra Escarpment, and*
 - (b) *will incorporate on the land, conservation and rehabilitation measures to enhance the Illawarra Escarpment.*

For the proposal to satisfy requirements the proponent would need to demonstrate how they will achieve an enhanced or better outcome for the escarpment.

Illawarra Escarpment Management Plan 2015 (IESMP 2015)

The Wombarra site forms part of the Escarpment core area. The character statement outlined in the IESMP 2015 is pertinent around environmental and visual significance.

The proposal is not consistent with this Plan in regards to the following component of the character statement:

“New dwelling houses are permitted in the E3 Environmental Management zone, subject to complying with a range of controls including the Minimum Lot Size requirement.” – Page 40.

Further to this, the proposal to allow a dwelling house by amending Schedule 1 of the LEP to include the subject site would override the minimum lot size controls and would be in conflict with the directions listed under 5.2.2 *Desired Future Outcomes*. The Wombarra site is considered to be situated in part of the escarpment core area. The desired future outcomes include increasing lot sizes with the aim of decreasing density of developments *“whereby a rural residential type development occurs towards, but NOT WITHIN, the Core Escarpment Areas”*.

Geotechnical stability

The subject site is affected by a known landslip area according to Council’s mapping records. The application was supported by a Geotechnical Assessment prepared in September 2014 and updated by Geotechnical Assessment report 25 May 2015 by Network Geotechnics Pty Ltd. The report considered that there were no signs of previous instability present on the subject site. The instability mechanisms considered relevant to the site were rotational/transitional landslide and creep. The report concluded that there would be low overall risk of slope instability.

The report updated details around movement and moisture content in the Discussion and Recommendation section, stating: *“the site would experience reactive movement more in the range 75mm to 90mm due to moisture content changes in the Colluvial Silty CLAY”*. This comment increased the moisture movement potential range from the last report, beyond 75mm.

Other differences in the Discussion and Recommendations were in the Footing Design section, as the report included a more detailed design than was provided for the first report. There were no changes to the “low” risk of slope instability and the changes do not represent any basis for further objection on these grounds.

Following Council reviews of the geotechnical reports there were a number of additional points raised including:

- the underlying clays are of extreme reactivity which would require careful foundation design.
- shallow depth to bedrock was determined in Test Pit 1 nearest to Denmark Street; however the depth to bedrock was not able to be determined for the other test pits which indicate non-uniform foundation conditions which will need careful consideration during design.
- known geotechnical conditions in this area whereby the ridgeline near Denmark Street typically has shallow depth to bedrock but the depth increases rapidly on the

side slopes such that slope instability is known to occur on these side slopes and into the valleys below.

- from a geotechnical perspective it would be better to move it as close as possible to Denmark Street considering other non-geotechnical constraints to utilise the most suitable foundation conditions and more remote from the known areas of slope instability.

Biodiversity Conservation

Council officers reviewed all documents submitted relating to the Wombarra site. In relation to ecological value of the lot, it was noted that apart from some cleared areas (e.g. the access track), the vegetation which occurs on the subject lot forms a complete, continuous patch of Escarpment Blackbutt Forest, a non-threatened, but poorly reserved ecological community.

The entire subject lot is considered to be an area with special ecological value as it:

- has been identified as being of Natural Resource Sensitivity–Biodiversity under Wollongong LEP 2009;
- is part of the Escarpment Moist Forest Corridor as identified in the Illawarra Biodiversity Strategy (prepared by Wollongong City Council, Shellharbour City Council and Kiama Municipal Council 2011);
- has been identified as being of primary (highest) conservation significance by the Bioregional Assessment Study Part 3: Conservation Assessment of Wollongong Local Government Area (prepared by NPWS dated August 2002);
- is considered to contain habitat for several threatened fauna species (refer to Flora and Fauna Assessment Report: Version 2); and
- is mostly undisturbed and weed free.

The Illawarra Shoalhaven Regional Plan 2015, a key regional planning document recently released identifies the area as having high environmental and Biodiversity Corridor values. A key consideration as part of a desired future outcome for the E3 Environmental Management zoned areas of Escarpment is increasing lot sizes and decreasing housing density. The proposal is inconsistent with this desired outcome.

Beyond special ecological value and strategic directions, there were a number of other factors neglected in the submission. In summary these included:

- There has been unauthorised clearing relating to a portion of the proposed building envelope currently subject to a Notice of Intention to give an Order to commence revegetation and regeneration works.
- There was no assessment of the impact of the vegetation clearing that would be expected to enable the installation of the two absorption trenches proposed for on-site effluent management, and has also not assessed the impact of nutrient rich effluent on native vegetation and the potential for an increase in weeds.

- The IESMP sets out Assessment Criteria in section 5.5.4 that must be satisfied for a Planning Proposal within the Illawarra Escarpment area to be supported by Council for a Gateway determination. Council officers have reviewed the site and made comments against the Assessment Criteria in Attachment 4.

Three possible mechanisms were submitted with the intent to secure improved environmental outcomes for the site in a letter dated 30 November 2015 (Attachment 5). Only the Property Vegetation Plan option would meet the IESMP criterion of a permanent, legally binding conservation mechanism.

The extent of the proposed clearing of native vegetation from the building envelope and associated Asset Protection Zones combined is not considered minor. There would also be additional impacts of an on-site effluent disposal system and trench requirements.

Due to the escarpment qualities the site presents, no location on the subject site offers a building envelop with minimal impact on native vegetation. Although an acceptable option was put forward to deliver a legally binding conservation outcome for the site, due to the extent of clearing and permanent modification of native vegetation required in an area of special ecological value, Council support is not recommended.

Bushfire

According with Council's information, the subject site is identified as Category 1 Bushfire prone land and requires a Bush Fire Risk Assessment Report. A Bushfire Protection Assessment Report was submitted to Council in October 2014 as part of the first application. According to the Bushfire Protection Assessment Report prepared by Eco Logical Australia dated 21 October 2014 (within TRIM record no. Z15/18472), the proposed asset protection zones extend out as follows:

| | |
|-----------|---------------------------------------|
| West | 20m (inner protection area (IPA) 10m) |
| South | 30m (IPA 10m) |
| South | 40m (IPA 10m) |
| Southeast | 60m (IPA 30m) |
| East | 40m (IPA 15m) |

The report concludes that the proposal can achieve all acceptable solutions to fulfil the requirements for residential development laid out in the planning for Bush Fire Protection 2006 guidelines.

The report failed to consider the additional footprint required for the effluent disposal area in the assessment, although it is also considered that this factor would require similar vegetation removal treatments. Further to this, if this proposal was to be supported, it would give the owner grounds to undertake sufficient "emergency bushfire reduction works". It would also provide a mechanism to establish a cleared area to site a secondary dwelling as they are permitted under the LEP and are not restricted to 60m² but 67% of the principle dwelling or whichever is the greater.

According to the Flora and Fauna Assessment Report: Version 2, clearing of native vegetation for the asset protection zones would require the removal of an additional 40 juvenile trees and other shrubs and understorey and management of ground covers (to less than 10cm) over an area of approximately 0.5 hectares. Given strategic directions for the area, this extent of clearing is not considered appropriate for this site.

Watercourses and riparian lands

A Category 1 – environmental corridor riparian watercourse is mapped in Wollongong LEP 2009 and riparian lands traversing the subject site. This was considered in the first Planning Proposal Report submitted to Council in November 2014. Riparian Corridors were addressed in Council's response letter to applicants stating:

"The site contains several watercourses which require riparian land management and is affected by an uncategorised flood risk. There is a category 1 watercourse that requires a 50 metre total width riparian corridor. It is noted that much of the proposed building envelope and the proposed APZ's are located within the recommended riparian corridor."

The applicants' response and submission of additional information stated that NSW Office of Water considered the riparian corridor "as a 1st Order River (Strahler classification) therefore receiving a 10m wide riparian corridor (on each side measured from top of bank)." Their correspondence with Office of Water was not provided with their application documents. The applicant went on to request: "given the minor nature of this stream, a variation to the 50m riparian corridor width is requested to allow for the establishment of a dwelling on the site."

Further consultation with NSW DPI Water (Office of Water) would be required should this Planning Proposal be supported for Gateway determination.

Services and infrastructure

Stormwater – a Concept Stormwater Plan was prepared by Detom Design and submitted with the proposal and plans. The Plan indicates stormwater will be diverted from the proposed dwellings roof to the water tank (as per BASIX requirements) and driveway and other surface flows along spoon and grated drains to an onsite detention storage control pit.

Following the applicants initial application, Council officers advised:

"Due to the requirement not to clear for the provision of services a pump out system is considered to be the most likely option for wastewater management. No details of the locations of a proposed septic tank and collection well and whether suitable access for a pump out truck can be provided have been submitted. No site and soil assessment has been submitted to support any alternative to a pump out system."

An on-site detention system has been proposed with the application as the best possible outcome given the environmental constraints and following an onsite

wastewater assessment report prepared by Harris Environmental Consulting in June, 2015.

The on-site disposal system is proposed to comprise of an Aerated Wastewater Treatment System (AWTS) leading to two absorption beds. The two absorption beds are proposed to be installed 400mm below ground surface, 4 metres wide and 17 metres long with total 135m² area.

Council staff consider the proposed system would be appropriate and approvable as part of a future application should the proposal be supported. It is also likely there will be the need for some further nutrient treatment as part of the AWTS. However, concerns have been raised around cumulative impact on existing trees. The application has not considered on-site disposal impact in terms of the vegetation and tree removal to facilitate proposed system and impacts of nutrient treatments and level on the vegetation present. An area of 135m² is likely to involve some loss of vegetation during installation and goes against Council's requirement of no clearing for the provision of services in a core escarpment area (from the IESMP 2015, Section 5.5).

Potable water and electricity would be provided to the site via mains and power lines located along Denmark Street and Barton Place, within 70 metres of the subject site.

Summary of Council Officer's overall recommendation for this site

Council officer recommends the Planning Proposal request, to amend the LEP to permit a dwelling house despite current restrictions enforced by minimum lot size and the intent of the controls against conservation outcomes, not be supported for this site.

Options

The following options are available for Council to consider:

- 1 Resolve not to support and progress the request to amend the existing local planning controls. *RECOMMENDED.*
- 2 Resolve to prepare a draft Planning Proposal as requested by the proponent for one or both sites, and submit to the NSW Department of Planning and Environment seeking a Gateway determination to amend the Wollongong Local Environmental Plan 2009. A suitable resolution would be:
 - (1) A draft Planning Proposal be prepared for:
 - a Lot 8 DP 2281, 335 Lawrence Hargrave Drive, Clifton,
 - b Lot 1 DP 977471, Denmark Street, Wombarra.to enable the use of a dwelling house to be permissible.
 - (2) The draft Planning Proposal request be forwarded to the NSW Department of Planning and Environment for a Gateway determination, and if approved exhibited for a minimum period of 28 days. Council request authority for the General Manager to exercise plan making delegations in accordance with Council's resolution of 26 November 2012.

CONSULTATION AND COMMUNICATION

Internal

Consultation across Council was conducted following the initial submission and subsequent submission of additional information.

External

Should Council resolve to progress this request for a draft Planning Proposal, Council staff will submit the draft Planning Proposal to obtain a Gateway opinion from the NSW Department of Planning and Environment. The opinion would include the Department's position on the proposal and additional requirements for consultation and exhibition. Council will place the drafts on public exhibition in line with the requirements outlined in the opinion.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 objective – *the sustainability of our urban environment is improved* under community goal “*We value and protect our natural environment*”.

It specifically addresses the Annual Plan 2015-16 *Continue to assess Planning Proposals against environmental strategies, including the Illawarra Biodiversity Strategy and the Illawarra Escarpment Strategic Management Plan* which forms part of the Five Year Action 1.6.1.1 *Review planning controls for environmentally sensitive locations*.

CONCLUSION

The report details the request to support, prepare and submit a draft Planning Proposal to the NSW Department of Planning and Environment for a Gateway determination for dwelling entitlement(s) at 335 Lawrence Hargrave Drive, Clifton (Lot 8 DP 2281) and Lot 1 Denmark Street, Wombarra (Lot 1 DP 977471).

Following reviews of submitted information, the Clifton site is not considered appropriate mainly as it contradicts the strategic directions set under the SEPP 71 and LEP 2009 and Council's approach to increasing lot sizes to reduce risk as it's in a foreshore and known landslide area. Albeit there are no remaining ecological constraints and that part of the site may be geotechnically feasible.

The Wombarra site is also considered inappropriate for a dwelling house on the basis of special ecological character and strategic directions set by the Illawarra Escarpment Management Plan 2015. In particular, the importance placed on increasing lot sizes and decreasing densities for the E3 Environmental Management zone and the request to deliver the permission for dwelling houses via Schedule 1 amendments meaning the lots would no longer be effectively meeting the intent of the E3 Environmental Management zones.

It is recommended that Council does not support the request to prepare and proceed to Gateway with a draft Planning Proposal (or two proposals) to amend the Wollongong Local Environmental Plan 2009 Schedule 1 for these sites.

ITEM 4 PUBLIC EXHIBITION - PUBLIC ART STRATEGY 2016-2021

This report presents the draft Public Art Strategy and Guidelines 2016-2021. The draft Public Art Strategy will support the delivery of the Community Strategic Plan – Wollongong 2022 and the Cultural Plan 2014-2018.

These documents are presented to Council for approval to place on public exhibition.

RECOMMENDATION

Council endorse the draft Public Art Strategy and Guidelines 2016-2021 for public exhibition from 16 March to 15 April 2016.

ATTACHMENT

Draft Public Art Strategy and Guidelines – 4A, 4B and 4C

REPORT AUTHORISATIONS

Report of: Kerry Hunt, Manager Community Cultural and Economic Development

Authorised by: Greg Doyle, Director Corporate and Community Services – Creative, Engaged and Innovative City

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

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

BACKGROUND

The development of a new Public Art Strategy was identified as a key action within the Cultural Plan 2014-18 “to facilitate a regular program of temporary and permanent public art for the City which is integrated with the area’s rich urban and rural character and cultural heritage”. As with all other plans, strategies and policies developed by Council, this Strategy and Guidelines have been informed by best practice research and sets a framework for collaboration across Council – in this case on directions concerning the design and management of public/private space, quality and sustainable building design and processes, and engagement in the cultural life of the city.

This strategy will provide a framework for Council planning and decision making in regards to the commissioning and acquisition of public art, as well as its ongoing care and maintenance. The Public Art Strategy works in conjunction with a suite of strategic and operational documents that guide both the direction and implementation of public art in the city.

PROPOSAL

It is proposed that the documents be placed on public exhibition for a period of 28 days from 16 March to 15 April 2016.

CONSULTATION AND COMMUNICATION

The draft Strategy has been prepared with significant engagement. This has included a range of consultation sessions with key groups as well as an online survey.

The following groups were invited to contribute:

- Internal Staff
- General Community
- Artists and Creatives
- Council's Cultural Reference Group
- Business Sector

The exhibition period provides an opportunity for further community input on the final draft Strategy and associated guidelines.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 Goal 3 Wollongong is a creative and vibrant city".

It specifically delivers on the following:

| Community Strategic Plan | Delivery Program 2012-2017 | Annual Plan 2015-16 |
|--|--|--|
| Strategy | 5 Year Action | Annual Deliverables |
| 3.1.2 Artists and innovators are employed, mentored and supported | 3.1.2.1 Provide support to existing and emerging arts workers and their networks | Pursue projects that will advance the delivery of the Cultural Plan. |
| 3.2.2 Our cultural diversity and heritage is incorporated within our public spaces through signage and public art. | 3.2.2.1 Encourage the integration of urban design and public art. | Deliver the public art program |

Following exhibition, a report on the submissions received will be provided. A number of adopted (funded) actions may be recommended for inclusion in the Draft Annual Plan 2016-17.

FINANCIAL IMPLICATIONS

The Public Art Strategy will provide a framework for decision making around the allocation of funds for public art. The Strategy will align the existing public art budget with proposed capital expenditure for implementation. The Strategy will also outline the process for potential private development investment and community led projects.

The draft Actions detailed within the Strategy clearly identify resourcing requirements, including what can be funded within existing budget allocations and what requires additional funding (unfunded). Unfunded projects will be considered and prioritised as part of the annual planning cycle each year.

CONCLUSION

The draft Public Art Strategy is part of an integrated planning approach being implemented within Wollongong City Council. The Public Art Strategy is one way to ensure that public art projects are delivered in a strategic manner that will provide maximum community benefit.

The exhibition period will allow the community to respond to the draft Public Art Strategy.

ITEM 5

POLICY REVIEW: COMMERCIAL SURF SCHOOL ACTIVITIES ON
FORESHORE PUBLIC OPEN SPACE

The Commercial Surf School Activities on Foreshore Public Open Space Council Policy was last adopted by Council in February 2013 and, in line with Council's three year rolling review process, has now been reviewed.

RECOMMENDATION

The Commercial Surf School Activities on Foreshore Public Open Space Policy be adopted, noting that no changes to the existing policy were necessary.

ATTACHMENT

Draft Commercial Surf School Activities on Foreshore Public Open Space Council Policy

REPORT AUTHORISATIONS

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

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

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

BACKGROUND

The Commercial Surf School Activities on Foreshore Public Open Space Council Policy is due for review on 25 February 2016.

This policy has been actively applied to commercial surf school operators throughout the City since February 2013 and, since that time, Council has not received any negative feedback on the policy or its requirements. The policy has been utilised effectively in responding to increased demand and access to our foreshore reserves and beaches.

The policy was also referred to Council's Property Management Section, Lifeguard Services and Regulation Enforcement Division. No changes were identified in relation to the policy during the consultation phase.

PROPOSAL

Council adopt the Commercial Surf School Activities on Foreshore Public Open Space Council Policy without change.

CONSULTATION AND COMMUNICATION

Council's Property Management Section, Lifeguard Services, and Regulation and Enforcement Division have been consulted and provided with the opportunity to comment on the review of the policy.

Executive Management Committee endorsed the recommendation to adopt the Commercial Surf School Activities on Foreshore Public Open Space Council Policy and the policy be referred to Council for adoption.

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 2015-16 |
|--|---|---|
| Strategy | 5 Year Action | Annual Deliverables |
| 4.4.4 Policies and procedures are simplified to ensure transparency and efficiency | 4.4.4.1 Ensure policies and procedures are regularly reviewed, updated and promoted | Conduct rolling review of Council's policy register |

CONCLUSION

The Commercial Surf School Activities on Foreshore Public Open Space Council Policy be endorsed, without change.

ITEM 6 POLICY REVIEW: SHARED SPORTSFIELDS

The Shared Sportsfield Council Policy was last adopted by Council in February 2013 and, in line with Council's three year rolling review process, has now been reviewed.

RECOMMENDATION

The Shared Sportsfields Council Policy be adopted, noting that no changes to the existing policy were necessary.

ATTACHMENT

Draft Shared Sportsfields Council Policy

REPORT AUTHORISATIONS

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

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

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

BACKGROUND

The Shared Sportsfields Council Policy is due for review on 25 February 2016.

This policy has been actively applied to Council's leased, licensed and directly operated sportsfields throughout the City for a number of years. The policy has been utilised effectively in responding to increasing demand to access quality training and competition venues.

The review of this policy has been pursued in a consultative manner through the Sports and Facilities Reference Group. No major concerns in relation to the policy were identified to Council during the consultation phase.

PROPOSAL

Council adopt the Shared Sportsfield Council Policy without change.

CONSULTATION AND COMMUNICATION

Council's Sports and Facilities Reference Group have been consulted and provided with the opportunity to comment on the review of the policy.

Executive Management Committee endorsed the recommendation to adopt the Shared Sportsfields Council Policy and the policy be referred to Council for adoption.

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 2015-16 |
|--|---|---|
| Strategy | 5 Year Action | Annual Deliverables |
| 4.4.4 Policies and procedures are simplified to ensure transparency and efficiency | 4.4.4.1 Ensure policies and procedures are regularly reviewed, updated and promoted | Conduct rolling review of Council’s policy register |

CONCLUSION

The Shared Sportsfields Council Policy be adopted without change.

ITEM 7 DRAFT POLICY: SPONSORSHIP OF COUNCIL ACTIVITIES

In 2015 the Executive Management Committee endorsed the reviewed Sponsorship of Council Events from External Sources Management Policy. The review recommended creation of a new Sponsorship of Council Activities Policy to make Council's criteria for sponsorship publicly available.

RECOMMENDATION

The Sponsorship of Council Activities Policy be adopted.

ATTACHMENT

Draft Sponsorship of Council Activities Policy

REPORT AUTHORISATIONS

Report of: Kerry Hunt, Manager Community Cultural and Economic Development
Authorised by: Greg Doyle, Director Corporate and Community Services – Creative, Engaged and Innovative City

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

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

BACKGROUND

A Management Policy, Sponsorship of Council Events from External Sources, was adopted internally in September 2012 and reviewed in 2015. This policy provides guidance to staff on how to seek and assess sponsorship for Council events, programs and services, which contribute to the community's sense of belonging and cultural life. Through external sponsorship Council can obtain increased resources or funding to enhance or offset the cost of producing and promoting events, programs and services. The Management Policy has been reviewed to ensure it reflects current practice and is consistent with related Council policies and Independent Commission Against Corruption (ICAC) Guidelines. As part of this review it identified our criteria, which is contained in the Management Policy, was not available to the community or potential sponsors. The ICAC Sponsorship in the Public Sector Guidelines (May 2006) recommend Council's criteria for assessing sponsorship be made publicly available. The attached draft Council policy seeks to fulfil this role.

Based on ICAC Guidelines, the objectives of the draft policy are to:

- provide a clear definition of sponsorship of Council activities from external sources;
- list the methods Council will use to seek sponsorship from external sources;
- set out the principles for assessment of sponsorship applications;
- set out the assessment criteria against which applications will be assessed;
- list the types of acknowledgement which may be available to sponsors.

This draft policy does not relate to requests by external individuals or groups for Council to receive grants or sponsorship from Wollongong City Council.

PROPOSAL

The attached draft Sponsorship of Council Activities Policy will be a public document outlining Council's position and criteria for sponsorship from external sources as recommended by the ICAC Guidelines. This document mirrors the Management Policy, but omits the procedures that provide a detailed process for staff, and templates.

CONSULTATION AND COMMUNICATION

Extensive engagement has taken place with Council officers to ensure the proposed draft policy meets legal requirements; is consistent with the ICAC Guidelines; meets current practice; and provides good governance of sponsorship proposals.

PLANNING AND POLICY IMPACT

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

| Community Strategic Plan | | Delivery Program 2012-2017 | Annual Plan 2015-16 |
|--------------------------|--|--|--|
| Strategy | | 5 Year Action | Annual Deliverables |
| 2.3.2 | Wollongong is promoted as a preferred conference and events destination | 2.3.2.1 Review the current investment to deliver a more efficient and targeted destination marketing program. | Implement the Marketing in the Wollongong Advantage Program |
| 4.2.3 | Our Council's plans, intentions, actions and progress are clearly communicated to the community and other stakeholders | 4.1.3.4 Continue to provide regular information updates to the community about Council's Financial Sustainability Review | Provide information updates via quarterly community newsletter and Council's website |

RISK ASSESSMENT

There is both public relations and legal risk in seeking sponsorship, which must be managed through knowledge of, and adherence to, ICAC Guidelines and good governance principles.

FINANCIAL IMPLICATIONS

Through external sponsorship, Council can obtain increased resources or funding to enhance or offset the cost of producing and promoting events, programs and services.

CONCLUSION

This report seeks Council's adoption of the draft Sponsorship of Council Activities Council Policy in line with the reviewed and updated Sponsorship of Council Events from External Sources Management Policy (2015).

ITEM 8 POLICY REVIEW: PRIVACY MANAGEMENT PLAN

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

RECOMMENDATION

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

ATTACHMENT

Draft Revised Privacy Management Plan

REPORT AUTHORISATIONS

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

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

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

BACKGROUND

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

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

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

PLANNING AND POLICY IMPACT

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

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

CONCLUSION

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

ITEM 9

LEASE TO NSW GIRL GUIDES ASSOCIATION OF THE GIRL GUIDE
HALL AT PART LOT 1 DP 860110 TALLEGALLA STREET, UNANDERRA

In 24 August 2015, Council authorised the renewal of the lease of Lot 1 DP860110, being the Unanderra Girl Guide Hall, to the NSW Girl Guides Association for a period of ten (10) years commencing on 1 July 2014. The description of the lease area in this report was incorrect and should have been “Part Lot 1 DP860110” with the lease being granted for the Guide Hall and a licence being granted for the land surrounding the Hall as shown on the attached plan.

Due to the protracted nature of the negotiations to reach agreement on lease terms, the NSW Girl Guides Association has requested the commencement date of the lease be changed to 1 January 2016. They have also requested that the description of the lease area be changed to correctly reflect the lease area being the Guide Hall and the licence area being the land surrounding the Hall, as shown on the attached plan.

This report seeks Council’s authority to make the changes requested by the NSW Girl Guides Association as above.

RECOMMENDATION

Council authorise:

- 1 The change in the description of the ‘lease’ area to ‘Part Lot 1 DP 860110’.
- 2 The granting of a licence over the land surrounding the Guide Hall, being Part Lot 1 DP 860110.
- 3 The change of the commencement date of the lease and licence to be 1 January 2016.

ATTACHMENT

Unanderra Girl Guide Hall – Plan of lease and licence areas

REPORT AUTHORISATIONS

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

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

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

BACKGROUND

On 24 August 2015, Council authorised the lease of the Unanderra Girl Guide Hall to the NSW Girl Guides Association for a period of ten (10) years.

The salient terms of the lease approved are set out below.

| | |
|-------------------|--|
| Lessee | NSW Girl Guides Association |
| Lease Term | 10 years |
| Commencement Date | 1 July 2014 |
| Rent | Community and Sporting groups rental \$620.00 per annum as per Council's Fees and Charges. |
| Outgoings | The Lessee is responsible for 100% of all outgoings including Council rates and charges, all charges for water and sewerage, electricity, gas, telephone, garbage removal and any other charges for property whatsoever, including land tax (if applicable). |
| Insurance | Public Liability Insurance for a minimum of \$10 million. |

The requested changes to the lease will not have any impact on the Girl Guides' use of the premises or any adverse impacts on Council.

CONSULTATION AND COMMUNICATION

NSW Girl Guides Association
Governance and Legal – Wollongong City Council
Executive Strategy Manager

PLANNING AND POLICY IMPACT

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

| Community Strategic Plan | Delivery Program 2012-2017 | Annual Plan 2015-16 |
|--|--|--|
| Strategy | 5 Year Action | Annual Deliverables |
| Goal 5 We are a healthy community in a liveable city | 5.1.6.2 Provide an appropriate and sustainable range of quality passive and active open spaces and facilities. | Provide public access to community recreational pursuits at all centres. |

CONCLUSION

The change from a lease to a lease and license and the new commencement date will formalise the rights and responsibilities of both parties to the agreement.

ITEM 10

OUT OF ROUND FINANCIAL ASSISTANCE AND MINOR DONATION
PROGRESS REPORT

Wollongong City Council provides the opportunity for the community to apply for funding assistance through a number of programs within the Financial Assistance Policy.

This report presents information on the recipients of sponsorship for community events, which have been received outside the 2015-16 financial year application round, in accordance with Council's Financial Assistance Policy Part D – Sponsorship of Community Events.

The report also contains information on approved Part F – Minor Donations for 2015.

RECOMMENDATION

This report be noted.

ATTACHMENT

Financial Assistance Policy 2015-16 – Minor Donation Tracking and Out of Round Community Event Sponsorship Approvals

REPORT AUTHORISATIONS

Report of: Kerry Hunt, Manager Community, Cultural and Economic Development
Authorised by: Greg Doyle, Director Corporate and Community Services – Creative, Engaged and Innovative City

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

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

BACKGROUND

Wollongong City Council's Financial Assistance Policy provides financial assistance to a variety of groups, individuals and not-for-profit organisations. In accordance with Council's Financial Assistance Policy the attached recipients applied for out of rounds funding. The Statement of Procedures sets out a process for approval, and in accordance with the Policy for out of rounds applications, each of the recommended applications was assessed by the committee and submitted to the General Manager for final approval.

The report covers the approved Out of Round Sponsorship of Community Event recipients.

Part D – Sponsorship of Community Events – This funding provides assistance for groups, organisations and individuals seeking to organise community events and activities that meet Council’s aim of further developing a range of existing events to maximise the economic and social benefit to the city.

Part F – Minor Donations – To provide assistance for groups, organisations or individuals within the City of Wollongong who are not eligible for sponsorship under any other program in the Financial Assistance Policy.

Supporting documentation noting the successful applicants is attached to this report.

PROPOSAL

It is proposed this report be noted by Council.

CONSULTATION AND COMMUNICATION

The following consultation and communication has taken place.

The opportunity to apply for assistance in accordance with Council’s Financial Assistance Program and attend information sessions to the broader community was communicated in the following ways:

- advertisements in the Advertiser
- information and applications were available on Council’s website
- social media activity
- direct mail to all previous applicants.

The consultation process was undertaken in accordance with the Council’s Financial Assistance Policy assessment process with the following people involved:

- General Manager
- Manager Community, Cultural and Economic Development
- Public Relations Manager
- Public Relations and Events Support Officer
- Community and Cultural Development Team
- Wollongong City Council’s Aboriginal Advisory Committee
- Wollongong City Council’s Cultural Reference Group.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 goal 3 “Wollongong is a creative, vibrant city” (directly, part 3.4 “strong diverse local cultural thrive”). It specifically delivers on the following:

| Community Strategic Plan | | Delivery Program 2012-2017 | Annual Plan 2015-16 |
|--------------------------|---|--|---|
| Strategy | | 5 Year Action | Annual Deliverables |
| 3.4.1 | Local groups and communities are actively supported to provide community based programs, events, and festivals that celebrate cultural traditions and contemporary practices. | 3.4.1.1 Support the coordination of an externally funded delivered calendar of activities across the City. | Coordinate an annual program of financial assistance in line with policy. |

RISK ASSESSMENT

All funding recipients are required to supply evidence of their public liability insurance with their signed agreement while also providing a report post event showing the outcomes of their event.

This information is included in each individual agreement and is done so in accordance with Council's Financial Assistance Policy.

FINANCIAL IMPLICATIONS

The following Financial Assistance Program is delivered within the 2015-16 Council approved budget.

Part D – Sponsorship of Community Events – Out of Rounds applications considered when sufficient funds remain after the initial sponsorship allocation.

Part F – Minor Donations – funding is allocated against a Council approved budget until expended.

CONCLUSION

Council's Financial Assistance Policy enables the City of Wollongong to deliver events, activities and programs throughout our community. These events reach deep into a variety of sectors of our community, enriching lives and adding valuable experiences, while also providing a value proposition that feeds the visitor economy.

The delivery of the Financial Assistance Program is an investment in our community.

ITEM 11

TENDER T15/27 - SECURITY SURVEILLANCE, GUARDS, PATROLS AND MONITORING

This report recommends acceptance of a tender for Security surveillance, guards, patrols and monitoring for the Mall and CBD Assets of Council in accordance with the requirements of the Local Government Act 1993 and the Local Government (General) Regulation 2005. This tender is specific in managing crime prevention in the Mall and CBD areas of the Local Government Area.

Seventeen tenders were received and the report recommends Council accept the tender submitted by OzTech Security.

RECOMMENDATION

- 1 In accordance with the Local Government (General) Regulation 2005, Clause 178 (1) (a), Council accept the tender of OzTech for Security surveillance, guards, patrols and monitoring for the Mall and CBD Assets of Council, in the sum of \$1,597,986 excluding GST for a (3) year term with the option to extend for a further (3) + (3) years if deemed suitable by Council.
- 2 Council delegate to the General Manager the authority to finalise and execute the contract and any other documentation required to give effect to this resolution.
- 3 Council grant authority for the use of the Common Seal of Council on the contract and any other documentation, should it be required, to give effect to this resolution.

ATTACHMENTS

There are no attachments for this report

REPORT AUTHORISATIONS

Report of: Mark Roebuck, Manager City Works and Services
Authorised by: Mike Hyde, Director Infrastructure and Works – Connectivity, Assets and Liveable City

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

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

BACKGROUND

Tenders were invited by the open tender method with a close of tenders of 10.00 am on 30 September 2015.

Seventeen 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 Infrastructure and Works, Supply Chain Logistics, Legal and Governance, Community Cultural and Economic Development, Human Resources Divisions.

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

- 1 Cost to Council 40%;
- 2 Demonstrated strengthening of Local Economic Capacity 5%;
- 3 Experience and satisfactory performance in undertaking security services of the same size and scope 35%;
- 4 Staff Qualifications and Experiences 10%;
- 5 WH&S and Quality Assurance Systems 10%.

Mandatory Requirements:

Current Referees;

Financial Capacity Review acceptance;

Current Master License holders for Security;

Security Staff licensed for (1ACE);

Security Business Activity Review acceptance.

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

| Tenderer | Ranking |
|-------------------------------------|----------------|
| OzTech Security | 1 |
| Wollongong City Security | 2 |
| BSMS Security | 3 |
| Ultimate Security Services | 4 |
| BRI Security | 5 |
| Insight Security Services Pty Ltd | 6 |
| Wollongong Traders Security | 7 |
| Access Security Protection Services | Non-conforming |
| Chubb Fire & Security | Non-conforming |
| Masters Services Aust Pty Ltd | Non-conforming |
| Olympus Security | Non-conforming |
| Oscar Security Group | Non-conforming |
| Quest Effect | Non-conforming |
| Secureguard Pty Ltd | Non-conforming |
| Southern Cross Protection | Non-conforming |
| Southern Cross Group Services | Non-conforming |
| ABM Security | Non-conforming |

PROPOSAL

Council should authorise the engagement of OzTech Security to carry out the Security surveillance, guards, patrols and monitoring for the Mall and CBD Assets of Council in accordance with the scope of works and technical specifications developed for the project.

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

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

CONSULTATION AND COMMUNICATION

- 1 Members of the Tender Assessment Panel consisting of representatives from Community Cultural and Economic Development, Governance and Information, Human Resources, Finance, City Works and Services and Infrastructure Strategy and Planning Divisions;
- 2 Nominated Referees.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 Community Strategic Plan and details our priorities for the city for 2012 to 2017. It forms part of a suite of documents including: Wollongong 2022 Community Strategic Plan, Resourcing 2022.

It specifically addresses the Annual Plan 2014-17 Key Deliverables by continuing the focus on reducing operational costs, improving efficiencies and enhancing our investment in asset management.

It specifically delivers on core business activities as detailed in the Delivery Service Plan 2012-17.

RISK ASSESSMENT

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

FINANCIAL IMPLICATIONS

It is proposed to be funded as budgeted in Council's Delivery Plan 2012-2017. It is currently funded from the Mall and City Centre Levy and Building Operational Maintenance Budget for the CBD Assets.

CONCLUSION

Council should endorse the recommendations of this report.

ITEM12 TENDER T15/42 TOWRADGI COMMUNITY CENTRE UPGRADE

This report recommends acceptance of a tender for Towradgi Community Centre upgrade 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 upgrade the existing dilapidated facilities at Towradgi Community Centre including kitchen fitout, provision of access ramps and parking and an accessible toilet.

Three tenders were received and the report recommends Council accept the tender submitted by Momentum Built Pty Ltd.

RECOMMENDATION

- 1 In accordance with the Local Government (General) Regulation 2005, Clause 178 (1) (a), Council accept the tender of Momentum Built Pty Ltd for Towradgi Community Centre upgrade, in the sum of \$274,829.00 excluding GST.
- 2 Council delegate to the General Manager the authority to finalise and execute the contract and any other documentation required to give effect to this resolution.
- 3 Council grant authority for the use of the Common Seal of Council on the contract and any other documentation, should it be required, to give effect to this resolution.

ATTACHMENT

Location Plan

REPORT AUTHORISATIONS

Report of: Glenn Whittaker, Manager Project Delivery
Authorised by: Mike Hyde, Director Infrastructure and Works – Connectivity, Assets and Liveable City

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

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

BACKGROUND

Council previously conducted a building condition assessment, which identified a number of issues relating to both the condition of the building (being located relatively close to the coast) and compliance with current standards. Council has prepared a scope of work which addresses the provision of disability access ramps, refurbishment of toilets including disabled facilities, kitchen renewal and a number of repairs to the building structure.

Four tenders were invited by the selective tender method with a close of tenders of 10.00 am on 9 February 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 Finance, Governance Information, Human Resources and Project Delivery Divisions.

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

- 1 Cost to Council – 60%
- 2 Appreciation of scope of works and construction methodology – 5%
- 3 Demonstrated experience and satisfactory performance – 10%
- 4 Staff qualifications and experience – 5%
- 5 Project Schedule – 5%
- 6 Demonstrated WH&S management system – 5%
- 7 Environmental management policies and procedures – 5%
- 8 Demonstrated strengthening of local economic capacity – 5%

The Tender Assessment Panel utilised a weighted scoring method for the assessment of tenders which allocates a numerical score out of 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

| Tenderer | Ranking |
|--|----------------|
| Momentum Built Pty Ltd | 1 |
| Edwards Constructions (NSW) Pty Ltd | 2 |
| Project Coordination (Australia) Pty Ltd | 3 |

PROPOSAL

Council should authorise the engagement of Momentum Built Pty Ltd to carry out the Towradgi Community Centre upgrade in accordance with the scope of works and technical specifications developed for the project.

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

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

CONSULTATION AND COMMUNICATION

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

PLANNING AND POLICY IMPACT

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

| Community Strategic Plan | Delivery Program 2012-2017 | Annual Plan 2015-16 |
|---|--|--|
| Strategy | 5 Year Action | Annual Deliverables |
| 5.3.3 Well maintained assets that meet the needs of current and future communities are provided | 5.3.3.1 Manage and maintain community infrastructure portfolio with a focus on asset renewal | Deliver 85% of Council's capital investment into our asset renewal program |

RISK ASSESSMENT

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

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

FINANCIAL IMPLICATIONS

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

2015/2016 Capital Budget

CONCLUSION

Momentum Built Pty Ltd has submitted an acceptable tender for this work and Council should endorse the recommendations of this report.

ITEM 13 TENDER T16/02 CLIFF ROAD TO TRAMWAY ACCESS STAIRS

This report recommends declining to accept any of the tenders submitted for the construction of replacement concrete stairs between Cliff Road and the Tramway shared path, North Wollongong in accordance with the requirements of the Local Government Act 1993 and the Local Government (General) Regulation 2005.

The proposed works allow for the demolition and replacement of the reinforced concrete stairs to replace the existing pedestrian access stairs between Cliff Road and the Tramway shared path adjacent to the Continental Pool, North Wollongong. The works are proposed to rectify ongoing safety concerns and achieve BCA compliance.

The Tender Assessment Panel has concluded that none of the tenders are acceptable for the reason that no acceptable tender was received within the budget allocated and it is anticipated that negotiations with the tenderers or any other party in relation to a revised scope of works will result in a satisfactory outcome being achieved.

RECOMMENDATION

- 1 a In accordance with the Local Government (General) Regulation 2005, Clause 178(1) (b), Council decline to accept any of the tenders which Council has received for the replacement of the stairs from Cliff Road to Tramway adjacent to Continental Pool and resolve to enter into negotiations with one or all of the tenderers, or any other parties with a view to entering into a contract in relation to the subject matter of the tender.
- b In accordance with the Local Government (General) Regulation 2005, Clause 178(4), the reason for Council hereby resolving to enter into negotiations with one or all of the tenderers or any other party and not inviting fresh tenders is that no acceptable tender was received within the budget allocated and it is anticipated that a satisfactory outcome can be achieved with one of those parties, or any other party who have demonstrated a capacity and ability to undertake the works.
- 2 Council delegate to the General Manager the authority to undertake and finalise the negotiations, firstly with the tenderers, and, in the event of failure of negotiations with those tenderers, any other parties, 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.

ATTACHMENT

Location Plan

REPORT AUTHORISATIONS

Report of: Glenn Whittaker, Manager Project Delivery
Authorised by: Mike Hyde, Director Infrastructure and Works – Connectivity, Assets and Liveable City

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

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

BACKGROUND

The existing concrete stairs were constructed in the late 1970's and as a result have deteriorated over time including subsidence and cracking of the existing pavement, while the existing handrails are displaced in places, corroding and non-compliant with current standards. Furthermore, the existing stairs do not comply with the requirements specified in the Building Code of Australia (BCA). The works are located in a highly trafficked public area and include allowances for traffic management, drainage works, installation of piling, installation of stainless steel balustrading, provision of a seat at the midpoint and replacement lighting.

Tenders were invited by the open tender method with a close of tenders of 10.00 am on 16 February 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 Finance, Governance and Information, Property and Recreation, Human Resources, and Project Delivery Divisions.

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

- 1 Cost to Council - 30%
- 2 Appreciation of scope of works and construction methodology – 15%
- 3 Demonstrated experience and satisfactory performance in undertaking projects of similar size and scope and risk profile - 15%
- 4 Staff qualifications and experience - 10%
- 5 Project Schedule - 10%
- 6 Proposed sub-contractors – 5%
- 7 Demonstrated strengthening of local economic capacity - 5%
- 8 Workplace health and safety documentation- 5%
- 9 Environmental management policies and procedures - 5%

PROPOSAL

All tenders have been scrutinised by the Tender Assessment Panel. The Panel has concluded that none of the tenders is acceptable and has recommended that all tenders be declined and negotiations be undertaken with one or all of the tenderers or any other party with a view to entering into a contract for the subject matter of the tender.

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

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

PLANNING AND POLICY IMPACT

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

| Community Strategic Plan | Delivery Program 2012-2017 | Annual Plan 2015-16 |
|--|---|---|
| Strategy | 5 Year Action | Annual Deliverables |
| 5.3.3 Well maintained assets that meet the needs of current and future communities are provided. | 5.3.3.1 Manage and maintain community infrastructure portfolio with a focus on asset renewal. | Deliver 85% of Council's capital investment into our asset renewal program. |

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 medium based upon Council's risk assessment matrix and appropriate risk management strategies will be implemented.

FINANCIAL IMPLICATIONS

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

2015/16 Capital Budget

CONCLUSION

No acceptable tender has been submitted within the budget allocated and it is anticipated that a satisfactory outcome can be achieved with one of those parties, or any other party who have demonstrated a capacity and ability to undertake the works. Council should endorse the recommendations of this report.

ITEM 14

TENDER T16/03 JP GALVIN PARK - REPLACEMENT OF EXISTING SHELTERS, FURNITURE AND BARBEQUES

This report recommends acceptance of a tender for supply and replacement of seven existing shelters, furniture and barbeques in accordance with the requirements of the Local Government Act 1993 and the Local Government (General) Regulation 2005. Due to the close proximity to North Beach, the existing shelters and barbeques have deteriorated and require replacement. The replacement shelters are designed of more durable materials, include appropriate furniture and incorporate design features to suit the site.

Three tenders were received and the report recommends Council accept the tender submitted by Precinct Street and Park.

RECOMMENDATION

- 1 In accordance with the Local Government (General) Regulation 2005, Clause 178 (1) (a), Council accept the tender of Precinct Street and Park for the supply and replacement of existing shelters, furniture and barbeques, in the sum of \$506,154.20, excluding GST.
- 2 Council delegate to the General Manager the authority to finalise and execute the contract and any other documentation required to give effect to this resolution.
- 3 Council grant authority for the use of the Common Seal of Council on the contract and any other documentation, should it be required, to give effect to this resolution.

ATTACHMENT

Location Plan

REPORT AUTHORISATIONS

Report of: Glenn Whittaker, Manager Project Delivery
Authorised by: Mike Hyde, Director Infrastructure and Works – Connectivity, Assets and Liveable City

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

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

BACKGROUND

Due to the age of the existing shelters and barbeques and their close proximity to North Beach, the shelters and barbeques have reached the end of their design life and require replacement. Designs have been prepared using more durable materials to achieve a longer life while also incorporating features such as stone plinths to suit the local character of the site. The works are in accordance with the outcomes from the open space works plan and The Blue Mile Master Plan.

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

Three tenders were received by the close of tenders, however, one tender that was received from Landmark Products Pty Ltd was non-conforming, as it did not meet the requirements of Council's specification.

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 Property and Recreation, Finance, Project Delivery, Governance and Information, Human Resources Divisions.

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

- 1 Cost to Council – 40%
- 2 Demonstrated strengthening of the local economic capacity – 5%
- 3 Demonstrated experience and satisfactory performance in undertaking projects of similar size and scope and risk profile – 15%
- 4 Appreciation of scope of works and construction methodology – 15%
- 5 Staff Qualifications and experience and proposed subcontractors – 10%
- 6 Demonstrated W H & S Management System – 5%
- 7 Environmental Management Policies and Procedures – 5%
- 8 Project Schedule – 5%

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

TABLE 1 – SUMMARY OF TENDER ASSESSMENT

| Tenderer | Ranking |
|--|---------|
| Precinct Street and Park | 1 |
| Wardrope and Carroll Engineering Pty Ltd | 2 |

PROPOSAL

Council should authorise the engagement of Precinct Street and Park to carry out the replacement of existing shelters, furniture and barbeques at JP Galvin Park in accordance with the scope of works and technical specifications developed for the project.

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

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

CONSULTATION AND COMMUNICATION

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

PLANNING AND POLICY IMPACT

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

| Community Strategic Plan | Delivery Program 2012-2017 | Annual Plan 2015-16 |
|---|---|--|
| Strategy | 5 Year Action | Annual Deliverables |
| 5.3.3 Well maintained assets are provided to meet the needs of current and future communities | 5.3.3.2 Manage and maintain community infrastructure portfolio with a focus on asset renewal. | Continue to work with the Community to review levels of service. |

RISK ASSESSMENT

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

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

FINANCIAL IMPLICATIONS

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

Capital Budget 2015/2016

CONCLUSION

Precinct Street and Park has submitted an acceptable tender for this work and Council should endorse the recommendations of this report.

ITEM 15 JANUARY 2016 FINANCIALS

The result for the year to date to January is favourable compared to phased budget over most indicators. The Operating Result (pre capital) is favourable by \$0.5M while the Funds Result shows a favourable dollar variance compared to the phased budget of \$3.8M.

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 adjustments proposed at the December Quarterly Review.

Council has expended \$34.2M on its capital works program representing 38% of the annual budget. The year to date budget for the same period was \$37.0M.

RECOMMENDATION

- 1 The report be received and noted.
- 2 Proposed changes in the Capital Works Program be approved.

ATTACHMENTS

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

REPORT AUTHORISATIONS

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

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

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

BACKGROUND

This report presents the Income and Expense Statement, Balance Sheet and Cash Flow Statement for January 2016. Council's current budget has a Net Funding (cash) deficit of \$10.2M, an Operating Deficit [Pre Capital] of \$2.7M and a capital expenditure of \$90.5M. At the end of January, Council remains on target to meet or exceed the operational components of this result.

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

| FORECAST POSITION | | Original Budget | Revised Budget | YTD Forecast | YTD Actual | Variation |
|--|-----|-----------------|----------------|--------------|-------------|------------|
| KEY MOVEMENTS | | 1-Jul | 29-Jan | 29-Jan | 29-Jan | |
| Operating Revenue | \$M | 249.5 | 250.5 | 146.5 | 146.7 | 0.2 |
| Operating Costs | \$M | (255.9) | (253.2) | (144.1) | (143.7) | 0.3 |
| Operating Result [Pre Capital] | \$M | (6.4) | (2.7) | 2.4 | 2.9 | 0.5 |
| Capital Grants & Contributions | \$M | 14.5 | 19.7 | 15.3 | 15.5 | 0.2 |
| Operating Result | \$M | 8.1 | 17.0 | 17.7 | 18.4 | 0.7 |
| Funds Available from Operations | \$M | 48.2 | 48.2 | 28.0 | 29.4 | 1.4 |
| Capital Works | | 86.3 | 90.5 | 37.0 | 34.2 | 2.8 |
| Contributed Assets | | - | - | - | - | - |
| Transfer to Restricted Cash | | - | 7.1 | 7.1 | 7.1 | - |
| Funded from: | | | | | | |
| - Operational Funds | \$M | 48.2 | 48.2 | 28.0 | 29.4 | 1.5 |
| - Other Funding | \$M | 34.9 | 39.2 | 15.4 | 14.9 | (0.5) |
| Total Funds Surplus/(Deficit) | \$M | (3.1) | (10.2) | (0.8) | 3.0 | 3.8 |

Financial Performance

The January 2016 Operating Result [pre capital] shows a positive variance compared to budget of \$0.5M. The major variations in income includes positive variations in Commercial Tipping (\$0.3M) and timing of operational grant payments (\$0.4M), offset by income timing issues including windstorm work reimbursement payments (\$0.5M). The offsetting improvements relating to operational grants do not flow on to the Fund result as these are offset by a transfer to restricted cash.

The improvement in Operational Costs (\$0.3M) is largely due to timing. The favourable movements are partially offset by lower utilisation of internal resources on capital works (\$0.9M) and increased level of depreciation expenditure compared to phased budget (\$0.7M). The utilisation of internal resources is also affected by staff leave during January.

Funds Result

The Total Funds result as at 29 January 2016 shows a positive dollar variance of \$3.8M that is due to the cash component of the operating variance and a lower level of Council funded capital expenditure compared to phased budget.

Capital Budget

As at 29 January 2016, Council had expended \$34.3M or 38% of the approved annual capital budget of \$90.5M.

Further detail regarding the capital spend is outlined in the capital report in Attachment 2.

Liquidity

Council's cash and investments decreased during January 2016 to holdings of \$159.2M compared to \$167.2M at the end of December 2015. This reflects normal trends for this time of the year.

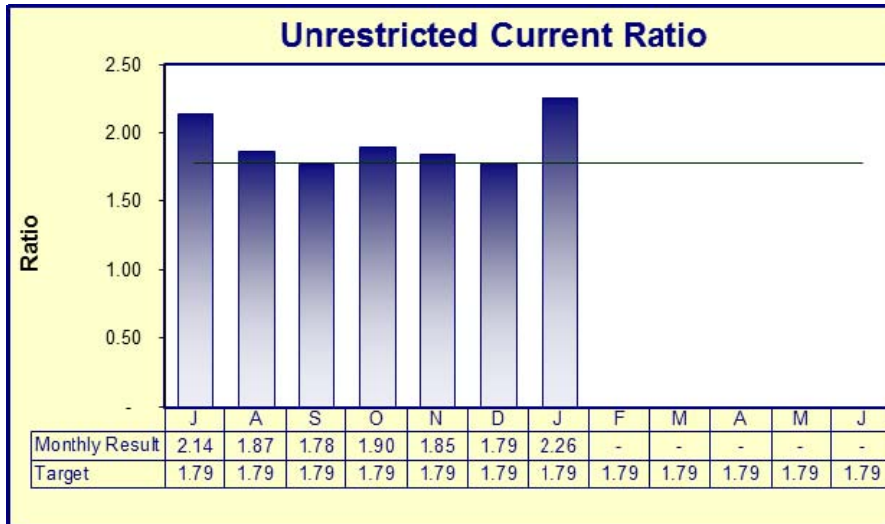
Council's cash, investments and available funds positions for the reporting period are as follows:

| CASH, INVESTMENTS & AVAILABLE FUNDS | | | | | |
|-------------------------------------|--------------------------|--------------------------------------|-----------------------------------|---------------------------|---|
| | Actual 2014/15 \$M | Original Budget 2015/16 \$M | September QR 2015/16 \$M | December QR 2015/16 | Actual Ytd 29 January 2016 \$M |
| Total Cash and Investments | 144.7 | 109.6 | 123.1 | 129.8 | 159.2 |
| Less Restrictions: | | | | | |
| External | 77.7 | 60.9 | 62.8 | 68.6 | 77.3 |
| Internal | 42.0 | 41.9 | 40.8 | 48.9 | 57.9 |
| Total Restrictions | 119.7 | 102.8 | 103.6 | 117.5 | 135.2 |
| Available Cash | 25.0 | 6.9 | 19.5 | 12.3 | 24.0 |
| Adjusted for : | | | | | |
| Current payables | (29.9) | (23.0) | (23.1) | (25.5) | (24.2) |
| Receivables | 26.4 | 27.7 | 25.3 | 27.2 | 19.1 |
| Other | 4.3 | 1.7 | 4.4 | 4.4 | 5.7 |
| Net Payables & Receivables | (3.4) | 4.7 | 2.2 | 1.7 | 0.6 |
| Available Funds | 21.6 | 11.5 | 21.7 | 14.0 | 24.5 |

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.

Following the transfer to restricted assets of \$10.4M in November the Available Funds forecast is now in line with Council's Financial Strategy target of 3.5% to 5.5% of Operational Revenue [pre capital]. Based on the Adopted 2015-16 Annual Plan, the target Available Funds is between \$8.7M and \$13.7M for year ending 30 June 2016. The actual Available Funds at 29 January 2016 are impacted by the progress of planned expenditure to date. Council will reconsider the Available Funds requirements and resourcing opportunities for future periods through the annual planning process.

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 January 2016, receivables totalled \$19.1M, compared to receivables of \$21.3M at January 2015.

Payables

Payables (the amount of money owed to suppliers) of \$24.2M were owed at January 2016 compared to payables of \$23.9M at January 2015. The difference in payables relate to goods and services and capital projects delivered but not yet paid for, rating income received in advance and timing of the Financial Assistance Grant payments.

Debt

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

Council's Financial Strategy includes provision for additional borrowing in the future and Council will consider borrowing opportunities from time to time to bring forward the completion of capital projects where immediate funding is not available. In 2009-10, Council borrowed \$26M interest free to assist in the delivery of the West Dapto Access Plan. Council has also been successful in securing loan funds under the Local Government Infrastructure Renewal Scheme of \$20M in 2012-13 and \$4.3M in 2013-14 that will be used over a five year period to accelerate the Citywide Footpaths and Shared Path Renewal and Missing Links Construction Program and building refurbishment works for Berkeley Community Centre, Corrimal Library and Community Centre and Thirroul Pavilion and Kiosk respectively. A further \$15M was drawn down in 2014-15 under Round Three of the LIRS program that provides a subsidy of 3%. The additional loan funds will be used to support the West Dapto Access – Fowler's Road to Fairwater Drive project. Council's Debt Service Ratio forecast for 2015-16 is

approximately 1.9% which is still below Council's target of 4% and remains low in comparison to the Local Government's benchmark ratio of <10%.

It is noted that non-cash interest expense relating to the amortisation of the income recognised on the West Dapto Access Plan Loan is not included when calculating the Debt Service Ratio.

Assets

The Balance Sheet shows that \$2.4B of assets are controlled and managed by Council for the community as at 29 January 2016. The 2015-16 capital works program includes projects such as the Cordeaux Road shared path, Berkeley Community Centre upgrade, civil asset renewals including roads, car parks and buildings and purchase of library books. At the end of January, capital expenditure amounted to \$34.3M.

PLANNING AND POLICY IMPACT

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

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

CONCLUSION

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

ITEM 16 STATEMENT OF INVESTMENTS - JANUARY 2016

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

Council's average weighted return for January 2016 was 2.42% which was above the benchmark return of 2.37%. The result was primarily due to the positive marked to market valuation of the CBA Zero coupon Bond and the performance of the term deposits. 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 January 2016.

ATTACHMENTS

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

REPORT AUTHORISATIONS

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

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

The recommendation 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 29 January 2016 were \$157,248,038 (Statement of Investments attached) [30 January 2015 \$114,491,018].

During January, Council posted a weighted average return of 2.42% (annualised) compared to the benchmark return of 2.37% (annualised Bloomberg Bank Bill Index).

The result was primarily due to the positive marked to market valuation of the CBA Zero coupon Bond and the performance of the term deposits. 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 29 January 2016, year to date interest and investment revenue of \$2,655,925 was recognised compared to the year to date budget of \$2,454,333.

Council's CBA Zero Coupon Bond recorded an increase in value for January of \$27,193. 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 seven floating rate notes had a net decrease in value of \$4,095 for January.

Council holds two Mortgaged Backed Securities (MBS) recorded a net decrease in value of \$465 for January. 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 \$76,213 in January. The fluctuation is a reflection of the current share market volatility both domestically and internationally.

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

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

PLANNING AND POLICY IMPACT

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

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

ITEM 17

QUARTERLY REPORT ON DEVELOPMENT APPLICATIONS
INVOLVING VARIATIONS TO DEVELOPMENT STANDARDS

This report outlines Development Applications which have been determined during the quarterly period 1 October 2015 to 31 December 2015, where variations to development standards were granted.

RECOMMENDATION

Council note the report.

ATTACHMENT

Development Applications Approved with Variations to Development Standards for the period between 1 October 2015 to 31 December 2015

REPORT AUTHORISATIONS

Report of: Mark Riordan, Manager Development Assessment and Certification
Authorised by: Andrew Carfield, Director Planning and Environment – Future, City and Neighbourhoods

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

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

BACKGROUND

Development Applications involving variations to development standards may be made under clause 4.6 of Wollongong Local Environmental Plan 2009 (WLEP 2009). Relevant criteria is prescribed under clause 4.6 of WLEP 2009 for the assessment of variations to development standards.

Any variations approved require reporting on a quarterly basis to Department of Planning and Environment (DP&E), in accordance with procedural guidelines. Council and DP&E may in turn consider the extent and nature of variations granted when reviewing relevant planning controls or instruments.

Wollongong City Council provides further transparency and oversight of applications seeking development standard departures via:

- Independent Hearing and Assessment Panel (IHAP) peer review;
- Declaration of any variation during public exhibition; and
- Maintaining an ongoing public record of all variations approved.

QUARTERLY RESULT

During the last quarter (1 October 2015 to 31 December 2015) two Development Applications were approved which included variations to development standards.

Attachment 1 provides further information relating to the two matters and forms the basis of the quarterly return for Department of Planning and Environment, which is now submitted.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 under the objective 1.6: *The sustainability of our urban environment is improved under the Community Goal We value and protect our environment Community Goal.*

It specifically addresses the Annual Plan 2015-16 Key Deliverables: *Development is functional, attractive and sympathetic with the environment and avoids unnecessary use of energy, water or other resources* which forms part of the Five Year Action: *Provide high quality development assessment and certification based on QBL principles* contained within the Revised Delivery Program 2012-2017.

ITEM 18

CITY OF WOLLONGONG TRAFFIC COMMITTEE - MINUTES OF
MEETING HELD 17 FEBRUARY 2016

A meeting of the City of Wollongong Traffic Committee was held on 17 February 2016.

Items 1 – 6 and 9 – 12 of the meeting have been adopted by Council through delegated authority.

Items 7 – 8 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 17 February 2016 in relation to Regulation of Traffic be adopted.

ATTACHMENTS

- 1 Standard Conditions for Road Closures
- 2 Seacliff Bridge – Seacliff Half Marathon Event
- 3 Kembla Joggers Winter Series 2016

REPORT AUTHORISATIONS

Report of: Mike Dowd, Manager Infrastructure Strategy and Planning
Authorised by: Mike Hyde, Director Infrastructure and Works – Connectivity, Assets and Liveable City

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

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

BACKGROUND

7 COALCLIFF Seacliff Bridge - Seacliff Half Marathon Event

Background:

A private event organiser is proposing a half marathon running on Sunday 26 June 2016 which will run from the Council reserve on Monash Street, Coledale to Clifton School Parade, Coalcliff and return.

Most of the regulation of traffic occurs on state roads and accordingly requires permission from NSW Roads and Maritime Services (NSW RMS) and the NSW Police. Both NSW RMS and NSW Police have indicated that the arrangements on

Lawrence Hargrave Drive for the event area are acceptable and the application for traffic controls on Clifton School Parade and Monash Street can now be processed by Council.

The organisers have been made aware of the requirement in point 4 of the Standard Conditions for Road Closures that they must contact affected residents.

PROPOSAL SUPPORTED UNANIMOUSLY

The proposed road closures on local roads be approved subject to:

- i The submitted traffic management plan (Attachment 2)
- ii Council's Standard Conditions for Road Closures (Attachment 1)
- iii Permission for the event from NSW Police and NSW RMS
- iv Suitable VMS boards to be displayed at least one week prior to the event at the top of Bald Hill, the roundabout at the Princes Highway, Helensburgh; the top of Bulli Pass as well as a suitable location between Austinmer and Coledale

8 MOUNT KEMBLA AND WEST DAPTO

Kembla Joggers - 2016 Winter Series Road Race Events

Background:

Kembla Joggers have previously conducted a race series at Kembla Grange and at Mount Kembla successfully and in 2016 there are events proposed for four Saturdays as outlined below.

| Date | Distance | Race Route | Traffic controls in place |
|-------------|-----------------|--|----------------------------------|
| 19 March | 8km | Darkes Road to West Dapto Road, Sheaffes Road, Paynes Road and return to Darkes Road. | 1pm to 4pm |
| 23 April | 5km | Darkes Road to West Dapto Road, Sheaffes Road, Paynes Road and return to Darkes Road. | 1pm to 4pm |
| 4 June | 16km | Darkes Road to West Dapto Road, Sheaffes Road, Paynes Road, Sheaffes Road, West Dapto Road, Smiths Lane and return to Darkes Road. | 12 noon to 4pm |
| 16 July | 9 miles | Morans Road to Harry Graham Drive, Cordeaux Road with closed trials in the Sydney Water Catchment area to return to Morans Road. | 12 noon to 3pm |

The Kembla Joggers Winter Program of events does not require road closures however extensive traffic controls and a 40kph speed limit are proposed.

PROPOSAL SUPPORTED UNANIMOUSLY

The proposed regulation of traffic for the Kembla Joggers Winter Race Series 2016 be approved.

- In accordance with the submitted traffic management plans (Attachment 3)
- Subject to Council's Standard Conditions for Road Closures (Attachment 1)
- Subject to approval from the NSW Police

PLANNING AND POLICY IMPACT

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

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



MINUTES

ORDINARY MEETING OF COUNCIL

at 6.00 pm

Monday 22 February 2016

Present

Lord Mayor – Councillor Bradbery OAM (in the Chair), Councillors Connor, Kershaw (until 8.56 pm), Brown (until 8.56 pm), Takacs, Martin, Merrin, Blicavs, Dorahy, Colacino, Crasnich, Curran and Petty

In Attendance

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

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DISCLOSURES OF INTERESTS

Councillor Brown declared a significant, pecuniary interest in Item 5 as a close family member works for the company listed in the report. Councillor Brown advised that he would depart the Chambers during debate and voting on this matter.

Councillor Blicavs declared a non-significant, non-pecuniary interest in Item 5 as she is a Director on the Top Blokes Foundation Board, where a co-Director is the Chief Executive Officer of an organisation mentioned in the paper.

Councillor Martin declared a non-significant, non-pecuniary interest in Items 3, 4 and 5 as they involve her employer, the NSW Department of Planning and Environment. Councillor Martin advised that she has no direct role in any of these planning matters.

Councillor Dorahy declared a non-significant, non-pecuniary interest in Item 8 as he is a Director of Venues NSW and the Traffic Committee had considered a matter in relation to events at the Wollongong Entertainment Centre.

The Lord Mayor declared a pecuniary interest in Item 5 as he is Chair of a Community Consultative Committee on pollution matters. The Lord Mayor advised that he would vacate the Chair during the debate and voting on this matter.

Councillor Kershaw declared a significant, pecuniary interest in Item 5 as she has a close relative employed by the party involved in this proposal.

Councillor Curran advised of the possibility of an actual or perceived pecuniary conflict of interest in Item 1. However, as the matter involved the whole Wollongong local government area, she proposed to remain in the Chamber during deliberation on the matter.

Prior to consideration of Item A, Councillor Connor declared a non-significant, non-pecuniary conflict of interest in Item A, as he is Principal of one of the schools in the area which use Helensburgh Pool.

CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 1 FEBRUARY 2016

- 13 COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Colacino that the Minutes of the Ordinary Meeting of Council held on Monday, 1 February 2016 (a copy having been circulated to Councillors) be taken as read and confirmed.

PUBLIC ACCESS FORUM – MERGER PROPOSAL

On behalf of Save our Services Wollongong, Mr S Spencer sought reform which would –

- a recognise and actively support neighbourhood forums or ward committees, engaging with them collaboratively;
- b prepare specific neighbourhood/ward plans, programs and budgets, based on need, in association with those communities;
- c decentralise administration and operations with ward managers and staff;
- d have the efficiency and effectiveness of Council benchmarked and the expected improvements identified and monitored for:
 - community involvement in adopting priorities
 - the adoption of realistic implementation plans
 - regular and transparent reporting of progress
 - accountability

In conclusion, Mr Spencer invited Councillors to meet with Save our Services Wollongong to discuss how the reform his group is advocating may still be achieved.

A PROCEDURAL MOTION was MOVED by Councillor Curran seconded Councillor Petty that Ms S McKay be allowed to address the meeting under the Public Access Forum.

The PROCEDURAL MOTION on being PUT to the VOTE was CARRIED.

PUBLIC ACCESS FORUM – MERGER PROPOSAL

Ms S McKay felt there had been a lack of interaction with the community, both in Wollongong and Shellharbour. She said there are pros and cons for the merger, and whilst Shellharbour had not been as active as it could have been, that Council with a new regime, is now working towards improvement.

Ms McKay said that both Councils should look at working together in order to determine what the community wants.

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

CALL OF THE AGENDA

- 15** **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Blicavs that the staff recommendations for Items 4, and 6 to 9 inclusive, be adopted as a block.

DEPARTURE OF COUNCILLORS

During debate and prior to voting on Item A, Councillors Blicavs and Crasnich departed and returned to the meeting, the times being from 6.27 pm to 6.29 pm, and from 6.39 pm to 6.41 pm, respectively.

DISCLOSURE OF INTEREST

Councillor Connor declared a non-significant, non-pecuniary conflict of interest in Item A, as he is Principal of one of the schools in the area which use Helensburgh Pool.

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ITEM A – NOTICE OF MOTION - COUNCILLOR COLACINO - FEASIBILITY AND ASSOCIATED COSTS - HEATING OF HELENSBURGH POOL

16 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Colacino seconded Councillor Blicavs that -

- 1 Council -
 - a Undertake a comprehensive examination which will look at the feasibility of, and costs associated with, the heating of Helensburgh Pool, and/or extending the pool length to 50 metres and the number of lanes to eight.
 - b Investigate what would be the expected catchment area of residents who might make use of the Pool when heated.
 - c Investigate what catchment area of schools might make use of the Pool after it is heated and what purposes it could be utilised for.
 - d Include in the report what would be the charge for entry after the heating works have been finished, and would that fee also be charged during the summer period.
 - e Include what would be the annual ongoing costs associated with the heating of Helensburgh Pool.
- 2 The above investigations be the subject of a report which is to be finalised and presented to the newly-elected Council not later than four months of that Council being elected.

Variation *The variation moved by Councillor Takacs to add the words 'and/or extending the pool length to 50 metres and the number of lanes to eight' was accepted by the mover and seconder.*

DEPARTURE OF COUNCILLORS

During debate and prior to voting on Item 1, the following Councillors departed and returned to the meeting –

- Councillor Dorahy from 6.54 pm to 6.56 pm;
- Councillor Colacino from 6.56 pm to 6.57 pm; and,
- Councillor Curran from 7.14 pm to 7.15 pm.

ITEM 1 - SUBMISSION TO DELEGATE ON MERGER PROPOSAL: SHELLHARBOUR CITY COUNCIL AND WOLLONGONG CITY COUNCIL

PROCEDURAL MOTIONS were MOVED by the following Councillors to allow additional time for Councillors to address the meeting –

- Moved by Councillor Martin seconded by Councillor Dorahy – five minutes for Councillor Merrin;
- Moved by Councillor Crasnich seconded by Councillor Merrin – five minutes for Councillor Blicavs;
- Moved by Councillor Merrin seconded by Councillor Crasnich – five minutes for Councillor Curran;
- Moved by Councillor Crasnich seconded by Councillor Curran – five minutes for Councillor Petty; and,
- Moved by Councillor Dorahy seconded by Councillor Crasnich – three minutes for Councillor Martin.

17 COUNCIL'S RESOLUTION – MOVED by Councillor Brown seconded Councillor Connor that Council -

- 1 Receive the report by the General Manager on the Submission to Delegate on Merger Proposal: Shellharbour City Council and Wollongong City Council.
- 2 Supports, in the event of any merger, the direct election of the Lord Mayor.
- 3 Supports, in the event of any merger, a composition of twelve Councillors elected in four wards of three, in addition to the Lord Mayor.
- 4 Supports, in the event of any merger, the name Wollongong being retained in the name of the new local government area, and that Council agree in principle to have any new name endorsed at a poll to be possibly conducted at a future Council Election.
- 5 Authorise the General Manager to –
 - a Finalise the submission to reflect the resolutions of Council regarding the Merger Proposal, subject to the following additional point –
 - 11 Other Factors: A new point 11.5 which seeks a minor boundary adjustment in the Darkes Forest area;
 - b Submit Council's response to the Delegate.

Variation *The variation moved by Councillor Colacino to add the words 'at a poll to be possibly conducted at a future Council Election' to Part 4, was accepted by the mover and seconder.*

An AMENDMENT was MOVED by Councillor Merrin seconded Councillor Takacs that Council -

- 1 Receive the report by the General Manager on the Submission to Delegate on Merger Proposal: Shellharbour City Council and Wollongong City Council, with changes to the submission such that –
 - a The item on Natural Resources Management be reworded and taken out of the summary where it is used as a potential benefit to the citizens of Wollongong; and
 - b The Conclusion page – the addition of the words ‘that in light of Council’s determination of 11 March 2013 Council does not support amalgamations in our region unless –
 - There can be demonstrated economic efficiencies and financial benefit for ratepayers;
 - There will be an improvement in community services resulting from any financial benefits;
 - There is maintained a ‘community of interest’ and,
 - There is a degree of public support for the proposal”and,
in light of our findings that there are no major benefits to Wollongong of this proposed merger, then Council opposes the merger’.
- 2 Supports, in the event of any merger, the direct election of the Lord Mayor.
- 3 Supports, in the event of any merger, a composition of fifteen Councillors elected in two wards of seven, in addition to the Lord Mayor.
- 4 Supports, in the event of any merger, the name Illawarra City Council being the name of the new local government area, and that Council agree in principle to have any new name endorsed at a future poll of residents.
- 5 Authorise the General Manager to –
 - a Finalise the submission to reflect the resolutions of Council regarding the Merger Proposal, subject to the following additional point –
 - 11 Other Factors: A new point 11.5 which seeks a minor boundary adjustment in the Darkes Forest area;

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- b Submit Council's response to the Delegate.

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

In favour Councillors Takacs and Merrin

Against Councillors Kershaw, Connor, Brown, Martin, Blicavs, Dorahy, Colacino, Crasnich, Curran, Petty and Bradbery

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

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

Against Councillors Merrin, Curran and Petty

DEPARTURE OF COUNCILLORS

During debate and prior to voting on Item 2, Councillors Curran and Colacino departed and returned to the meeting, the times being from 8.21 pm to 8.23 pm, and from 8.43 pm to 8.46 pm, respectively.

ITEM 2 - PROPOSED PHASE 1 AMENDMENTS TO THE LOCAL GOVERNMENT ACT 1993

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

- 1 Council note the Office of Local Government's proposed Phase 1 amendments to the Local Government Act 1993.
- 2 The General Manager be authorised to respond to the Office of Local Government survey on the Phase 1 amendments to the Local Government Act 1993 generally in accordance with the comments set out in the report, subject to –
 - a The submission response at 8.2 being changed from 'support' to 'oppose' the amendment to the State of the Environment Reporting.
 - b The submission response at 4.1 being changed from 'support' to 'oppose', and state that Council supports Federal, State and Local Government elections being conducted under identical provisions, wherever possible.

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- c The submission response at 1.2, reflect the desire to retain in the Charter a point similar to the fifth point in Section 8.1 of the current Local Government Act which requires councils to properly manage and protect the environment.

Variation *The following variations were accepted by the Mover and Seconder –*

- *Councillor Brown – the addition of Part 2b; and,*
- *Councillor Takacs – the addition of Part 2c.*

In favour Councillors Kershaw, Connor, Brown, Martin, Takacs, Merrin, Colacino, Curran and Petty

Against Councillors Blicavs, Dorahy, Crasnich and Bradbery

ITEM 3 - SUBMISSION ON THE NSW COASTAL REFORM FRAMEWORK

19 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Curran that -

- 1 The draft submission on the NSW Coastal Reform Framework be endorsed for finalisation by the General Manager and provided to the State Government (Attachment 3 of the report).
- 2 The submission include a request for commitment from the State Government for ongoing funding support for councils in the preparation and implementation of their coastal management programs.
- 3 The submission include a request to ensure there is no loss of protection provisions in the existing SEPP's 14, 26 and 71, and the Coastal Policy.
- 4 The Draft Wollongong Coastal Zone Management Plan not be submitted to the State Government for certification at this stage.

Variation *The variation moved by Councillor Merrin (the addition of Part 3) was accepted by the mover and seconder.*

ITEM 4 - WEST DAPTO URBAN RELEASE AREA - DARKES ROAD SOUTH WEST PRECINCT PLANNING PROPOSAL - POST EXHIBITION REPORT

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 15).

COUNCIL'S RESOLUTION – Council -

- 1 Proceed with the Planning Proposal for 105 Darkes Road, Kembla Grange (Lot 202 DP 1192033), 109 Darkes Road, Kembla Grange (Lot 1 DP 795839 and Lot 3 DP 1008723), 141 Darkes Road, Kembla Grange (Lot 1 DP 770451), Lot 111 West Dapto Road, Kembla Grange (Lot 111 DP 718106), Lot 4 West Dapto Road, Kembla Grange (Lot 4 DP 1008723), Lot 201 West Dapto Road, Kembla Grange (Lot 201 DP 1192033), and Lot 3 Darkes Road, Kembla Grange (Lot 3 DP 1008723), with corresponding amendments to the Land Zoning, Floor Space Ratio, Lot Size, Height of Building and Land Reservation Acquisition maps.
- 2 Refer the finalised Planning Proposal to the NSW Department of Planning and Environment to arrange for the drafting of the amending instrument.
- 3 Note that the General Manager will exercise delegation issued by the NSW Department of Planning and Environment under Section 69 in relation to the proposal.

DEPARTURE OF COUNCILLORS

Due to prior disclosures of interests –

- The Lord Mayor vacated the Chair and departed the Chamber, and Deputy Lord Mayor, Councillor Dorahy, assumed the Chair.
- Councillors Kershaw and Brown departed the meeting, the time being 8.56 pm.

ITEM 5 - DRAFT PLANNING PROPOSAL - PORT OF PORT KEMBLA

- 20** **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Martin seconded Councillor Curran that the matter be deferred pending a Briefing.

ATTENDANCE OF COUNCILLOR AND RESUMPTION OF CHAIR

At this stage, the time being 9.06 pm, the Lord Mayor returned to the meeting, resumed the Chair and subsequently closed the meeting.

ITEM 6 - DRAFT QUARTERLY REVIEW STATEMENT - DECEMBER 2015

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 15).

COUNCIL'S RESOLUTION –

- 1 The draft Quarterly Review Statement December 2015 be adopted.
- 2 The Budget Review Statement as at December 2015 be adopted and revised totals of income and expenditure be approved and voted.

ITEM 7 - APPROVAL FOR COUNCILLOR ATTENDANCE - AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION (ALGWA) 2016 NSW CONFERENCE, GUNNEDAH

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 15).

COUNCIL'S RESOLUTION – Council approve the attendance of Councillors Curran, Martin and Merrin at the 2016 NSW Conference of the Australian Local Government Women's Association in Gunnedah, including travel and three nights' accommodation.

ITEM 8 - CITY OF WOLLONGONG TRAFFIC COMMITTEE - MINUTES OF MEETING HELD 20 JANUARY 2016

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 15).

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 20 January 2016 in relation to Regulation of Traffic be adopted.

ITEM 9 - BI-MONTHLY TABLING OF RETURNS OF DISCLOSURES OF INTERESTS AND OTHER MATTERS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 15).

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 9.06 PM.

Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on 14 March 2016.

Chairperson



Part C – Specific Land Use Controls

Chapter C3: Boarding Houses

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1 INTRODUCTION

Boarding houses are generally permitted and assessed under SEPP Affordable Rental Housing 2009 within all residential zones and B1 Neighbourhood Centre, B2 Local Centre and B4 Mixed Use. Boarding houses in R2 Low Density Residential zones are only permitted by the SEPP where all or part of the development is within 400m of B2 or B4 zoned land.

In addition to the SEPP Affordable Rental Housing 2009, the Wollongong Local Environmental Plan 2009 and the Development Control Plan, applicants should be aware of obligations under the Boarding Houses Act 2012. For more information refer to the Boarding Houses Act 2012 at the following link <http://www.legislation.nsw.gov.au/maintop/view/inforce/act+74+2012+cd+0+N>

This chapter aims to encourage the provision of quality boarding houses and to set appropriate standards to adapt or convert an existing residential building into a boarding house where the SEPP does not apply i.e. land which is zoned R2 but further than 400m from B2 Local Centre or B4 Mixed Use zones.

In such cases this chapter will be used to assess a development application.

2 OBJECTIVES

1. The primary objectives of this chapter are to:
 - (a) Encourage the provision of high quality boarding houses within the city;
 - (b) Encourage the location of boarding houses within accessible walking distance to public transport;
 - (c) Encourage the location of boarding houses within areas where there is access to services and facilities for employment, entertainment, tertiary education and recreation;
 - (d) Minimise any potential adverse privacy or amenity impacts associated with boarding houses on adjoining properties and surrounding locality; and
 - (e) Provide appropriate levels of amenity (internal and external) for residents within boarding houses.

3 DEVELOPMENT CONTROLS FOR BOARDING HOUSES

3.1 Location of Boarding Houses

1. Boarding houses should be generally located within areas that have:
 - a) Access to public transport within 400 metres walking distance of a railway station or bus stop.
 - b) Access to employment and or services (either within walking distance or via public transport)
 - c) Access to parks or open space corridors
 - d) Access to educational institutes such as Universities.
2. Clustering of boarding houses should be avoided so as to reduce the amenity impacts on residential areas. A separation distance of 150m should be considered from existing boarding houses in areas not covered by the SEPP.

3.2 Setbacks

1. Front building line setback shall be consistent with the prevailing front building alignment of directly adjoining buildings.
2. Corner lots, the minimum secondary frontage setback shall be 3 metres.
3. Garages shall be setback at least 6 metres from either the primary street frontage or the secondary street frontage.

4. Side and rear setback shall be a minimum 900 millimetres from the property boundaries for a single storey building and at least 3 metres for a two storey building.
5. Where development occurs within the 8m rear setback the development is limited to single storey, so as to not adversely impact on the amenity of the adjoining property.

4 MINIMUM FACILITIES FOR BOARDING HOUSES – BUILDING CODE OF AUSTRALIA

4.1.1 CLASS 1B BOARDING HOUSES

1. The Building Code of Australia classifies buildings based on their purpose. Class 1b boarding houses are recommended to make provision for the following facilities within the development:
 - (a) Bedrooms;
 - (b) Laundry facilities;
 - (c) Toilet facilities;
 - (d) Communal living room area (optional for 6 persons or less); and
 - (e) Garbage storage and recycling facilities.

4.1.2 CLASS 3 BOARDING HOUSES

1. The Building Code of Australia classifies buildings based on their purpose. Class 3 boarding houses are recommended to make provision for the following facilities within the development:
 - (a) Bedrooms;
 - (b) Laundry facilities;
 - (c) Toilet facilities;
 - (d) Communal kitchen area for food preparation (in addition to any private kitchenette);
 - (e) Communal living room area;
 - (f) Individual and communal storage facilities;
 - (g) Garbage and recycling facilities; and
 - (h) Manager / operator accommodation.

4.1.3 GENERAL BOARDING HOUSE CONTROLS

The following controls apply in addition to the Class requirements under Building Code of Australia.

1. The design of boarding houses must demonstrate the balance between the shared and private areas. Boarding house residents generally only occupy their own bedroom and share the remainder of the internal areas with other residents of the building, so shared areas are a particularly significant component in a boarding house.
2. Boarding rooms shall be a minimum of 12m² for 1 person or 16m² for 2 people.
3. The maximum number of lodgers per boarding room is two (2).
4. Where an ensuite bathroom facility is to be provided this shall be a minimum of 3m². This is to be provided in addition to the 12m² or 16m² for the boarding room size.
5. Where shared bathroom facilities are proposed in a Class 1(b) Boarding House the bathroom must:
 - a. Comply with the Building Code of Australia.
 - b. Must be located so as to be accessible to all occupants.

- c. A minimum of one (1) bath or shower for each 10 occupants or part thereof and 1 closet pan and washbasin with hot and cold running water for each 10 occupants or part thereof.
6. Shared bathroom facilities for Class 3 Boarding houses are required to comply with the Building Code of Australia.
7. Communal kitchens in Class 1(b) boarding house are to be:
 - a. Supplied with cupboards, kitchen sink, food preparation benches and cooking facilities plus tables and chairs in a central location accessible to all residents.
 - b. Communal kitchens shall be a minimum area of 6.5m² for up to 6 residents or 11m² for more than 6 residents up to 12 residents.
 - c. Where minor kitchenette facilities are provided within all bedrooms they shall be comprised of a fridge, adequate cupboards and shelves and a microwave (For fire safety reasons no other cooking appliances are permitted).
8. Class 3 communal kitchen and dining area are to be:
 - a. A minimum of 15m² plus 1m² per additional person above 12 persons; or
 - b. All bedrooms shall contain kitchenette facilities a fridge, adequate cupboards and shelves and a microwave. (For fire safety reasons no other cooking appliances are permitted)
9. Laundry and clothes drying facilities are to be provided at a rate of:
 - a. One (1) washing machine and washing tub is required for every 10 rooms plus
 - b. One (1) clothes dryer or a Min. 30 metres of clothesline for every 10 rooms is required.
10. All boarding houses must provide at least one communal living room of sufficient size to accommodate proposed number of residents.
11. At least one communal living room should receive a minimum of 3 hours direct sunlight between 9am and 3pm on 22 June.
12. Communal living rooms should be appropriately located to minimise impacts on adjoining properties.
13. Private open space is to be located in the rear setback.
14. A minimum of one private open space area of 20 square metres with a minimum dimension of 3 metres is to be provided for use by lodgers.
15. Where the boarding house is not within walking distance to public open space it should provide 30 square metres of private open space.
16. If accommodation is provided on site for a boarding house manager, then one area of at least 8 metres square with a minimum dimension of 2.5 metres is to be provided adjacent to the accommodation for the purpose of private open space.
17. Landscaping in the front setback should aim to soften the built form of the boarding house and maintain the visual amenity of the surrounding locality.
18. A landscape plan may be required for purpose built boarding houses in accordance with Chapter E6 Landscaping.
19. Boarding house shall make satisfactory provision for on-site car parking for residents, the resident manager / property owner and visitors.
20. Car parking shall be provided in accordance with Chapter E3 Car Parking.
21. All new boarding houses or major alterations and additions to existing boarding houses will be required to provide suitable disabled access arrangements into and within the boarding house in accordance with the Australian Standards.
22. Subdivision or community title subdivision of boarding houses is prohibited.

23. Boarding house application shall include a statement of justification addressing the following points:
- What are the key objectives of the boarding house? (i.e. Is it consistent with localised housing needs and demands? Does it increase housing stock? Will it provide affordable options? Who will it accommodate? Is it for a special needs group, providing housing for groups otherwise disadvantaged or providing wider social benefit?)
 - What are the local area characteristics? (i.e. streetscape character, visual catchments, dominant style of surrounding built form)
 - What are the likely physical and social characteristics of the proposed boarding house? (i.e. what is the development physical form (eg. Number of bedrooms, type etc) change the size and characteristics of the population?)
 - What are the key social impacts associated with the proposed development? (i.e. will the development impact on certain groups of the community?)

5 MANAGEMENT PLAN

Boarding houses require a management plan to be submitted with a development application in order to ensure that the boarding house operates in a way that maintains the existing amenity of the surrounding locality. The management plan is to set out the various requirements and responsibilities of management and lodgers. A template Management Plan to ensure the submission of all essential information is provided in **Schedule 1** of this DCP chapter. The Management plan must be provided to the relevant managing agent. Council shall be advised of any changes to boarding house management details by means of an updated management plan.

- The management plan shall provide the following information:
 - Proposed staffing arrangements during the daytime and at night-time;
 - Proposed measures to ameliorate any potential noise or amenity impacts within the building and upon the surrounding locality;
 - Proposed safety and security measures to be employed within the boarding house including prominent display boards within the building of emergency telephone numbers including ambulance, fire and police, relevant utilities suppliers such as gas, electricity and water and emergency repair persons for each utility and other essential telephone numbers;
 - 'House Rules' to be clearly displayed within each bedroom and within the communal living area of the boarding house. This is to include proposed management practices to prevent the use of outdoor common open space areas between 10.00 pm and 7.00 am, cleaning and waste standards and practices to maintain health and safety of residents for all communal areas, house management details, house layout;
 - An Emergency Evacuation Plan is to be prepared, identifying evacuation route and assembly points with details of how residents will be made aware of procedures within the plan. A copy of the plan is to be provided to the relevant managing agent and all residents.
 - A parking statement to address how the boarding house will manage any additional overflow parking demand created;
 - The 24 hour contact details of the manager / caretaker (including phone number and mobile phone number) to be displayed externally at the front entrance of the boarding house and internally within the communal living area (the details can be provided at the Occupation Certificate stage).

6 FIRE SAFETY

- A copy of the annual fire safety statement and current fire safety schedule for the building must be prominently displayed in the front entrance (lobby area) of the building.

2. A floor layout plan of the building must also be affixed to the inside of the door for each bedroom within the boarding house to indicate the emergency evacuation routes and safe assembly point from the respective sleeping room.
3. Any approved boarding house will require appropriate annual certification for essential fire safety measures.

SCHEDULE 1 - BOARDING HOUSE MANAGEMENT PLAN TEMPLATE

1 INTRODUCTION

This boarding house management plan sets out the various requirements and responsibilities of management and lodgers. The management plan must be provided to the relevant managing agent and residents of the boarding house.

1.1 General details

Address: [insert boarding house address]

Plan prepared: [insert date]

The boarding house was approved: [date of consent]

1.2 Management arrangements

- (a) The boarding house is to be managed by [details of on site manager / off site agent etc] who will be familiar with the content of this management plan and enforce the requirements outlined within.
[insert name, address and contact details of manager]
- (b) the manager will ensure their contact details are made available and displayed externally at the front entrance of the boarding house and internally within the communal living area.
- (c) The manager will conduct inspections/visitations on [insert visitation/inspection frequency] and keep record of these in a log book.
- (d) The boarding house will be staffed [insert details around any staff associated with the boarding house].
- (e) The manger will maintain an incident register and make it available if requesting during inspection.
- (f) The manager is responsible for organising any maintenance required, waste collection and other facility needs.
- (g) The manager must notify Council in writing if there is any change to management arrangements or contact details within 1 month of the change.

1.3 Lease agreements

- (a) This section will provide details on the process for selecting residents. [outline process]
- (b) [outline the lease agreement for residents]
- (c) [minimum and maximum stay details]
- (d) Policy for dealing with difficult residents [provide details]

2 FIRE SAFETY

- (a) All fire safety features within the building are to be regularly inspected and maintained [insert frequency].
- (b) A floor plan will be provided and displayed inside of the door in each bedroom indicating emergency exit routes.

- (c) [details of actions to reduce fire risk. e.g. prevent smoking indoors, prevent use of open flames, cooking and kitchen equipment to be used, restrictions to type of heating devices in individual rooms, individual fire ratings for bedrooms etc].

3 HOUSE RULES

House rules are to be clearly displayed throughout the boarding house. The rules are to address the following:

- (a) visitor/guests policy
- (b) activities and noise control
- (c) operating hours for communal areas and outdoor spaces
- (d) use of communal areas
- (e) maximum room occupation
- (f) resident and guest behaviour standards
- (g) accessing rooms for inspection
- (h) cooking and dining
- (i) waste disposal
- (j) damage/breakages/loss of keys/emergency contacts
- (k) fire safety
- (l) smoking, alcohol and zero tolerance policy on illegal drugs
- (m) keeping of pets

4 FURNATURE AND FACILITIES

The boarding house is equipped with the following furniture in each bed room:

[Provide documentation of all furniture and fittings to be provided within the boarding house].

5 CLEANING AND MAINTENANCE

For the health and safety of residents and any staff, all communal areas of the boarding house are to be cleaned to a professional standard at least once a week.

[in this section outline the cleaning arrangements which could cover the following:

- (a) Name and contact details of cleaner and maintenance person, gardeners etc (if possible)
- (b) Outline of responsibilities, to whom – eg. Cleaner will clean communal area once a week, resident will be responsible for cleaning bedroom etc
- (c) Frequency of cleaning to be conducted and standards for individual rooms, bathrooms, indoor and outdoor areas)
- (d) Cleaning/maintenance programme of individual rooms and furniture
- (e) Frequency of maintenance and repairs
- (f) Pest control arrangements, frequency and areas affected etc
- (g) Frequency and type of gardening (lawns, hedge trimming, watering etc)
- (h) Frequency of linen changes
- (i) Record and management of breakages and repairs

6 WASTE AND RECYCLING

Residents of the facility are to be encouraged to participate in recycling with the provision of general waste, recycling waste and green waste bins from Wollongong City Council.

[Outline who is responsible for internal waste disposal and external disposal for individual areas and communal areas. Include days external waste services collect waste and who is responsible for ensuring waste is removed from premises. Detail if a sharps bin will be provided, collected and by whom].

7 PARKING STATEMENT

Beyond parking provided in accordance with the DCP, this statement proposes how the boarding house will manage any over flow parking demand generated that cannot be accommodated on site.

[Provide details around how this will be managed, a map with alternative parking or detailed instructions would suffice]

8 EMERGENCY EVACUATION PLAN

The evacuation procedures for the boarding house in case of emergency include: [outline the evacuation procedure for the boarding house by including the following information]

- (a) Emergency evacuation routes for each room and common area
- (b) Resident assembly point
- (c) How resident presence will be checked/recorded in the event of an emergency (eg.log book)
- (d) Emergency contact details
- (e) Training and preparation for emergency evacuations

9 COMPLAINTS HANDLING

The boarding house manager is responsible for establishing a forum for adjoining neighbours to discuss any concerns. Residents and adjoining residents will be provided with access to the management plan and relevant contact details.

[Provide further details around how the boarding house will record, and action and respond to any complaints made]

MEMORANDUM OF UNDERSTANDING

APPOINTMENT OF PANEL MEMBERS

Ihereby accept appointment to the Wollongong Design Review Panel (DRP) on the following terms and conditions: -

1. I have read the provisions of State Environmental Planning Policy 65 (SEPP) and the Apartment Design Guide (ADG). I agree to abide by those provisions and in particular Part 5 of the ADG.
2. I acknowledge and agree that my appointment begins on the _____ 20____ and ends on _____ 20____, which term is renewable by the Council in its absolute discretion.
3. I understand and accept that each member of the DRP is entitled to receive such remuneration for attending meetings and taking part in the business of the DRP as specified in Part 5 of the Apartment Design Guide.
4. I acknowledge and accept that if I have a pecuniary interest in any matter (as defined in sections 442 and 443 of the Local Government Act, 1993), to be considered by a meeting of the DRP, or a Conflict of Interest as defined in the Council's Code of Conduct then:-
 - (i) I will immediately disclose the nature of that interest to the DRP at the meeting prior to any consideration of the matter, and
 - (ii) I will not be present at or in the sight of the meeting of the DRP at any time during which the matter is being considered or discussed by the DRP.
5. I understand and accept that the business conducted by a DRP shall be subject to the provisions of Section 148 (Disclosure and misuse of information) of the Environmental Planning and Assessment Act 1979 and I will not disclose or misuse any information provided to me as a Member of the DRP.
6. I acknowledge and agree that the Council may immediately terminate my appointment to the DRP by notice in writing, given to me or posted by pre-paid letter addressed to my last known place of residence or business or post office box, if I act in breach of the requirements of paragraph 5 of this Memorandum of Understanding or if I fail to attend two (2) consecutive meetings of the DRP which I should attend, without a written explanation for my absences given to and accepted by the Council's Manager Development Assessment and Certification.

.....
DRP member (signed) Date

.....
General Manager (signed) Date



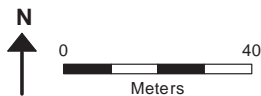
WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

Planning Proposal Land Zoning Map Legend

- Lot 8 DP2281 Clifton
- Council_Owned_Land
- National Parks & Nature Reserves
- Environmental Conservation
- Environmental Management
- Environmental Living
- General Residential
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Large Lot Residential
- Public Recreation
- Private Recreation
- Primary Production
- Rural Landscape
- Primary Production Small Lots
- Special Activities
- Infrastructure
- Tourist

Cadastral

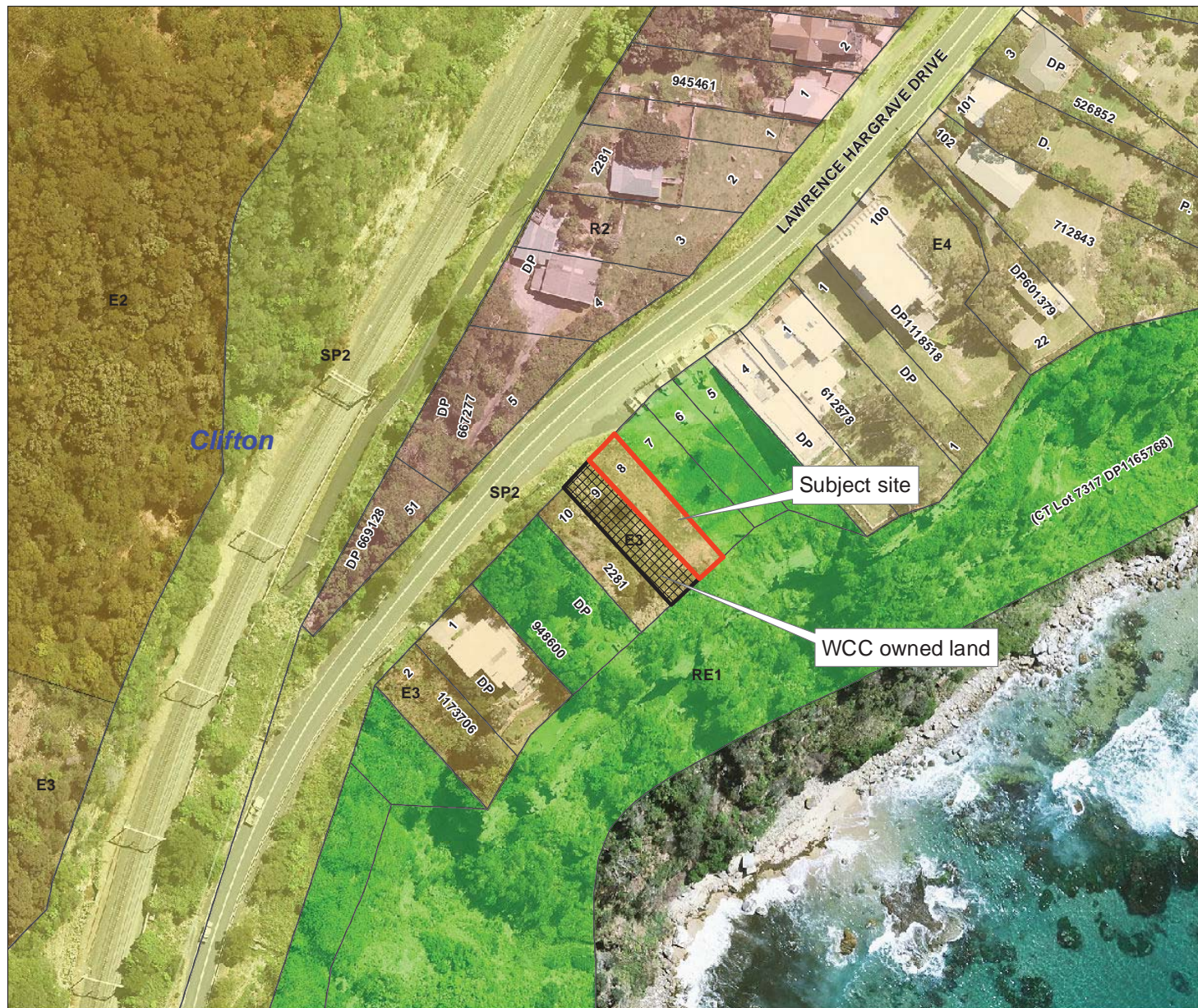
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Projection: GDA 1994
MGA Zone 56

Scale 1:750 @ A3

Map Identification number:
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WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

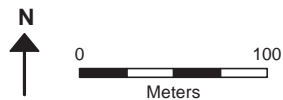
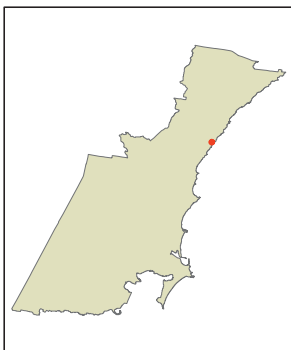
Planning Proposal Land Zoning Map

Legend

- Lot 1 DP 977471 Wombarra
- National Parks & Nature Reserves
- Environmental Conservation
- Environmental Management
- Environmental Living
- General Residential
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Large Lot Residential
- Public Recreation
- Private Recreation
- Primary Production
- Rural Landscape
- Primary Production Small Lots
- Special Activities
- Infrastructure
- Tourist

Cadastral

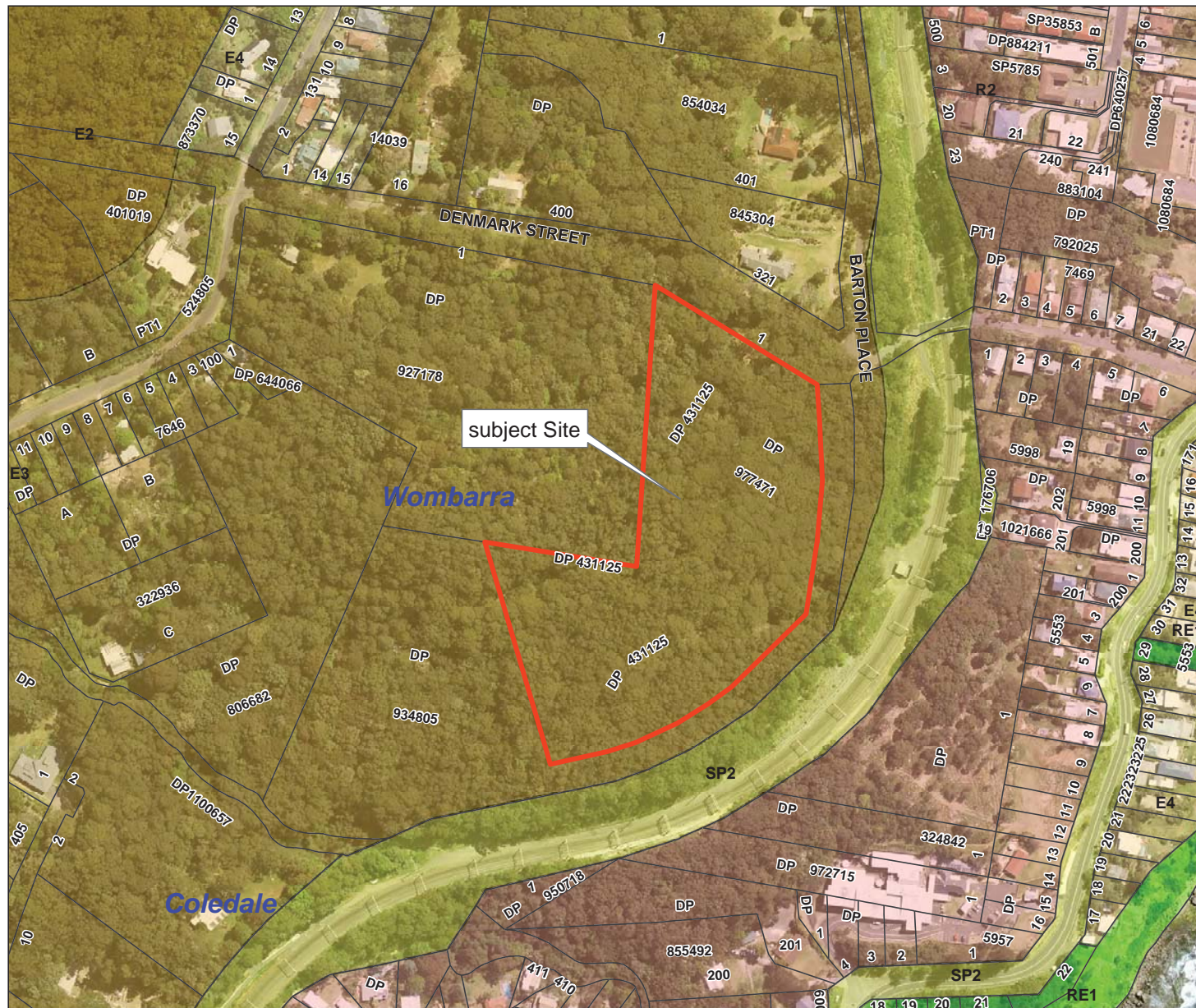
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Projection: GDA 1994
MGA Zone 56

Scale 1:2500 @ A3

Map Identification number:
335 Lawrence Hargrave.mxd



Wollongong Coastal Study Geotechnical Assessment Figures

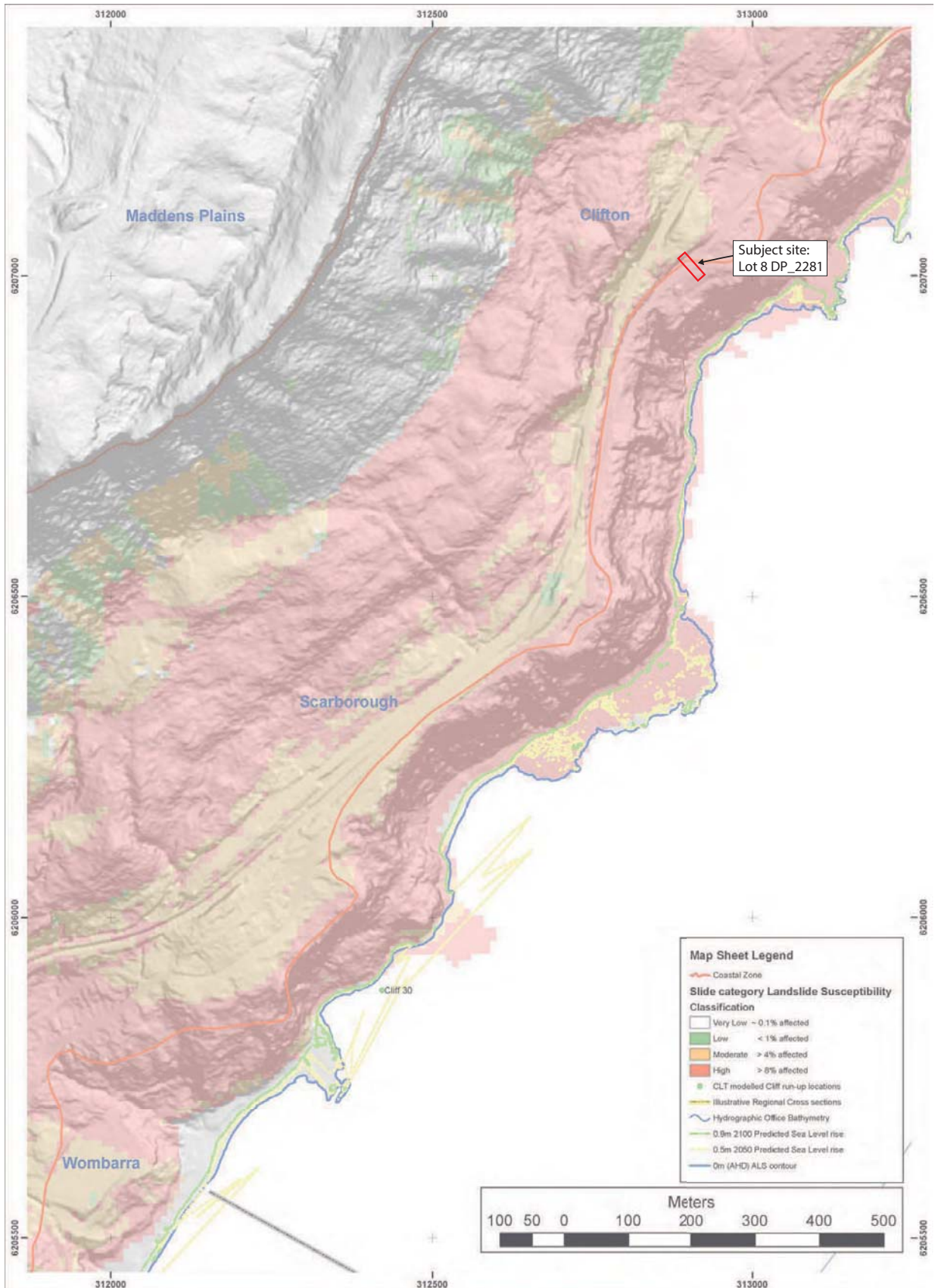


FIGURE 8D DTA2 - Domain 2 Typical Area Landslide Susceptibility Mapping

Illawarra Escarpment Strategic Management Plan 2015 – Wombarra Site Analysis

| | Site Analysis | Council Comments |
|---|---|---|
| 1 | Demonstrate the environmental envelope methodology (Section 5.5.2) has been applied to the site. | The information provided to date does not demonstrate the environmental envelope methodology has been applied to the site. |
| 2 | Where the site is adjacent to existing urban development, increase lot size and reduce density of development closer to the escarpment. | The subject lot is 3.846 hectares in area and currently does not have a dwelling entitlement, due to being an undersized lot. The lot is located on the eastern side of the Escarpment Area in this locality, and is nearby to other lots of varying sizes. Some of the nearby lots are smaller than the subject lot and some are larger with no particular pattern of increasing lot size from east to west. |
| 3 | Riparian corridors are to be applied consistent with the recommendations contained within the Riparian Corridor Management Study (Department of Infrastructure Planning and Natural Resources, 2004). Office of Water guidelines for riparian corridors on waterfront land are not relevant due to the Illawarra Escarpment not being an urban release area. | A category 1 watercourse exists on the subject lot. The proposal has not applied a 50 metre total width riparian corridor in that much of the proposed building envelope and the proposed APZs are located within the recommended riparian corridor. The proposal has requested a variation to the 50m riparian corridor width to allow for the establishment of a dwelling on the site, giving the reason that the watercourse is minor. This reason is not supported . |
| 4 | The clearing of native vegetation on the escarpment is to be avoided. This includes; for the location of a dwelling site, provision of services, access, on-site effluent management, infrastructure or for the implementation of bush fire controls including Asset Protection Zones (APZs). Where minor native vegetation removal is required, it needs to be justified in terms of significant improved outcomes for the environmental and cultural values of the Illawarra Escarpment (Sections 4.1–4.2). | Clearing is proposed for the location of the dwelling site (two trees), access (four trees), asset protection zones (21 or possibly down to 14 trees), under-scrubbing over an area of approximately 0.5 hectares and would be expected to enable the installation of the two absorption trenches proposed for on-site effluent management. The amount of clearing is not considered to be minor . |
| 5 | Retain the rural atmosphere of the escarpment through avoiding visible development and maintaining low development density. Where higher densities are required to achieve conservation and enhancement of | The application states: “The proposed dwelling house is to be located within a partially cleared section of land close to Denmark Street. The development is low in profile (single storey with a flat roof) and will be set behind existing trees along Denmark |

| | | |
|---|---|---|
| | the escarpment, dwellings need to be hidden and clustered to avoid degrading the visual quality of the escarpment. | Street ensuring the maintenance of the visual amenity of this locality". No visual impact assessment has been carried out, however, to determine whether a dwelling within the proposed building envelope would be visible. |
| 6 | Where possible, avoid creating additional lot boundaries through existing native vegetation or riparian areas. | NA |
| | Conservation | |
| 7 | Contributes to the improved management of escarpment lands through permanent, legally binding mechanisms (Section 5.3). | The applicant has proposed three conservation mechanisms as options, namely: 1. Restriction on the land pursuant to the <i>Conveyancing Act 1919</i> ; 2. Property Vegetation Plan pursuant to the <i>Native Vegetation Act 2003</i> ; and 3. Voluntary Planning Agreement (VPA) pursuant to the development contributions provisions contained in Division 6 of Part 4 of the <i>Environmental Planning and Assessment Act 1979</i> . Of the above, only the Property Vegetation Plan option would meet the IESMP criterion of a permanent, legally binding conservation mechanism. |
| 8 | Conserve, improve and where possible extend existing vegetation on the site. This may include conservation and improvement of vegetation of relatively low biodiversity value in order to provide a buffer to nearby high biodiversity escarpment land such as that mapped as "primary" in the NPWS Bioregional Assessment of the Illawarra Escarpment and Coastal Plain 2002 (NSW National Parks and Wildlife Service, 2002c). | The entire lot 1 DP 977471 is mapped as 'primary' in the NPWS Bioregional Assessment. As discussed at item 4. The amount of clearing proposed with the development is not considered to be minor so it would not result in improved or extended vegetation and conservation outcome as the lot is itself of high biodiversity. |
| 9 | Conserve, improve and where possible extend existing vegetation to provide for increased connectivity and enhance existing vegetation corridors such as mapped in the Illawarra Biodiversity Strategy 2011. | The proposal would not provide for an increase in connectivity or enhancement to existing corridors. |

| | | |
|-----------------|---|--|
| 10 | Protect, maintain and enhance flora and fauna species and vegetation communities of the Illawarra Escarpment. | Under a vegetation management plan there is potential to increase to protection of a portion of the property, however the portion that is to be impacted will result in a loss of vegetation and will be subject to impacts from legislation such as maintaining an Asset Protection Zone and the 10/50 Vegetation Clearing Scheme. |
| 11 | Describe how the escarpment values of the site will be improved in terms of specific and secure conservation initiatives and outcomes that will enhance the Illawarra Escarpment for the long term. | <p>The indicative dwelling design (although still subject to detailed development assessment should the planning proposal be supported) is sensitive to the escarpment setting with the building envelop to be located south of a ridge spur and a low profile, single story design. The applicant's intent to maintain and protect the vegetated setting (this intent may only be for foreseeable short term).</p> <p>The proponent put forward the option to develop a Property Vegetation Plan pursuant to the <i>Native Vegetation Act 2003</i> as a means to securing a legally binding conservation mechanism.</p> |
| Heritage | | |
| 12 | A report must be submitted to Council assessing Aboriginal and Non-indigenous heritage values on the site due to the heritage significance of the escarpment (section 5.3.3). A Separate report may be required for consideration of Aboriginal and Non-indigenous cultural heritage. | <p>The report submitted briefly addressed heritage although it did not explore the heritage values of the escarpment outside of biodiversity and conservation qualities. The report considered there were no known non-indigenous heritage items present on the site or on adjacent lands.</p> <p>An AHIMS search did not indicate any matters of Aboriginal heritage that would affect the site.</p> <p>Should the proposal be supported, this may need further assessment and reporting due to the inherent cultural importance of escarpment lands.</p> |
| Visual | | |
| 13 | A visual impact assessment must be prepared consistent with the methodology presented in the Visual Quality Analysis of the Illawarra Escarpment 2006 (DSB Landscape Architects, 2006). | No visual impact assessment was prepared for this site. |
| 14 | Locate proposed development with full consideration of its visual context within a precinct. Proposals | The visual impacts have not been considered in detail. However, it is hard to believe there would be any enhancement to scenic |

| | | |
|----|---|--|
| | should conserve or enhance the scenic attributes of its precinct. | attributes of the precinct as a result of the development of a dwelling house. |
| 15 | Promote a pattern of land use sympathetic to the valuable escarpment landscape, protecting ridges, spurs, valleys, and creeks. | The proposal is likely to increase the residential amenity and reduce the high biodiversity values and core escarpment attributes of the site. |
| 16 | No residential or infrastructure development on visually significant or prominent ridgelines – ridgelines should be managed for conservation, visual and biodiversity outcomes. Vegetated ridges should separate suburbs. | The Proposal is consistent. Development would not occur on a visible ridgeline. |
| 17 | Development opportunities should be considered where there is nil, or only a localised visual impact, not visible from the broader urban areas. | Although there was no visual impact assessment, the Proposal is likely to have only localised impact from broader urban areas on account of the indicative plans for a one story low profile dwelling set back off the ridge along Denmark Street. |
| 18 | Allow for public access to views of exceptionally high scenic properties. | NA |
| | Bush Fire | |
| 19 | A bush fire assessment must be submitted consistent with the Planning for Bush Fire Protection 2006 (Rural Fire Service, 2006) | The proposal is consistent and a bushfire assessment report was submitted with the application to Council. |
| 20 | Bush fire assessments must consider the possible effects of the 10/50 Vegetation Clearing Code on vegetation. | <p>The effects of 10/50 vegetation clearing code on vegetation were not considered in the documents submitted with the exception of suggestion in the main reporting document stating that:</p> <p>“a Vegetation Management Plan and 88B instrument shall be worded to limit clearing beyond APZ areas”.</p> <p>Council does not consider an 88B restriction instrument sufficient to ensuring no additional clearing would occur because Title restrictions fall under the <i>Conveyancing Act 1919</i> where development of land falls under the <i>Environmental Planning and Assessment Act 1979</i>. Further, Clause 1.9A of the LEP gives power to the consent authority to suspend covenants, agreements and instruments.</p> <p>Bushfire hazard reduction works are can be undertaken without consent according to the</p> |

| | | |
|----|--|--|
| | | <p>LEP and in accordance with the <i>Rural Fires Act 1997</i>.</p> <p>According to the RFS search tool accessed at http://www.rfs.nsw.gov.au/plan-and-prepare/1050-vegetation-clearing/tool the following applies:</p> <p><i>“The parcel of land you have selected is located in a designated 10/50 vegetation entitlement clearing area. However, the online tool has identified that your land parcel may exclude or otherwise restrict your clearing under the 10/50 Code. ... The onus is on the landowner to demonstrate that their land parcel does not contain the identified legal protection measure.”</i></p> |
| | Geotechnical | |
| 21 | A Geotechnical assessment must be submitted due to known geotechnical instability on the Illawarra Escarpment. | A Geotechnical Assessment (Dated 25 May 2015) was submitted with the application documents. |
| 22 | Where revegetation is required to improve the stability of high geotechnical risk areas, plant local native vegetation associated with the vegetation present on the site. | Revegetation was not a recommended component of site stabilisation works discussed in the Assessment. |
| 23 | Avoid the exposure of development to areas of instability or geotechnical risk. | The proposed site for the building envelope indicated in the application presents the most stable location on site. According to the Geotechnical Assessment, the overall risk of slope instability on the allotment is assessed to be ' Low '. |



30 November 2015

Emma Struys
Strategic Project Officer
Wollongong City Council
Locked Bag 8821,
Wollongong 2500

Dear Emma

Planning proposal to amend Wollongong LEP 2009 to allow dwellings on lot 8 DP 2281 and lot 1 DP 977471

I refer to our previous correspondence dated 22 October 2015 and request that Council give consideration to the supplementary information provided below. This submission specifically responds to the management of the proposed conservation area within Lot 1 DP 977471, Denmark Street, Wombarra.

Management of conservation land

We note that key Council personnel have, in face-to-face discussions, raised the issue of the Council not facing an undue burden in enforcing or otherwise assuming ongoing responsibility for the proposed conservation, in perpetuity, of the 87% uncleared portion of the lot.

Our client is willing to pursue any reasonable option to ensure that the Council is satisfied that the proposed conservation area will be adequately protected and managed in perpetuity, with the ongoing costs of such management to be borne by the private landowner.

The following options are presented for the Council's careful consideration as potentially appropriate legal mechanisms to achieve the desired conservation status, and to ensure that the land is managed in perpetuity whilst imposing minimal strain on the Council's resources:

1. Restriction on the land pursuant to the *Conveyancing Act 1919*

This option involves the registration, on the title to the subject land, of a restriction on the land use, or a positive covenant under Section 88B or 88E of the *Conveyancing Act 1919*. Compliance with the approved vegetation management plan (VMP) will be required under the instrument.

A positive covenant can delineate the subject to the conservation management area, and can restrict further development of the land to the reasonable satisfaction of the Council.

Any future proposed changes to the restrictions outlined in the registered instrument would require the Council's consent.

Any management actions agreed to under the VMP are legally enforceable by the Council.

It is understood that this is the most commonly used measure by councils to ensure areas that are retained for conservation purposes are in fact secured for this purpose.

2. Property Vegetation Plan pursuant to the *Native Vegetation Act 2003*

This is a voluntary, legally binding agreement between a landholder and Local Land Services (LLS) to protect native vegetation that is located on private land in perpetuity.

The *Native Vegetation Act 2003* applies in the subject part of the Wollongong LGA.



Recent consultation with Vanessa Allen at Southern River Local Land Services has included advice that Property Vegetation Plans (PVPs) can be entered into solely for conservation purposes, and there is no minimum lot size for consideration. This mechanism would provide security on the title over the proposed conservation land outside of the proposed dwelling area.

In order to ensure that the PVP is binding on successors in title, the Plan will be registered in accordance with section 31 of the Native Vegetation Act 2003.

3. **Voluntary Planning Agreement (VPA) pursuant to the development contributions provisions contained in Division 6 of Part 4 of the *Environmental Planning and Assessment Act 1979***

One benefit of the VPA option is that it is binding agreement that can be entered into as part of the process of amending the LEP.

Accordingly, it is an option that can provide the Council with an enforceable, legally binding arrangement that exists well in advance of the granting of development consent.

The material public benefit provided under the VPA would include the setting aside of a vegetated portion of land for conservation in perpetuity, and its ongoing management for conservation purposes.

It is a mandatory requirement that a planning agreement prescribe mechanism(s) for the enforcement of the agreement by suitable means. Further, the VPA can be registered on the land title, and compliance with the agreement can be made an express condition of any future development consent provided that the agreement is the subject of a statutory offer pursuant to section 93I of the *Environmental Planning and Assessment Act 1979*.

We reiterate that our client is more than willing to consider any of the above options, or a combination thereof, to ensure the Council is satisfied that the conservation land will be adequately conserved and managed in perpetuity, without placing significant pressure on Council resources. It is further noted that a VMP will remain applicable whichever option is implemented.

We would welcome the opportunity to further discuss this particular aspect of the proposal with the Council and welcome the opportunity to meet with yourself and any key personnel from Council to discuss the proposal at your convenience.

Yours sincerely

Marion Lourens
Project Manager
marion@elton.com.au



ANIMATING WOLLONGONG



PUBLIC ART STRATEGY

& GUIDELINES 2016 - 2021



ANIMATING WOLLONGONG PUBLIC ART STRATEGY

& GUIDELINES 2016-2021



Wollongong City Council would like to show their respect and acknowledge the Traditional Owners of the Land, Elders past and present, and extend that respect to other Aboriginal and Torres Strait Islander people.



JANUARY 2016 ©

Phone: (02) 4227 7111

Fax: (02) 4227 7277

Email: council@wollongong.nsw.gov.au

Mail: Wollongong City Council. Locked Bag 8821, Wollongong DC NSW 2500



Developed with the assistance of **Overton Creative Consulting** - www.overtoncreative.com

The contents of this strategy are subject to STCA (Subject to Council Approval). While reasonable efforts have been made in good faith to ensure the contents of this strategy are factually correct, Overton Creative Consulting Pty Ltd and Wollongong City Council does not guarantee and accepts no responsibility or legal liability whatsoever arising from or connected to the accuracy, reliability, currency or completeness of any information provided.

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'ANIMATING WOLLONGONG' PUBLIC ART STRATEGY 2016 – 2021

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"In an increasingly complex public realm, celebration of the uniqueness of individual places captures an overall sense of shared experience and identity, connects us to history and memories, to our neighbours and to the wider community"

Wollongong Cultural Plan 2014



PART ONE

STRATEGIC CONTEXT



‘ANIMATING WOLLONGONG’: PUBLIC ART STRATEGY 2016 - 2021

A clear vision and a well thought out public art strategy is one way to ensure public art projects are delivered in a strategic manner which will provide maximum community benefit.

The need to prepare a new Public Art Strategy has been identified as a key action within the Council's *Cultural Plan 2014* "to facilitate a regular program of temporary and permanent public art for the City which is integrated with the area's rich urban and rural character and cultural heritage".

The aim has been to bring clarity and cohesion. This Public Art Strategy has been prepared to provide a framework for the Council's planning and decision making in relation to the commissioning and acquisition of public art, as well as its ongoing care and maintenance. Public Art Strategy works in conjunction with a suite of strategic and operational documents that guide both the direction and the implementation of public art within the city.

The **Public Art Strategy** reflects key themes, which are central to the future direction for not only arts but social, economic and environmental development across Wollongong and the Illawarra.

Guiding principles along with new themes/narratives underpin the core principles and benefits of this Strategy in the context of Wollongong's community vision by:

- Cultivating, embracing and showcasing Wollongong and region's unique strengths and characteristics.
- Promoting a diverse, dynamic, creative culture across the LGA
- Strengthening partnerships and collaboration with key stakeholders and funding bodies
- Embedding integration:
 - Adopting more robust public art controls in the Wollongong DCP and other strategic plans
 - Redefining the role and approach to the delivery of public art as an integral part of Council's annual capital works program
 - The preferred approach to public art commissioning is to include artists in project development teams at the outset of planning and delivery. Artists working in this context can create meaningful work that has a direct relationship to the local environment and project objectives.
- Developing a stronger commitment to greater flexibility and better quality control in the commissioning of public art. An emphasis on user-friendly processes will ensure that commissioning decisions are transparent will provide greater flexibility in how, when and where public art is included into projects.
- Adding public art to the cultural animation and cultural programming, including festivals and public events.

‘ANIMATING WOLLONGONG’: PUBLIC ART STRATEGY 2016 - 2021

The role of public art is to establish a dialogue, mediated by an artist, between a community and its environment. As the most visible and accessible art form, public art plays a role of unprecedented importance in contributing to the poetic dimension of the city. Thriving art and culture are the great indicators of a city's pulse and should have a palpable presence throughout the city.

For well over 35 years public art has enriched the public domain of Wollongong and artists have contributed strongly to the shaping and transforming of the urban realm in ways which reflect, accentuate and give meaning to Wollongong's unique environment, history and community. Importantly, Wollongong City Council recognises the social, cultural, economic and environmental benefits that flow from integrating public art into the urban fabric - benefits not just for new developments, but for the whole city. The public environment comprises land, buildings, institutions and open spaces that are effectively in collective ownership. The centres of large cities and villages offer a broad range of experiences and opportunities; intensity and variety contribute greatly to the texture of city life. It has the ability to effectively sustain business and commercial functions as well as underpinning the social and cultural life of the city.

Public art has the intrinsic ability to embrace both these physical and the social/cultural dimensions by encouraging people to engage in these spaces and extend their knowledge and familiarity with their locality. It is about making the connections between people and places, between public and private space, between the natural and built environment, between pedestrian movement and urban form, and between the social and economic purposes for which urban space is used.

The need to prepare a new Public Art Strategy was identified as a key action within the Council's *Cultural Plan 2014* "to facilitate a regular program of temporary and permanent public art for the City which is integrated with the area's rich urban and rural character and cultural heritage". As with all other plans, strategies and policies developed by Council, this Strategy and Guidelines have been informed by best practice research and sets a framework for collaboration across Council – in this case on directions concerning the design and management of public/private space, quality and sustainable building design and processes, and engagement in the cultural life of the city.

The Strategy and Guidelines do not therefore aim to duplicate information contained within these other policy frameworks, but rather offers a complementary set of objectives, directions and opportunities for communities, artists, designers; developers, their design teams, to work in the city.

This strategy has been developed to clearly articulate why and how the council is involved in public art, what the council seeks to achieve from supporting and investing in public art, the principles that guide the council's actions, the various roles the council plays and the context within which decision-making for public art takes place, and importantly lays down a strategic and curatorial framework for the future.

Clearly, future strategic drivers such as continued population growth, an altering of the demographic profile, changes in economics and investment in the city, changed patterns of climate and other shifting environmental factors, along with proposed council boundary changes and amalgamations will all present both opportunities and challenges for the City.

Wollongong, being the third largest city in New South Wales continues to grow with a population now over 206,000 people. This has come from a marked increase of the past 5 years of the number and value of residential and non-residential building approvals across the City. This new development has brought altered patterns access and activity that often blur the boundaries between public and private ownership.

Within the CBD, the facades of private buildings that frame public space, and associated landscape and design treatments, also private places that are physically inaccessible yet remain visibly accessible bring a heightened level of not only interest and but also ambiguity to the urban environment.

Furthermore, Council has also in place a long term strategy that integrates new urban development and the timely implementation of infrastructure that aims to deliver sustainable and new high quality suburbs. 'Green field' residential development in areas such as West Dapto has altered the landscape noticeably, however there remains a strong desire to reflect elements, with links to the past through pastoralism and mining, and to the history of Aboriginal presence in the coastal hinterland.

A key feature of this strategy has been to recognise and capitalise on these growth opportunities by providing a robust framework which further defines and encourages collaboration between artists and architects to produce the effective delivery of public art outcomes in new development across the City. The aim is to promote a range and scope of opportunities and projects to promote the role of artists as 'visual engineers' and conceptual thinkers, not simply makers of objects.

Exploring the fluidity of change of Wollongong, has also brought about another distinctive feature of this new Strategy; that is to embrace the changing parameters of 'public art'. Contemporary public art practice has evolved from not only marking significant sites and concepts through permanent artworks, but to further experiment with new artforms or redefine other more participative approaches to art in public places that gives form to the complete variety of ideas and perceptions about a connection to place whether past or future.

This also includes a stronger association to urban design principles and "good city making" outcomes and concepts like "tactical urbanism"; of which is also explored in Council's recent *City for People Strategy 2016* that highlights the value of creativity and spontaneity in building dynamic places. Public Art is now being deployed as an innovative and creative means of helping to solve particular urban design challenges and problems and its ability to contribute to transforming the appearance and experience of places making them more attractive and vibrant.

Wollongong is currently on the edge of this transformation, both physically through renewal and transformation, but also whereby recent public art activity has been defined by its ability to be more temporary, flexible, participative and enquiring.

Effectively it has helped to create a distinctive place in creating forms that people recognise as their own and which reflect strongly back to them their character, stories, sense of place and culture. Such regular programs and events as 'Wonderwalls' enable the Wollongong communities to imagine, grow, succeed, understand and empathise through creativity.

Council's definition of public art is now broad and inclusive; and addresses the ever-evolving nature of public art from three key perspectives:

- The creative processes and art forms that comprise public art;
- The characteristics of permanent public art;
- The characteristics of temporary public art.

These perspectives effectively promote the collaboration of arts practitioners with communities to achieve artistic and social outcomes in the public realm, the processes and the results of participation by artists on design teams that develop public places, as well as the practices of the creation of temporary public art activities, including, but not restricted to performance, ephemeral and time-based sculptural installations etc.

The Strategy's framework is also a mechanism to create, discover, interact and participate in new and creative experiences throughout the City and to increasingly use public art as a vehicle for revitalising urban spaces and engaging with communities.

As well as broadening Council's outlook on contemporary approaches to public art practice, this new strategy has also set out to deliver best practice in all areas of public art activity, from the selection of opportunities and the conception of projects through to the delivery, care and maintenance of Wollongong's public art within a setting of continuous improvement. Integration is vital to the success of the Public Art Strategy, in delivering demonstrable community benefit across the entire City.

Developing a contemporary interpretation of the contribution of public art to the urban spaces and landscape of a city requires careful consideration of the specific context, the studying of a range of appropriate artistic options, teamwork among contributing professionals, and carefully planned strategies and staging. The Council's aspiration is for the best artistic results across all art genres and types.

This importantly will ensure effective leadership and collaboration across Council in place-making through public art by fostering and supporting the enthusiasm, ideas, talents and resources of organisations and individuals to help plan and deliver public art activity including seeking to influence the character and high quality of public art developed by others across the City.

A further guiding principle in the development of this Strategy has been the importance of acknowledging and capturing the values and expectations of the full range of stakeholders that public art projects engage with. Evaluation is not simply a process to determine numeric 'value'. There will always be economic circumstances and conditions that a public art project will need to take account of, but it is often the intrinsic artistic experience and social and environmental impacts that are more important to the artists, and the community.

This Strategy and associated guidelines encourage a more holistic return and measure to value. Some of the goals highlight instances of not only a commitment to further developing and exploring the margins of public art practice, but also to rebuilding local cultural and social capacity; and contributing to economic and environmental outcomes.



We  the Gong®



“Ultimately, public art embraces its environment, and helps create places that inspire investigation and interaction, and are enjoyable and meaningful in their own right. Public art can provide enduring strength and pride for communities, and also challenge our assumptions in forms limited only by our imagination”

Art + Place, QLD Public Art Program 2012



BACKGROUND

Cities across the world have long embraced the values art in the public domain for its capacity to create a unique sense of culture, place and identity. The underlying objectives recognise that artworks experienced in public space are visible and accessible to all, and serve as important markers reflective of a city's cultural identity.

These objectives are reinforced by recent cultural policy research undertaken throughout large cities in the United States, UK, Europe and other countries. It demonstrates the greatest level of economic activity, growth and development occurs in places that are tolerant, diverse and open to creativity.

These 'creative centres' are succeeding largely because creative people want to live there, and therefore they yield tangible creative economic dividends. Their diversity allows them to sustain a great variety of art forms, while their dynamism – their constantly changing populations and their international connections – make these cities hubs of new cultural ideas and knowledge.

There is a depth of comprehensive public art policies and strategies developed by cities across the globe. All have common aspirations to bring a meaningful cultural dimension to their fabric and how people experience their city, to valuing the role of artists in their communities.

Increasingly policies now include strategies to assist architects, curators and artists to understand the environment in which they are working and to understand both the physical requirements and cultural dimensions of public art.

Wollongong is an inherently creative city based on its history, community and environment. Art and artists are a significant part of the region's creativity and vitality. This strategy and guidelines acknowledge Wollongong's unique heritage in this respect and also provide a new and robust rationale for the private sector to contribute to this valuable arts and cultural legacy.

This strategy also reflects the council's long-term commitment to developing and supporting public art activities, and caring for the city's collection of public art assets. Wollongong's Public Art Collection provides an insight into the city's vibrant social life, history, and environments. The collection showcases exciting and innovative artworks created by contemporary local and national artists, and offers an exciting way to discover the Illawarra.

The history of public art in the City predominantly stems from work undertaken by Council's Community & Cultural Services Unit. It has nurtured the local arts and cultural sector through their commitment to various cultural programs, projects and events over many years. This work has encouraged broad participation and increased access to local arts and culture.

This has provided a very strong foundation for the actions outlined in this new Strategy. The Public Art Strategy builds on the legacy of the past, while responding to new ideas about contemporary art, storytelling, interpretation and cultural expression.

PRINCIPLES AND APPROACHES

The Strategy outlines planning and delivery an ongoing portfolio of public art activities, both temporary and permanent, in support of *Wollongong 2022 Community Strategic Plan* and other key plans and development priorities of City of Wollongong.

The Strategy aims to further accentuate Wollongong's unique and distinctive context via the following guiding principles and approaches:

- **INTEGRATE AND FOSTER: Be a Leader, Resource and Collaborator for Public Art**

Council will be an effective leader in place-making through public art. Fostering and supporting the enthusiasm, ideas, talents and resources of organisations and individuals to help plan and deliver public art activity including seeking to influence the character and high quality of public art developed by others; this includes working collaboratively across Council.

- **EXPLORE AND REFLECT: Wollongong's distinctive natural and built environments**

Public art activity will respond to the uniqueness of Wollongong's distinctive natural environment and built character. Wollongong has a natural environment that few other cities can match: beaches, harbours, escarpment, rainforests all provide for an outstanding location of natural diversity. Additionally, Wollongong's changing built environment, the redefining of the Wollongong CBD, to other areas that retains the feel of a collection of villages and town centres each with its own distinctive characteristics, tells of the city's unique heritage and neighbourhood identities.

- **CAPTURE AND RESPECT: The diversity, history and character of Wollongong's population**

Cultural, ethnic, and indigenous along with demographic diversity help define Wollongong today. Public art activities will give expression to, make visible and meet the place-making aspirations of the City's diverse ethnic communities, rich history of indigenous peoples, and strong youth culture. There is a strong connection between the work of art and its site, neighbourhood and its community or context. Give visibility to, and celebrating, Wollongong's distinctive Aboriginal identity and culture

- **ENGAGE AND CHALLENGE: The people of Wollongong into creative dialogue**

Play a role in challenging people's ideas, feelings and values. Public art may confront what we know, think and feel; it may create mystery or intrigue; it may engage and provoke thought and inspire debate. It is memorable for its impact as a talking point and its power to stimulate the imagination.

- **INVEST AND SUSTAIN: In cultural/entrepreneurial capacity, ideas and innovation**

Council will invest in the right capability and expertise: public art curation, management, planning, delivery, care etc. Engage independent expert advice in the form of an advisory panel. Investing in local and regional artists, cultural workers and creative entrepreneurs; sustaining a local cultural ecosystem.

The Public Art Strategy covers the following scope of activity:

PUBLIC ART IN CAPITAL WORKS

Council's Capital works, but not limited to such projects as:

- Capital works place-making projects such as village and town centre masterplans, major waterfront and regional infrastructure precinct developments, City Centre Masterplan and open space developments
- New local, regional and national facility projects (including, but not limited to, community centres, libraries, recreational facilities, swimming pools, service centres, art centres, art galleries, theatres and stadiums)
- Neighbourhood and village centres and major street upgrade and development projects
- Infrastructure projects funded by partly/jointly Council (including, but not limited to, pedestrian and transport bridges, train stations, transport hubs, wharfs and coastal walkways)
- Architectural projects where public space objectives and public art outcomes can be achieved through collaborations between artists and architects
- Park and landscaping developments where public space objectives and public art outcomes can be achieved through collaborations between artists and landscape architects
- Greenfield and brownfield precinct developments under the control of Council or where Council is a development partner, including suburban and rural locations.

TEMPORARY PUBLIC ART PROJECTS

Council will also continue to develop and deliver its own temporary public art program and will seek to encourage third parties who wish to devise and present temporary public art as well.

PUBLIC ART IN DEVELOPMENT

The strategic intent and methods of project delivery outlined in this Strategy and guidelines are the processes of Wollongong Council and are also recommended for developers. Guidelines for Public Art in Development are provided separately to developers.

PARTNERSHIPS

The Public Art Strategy and Guidelines provide a clear framework for Council to enter partnerships to deliver public art in the City.

A clear vision and a well thought out public art strategy is one way to ensure public art projects are delivered in a strategic manner which will provide maximum community benefit.

The need to prepare a new Public Art Strategy has been identified as a key action within the Council's *Cultural Plan 2014* "to facilitate a regular program of temporary and permanent public art for the City which is integrated with the area's rich urban and rural character and cultural heritage".

The aim has been to bring clarity and cohesion. This Public Art Strategy has been prepared to provide a framework for the Council's planning and decision making in relation to the commissioning and acquisition of public art, as well as its ongoing care and maintenance. Public Art Strategy works in conjunction with a suite of strategic and operational documents that guide both the direction and the implementation of public art within the city.

The Strategy and Guidelines aim is to deliver best practice in all areas of public art activity, from the selection of opportunities and the conception of projects through to the delivery, care and maintenance of Wollongong's public art within a setting of continuous improvement. The Council's aspiration is for the best artistic results across all art genres and types.

Public art is an integral part within any flourishing and liveable city to boost and support culture and artistic endeavour. Council's new Public Art Strategy is aimed at:

- Respecting and enhancing the cultural heritage of the City of Wollongong
- Setting directions which encourages the integration of art(s) at all levels of Council
- Developing a set guiding principles for the future of public art in the City of Wollongong
- Providing opportunities for artists in creative place activation projects using ephemeral, temporary and permanent public art
- Encouraging activation of artistic, creative and innovative endeavours throughout the City
- Increasing awareness among key stakeholders of the value and role of public art - Creates an art(s) culture which welcomes critical and stimulating thinking, new ideas, challenging concepts and development
- Celebrating the diverse cultural history and strong community identity of the City of Wollongong
- Creating a process for educating, promoting, evaluating Public Art Policy, Strategy and Action Plan
- Defining key terms relating to public art and art in public space, and the scope of the Council's work in public art.
- Providing a framework for evaluating the success of the Strategy using measures.

HOW WE'VE DEVELOPED THIS STRATEGY

In preparing this document, Council has referred to a number of relevant policies and guidelines for the commissioning of public art at a regional, state, national and international level.

The development of the Strategy also included a review of key strategic planning documents, strategies and reports relating to Wollongong and the Illawarra region.

A broad consultation process was also undertaken to inform and consult participants and selected organisations relevant to the development of the Public Art Strategy. The views, issues and interests of all of the participants have contributed to this Strategy. A brief synopsis of the methodology includes;

- Briefing meetings with relevant Wollongong City Council staff and Councillors
- Articles posted and published online: www.illawarramercury.com.au/story/3317524/have-your-say-on-public-art/, www.youtube.com/watch?v=gXlxwnOPw0I
- Online Community Survey at <http://haveyoursaywollongong.com.au/public-art-strategy>
- Site visits across the Wollongong LGA
- 1:1 interviews with key stakeholders from Council, the arts and cultural sectors including, Wollongong Art Gallery and M&GNSW etc.
- Regular engagement with Council's Community and Cultural Services Unit

A sample of scheduled consultation sessions have included:

- 10 June 2015 1pm: Cross-sectional/departmental workshop with Council staff
- 24 June 2015 6pm: Wollongong City Council's Cultural Reference Group Meeting
- 1-30 September 2015: Community Survey
- 1 September 2015 11:00am & 5:30pm: General Community Information Session
- 9 September 2015 11:00am & 5:30pm: Artist/Creative Community Information Session
- 10 September 2015 11:00am: Business Sector Information Session
- 14 October 2015 7pm: Dapto Neighbourhood Forum
- 6 November 2015 11:00am: Council staff workshop on guidelines & implementation
- 15 February 2016 5pm: Councillor Briefing

RELATIONSHIP TO NATIONAL STRATEGIC PLANNING POLICY & DOCUMENTS

Recent policy directions by the Australian Government and other peak design professional associations has set down a framework of documents that advocates for good place-making and recognises the wider value of arts and creativity that benefits our society and the economy:

A CULTURALLY AMBITIOUS NATION – THE AUSTRALIA COUNCIL’S STRATEGIC PLAN 2014 -2019



- This document **sets out a vision for the arts in Australia**. It also defines the goals and strategies that will guide the Council’s work over the next five years. It responds to new legislation and is informed by sector and nationwide consultation.
- The Strategic Plan articulates The Australia Council’s leadership role in **building vibrant arts ecology by fostering excellence and increasing national and international engagement with Australian art and artists**.

AMBITION

ENGAGEMENT

PROTOCOLS

CONTRIBUTION

CREATING PLACES FOR PEOPLE - AN URBAN DESIGN PROTOCOL FOR AUSTRALIAN CITIES (2011)



AUSTRALIAN INSTITUTE OF ARCHITECTS PUBLIC ART POLICY (2009)



AUSTRALIAN INSTITUTE OF LANDSCAPE ARCHITECTS PUBLIC ART & LANDSCAPE POLICY (2010)



- The Australian Government’s ‘Creating Places for People’ is a collective **commitment to best practice urban design** in Australia.
- Encourages the inclusion of art to enhance the public dimension of any project by **inviting artists to take part in the design process as early as possible**
- The policy recognises the **valuable contribution that artists can make through the integration of art with landscape architectural practice**.

RELATIONSHIP TO THE STATE'S STRATEGIC PLANNING POLICY & DOCUMENTS

The Recent policy directions by the NSW Government have centred on strategic planning in regard to reinvigorating the state's cultural policy position and the identification of new major infrastructure:

CREATE IN NSW – NSW ARTS AND CULTURAL POLICY FRAMEWORK 2015



- It supports vibrant arts and cultural activity across NSW. Built on three mutually reinforcing ambitions – excellence, access and strength – **Create in NSW guides future strategy, investment and partnerships to grow a thriving, globally connected arts and cultural sector with and for the people of NSW.**
- Create in NSW sets a vision for a future in which arts and culture are central to the life of NSW. **Arts and culture enable lifelong learning, bring communities together, support the visitor economy and activate our civic spaces.**
- Arts NSW play a **strategic leadership role** in implementing the policy framework and ongoing engagement with the sector.

INVEST

RENEWAL

GROWTH

STRATEGIC

ILLAWARRA REGIONAL GROWTH AND INFRASTRUCTURE PLAN (DRAFT) 2014



- The draft **Illawarra Regional Growth and Infrastructure Plan** sets out the regional planning framework and direction for urban growth and infrastructure provision within the region.
- **Considers a urban renewal strategy for the Wollongong Centre** to examine the feasibility of existing development controls, review how the different precincts of the Centre operate, how these precincts integrate through public and private transport networks, as well as identify specific infrastructure and public domain projects that may be necessary to activate new development in the area
- Identifying the potential for new visitor assets or activities for the tourism industry
- Implement **neighbourhood planning principles in Local Plans, Development Control Plans, and other council based mechanisms**

RELATIONSHIP TO COUNCIL'S STRATEGIC PLANNING DOCUMENTS

The Public Art Strategy is strategically linked locally to the following:

WOLLONGONG 2022 – COMMUNITY STRATEGIC PLAN



- Strategic Direction - **Wollongong is a creative, vibrant city**
- To be leaders in building an **educated, creative and connected community**
- Area needs a **revamp and revitalisation**
- Better/upgraded infrastructure
- **Community awareness and appreciation of cultural diversity and heritage** is increased.
- **The profile of Wollongong as the regional city of the Illawarra is expanded** and improved.
- The **sustainability of our urban environment** is improved
- Our residents feel an **increased sense of community**

CREATIVITY

PLACES

IDENTITY

VIBRANT

WOLLONGONG CULTURAL PLAN 2014 - 2018



- Recognition of Council's potential to **be a visionary, leader and a custodian in arts and cultural activity and resources.**
- Our public places, spaces and natural/outdoor environments provide **a focus for permanent and ephemeral artistic and cultural expression**
- Urban design and master planning processes provide **experiential, intuitive, functional places, which nurture a sense of identity.** People-friendly spaces can encourage and stimulate business activity and improve social capital and safety
- **Arts and cultural input are provided in the CBD, villages and neighbourhoods to enhance and celebrate local cultural identity, our history and heritage.**

RELATIONSHIP TO COUNCIL'S STRATEGIC PLANNING DOCUMENTS

The Public Art Strategy is strategically linked locally to the following:

WOLLONGONG PUBLIC SPACE, PUBLIC LIFE STUDY (DRAFT) 2015



- PSPL study complements the **revitalisation of the city centre** and provides a sound evidence base for decision-making.
- Offers a snapshot of the community's impression of the city centre, during the day and at night, and various city attributes (streets, **sense of place, atmosphere, sense of belonging, business**)
- Measures how the city functions **from the perspective of the people who use them**
- Interesting **themes** emerging about Wollongong that **artists and designers can tap into to help improve the legibility and appearance** of the city.

REVITALISE

CONFIDENCE

SUSTAIN

BELONGING

SHAPING WOLLONGONG – PROPERTY COUNCIL OF AUSTRALIA 2013



- The Plan aims to be a catalyst for action, harnessing the determination of the city, mobilising and galvanising local entrepreneurship, **confidence, community, creativity** and investment in the region
- Findings describe Wollongong a growing up into an urban city that no longer wants to be defined just by its industrial past or its relationship to Sydney. A city that is re-telling its story as one of **change, innovation, dynamism, learning and creativity**.
- Wollongong is a **place with stories to tell**. Of migrants forging a new life, along with tales of inventors, chancers, collaborators and exuberant experimenters
- Recurring themes; harnessing the power of ideas, technology, **creativity, & embedding innovation in the culture**. Nurturing vitality, authenticity & soulfulness, the roles that food & **arts can play to bring people together and define a new identity for this city**.

RELATIONSHIP TO COUNCIL'S STRATEGIC PLANNING DOCUMENTS

The Public Art Strategy is strategically linked locally to the following:

DESTINATION WOLLONGONG DEVELOPMENT PLAN 2014



- Destination Wollongong recognises **tourism as a major economic driver of change** within the region
- The **visitor economy is worth \$700 million per annum** including 10,000 day visitors per day and 280,000 overnight visitor nights per month on average.
- Wollongong is ideally placed to capture the opportunities presented by a range of global trends such as **cultural and heritage tourism**.
- Tourism Research Australia (TRA) considers Australia's cultural assets as a major drawcard for international and domestic visitors. TRA **identifies that more than 60% of international visitors seek out cultural attractions**.
- The Plan recommends **investing in Art, culture and heritage product development**.

INVIGORATE

PRODUCT

ENERGY

EXPERIENCE

WOLLONGONG CREATIVE SPACES STRATEGY 2014



- Wollongong Creative Spaces is a strategy to support and **increase Wollongong's creative and commercial economies and add life to the city centre through innovation and creativity**
- The strategy focuses on **creating partnerships** between property owners and artists / creative projects for the occupation of vacant shops for a short period of time in the city centre.
- This initiative aims to **invigorate and add life to the city**, and foster creative engagement by the **use of exciting and evocative art spaces that embrace the energy of urban life**
- It also aims to provide opportunities for emerging and professional artists to showcase **a wide variety of unique, innovative and creative responses to art in the public domain**, and further the public's access to and experience of the arts

The Public Art Strategy is strategically linked locally to the following:

WOLLONGONG DEVELOPMENT CONTROL PLAN (DCP) 2009

Local government is progressively more involved in implementing specific requirements to ensure major development, including commercial, public administration and retail development contributes to the variety of public art work in the public domain. As major development can include significant portions of public domain this type of development has the potential to integrate public art into its design and effectively amalgamate development into the environment in which it is situated.

The Wollongong Local Environmental Plans (LEP) and **Development Control Plan (DCP)** regulate development through land use zones and development standards throughout Wollongong, and key objectives that are consistent to the Public Art Strategy include:

- To encourage development that contributes to the quality of the public domain.
- To ensure future development responds positively to the qualities of the site and the character of the surrounding locality.
- To ensure development is of a high design standard and energy efficient.
- To ensure new development is consistent with the desired future character for the area.
- Ensure that buildings for retail and business development are of a high urban design standard and make a positive contribution to the streetscape and street activity;

These also include direct conditions/requirements relating to public art including:

- **Industrial Buildings:** Public art works on the building and in front of the building.
- **Public Art and the Innovation Campus:** To facilitate and incorporate the creation of artworks throughout the site as a component of the landscape development of the Innovation Campus;

The development of site specific public art can also be delivered through the following:

A Site and Context Analysis Plan - A Site and Context Analysis preparation prior to inform the design process. It enables the applicant, and Council to appreciate the site's natural and contextual features, attributes etc.

- **Aboriginal Heritage:** The development of a Aboriginal Archaeological and Cultural Heritage Assessment Report: interpretation opportunities.
- **Character Statements** - The concept of character primarily focuses on physical planning outcomes and the design of the built environment in the public realm across all of Wollongong's suburbs/villages.
- **Design Excellence** – A Design Review Panel considers whether the development exhibits design excellence
- **Events Management** - Council's requirements for the carrying out of a cultural based event.
- **Crime Prevention Through Environmental Design (CPTED)** - Ensure that plans for new or redeveloped public spaces consider areas that will be utilised at night. To construct, sturdy, attractive, environmentally sensitive buildings to reduce temptations for vandalism and graffiti
- **Construction Hoardings:** To minimise the impact that hoardings have on pedestrian amenity and pedestrian spaces within the city; and to improve standards of external finishes and colours of hoardings.

Proposed future opportunities under this Strategy will include potential changes to the DCP:

To involve public art as an integral part of the development process for major development, and encourage communication between proponents, artists and design professionals in order to achieve a multi-disciplinary team based approach to the provision of public art.

RELATIONSHIP TO COUNCIL'S STRATEGIC PLANNING

Wollongong 2022 Community Strategic Plan
Wollongong is a creative, vibrant city

Cultural Plan 2014 -18
Celebrating Our Places

Wollongong
Development
Control Plan

Wollongong
Public Art
Policy

ANIMATING
WOLLONGONG
PUBLIC ART STRATEGY

Key Guiding Principles

INTEGRATE
ENGAGE
SUSTAIN

Narrative 1

CHANGE

Narrative 2

RECLAIM

Narrative 3

CULTIVATE

Socially Engaged
Authentic
Site Specific

Sustainable

The Public Art Strategy aims to engage and inspire artists and diverse audiences in innovative and enchanting creative endeavours and to encourage meaningful and lively celebration of the City's culture and environments. Whilst honouring its cultural heritage, the public art program will also convey or help to define perceptions of the City's identity now and into the future.

Integration is vital to the success of the Public Art Strategy, in delivering demonstrable community benefit across the entire City, therefore the Strategy is also strategically linked to **create a robust, flexible and strategic framework for the City's Public Art Program through:**

- Broadening public art definitions
- Emphasising integrated public art opportunities
- Producing a document that builds on previous strategies that emphasise the qualities and characteristics of Wollongong 's physical setting and that reflects the cultural lifestyle of the city;
- Not only investing in the creation of public artwork but also by raising community awareness of the value of public art.
- A mechanism to create, discover, interact and participate in new and creative experiences throughout the City
- Increasingly using public art as a vehicle for revitalising urban spaces and engaging with communities.
- Setting out priorities that will be achieved in conjunction with future capital works, development opportunities and partnerships
- Encouraging the earlier entry of artists into public art projects.
- Clarifying roles & responsibilities - engender best practice processes
- Recommending of commissioning and installation procedures.
- Providing a cost benefit analysis for public art. (Value, Evaluation & Measures)
- Developing maintenance plans and models, including a decommissioning process.

The Wollongong Public Art Strategy is underpinned by the results of consultation and commissioned research undertaken across a number of key strategic documents that drive the key outcomes of Wollongong's Strategic Community Plan.

Many of these plans including the recently adopted *Cultural Plan 2014* emphasised the importance of culture and creativity in the City to our lifestyle, to community building, to the creative economy and to the identity of Wollongong and region. Ongoing engagement with residents through consultations, art programs, events and cultural activities have reinforced that a flourishing cultural life is dependent on the interaction and connection of creative people and on a stimulating environment.



‘LOCALLY INSPIRED, GLOBALLY INFORMED – NEW DIRECTIONS’

The Draft *Wollongong Public Art Masterplan* 2008 has partly guided Council’s delivery of public art for the last 7 years. This new Public Art Strategy has been reimagined to be more a flexible, cohesive and importantly an integrated framework for its delivery, to bring it in line with Council’s recent strategic planning including *Community Strategic Plan* adopted in 2012, and the *Cultural Plan* adopted in 2014, also to identify new options and facilitate connections to key external organisations and businesses for the development and support of the creative industry sector across Wollongong and region.

This Public Art Strategy sets out to guide the future direction of public art in Wollongong and is supported by the City’s Public Art Policy. The Public Art Policy and the Public Art Strategy have been designed to work closely with all areas of Council and to complement other strategies being implemented like the *Wollongong Public Space Public Life Study* 2015.

The recently adopted *Wollongong Cultural Plan* 2014 also provides an overarching framework for future directions, priorities and commitments for supporting cultural activity and creative enterprise across Wollongong and the Illawarra. The *Cultural Plan* also seeks to build on our cultural strength, to identify new options for cultural service delivery that enable the prioritisation of cultural resources, and to celebrate Wollongong cultural heritage, public spaces and identity. Like culture itself, the strategies and actions that arise from the City’s cultural plan are fluid and responsive to changes in our cultural and creative sectors, the changing ways the community engages and participates in cultural activity and future opportunities.

Importantly, the *Cultural Plan* presents a viable context for the Public Art Strategy to continue to provide a vital and sustainable public art program for Wollongong. The key feature this strategy is the development of both key guiding principles and narratives that inform Wollongong’s Public Art Policy position to integrate art into the fabric of the city.

The **Public Art Strategy** reflects key themes, which are central to the future direction for not only arts but social, economic and environmental development across Wollongong and the Illawarra. Guiding principles along with new themes/narratives underpin the core principles and benefits of this Strategy in the context of Wollongong’s community vision by:

- Cultivating, embracing and showcasing Wollongong and region’s unique strengths and characteristics.
- Promoting a diverse, dynamic, creative culture across the LGA
- Strengthening partnerships and collaboration with key stakeholders and funding bodies
- Embedding integration:
 - Adopting more robust public art controls in the Wollongong DCP and other strategic plans
 - Redefining the role and approach to the delivery of public art as an integral part of Council’s annual capital works program
 - The preferred approach to public art commissioning is to include artists in project development teams at the outset of planning and delivery. Artists working in this context can create meaningful work that has a direct relationship to the local environment and project objectives.
- Developing a stronger commitment to greater flexibility and better quality control in the commissioning of public art. An emphasis on user-friendly processes will ensure that commissioning decisions are transparent will provide greater flexibility in how, when and where public art is included into projects.
- Adding public art to the cultural animation and cultural programming, including festivals and public events.

Redefining the role and approach to the delivery of public art as an integral part of Council's operations



Clarity of Process



“Public art will be contemporary, innovative and of the highest quality. Wollongong will be recognised for its integrated site-specific integrated public art and engaging, dynamic cultural programs”

VISION

Conceptual Strength

“Public spaces are places for public engagement, identification and social interaction. The way of moving in, and around and through our cities, commercial centres and neighbourhoods are best achieved by using intuitive, exploratory, interpretive and experiential senses.”

Wollongong Cultural Plan 2014



Literally defined, value is a measure of the worth of something to its owner or any other person who derives benefit from it.

There is international and national research that suggests both public art and good design adds value by increasing the economic viability of development and by delivering social, cultural and environmental benefits.

It is generally recognised that innovative, creative and animated public spaces have a competitive economic edge and enhance community capacity building, social interaction and quality of life. Public art enriches and enhances our lives in a number of ways as it can:

- create a sense of place;
- create a receptive, healing, social environment;
- enhance our experience of being in a public space;
- assist in way-finding;
- give meaning to a place by representing local history and recalling memories;
- celebrate community values, diversity and build civic pride through visual means;
- increase amenity and activate usage of a site;
- educate and draw attention to significant issues

There is also evidence that public art has also been used by the private sector to enhance their commercial aspirations and deliver enhanced profitability. These benefits can be significant when a public art plan is well thought out, adequately funded, robustly delivered, sensitive and relevant to site, and well maintained. Furthermore, the inclusion of art to a new development will bring inherent value.

In the short term, good design & public art for the Developer largely contributes towards ‘product differentiation’ to their site and therefore gives the development an edge. In the long term, this might mean better investment performance and better re-sale prices.

Though this maybe apparent ,the value of public art cannot be derived solely from an assessment of completed works, but must include its collaborative and complementary value as a component of public spaces, and its social value as a means through which to express, reflect and enjoy our city.

This Strategy and guidelines encourage a more holistic return and measure to value. An important means by which arts and culture contributes to urban regeneration is through a strong attachment to community. Some of the goals highlight instances of not only a commitment to further developing and exploring the margins of public art practice, but also to rebuilding local cultural and social capacity.

MEASURING PUBLIC VALUE

INTRINSIC VALUE:

Relates to the value of culture to individuals, centred on how experiencing arts and culture affects us in an emotional sense. How individuals' value culture is subjective and involves making judgements about quality based on how it makes us feel. This can include our feelings of connection to the artwork and our own personal subjective opinions of its quality based on the way it makes us feel.



INSTRUMENTAL VALUE:

Is a more objective measurement and relates to the contribution that culture makes to specific economic and social outcomes or policy goals, such as creating employment, attracting tourism, increasing educational outcomes, benefiting health and wellbeing, etc. Instrumental value can be seen as delivering both direct and indirect value.



INSTITUTIONAL VALUE:

Relates to the value that society collectively places on culture, for now and for future generations. Institutional value is described as the contribution of culture to producing a democratic and well-functioning society. This value area includes both use and non-use value, often captured through contingent valuation and social return on investment approaches.



Source:

Public Value Measurement Framework: Measuring the Quality of the Arts Department of Culture and the Arts WA (2014)

A guiding principle in the development of this Strategy and Guidelines has been the importance of acknowledging and capturing the values and expectations of the full range of stakeholders that public art projects engage with. Evaluation is not simply a process to determine numeric ‘value’.

There will always be economic circumstances and conditions that a public art project will need to take account of, but it is often the intrinsic artistic experience and social and environmental impacts that are more important to the artists, and the community.

Furthermore, the notion of art museum ‘artistic excellence’ is not explicitly transferable to the public domain, and rather that artistic excellence in public art is subject to values additional to aesthetic value, such as relevance to place, or resonance within community and conceptual integration.

This document sets out to indicate where Public Art can have an impact across all areas of sustainability in the following key areas:

Cultural

Cultural/Artistic Values - How the value of the work is measured in terms of aesthetic experience, contribution to the aesthetic of the place or, in the case of performances, by the enjoyment it provides.

Social

Social Values - Projects may aim to promote identity, or increase aspects of interpersonal development such as intergenerational or intercultural relationships.

Economic

Economic Values - The project creates direct employment opportunities through participation in the project. Would the project attract investment in the form of new businesses, an economically active population? – Marketing opportunities etc.

Enviro

Environmental Values - Physical improvements may relate to functional or aesthetic aspects of place, such as accessibility or appearance. The project raises awareness of issues such as climate change and energy conservation

MEASURING VALUE, ADD PUBLIC ART!



ACHIEVING SUCCESS

Success can therefore be judged by achieving such outcomes as:

- An increase in the number and quality of public artworks in new developments
- Better integration and public art in new development
- Improved integration of sustainable art practices in new development and capital works projects
- Increased recognition of former industrial and other uses through appropriate reuse of spaces and materials and through interpretation and public art
- Supporting an increased understanding and enjoyment of public art and an awareness and appreciation of the significant benefits provided by a rich and diverse artistic environment.
- Collaborating with the private sector and other levels of government to develop and promote the overall cultural well-being of the city by recognising, valuing and promoting the role of artists.
- Recognising the fact that overall, when it forms “critical mass,” public art in the public domain can create a unique way of experiencing our city, its history and environment, creating a point of difference locally, nationally and internationally.
- Supporting diversity in the public domain by encouraging the engagement, expression of opinions and debate that public art can generate in the public realm.
- Encouraging artists of varying levels of experience and backgrounds to take part in the shaping of the city and the creation of dynamic and sustainable spaces.

“It is generally recognised that innovative, creative and animated public spaces have a competitive economic edge & enhance community capacity building, social interaction & quality of life..”

Art + Place, QLD Public Art Program 2012

Impact statement to follow – budgets, resourcing etc.

While a Supporting Document may have no immediate costs to implement, it may incur significant costs for Council in future years. Potential future costs need to be outlined as part of Council's consideration of Draft Supporting Documents. This includes estimated capital, operational and maintenance costs that would result from the approval of a Supporting Document. The following impact statement is a high level summary of the estimated impact if each action in the Supporting Document was to be funded and implemented.



PART TWO

THE PROPOSAL



2

WHAT IS PUBLIC ART?

Public art refers to contemporary art practice that occurs outside the gallery or museum system. Historically, public art has often been dominated by commemorative sculpture. Best practice in contemporary public art involves a diverse range of activities that includes the integration of art and design into the public domain.

Public art is a broad term that refers to a range of sculptural, installation or programmed artistic works in the public realm. Public art can be enduring in the form of iconic, stand-alone works, integrated artistic elements, temporary installations, performance or media works. Ultimately, public art embraces its environment, and helps create places that inspire investigation and interaction, and are enjoyable and meaningful in their own right.

Public art can contribute significantly in deepening a community's sense of connection to place, expressing identity, enhancing the urban environment, as well as amplifying the quality of a construction outcome through improving the aesthetic, sensory and cultural value of a site, space or built structure.

WHAT DO WE MEAN BY 'QUALITY' PUBLIC ART?

The intent of public art may be to provoke a particular sentiment, express a certain narrative - including an abstract narrative, and be decorative, interpretive, commemorative or functional.

The strongest public art outcomes are achieved through the installation of works developed specifically in response to a site and consider the scale, material, form and context. High quality and artistic merit relate to innovation, creativity, vision, originality, the power to communicate as well as the highest standards of production, presentation, research and professional development.

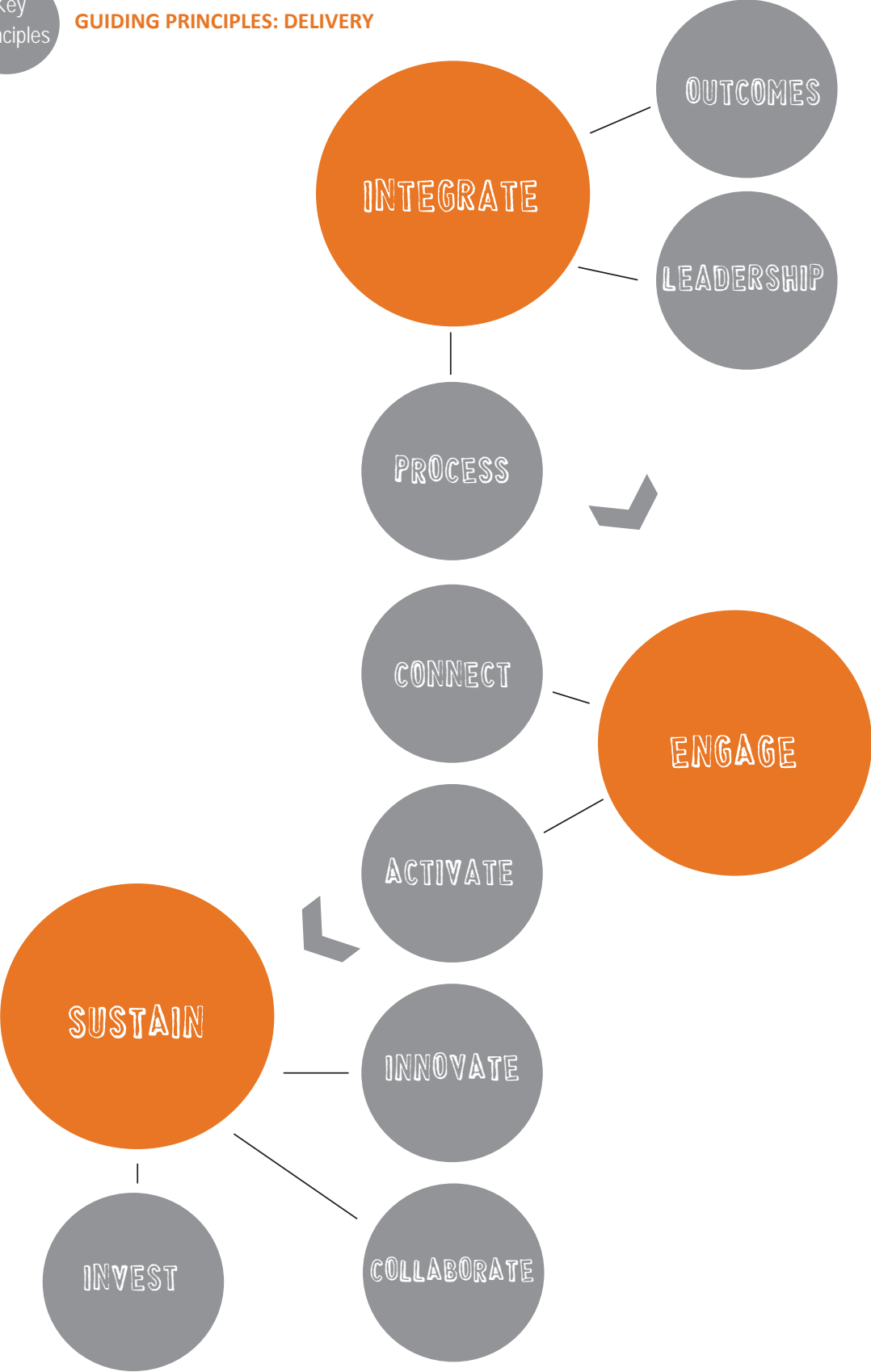
HOW ARE WE DEFINING PUBLIC ART?

Public art can broadly be defined as 'the process of engaging artists' creative ideas in the public realm. This definition of public art encapsulates a diverse and flexible scope for public art projects and ensures that commissioners are not limited in their scope and thinking when considering the possibilities for working with artists.

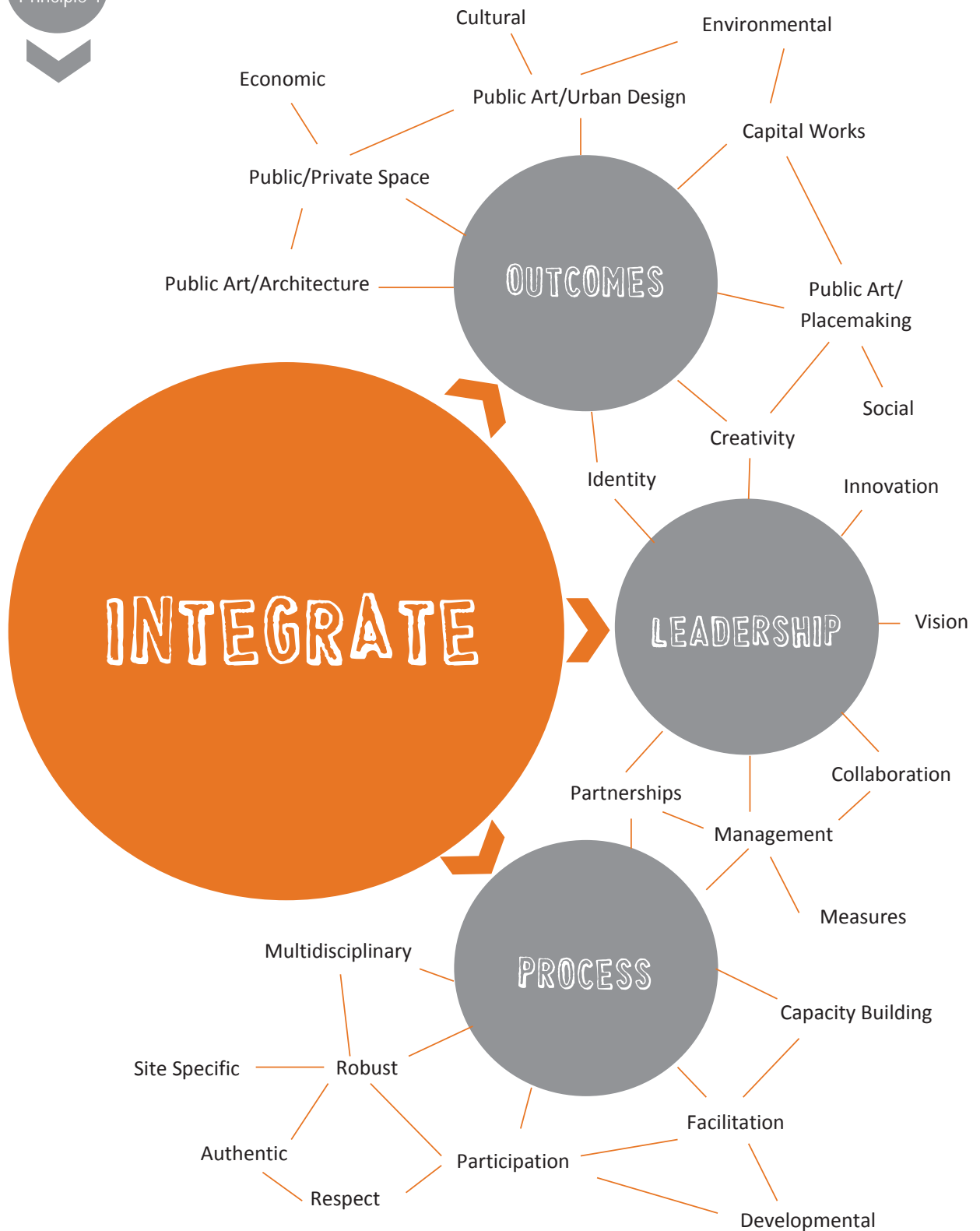
Given that public art exists in such varied forms, there is a temptation to define it loosely. Council believes that it is important for design teams, for artists and for the general public to be clear from the outset about what does and does not generally constitute public art.

The following criteria are based on international and national public arts best practice:

- The work must be the original work of an appropriate, living, professional artist. The work should be site specific (i.e. an original approach/design/work. - specific to the needs, limitations, conditions or long term use of the site and its users).
- The work should result from a transparent procurement process
- The work must not be a mass-produced object, a reproduction or a previously unrealised design.
- The definition of artworks does not extend to architectural detail, ornamentation, decoration or functional elements designed by architects, urban designers, landscape architects or interior designers.



OBJECTIVES



‘INTEGRATE VISION AND DELIVERY - LEADERSHIP, PROCESS & OUTCOMES’

Vision is defined as the act or power of anticipating that which will or may come to be. This document is where vision meets strategy. Its aim is to expand participation; broaden the impact of culture; identify new opportunities to integrate cultural dimensions into planning; and mark out the City’s identity through cultural and more fundamentally its rich visual expression.

For Wollongong, a new cohesive vision is emerging; identifying that culture is tied to the city’s unique identity, landscape and future prosperity. In this quest to create a new Public Art Strategy, it is integral to embrace the latest and significant efforts of redefining the importance of culture to Wollongong, using this and building upon it.

The recently adopted *Cultural Plan 2014* sets this platform by declaring:

“Council’s potential to be a visionary, provide leadership and a custodian role in arts and cultural activity and resources”, and noting: the “strong desire for commitment at every level of leadership in Wollongong City Council to recognise and strengthen, through policy adoption and by support through agreed processes and collaboration, the cultural dimensions that exist in all Council divisions, departments and operations”

It is often a given that Culture’s value on personal identity and inspiration is wide-ranging. But culture’s impact is also manifest across broad range of civic objectives. In particular an active and vibrant public art program can be a key driver in delivering:

- **Quality urban design and public spaces** - vitality makes streets safer, helps to sustain local economies.
- **Community wellbeing** – cultural development and social connections, inclusiveness.
- **Economic Development** – attracts/ retains creatives, distinctive culture attracts tourism
- **Strong Neighbourhoods** – provides the fabric of community interactions
- **Innovation**- creative thinking leads to new business models and problem-solving.
- **Environmental Sustainability** - the reuse of empty spaces, exploration/investigation of ecology etc.

Whilst Council recognises public art plays a key role in supporting a healthy and active community, reflecting and celebrating our city’s diversity and making it possible for people to access art in the city, this Strategy aims to use public art as a key driver to support integration of broad creative and cultural outcomes right across both the organisation as well as the community.

This Strategy provides a range of goals and actions associated with the planning of new artworks in public places. It encompasses strategies to support a diversity of public art practice including, but not limited to, the commissioning of stand-alone sculptural works, artworks integrated in civic and private infrastructure and temporary public art activities.

The City will prioritise the articulation of the civic realm and major urban focal points but will also recognise the diversity of Wollongong’s communities and will seek to distribute art opportunities across the LGA. It also seeks to provide increased opportunities for professional artists at all levels of development to put their work into the public realm, and to participate with community members in the development of artwork projects in public places.

LEADERSHIP

Good leadership is an essential driver in enabling the City to realise its creative potential. Through its flexible and sustainable approach to the delivery of excellence and innovation in public art initiatives, **the City of Wollongong is able to demonstrate leadership as a capable and responsive organisation, which is engaged in a meaningful and contemporary way with its community.** Good leadership promotes a compelling vision that enables creative partnerships to emerge, and foster and promote innovation as a positive platform for change.

INTEGRATE

PROCESS

Sound process is critical to success. **A robust process will seek to build organisational and resource capability to meet community need, optimise success by understanding the integration and interdependencies between the art, creativity, design and community sustainability.** The process will also promote opportunities for artists to collaborate closely with other design professionals and fabricators and in the implementation of their artistic concepts.

INTEGRATE

OUTCOMES

Art in the public domain involves practices of **creativity and innovation** in a broad context. Creativity and innovation are also central to the notion of wider sustainability. For a place to be sustainable, it must be both resilient and flexible, having a deep sense of purpose in its design and robust in its construction and up keep, while being open to interpretation for a range of evolving uses and engagements. The Strategy will not only build value and appreciation for public art as a vital tool in the revitalisation process but also have a vital role to play in the future wellbeing of the community.



INTEGRATED OUTCOMES

‘STATUTORY BASED LAND USE PLANNING – PUBLIC ART CONTROLS FOR NEW DEVELOPMENT’

This Strategy outlines an integrated approach to the procurement of public art across the city both in public and private spaces. To enable this to transpire more predicably, strong public art controls will be included into Wollongong statutory land use planning and design documents.

The Development Control Plan (DCP) is essentially the primary mechanism for engaging with the private sector and there is a well-established precedent of other NSW Councils integrating public art requirements into their DCPs. The reason why this has been is that enables the inclusion of specific policy statements within the DCP that provide direction for proponents and a check list which outlines the processes including Development Approval of what is required for public art projects as an integral component of the development. It is recommended that rather than “incorporated where relevant” a stand-alone DCP Public Art Chapter be introduced that includes public art as an integral part of the development process and includes guidelines to:

- Enable development to contribute to public art within the City.
- Ensure that these developments provide financial allocation towards public art.
- Ensure that public art follows design and concept criteria appropriate to the City through detailed conceptual considerations.
- Encourage communication between proponents, artists and design professionals to achieve a multidisciplinary team.
- To promote the inclusion and integration of site specific public artworks within development which are, accessible to the public, make a positive contribution to the urban environment and add to the cultural development of the City. This will include identifying sites for public artworks that are both large and pedestrian scaled.

For developers or investors, public art provides value, cultural investment and a connection with local communities. In many cases it provides a point of difference for a development. It can provide a meeting place or landmark and, more importantly, it can provide a way to engage with the people who will live, use and benefit from the development. To recognise and build on cultural identity and diversity in the design of development by creating ‘places’ through the integration of art and interpretive material into the fabric of the city in ways to reflect, respond and give meaning to the city’s unique environment, history and culturally diverse society.

Guidelines attached to this Strategy aim to assist developers and property investors to better understand the process and benefits of the inclusion of public art in the urban developments they initiate across the city. How public art can meaningfully coexist with the elements of the existing site and its surrounding context, assist with better integration into the streetscape, animate frontages, preserve heritage and storytelling, increase site permeability and use, and support sustainable development initiatives.

They also reinforce the much greater net effect that can be achieved by providing a role for artists to work with urban designers and architects from the inception of a project and participate directly in the design process. Providing new development are sensitive to its context, the benefits of high quality urban design and public art accrue to businesses through increased productivity and prestige; to communities in improved city living and safer, healthier and creative places; and to developers and investors in better returns on investment.



INTEGRATE
PUBLIC ART &
ARCHITECTURE





KEY ACTIONS

GOAL: INTEGRATED OUTCOMES

Objective: Public Art in New Development Program

Strategy - Statutory Based Land Use Planning – Public Art Controls For New Development

| 5 Year Action | Action | Performance Measure/s | Timeframe | Resourcing | Delivery Stream | Strategic Priority |
|---|--|--|-----------|---------------------------|---|--------------------|
| Ensure DCP controls for High Quality public art in New Developments . | Review DCP and write appropriate controls for adoption | Timely inclusion in next DCP Review. Level of Developer support for the public art controls | 2016-2017 | Review DCP, and reporting | Culture, Strategic Planning , Development | High |
| | Include controls into West Dapto | Number of Arts Plans undertaken | | | | |
| | Adopt Public art Guidelines for new development | Number of Artists employed | | | | |

Cultural

Encourage communication between proponents, artists and design professionals to achieve a multidisciplinary team. Employment of artists and other art/design professionals.

Social

Ensure elements of the existing site and its surrounding context, assist with better integration into the streetscape, animate frontages, preserve heritage and storytelling, increase site permeability and use, and initiatives.

Economic

Promoting the benefits of high quality urban design and public art accrue to businesses through increased productivity and prestige, Safer by Design Principles etc.

Enviro

Support sustainable development building principles and “green” building features, and associated educational programs.



INTEGRATED OUTCOMES

'PUBLIC ART AND INFRASTRUCTURE - COUNCIL'S CAPITAL WORKS PROGRAM'

Public art and infrastructure projects realise benefits both in terms of quality design, but also cultural value. Public artworks make a lively contribution to the three-dimensional mix of the city's built form and public access patterns. They create opportunities for innovation, surprise & unique approaches to both permanent and transitory design.

The successful delivery of integrated public art very much depends on a creative approach to forward planning, and project management practices, which are open to pursuing opportunities at each stage of the project development process in the rolling Capital Works Program. The creation of a well-informed public art plan for each capital works project recognises the physical contribution that art can bring by improving identity through the creation of new landmarks, focusing attention on distinctive views, or signalling the different character and function of individual spaces and architecture.

Design and development of significant public art projects takes time to coordinate and integrate into both existing and future design details for the public infrastructure and domain. It involves collaboration between artists, architects, landscapers, planners and practitioners and is an opportunity to cross disciplines, transcend hierarchies and develop highly innovative and relevant integrated design solutions for public places.

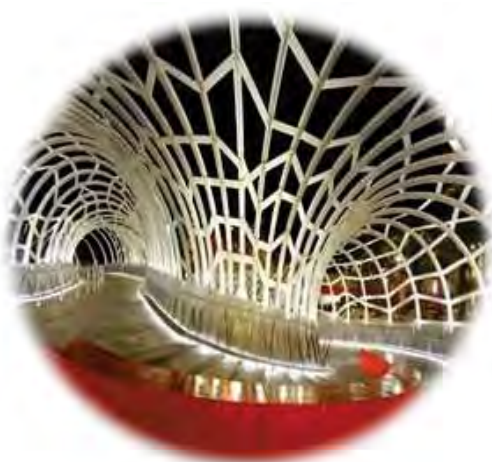
Integrating artworks also within the fabric of the built form makes best use of resources, and can help to foster collaboration between the artist and the project team. The planning process for artwork projects will, insofar as possible, relate to the City's various planning functions, such as the annual Capital works/Improvement Program process, neighbourhood and area planning and other key infrastructure projects undertaken by Council and other strategic partners.

Wherever possible, sites for artwork projects will be identified at the planning or early development stages, in order that artwork projects can be effectively and economically integrated through planning and implementation concurrent with site development. Artworks related to the capital improvement projects or the ongoing work of the Council will be located in places that are publicly accessible, and usually on city-owned property.

Public art opportunities associated with new or existing capital works or civic initiatives will be broadly considered according to the following criteria:

- public art that will advance the capital projects goals or readily achieve other civic strategic objectives
- projects should have a high degree of public use or public realm impact and lend themselves to an artist intervention;
- projects providing for an enriched community process;
- factors such as the presence of other art works in the area; the opportunity for an art project to respond successfully to a need identified in the community; or the availability of other funding, will also be considered.

A Public Art Plan will then be developed that sets out the budget, artist participation, selection process, community process, and other matters as appropriate. It is proposed that this then be reviewed by a Public Art Committee. The intent is to ensure artists are selected on merit by a process informed by expertise and community input. Proposals by artists will generally be initiated through open competition, invited submission, or a curatorial process leading to direct commission.



INTEGRATE
PUBLIC ART &
INFRASTRUCTURE



GOAL: INTEGRATED OUTCOMES

Objective: Prioritisation of Public Art Projects for Council's 5 year Capital Works Program

Strategy - Public Art and Infrastructure - Council's Capital Works Program

| 5 Year Action | Action | Performance Measure/s | Timeframe | Resourcing | Delivery Stream | Strategic Priority |
|--|---|--|-----------|----------------------------------|---|--------------------|
| Prioritisation of Public Art Projects for Council's 5 year Capital Works Program | Establish internal working group and public art advisory panel Review Capital Works 5 year Program for inclusion of Public Art projects Include Public Art into "City for People 6 key projects | On time and budget Level of Community engagement Integrated outcomes achieved Number of public art projects Number of Artists employed | 2016-2021 | As per the capital works program | Community and Cultural, Strategic Planning & design, infrastructure | High |

Cultural

Makes best use of resources, and help to foster collaboration between the artist and the project team.

Social

Integrated and sustainable outcomes; an enriched community process; build on cultural identity and diversity in the design of development by creating 'places' through the integration of art and interpretive material into the fabric of the city in ways to reflect, respond and give meaning to the city's unique environment, history etc.

Economic

Effective and economically integrated artworks through planning and implementation concurrent with site development; Integrating artworks also within the fabric of the built form; Using partnerships.

Enviro

Support Sustainable design Initiatives in upgrading or new capital works developments



CONNECT

ENGAGE

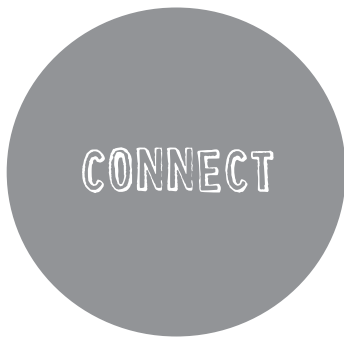
INITIATE





ENGAGE

“When something draws your eye and makes you cross the street to take a closer look, or connects you in conversation with the random person next to you, that feeling isart”.



Public art reflects our values as a society, adds meaning to our cities, and connects past, present, and future generations of public space users. Public art is also an equalizing force, accessible to everyone. Connecting is also about association to the local community and the wider world.

ENGAGE



The Public Art Strategy aims to initiate, engage and inspire artists and diverse audiences in innovative and captivating creative endeavours and to encourage meaningful and lively celebration of the City’s culture and environments.

OBJECTIVES



SUSTAIN

INNOVATE

COLLABORATE

INVEST





SUSTAIN



INNOVATE



Public art has an opportunity to develop new solutions and creative explorations, and assist with the social and economic development of the region. Public Art and design across the city can reflect creative interactions and partnerships. Making innovation more visual in the city will have wide reaching benefits to the profile of Wollongong and region.

SUSTAIN

INVEST



Supporting the growth of creative industries contributing to a robust local economy - **Quality public art and interpretation contribute to the local economy through cultural tourism opportunities and diversifying the tourism offer, as well as employment and training opportunities for regional historians, interpreters, arts and craftspeople.**

SUSTAIN

COLLABORATE



Public art by its very name can be community centred collaborative, inclusive and participatory, respectful and supportive of community voices, artistic vibrancy and authenticity.



CHANGE



CULTIVATE

NEW
DIRECTIONS
NARRATIVES



RECLAIM

These broad and encompassing themes/narratives set out to provide a guiding framework to develop a connection to the place and its people. **These narratives are designed not to be overly limiting or too prescriptive.** The role of the artist(s) and curator(s) is to further develop the Strategy's themes and ensure artistic input is integrated into the design approach through a multidisciplinary art-design approach where applicable:

CHANGE

Character and authenticity bring continuity to a city. Just as some elements of a city's structure present people with a vivid 'map' of the city and environs, other components of the urban fabric provide a chronological record of its development. **Public art offers an intrinsic value to link 'old' with 'new'.** The making of site-specific artworks and adaptable places, created for a particular location, that are informed by the environmental, social, cultural and/or historical significance of the area, builds an ongoing narrative about a place and its people; their histories, their aspirations and changing social & cultural values and diversity.

CULTIVATE

There is an imperative to provide changing experiences in the city, enhancing the vibrancy of Wollongong's changing and vibrant urban environment. **By cultivating a city-wide, strategic approach to implementing public art and creative interventions will have a dynamic effect in enhancing experiences of the city for the community.** The city will nurture and creatively include and engage artists, communities and businesses to activate public and privately owned sites that will have the ability to attract people into the city, and delivering on multiple benefits to community.

RECLAIM

Central to the City's directions on the arts is establishing **more creative interfaces between art and place, and extending the concept of 'place' beyond just the built environment to include precincts and localities.** This strategy promotes adaptability through development that can respond to Wollongong's changing social, technological and economic conditions. Large capital projects can often contribute to the City's regeneration, it is also clear that physical infrastructure alone will not sustain this effect. A high-quality and ongoing program of cultural activity is often key. Artworks will be either temporal or permanent.

KEY IMPLEMENTATION PLAN -SUMMARY

The principles, opportunities and strategies for delivery detailed in this Public Art Strategy will guide its implementation, giving shape and purpose to a Five Year Public Art Action Plan, in which the City's commitments are prioritised, resources allocated, and partnerships and responsibilities identified. The Five Year Action Plan will be reviewed annually in line with the City's annual budgetary process and other key priorities and opportunities as they arise. **A summary is included below:**

CHANGE

Embracing **"Change"** will become a driver as a part of a larger effort to stimulate cultural activity as a key component of Wollongong's revitalisation.

Displaying temporary art in public spaces is part of the contemporary aspiration to communicate rapidly with an audience, echoing the pace of social media and the notion that the public are co-generators of conversations and meaning.

CBD public Domain improvements

Village/town centre upgrades

CULTIVATE

The city will **"Cultivate"** and creatively include and engage artists, communities and businesses to activate public and privately owned sites that will have the ability to attract people into the city, and delivering on multiple benefits to community.

Public art has an opportunity to develop new solutions and creative explorations, and assist with the social and economic development of the region.

Art/Design initiatives

Public Art in New Development

RECLAIM

"Reclaim" in this sense is to inspire and engage people in communal cultural experiences'.

It is also about increasing more creative interfaces between art and place, and extending the concept of 'place' beyond just the built environment to include precincts and localities.

Play Facilities

Parks & Open Space including lookouts

Pool Upgrades and beach shade structures

Environmental improvements

OUTPUTS

Phased approach
Low-cost, temporary inventions
Multidisciplinary
Cross Artform
Event based
Pop up
Street/Urban Art
Technology/social media platforms
Art Kiosk
Civic Dialogue
Site Specific
Community safety
Social Action

Narrative One



CHANGE



SUBJECT TO
TACTICAL URBANISM

Catalyst

REFRAMING THE
EVERYDAY

EMBRACING
FLUX

Redefine

Repurpose

Unique

Storylines

Popular Culture

Curiosity

Discovery

Participation

Dialogue

Activity

Intervention

Conversation

Activation



SUBJECT TO CHANGE

‘SUBJECT TO CHANGE - DECONTEXTUALISING THE MEANING OF WOLLONGONG’S PUBLIC SPACES & PLACES’

This particular strand of the public art program proposes to use urban spaces for temporary art installations and in doing so creating room to present ideas and provoke thought, dialogue and discussion. “Subject to Change” will become a driver as a part of a larger effort to stimulate cultural activity as a key component of Wollongong’s revitalisation.

Displaying temporary art in public spaces is part of the contemporary aspiration to communicate rapidly with an audience, echoing the pace of social media and the notion that the public are co-generators of conversations and meaning. **That aim is to provide pedestrians with a series of visual encounters between key points in the city, animate city spaces with a variety of artworks that engage pedestrians; reflect on, explore and take inspiration from urban and suburban themes and the local area; and contribute to the cultural landscape and positive experiences of Wollongong LGA.**

This can be achieved in formal and less formal avenues like the growing trend of ‘*tactical urbanism*’. Tactical urbanism refers to low-cost, temporary changes to the built environment, usually in cities, intended to improve local neighbourhoods and city gathering places. Tactical urbanism may also be referred to as pop-up urbanism or D.I.Y. urbanism. It not only improves dialogue with the community but it also provides an array of temporary solutions to local planning issues. It is a way of contextualising the meanings of public space through temporary public art installations generating new ways of imagining the futures for architecture, public space and the social fabric of those spaces. It seeks to challenge current assumptions about the relationships between formal and informal, bottom-up and top-down urban development, but importantly artist-led.

This concept also allows the design or the reimagining of spaces to be tested before potentially allocating substantial political and financial commitments. While larger scale efforts do have their place, incremental, small-scale improvements are increasingly seen as a way to stage more substantial investments. It is therefore often described as “lighter, quicker, cheaper” urban art and design. Though it should be noted that tactical urbanism is most effective when used in conjunction with long term planning efforts.

This part of the public art program aims to:

- Bring life and amenities to previously lifeless public spaces
- Break down resistance to change
- Generate the interest of potential investors, both public and private
- Establish (or re-establish) a sense of community
- Inform best practices for potential future planning efforts
- Bring together diverse stakeholders in generating solutions and a collective vision

The intentions behind art/urbanism projects can be diverse –everything from boosting social and economic revitalisation to more issue related improvements such as pedestrian safety etc.

The platforms for this type of artwork will come thorough the treatment of urban and suburban building facades, portable structures, laneways and streets, pocket parks, and presently unused rooftops and carparks etc. Other opportunities exist with using such mediums as contemporary performance, poetry, new media and urban screens, and digital story telling etc.

SUBJECT TO CHANGE



SUBJECT TO
TACTICAL URBANISM



ACTIVATING AND REPURPOSING EXISTING PUBLIC SPACE



GOAL: SUBJECT TO CHANGE

Objective: Use urban spaces for temporary art installations and in doing so creating room to present ideas and provoke thought, dialogue and discussion

Strategy - 'Decontextualising the meaning of Wollongong's public spaces and places'

| 5 Year Action | Action | Performance Measure/s | Timeframe | Resourcing | Delivery Stream | Strategic Priority |
|---|---|---|-----------|---------------------------------------|--|--------------------|
| Use urban spaces or temporary art installations and in doing so creating room to present ideas and provoke thought, dialogue and discussion | Develop an public art engagement plan in line with Council's major precinct planning, neighbourhood regeneration projects and other strategic conversations | On time and budget Level of Community engagement | 2016-2020 | \$100K per annum operational unfunded | Culture, Strategic Planning & design, infrastructure | High |

Cultural

Encourage greater participation in community and cultural activities, and enhance civic pride and commitment to the community; increase the use of public space and support associated business

Social

Enhance people's safety and security by encouraging surveillance; encourage more walking and cycling, leading to health benefits; Increase the diversity of uses and users in a public space, and the length of time it is used for

Economic

Safer by Design Principles; low-cost, temporary changes to the built environment; help in the promotion and branding of city and region; extend the useful economic life of buildings and public spaces

Enviro

Encourage the conservation and responsible use of non-renewable resources

‘ANIMATING DEMOCRACY – CREATING STRONGER DIALOGUE, SOCIAL ENQUIRY & CIVIC ENGAGEMENT IN WOLLONGONG’

As cities grow and populations rise, the effects and implications of public policies grow along with them. The more people involved in the process of making those decisions, the better they represent the interests of the community. Like most large regional cities in Australia, Wollongong is currently embracing a strong period of change and flux within the City; physically, socially, culturally, and economically. A level of change or the unknown exists particularly in regard to major employment outcomes, changing demographics and an increase to housing density, and movement in and of the city to name a few.

We know that artists deal with contemporary issues in their work, but how can these connections become part of public life? How can a contemporary public art become a forum for civic engagement?. Artists have a strong and unique capacity to interpret indicators of change. Public art in this context can be a strong and engaging mechanism in creating a new culture of participation and providing for greater community resilience during this period of flux. Arts role in social change in its broadest sense encompasses a range of outcomes— that can include healing, increased awareness, attitudinal change, more diverse and increased civic participation, movement building, and policy change to name just a few. Recent studies have found that when an individual actively engages in the arts it awakens both a heightened sense of identity and civic awareness. Art should not be seen as escapism rather an invitation to activism.

Public art engagement in empirical terms has far-reaching benefits of active individual community participation.

Healthy communities depend of active residents/citizens. Public art, being a very visual and widely accessible medium is in essence intuitively capable of promoting understanding and action on issues facing our communities and the world.

Public art can be used as an active engagement tool to effectively encourage social enquiry into the major changes that will impact Wollongong and region into the future. Socially engaged public art has the ability to pose questions and seek solutions for the future of Wollongong.

Public Art can illuminate how cultural norms mediate public space and participation, as well as how the choices regarding art forms and dialogue approaches can support active civic participation. From urban gardening to new forms of education to alternative economies, projects led by “artists” actually have real-world implications.

In this context an art program developed as a catalyst for civic dialogue in Wollongong can assist with the following:

- Policy and strategic planning directions
- Urban renewal and revitalisation
- Masterplanning new developments and open space
- Development of broader plans of management for existing assets

Key directions can range from the speculative to the reflective to the immediately practical and tangible. Ideas can be based around practical concepts that can apply universally to the whole of the LGA or in individual communities or town centres, and importantly they can go beyond the familiar mode of public participation. The emphasis will be on community-led and community-focused projects aimed at local issues.

Public Art using such mediums as new technology can also play its part to engage with younger and more mobile residents. Another opportunity exists to invite curators and programmers to consider open-ended questions that will lead the Council into a broader socially conscious approach to planning events and festivals etc.

EMBRACING FLUX



GOAL: EMBRACING FLUX**Objective: – Creating stronger dialogue, social enquiry & civic engagement in Wollongong****Strategy - Animating Democracy**

| 5 Year Action | Action | Performance Measure/s | Timeframe | Resourcing | Delivery Stream | Strategic Priority |
|---|--|--|-----------|----------------------------|---|--------------------|
| Creating stronger dialogue, social enquiry & civic engagement in Wollongong | Engage in Wollongong City Centre Improvements and Town Centre, and Precinct Plans including the Cultural precinct masterplan, and new community strategic plan | On time and budget Level of Community engagement Publicity and audience reach Number of Artists engaged | 2016-2021 | Within operational funding | Community & Cultural, Strategic Planning & design, infrastructure | High |

Cultural

Create a series of participatory public artworks that changed the urban environment visually and experientially, in order to encourage debate/social enquiry

Social

Build stronger dialogue with our communities. Increase in civic engagement and social participation.

Economic

Promoting Innovation and risk and conceptual and technical engagement

Enviro

Promoting sustainable environmental outcomes

‘ART, PLACE, AND THE EVERYDAY – AN AESTHETIC INQUIRY ON EVERYDAY LIFE IN WOLLONGONG ’

One of the most embracing aspects of contemporary art practice has been artist’s ability to closely observe the way in which they relate to changing urban space and engage other people, locally and in fact nationally and globally.

The concept of **“the everyday”** has helped acknowledge the specific location of art and its relation to other social activities within communities. The ever closing the gap between art and life, has inspired many contemporary artists to incorporate the everyday; as a result, they transform the environments in which they situate their work—and the people whom they engage—into parts of the work itself.

While the concept of “the everyday” highlights the potential for transformation at the level of the individual, and the community, at the same time public art and spatial aesthetics support artists, curators and cultural workers think about the ways they intervene in public life. **It provides a platform to show how art uses ideas, and how everyone can be involved in the ideas of art and the interaction and exploration of public space.**

“Reframing the Everyday” in the context of public art displays the following characteristics:

- Eclectic -a mixture of elements
- Imitation – mirroring activity and/or objects
- The ordinary made extraordinary
- Reflective or contemplative elements

Largely ‘the everyday’ is characterised as the familiar, ordinary, commonplace, and routine, regardless of the specific content that varies from people to people depending upon their lifestyle, occupation, living environment, and other factors etc. Most of the time, we are remain preoccupied by the task at hand in our daily life; pragmatic considerations tend to mask the aesthetic potential of commonplace objects and ordinary activities.

Reframing everyday objects has the ability to enrich life experience, and also encourage mindful living and in a lot of ways do away with a certain degree of aesthetic sensibility or ‘standard of taste’ that needs to be cultivated. Appreciation often demands a certain conceptual understanding of things, such as the object’s historical and cultural context, or the artist’s composition etc.

These artworks will explore the aestheticisation of everyday life, exploring the forms and significance of popular culture, subcultures, the city and the suburb, and their impact on art. These manage to provoke surprising and poetic interpretations of the everyday.

The public art program should take full advantage of existing art based festivals in Wollongong such as *Viva la Gong*, *Wonderwalls* and *Blender* that encourage the exploration of art and popular culture in the public domain. This includes such mediums as skateboarding, film, and tattooing etc. in ways that reclaim the fun and satisfaction that is already happening mostly unnoticed as it is seen as too familiar.

Furthermore, platforms such as new media and large screens via *Instagram*, autobiographical narrative and blogs etc. could further elevate the connections of everyday life and contemporary art. In fact they have driven art consumers into being active participants and authors of new art.



ART, PLACE, AND THE EVERYDAY – AN AESTHETIC INQUIRY ON EVERYDAY LIFE IN MOLLONGONG



REFRAMING THE
EVERYDAY



GOAL: REFRAMING THE EVERYDAY

Objective: An Aesthetic Inquiry On Everyday Life In Wollongong

Strategy - 'Art, Place, And The Everyday'

| 5 Year Action | Action | Performance Measure/s | Timeframe | Resourcing | Delivery Stream | Strategic Priority |
|---|---|---|-----------|--|---|--------------------|
| An Aesthetic Inquiry On Everyday Life In Wollongong | Develop commissions with Wollongong Art Gallery, and other providers in identifying sites for a temporary art program | On time and budget Level of Community engagement | 2016-2021 | Apply for additional grant income to support existing programs | Community & Cultural, Strategic Planning & design, infrastructure | Medium |

Cultural

Create a series of participatory public artworks that changed the urban environment visually and experientially, in order to encourage debate/social enquiry

Social

Build stronger dialogue with our communities. Increase in civic engagement and social participation.

Economic

Promoting Innovation and risk and conceptual and technical engagement

Enviro

Promoting sustainable environmental outcomes



'IDEAS ANIMATE – GENERATING AND SUPPORTING WOLLONGONG'S CREATIVE POTENTIAL'

Public art has an opportunity to develop new solutions and creative explorations, and assist with the social and economic development of the region. For some time now there has been a strong focus by the City of Wollongong to develop and embrace 'smart economy' directions and principles. A sharp reduction in steel manufacturing jobs in 2011 has provided further impetus to efforts to diversify the economy. Further recent adjustments in the economic structure of the region have seen further innovation and diversification.

As well as supporting economic change and diversification, research and development (R&D) activities can greatly an opportunity for a public artist(s) to reconsider their practice, develop a new idea or a new way of working. R&D activity, how it is structured and what it focuses on will vary depending on the nature of the artist's work, but activity of this type can often involve other artists, particularly when exploring new ideas.

The public art program can leverage existing structures. Natural synergies exist with key partners like the University of Wollongong. The University of Wollongong is currently recognised as making key inroads into design led innovation both through research, curriculum development and the Innovation Campus in North Wollongong. Outcomes like the 'I-Accelerate' venture bringing creativity, design and technical capability along with investors for developing creative industries and entrepreneurship are emerging. Additionally, the University's SMART Infrastructure Facility and Open Source Geospatial Laboratory that is currently generating new modes of enquiry into the resilience of cities.

Recent initiatives such as *Mind Shift* (Blender Festival) a single-day forum to challenge perceptions, experts and the obvious- from the tech, music and arts spheres has begun to open this dialogue around helping to pollinate ideas throughout the community in the hope of building relationships and opening up collaborative creative opportunities.

The sharing of local knowledge and creative skills has become integral to Wollongong's future. In fact the recently adopted *Cultural Plan 2014* **also points to opportunities to restore community confidence through a demonstration of cultural and economic change using arts and cultural capacity building initiatives.**

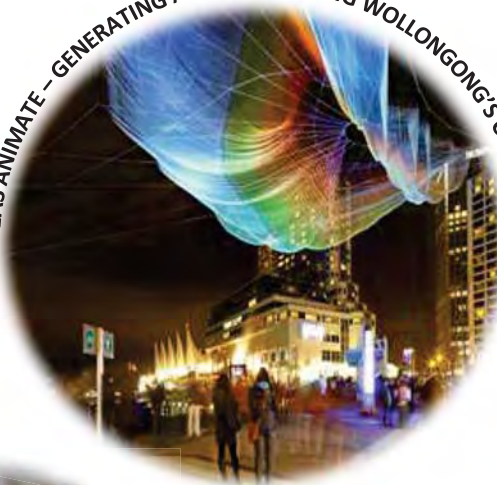
Importantly there are local organisations like *Wild Rumpus*; a skill-sharing social enterprise that aims to build a resourceful, sustainable and creative community. The model aims to connect people with places and teachers with learners and bring together all the amazing resources, artists, makers etc. Other emerging programs like '*Hackagong*'- a grassroots, non-profit event setup with the mission of igniting start-up and maker communities in the Illawarra and surrounding regions is also leading the way. Since 2012 *Hackagong* has helped 145 new start-up projects launch. Further openings exist in new platforms like '*Deviate2Innovate*' - a mechanism that connects people, projects and possibilities in the Australian innovation landscape.

Public Art and design across the city can reflect these creative interactions and partnerships. Making innovation more visual in the city will have wide reaching benefits to the profile of Wollongong and region. A number of curative opportunities exist in developing an ongoing Artist in Residency program to be hosted by local technology, R&D, and manufacturing businesses across the Illawarra, that result in public art outcomes.

Public Art outcomes can take the form of such mediums as new material prototyping, 3D printing, maker communities, object-oriented ontology, information science, engineering, technology, music, sound, lighting and illuminations and new media applications.

HARNESSING NEW ENERGY

IDEAS ANIMATE – GENERATING AND SUPPORTING WOLLONGONG'S CREATIVE POTENTIAL,



HARNESSING
NEW ENERGY



GOAL: HARNESSING NEW ENERGY**Objective: Generating And Supporting Wollongong's Creative Potential****Strategy - 'Ideas Animate'**

| 5 Year Action | Action | Performance Measure/s | Timeframe | Resourcing | Delivery Stream | Strategic Priority |
|---|---|---|-----------|--------------------------------------|---|--------------------|
| Generating And Supporting Wollongong's Creative Potential | Undertake arts and cultural capacity building initiatives creative interactions/ partnerships with University and other providers | On time and budget Number of projects generated. | 2016-2021 | Create an innovation public art fund | Community & Cultural, Strategic Planning & design, infrastructure | Medium |

Cultural

Creative outcomes; Multidisciplinary design teams and outcomes

Social

Motivational to the community; locally designed; support for creative ideas; Creative partnerships.

Economic

Promoting Innovation and risk and conceptual and technical engagement; Support for new creative industries; broadening of economic base; Productivity by creating and executing new processes and or products.

Enviro

Innovation in improving sustainable practices such as carbon emissions, produce less waste /comply with changing legislation etc.

‘OUR SOUL - LOCAL INSPIRATION, DISTILLING THE ILLAWARRA’

Defining a city in change is often a difficult task. When drafting new design strategies or a management plans for a place or location, rather than crafting an ‘essence of place’ statement (and making a plan to communicate it) we tend reinterpret the obvious and often ignore everything else. We often forget to communicate its integrity, its ability to find connection and resonance to our communities.

Public art is a very visual medium that can act as an important signifier that can help us understand how the ‘essence’ of the Illawarra is captured - how we identify with ‘it’ and how ‘it’ does identify us. Public art can also help how we symbolise place that resonates in us all.

For Wollongong and region, the landscape and its aura holds value to us; we feel part of something greater than our individual selves, and connected through its presence. Its ever-changing colour and conditions remind us constantly of what it means to live here.

At present there are few opportunities that capture this physical and social ‘essence’ of Wollongong. A recent *well-being survey* conducted by Council in 2014 indicated that only one in three residents (30%) agreed that the city’s cultural history, essence and creativity are reflected in the built environment.

Of particular interest to the community is also the indigenous spirit of the place through the reinterpretation of Aboriginal art, culture and heritage as a central element in Aboriginal identity, history, spirituality and customary law. Aboriginal cultural heritage and contemporary art based interpretation is undertaken to share information among family, kin and other Aboriginal people and with non-Aboriginal people.

Additionally, the region is now occupied by people who are drawn from many different lands who share the value of tolerance and respect for one another. Migration and relocation, the layering of cultures and inter generations also provide for a rich mix of creative exploration.

The conceptual basis for these artworks will be to develop a deep resonance in our consciousness of the local area. The ‘essence’ of place through artworks can be delivered in a variety of techniques. For example: the symbolic use of colour is central to reflecting cultural identity. The powerful language of colour goes beyond words and is at the heart of rituals, myths and artistic expression. Furthermore other aspects such as portraiture can often capture the subtlety of human expression and experiences.

Public art can embrace the soul and essence of Wollongong through the following:

- Large scale portraiture
- Contemporary film and storytelling
- Tactile, kinetic, water features, sound etc.
- Weather, changing tides –barometers, temperature etc.
- Poetry and verse, and storytelling etc.
- Time and season - creating season-specific art installations or events etc.
- Textures and surfaces; geology, shell art, sand, soil, rock, ore, and coal etc.

RESPECTING ESSENCE



GOAL: RESPECTING ESSENCE**Objective: Local Inspiration, Distilling The Illawarra****Strategy - 'Our Soul'**

| 5 Year Action | Action | Performance Measure/s | Timeframe | Resourcing | Delivery Stream | Strategic Priority |
|---|---|---|-----------|------------|--|--------------------|
| Using Local Inspiration, Distilling The Illawarra | Incorporate public art in capital works including Grand Pacific Walk, pedestrian bridges, cycle ways etc. | On time and budget Level of Community engagement Integration of public artworks into built form | 2016-2021 | | Culture, Strategic Planning & design, infrastructure | Medium |

Cultural

Reflecting sense of place; Employment of arts and design professionals; creative storytelling

Social

Community pride and connectedness; resonance; education, inspiration etc.

Economic

Valuable city marketing opportunity; Tourism benefits via improvement of tourism product

Enviro

Highlighting environmental issues and broader sustainability principles



AN ENDURING ECOLOGY

‘ART AND ECOLOGY – EXPLORING PHYSICAL AND SOCIAL ECOSYSTEMS ACROSS THE ILLAWARRA’

Wollongong’s physical and social ecology is unique, strong and distinctive and should be celebrated through creative responses. Perspectives about art and ecological issues are fluid and dynamic. Physical, semantic, and cultural environments influence how we see and understand who we are in relation to where we live.

The Public Art Program can promote positive relationships between Wollongong’s natural systems, including the rainforest, the coastal geography, creek lines, the beach, and the city centre

Artists, architect and designers can explore ways to link art, aesthetics, ecology, and culture. A number of contemporary artists are currently working collaboratively with oceanographers, civil engineers, business professionals, educators, journalists, and others to create art work that addresses community issues and that helps to heal fragile places. Their art is often designed to restore healthy conditions by fostering socio-ecological and political-economic change.

At the conceptual core of most contemporary ecological art are interdisciplinary ideas about:

- Environmental Design, Ecological Design, Social Ecology, and Ecological Restoration
- Community participation
- Dialogue and communication, and
- Ecological sustainability

Socio-ecological artwork can critically examine everyday life experiences, scrutinise relations of power that produce community tensions about ecological issues. Even temporal artworks can be resourceful in their selection of materials. Recycled materials and the adaptation of found objects are appropriate considerations.

Council has a broad commitment to implementing ecologically sustainable practices as part of all of its facilities and activities including the planning, design, and implementation of public art projects. This includes the use of renewable (green) materials and technologies in artists’ designs, fabrication and installation processes. The Council will also seek to acquire artworks that are appropriate to the environment in which they are to be installed e.g. outdoor artworks should be highly durable, resistant to vandalism and require low maintenance.

Existing and future opportunities integration of artworks into key projects like:

- The Blue Mile project
- Lake Illawarra and other key waterways
- Parks and playgrounds
- Beaches and pools

Additionally, although the city centre is predominantly a ‘built’ environment, there are opportunities to enhance the natural ecosystem within the centre and beyond. Strategies for enhancing city ecology can take advantage of existing resources in the form of waterways, parks and green open spaces, and Wollongong’s natural setting to promote a distinctive visual character and satisfy community needs for green breathing spaces. i.e. Lang Park, MacCabe Park, Pioneer Park, Market Square, the foreshore and the harbour.

The city beach waterfront is also a leading focus of Wollongong’s natural setting, and a major recreation destination for locals and visitors. The beachfront has been the focus of several streetscape and open space projects in recent years, although it’s currently poorly connected to the city.

AN ENDURING ECOLOGY



GOAL: AN ENDURING ECOLOGY**Objective: Exploring Physical And Social Ecosystems Across The Illawarra****Strategy - 'Art And Ecology'**

| 5 Year Action | Action | Performance Measure/s | Timeframe | Resourcing | Delivery Stream | Strategic Priority |
|---|--|---|-----------|---------------------------------------|--|--------------------|
| Exploring Physical And Social Ecosystems Across The Illawarra | Incorporate artworks into capital works improvement projects such as lake Illawarra foreshore improvements cycle ways, and other environmental projects. | On time and budget Level of Community engagement | 2016-2021 | \$100K per annum operational unfunded | Culture, Strategic Planning & design, infrastructure | High |

Cultural

Artist/Audience engagement.

Social

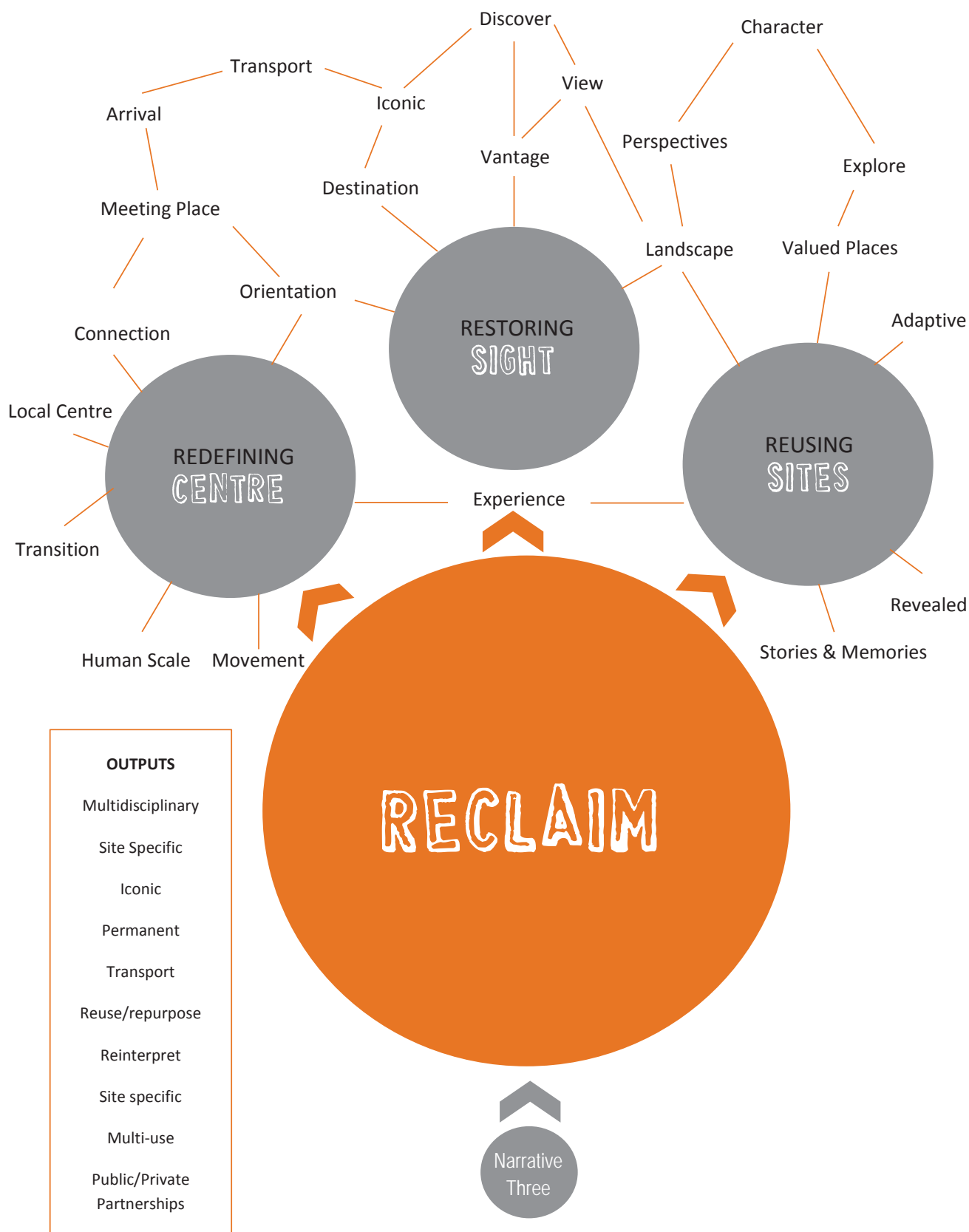
Social Activation & Debate, Community Development and Social Inclusion. Build individual and community capacity.

Economic

Innovation/Risk (Conceptual and Technical).

Enviro

Habitat Provision and Restoration. Encourage thinking about the change that could be made pre-emptively, to avoid climate change and or other sustainable environmental practices. Waste Reduction and Management, Energy Efficiency/Generation, Water/Air Quality and Management etc.





REDEFINING CENTRE (CITY)

‘CREATING A STRONGER WOLLONGONG CITY IDENTITY - ADDING VIBRANCY & SUPPORTING THE LOCAL ECONOMY’

Public art is an important way to build on the identity of the city. It has a role in way finding, to improve legibility, and in place making – interpreting the physical character and defining a cultural identity. It can also engender civic pride and promote the city’s regional and national significance.

The Wollongong City Centre public domain is notably structured by particular character areas, defined by its setting and type of activity. The recent *Public Space Public Life Study* 2015 undertaken on Wollongong City Centre highlights a number of key observations including:

- The Central civic spine is starting to get a sense of unity but needs punctuations & stronger visual links
- The need for more defined connections to public buildings and spaces, relationship to important heritage and/or cultural items, and connection to the foreshore
- Improved retail and commercial vitality and function of the key streets by activating street frontages
- Better access through the city centre, particularly between east and west;

The streets of the city centre vary in scale, direction, function and importance. The public domain of the city centre is predominately structured by three major east-west streets, namely Crown, Burelli and Market, which physically connect the ridgeline to the sea.

The focus has been on the revitalisation of the Crown Street Mall and attempting to create a convenient pedestrian network linking parks and public spaces, unifying the city and enhancing pedestrian and recreation experiences. As a part of this process there will be the need to create memorable images for the city centre. A range of differently scaled public artworks is considered important, from landmark; key nodal to discovery type artworks.

The Public Art program will play a critical role to ensure major arrival points, laneways, vacant spaces, undervalued places play host to high quality temporary art installations and enliven Wollongong city precincts. Creating a rolling program of temporary cultural interventions has the ability to offer visitors, residents and workers a range of experiences as they move along key pedestrian routes.

In respect to arrivals to the City Centre, there are three major approaches:

- from the south, along Spring Hill Road to Corrimal Street
- from the west and south, via Mount Keira Road or F6 freeway and West Crown Street
- from the north, along the highway and Flinders Street

The design treatment of each of these gateways can enhance the sense of journey into the city, and increase legibility and orientation. Each entry provides a transition from suburban to urban environments, and/or from a vehicle dominated freeway to the pedestrian dominant city streets.

Likewise another critical gateway to the City is Wollongong Railway Station precinct. Public Art and creative wayfinding can improve the disjointed connection between the railway station and the city core, making for a more attractive arrival; more coherent route to the city and foreshore, and by defining a stronger urban/contemporary feel to this important precinct. Approaches could include lighting/projections, creative directional signage and artworks to enhance orientation and a sense of destination; and importantly make a statement about the arrival to the city centre.

Another key aspect to the City Centre’s revitalisation will be refining the pedestrian experience throughout the City by:

- Improving the visual environment; by framing views and vistas
- Continuing to take advantage of improving the laneways and other smaller city spaces with artwork so that they become desirable connections within the pedestrian network
- Emphasises places to rest/play like city corners and pockets –more intimate and reflective settings
- Initiating street level activity to create a safer and more interesting environment for the pedestrian. The continuance of a regular and ongoing arts/events program to promote social interaction and sense of community.
- Capitalising and linking the open space network within the CBD to promote recreation and a sense of play.

Key outcomes could utilise the following mediums:

- Large scale iconic public art
- Banners
- Lighting/Projection
- Pavement insets
- Temporary elements could be sited to facilitate activity at particular times of day i.e. performance
- Art Kiosk
- Event related installations

Another significant area of interaction for Wollongong City Centre is the way public art and architecture provides a meaningful cultural dimension and interdisciplinary approaches to site-specific artwork. The way we visually perceive and physically occupy space has become critical to the successful renewal of cities. The public environment is therefore a fundamental supporting framework for the economic, cultural and civic life of any urban area.

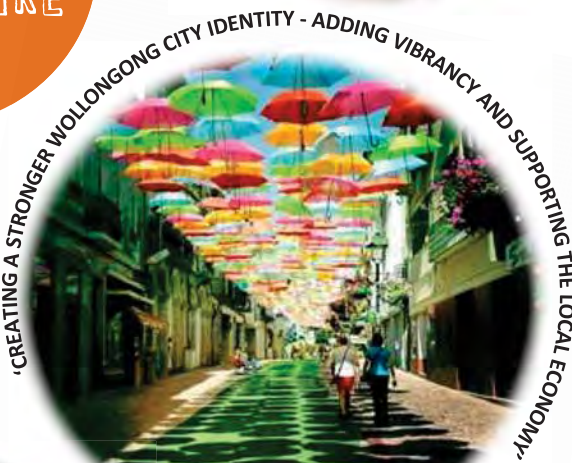
Much of this improvement of place is achieved through the planning application process, partnerships with investors and developers, and the considered and creative use of public art. Integrating public art and architecture with urban design encourage artists, architects and other design professionals to understand cultural, historical, environmental and political context/significance of a place.

Art and architecture should symbolise the changing face of the city in new developments. Private buildings and developments also usually bring a diverse range of scales, materials, styles and purposes to the urban environment.

They establish their own particular ‘signature’ through architectural style, form, articulation and materials. Some of this has already begun with the transformation of *Wollongong Central Shopping Centre* that includes a bold architectural and design statements and number of integrated art elements.

The public art program moving forward will direct more emphasis towards mechanisms that will further encourage new development within the City Centre to incorporate detailed public art plans as a part of the development process. Further details can be found in part 4 of this document.

REDEFINING CENTRE (CITY)



‘CREATING A STRONGER WOLLONGONG CITY IDENTITY - ADDING VIBRANCY AND SUPPORTING THE LOCAL ECONOMY.’



‘CREATIVE PLACEMAKING - INSPIRE AND ENGAGE PEOPLE IN COMMUNAL CULTURAL EXPERIENCES’

Public art at a neighbourhood level can inspire and engage people in communal experiences that demonstrate the vibrancy of Wollongong. Public art maintains an important role in the way people transform places where they live, through a holistic integrated approach to designing public environments that are directly linked to the cultural life and social identity of their local community. It enables the stories of the people and the place to be visible and either celebrated or commemorated by the community.

Figures from a recent Council community ‘well-being’ survey in 2014 noted that 91% of respondents across the LGA noted their neighbourhood was a good place to live, however 55.6% indicated that they have little to do with people in their neighbourhood or suburb. Furthermore, only 56% indicated they had a level of satisfaction with the appearance of public space, leaving 32% of respondents saying that public spaces require improvement in the LGA.

These views were further reinforced during consultations noting that common concerns remain about communities being unconnected and not sharing a sense of identity as a unified Wollongong community, and that there remain social, geographic and cultural divisions across the LGA. In describing the physical landscape a common description is that the LGA is spread out and is made up of a string of satellite or silo neighbourhoods or villages.

Each of Wollongong’s 39 suburbs and villages all have very unique characteristics due to each area’s geographic, residential role and function, and era of settlement. This is further overlaid with additional new residential land releases and medium density development planned across the LGA. New programs like the City’s *Creative Dialogues* Program provide residents with a chance to openly discuss and learn more about emerging issues across the suburbs by offering a variety of discussions on cultural development and creativity. ‘*Secret suburbs*’ talks and activities inspire people to discover what’s in their own backyards, to highlight what’s special about particular areas. Ongoing community dialogue like this will open up rich source material for artists to explore and create strong community based public art outcomes.

Artworks, interpretive trails and gateway signage to neighbourhoods and villages and the creation of virtual and non-virtual spaces that act as a repository for community stories are just some of the ways that have and can be further employed to reinforce local sense of place. Currently, the community points to suburbs such as Port Kembla as a good examples: a growing vibrant and resourceful community- harnessing the skills, creativity & diversity within to create opportunity, resilience and active participation in community life for wellbeing. A lot of this focus has been centred on art based outcomes described as ‘*people centred innovation*’ that also embraces principles of, access and equity, social action, empowerment and community spirit.

Possible directions could include the following:

- Banners
- Sculpture and art installations
- Gateway signage to suburbs and locations
- Public art interventions into social spaces such as local branch libraries, halls, community centres, community gardens and local neighbourhood parks and shopping areas etc.
- Pop up public artist in residencies in vacant retail or commercial spaces

REDEFINING CENTRE (LOCAL)

CREATIVE PLACEMAKING - INSPIRE AND ENGAGE PEOPLE IN COMMUNAL CULTURAL EXPERIENCES.



REDEFINING LOCAL CENTRE



GOAL: REDEFINING CENTRE**Objective: Adding Vibrancy & Supporting The Local Economy****Strategy - 'Creating A Stronger Identity for Wollongong City and its villages/neighbourhoods'**

| 5 Year Action | Action | Performance Measure/s | Timeframe | Resourcing | Delivery Stream | Strategic Priority |
|---|--|---|-----------|------------|--|--------------------|
| Creating A Stronger Identity for Wollongong City and its villages /neighbourhoods | Undertake public artworks as a key part of CBD public domain works and Village/Town Centre Upgrades including West Dapto Release area. | On time and budget Level of Community engagement | 2016-2020 | | Culture, Strategic Planning & design, infrastructure | High |

Cultural

Audience engagement – Artist and Communities. Collaboration of interdisciplinary design teams. Sense of identity and place. Site specific art, design solutions.

Social

Communal Cultural Experiences: Placemaking. Iconic markers, creative wayfinding, reflect history and heritage. Community Development and Social Inclusion. Build individual and community capacity.

Economic

Regeneration and Improving Output: foster economic relationships with art projects. Centre image and improve commercial viability. **Skills Acquisition:** Local art fabrication and design. City image and vitality.

Enviro

Habitat Provision and Restoration. Sustainable environmental practices. Waste Reduction and Management, Energy Efficiency/Generation, Water/Air Quality and Management etc.

‘CHANGING PERSPECTIVES – REAPPRAISING AND RE-IMAGINING THE ILLAWARRA LANDSCAPE’

The public art program has a unique opportunity to help reframe Wollongong’s distinctive and differing landscapes. During recent consultations some concern was expressed about how possibly some development has been able to destroy the character of the built environment as well as the beauty of view corridors and vistas and for a few, the built landscape and public environment was described as dismal and gloomy.

Wollongong is blessed with an overwhelming diversity of landscape that has provided inspiration for artists over many years. Framing Wollongong, the 500-metre-high Illawarra Escarpment provides a dramatic backdrop to the city of Wollongong and spans 200 million years of geological history.

The escarpment defines Wollongong and region expressing physical, political, social, historical and cultural boundaries to the Illawarra. It forms an indispensable part of the visual horizon. It is valued for its defining physical presence, unique biodiversity, its ability to dictate climate and weather, its contrast and textures, and its ability to connect diverse communities of the Illawarra together. The escarpment also has complex and enduring Indigenous and European cultural heritage values- It spans across public and private tenures and has a complex history of use spanning tens of thousands of years; from Aboriginal occupation through to more recent history of agriculture, forestry, mining and residential use. The recently adopted *Illawarra Escarpment Strategic Management Plan (IESMP) 2015* reinforces the physical prominence of the escarpment and how it has profoundly influenced the history of the Wollongong LGA and how it continues to be an integral part of the City’s sense of place.

The escarpment and other prominent landscape features including numerous and varied vantage points across the LGA, offer unsurpassed opportunities for artists to re-interpret the Illawarra landscape. Changing viewpoints; embracing and interpreting the visual quality of the escarpment; the strong and enduring relationship between the escarpment’s natural qualities and its popularity as a place to visit; to its embodiment of landscape - weaving of nature and culture and the synergy to land – through indigenous local cultural knowledge, traditions and connections. The *Destination Wollongong Development Plan 2014* also highlights the landscape as an important driver for further development for the region, particularly cultural and heritage tourism and how stronger investment in art, culture and heritage product development could act as a strong multiplier, also to contribute to the protection and enhancement of conservation areas, visual amenity and cultural values of Wollongong.

Opportunities for exploration include:

- Iconic visual markers
- Art inspired viewing platforms and structures
- Large landform artworks
- Beacons and lighting
- Large scale Photography and digital printing
- Transport; free shuttle bus skins, billboards etc.

“The Illawarra escarpment is visible from almost everywhere in the City and enjoyed for views of, and from it, as well as being experienced, through living, working or playing, travelling through or climbing over. Residents must travel over it to the City. The escarpment is part of their everyday worlds, always there and often not noticed, a familiar backdrop to their daily lives.” **Patricia Macquarie 2013**

RESTORING SIGHT



GOAL: RESTORING SIGHT

Objective: Reappraising And Re-Imagining The Illawarra Landscape

Strategy - 'Changing Perspectives'

| 5 Year Action | Action | Performance Measure/s | Timeframe | Resourcing | Delivery Stream | Strategic Priority |
|---|---|---|-----------|----------------------|--|--------------------|
| Reappraising And Re-Imagining The Illawarra Landscape | Identify key vantage points for large scale art inspired lookouts | On time and budget Level of Community engagement | 2016-2021 | operational unfunded | Culture, Strategic Planning & design, infrastructure | Medium |

Cultural

Changing and challenging perceptions about place

Social

Scenic vantage points allow observation and connection to the landscape and the wider environment.

Economic

Improve tourism experience and product

Enviro

Promote and educate sustainable environmental outcomes

‘ADAPTIVE REUSE - ENLIVENING WOLLONGONG’S WORKING HERITAGE NARRATIVE’

Public art and creative art based heritage interpretation has a guiding role in the future identification, rehabilitation and adaptive reuse of Wollongong’s industrial plants, infrastructure sites and buildings.

The industry profile of Wollongong has changed considerably in the last two decades with contraction in manufacturing, steel mill and mining employment. These changes across the region, along with a range of other socio-economic factors, present opportunities and challenges for the City moving forward.

These have left considerable physical changes, and have left large pockets of unused industrial buildings and sites such as quarries and mines across Wollongong with an unknown future. A lot of these places have significant social/cultural heritage value to the community, however largely remain inaccessible.

Council has a key role in sustaining the links between the local community, its history and its heritage. However, a recent *community well-being survey* conducted by Council in 2014 indicated that only 37% of residents visited a place of historic heritage value, heritage trail or taken part in any other type of heritage related activity in the last twelve months.

The Public art program can assist in the redevelopment and unlocking of these sites, and importantly re-interpret the layered history of these places. Public art, interpretation and cultural programs will reflect and celebrate the many rich stories of each precinct and used as a means of securing and maintaining landscape, places and objects valued as part of the City and Australia’s social culture and history.

This process will require effective medium to long term strategic partnerships and implantation plans to ensure a balance of reuse of vacant or discarded assets or the redevelopment of others. Council also already owns or has management of a wide range of other heritage assets which represent valuable opportunities for enlivening Wollongong’s heritage narrative and could be explored in terms of their tourist potential with Hill 60 (Port Kembla), Smiths Hill Fort and Flagstaff Hill Fortification etc.

Creating public art and design elements in these locations and sites will set out acknowledge and support the history and cultural fabric of the place and put forward a series of inclusive and interactive ways of engaging residents/visitors with the City’s past. Each interpretative overlay will involve a wide range of multisensory interpretive media, from permanent installations to ‘pop ups’, soundscapes, tactile installations and heritage-inspired public art. These are based on the standard interpretive principles of ‘inspire’, ‘provoke’ and ‘reveal’.

Possible outcomes for public art can include using a variety of mediums and opportunities:

- Sound art
- Moving image
- Projections
- Sculpture
- Reuse and creative reinterpretation of industrial machinery; infrastructure; containers, cranes, wharves, silos, furnaces and conveyor belts etc.

REUSING SITES



'ADAPTIVE REUSE - ENLIVENING WOLLONGONG'S WORKING HERITAGE NARRATIVE'



REUSING
SITES



GOAL: REUSING SITES

Objective: Enlivening Wollongong's Working Heritage Narrative

Strategy - 'Adaptive Reuse'

| 5 Year Action | Action | Performance Measure/s | Timeframe | Resourcing | Delivery Stream | Strategic Priority |
|--|--|---|-----------|----------------------|--|--------------------|
| Enlivening Wollongong's Working Heritage Narrative | Undertake public art projects to highlight heritage community reengagement with such unique assets as Hill 60 (Port Kembla), Smiths Hill Fort and Flagstaff Hill Fortification | On time and budget Level of Community engagement | 2016-2021 | operational unfunded | Culture, Strategic Planning & design, infrastructure | Medium |

Cultural

Support the history and cultural fabric of place

Social

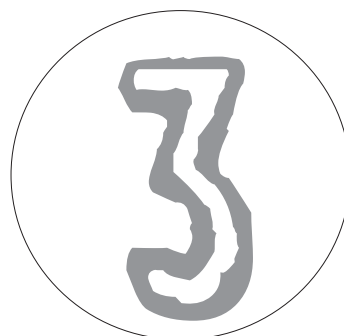
Promote stronger connection to local heritage, particularly social heritage

Economic

Improve tourism experience and product.

Enviro

Securing and maintaining physical landscape, places and objects valued as part of the City and Australia's social culture and history



The City allocates both capital and operational funds from its annual budget to resource public art projects and programs. Public art projects that align with the City's Public Art Strategy and policies may be initiated and delivered by units within the organisation.

Essentially, the Public Art Strategy calls for Public art to be aligned with all civic infrastructure projects. The City recognises this will deliver the best outcome for the public from an aesthetic, functional and economic basis.

This mandates for public art to be considered from the earliest planning stages of civic capital work projects, allows for the design and function to influence the art and vice versa and enables the effective design and implementation of the works. It also enables public art commissions to include diverse art forms, practices and styles in response to each unique infrastructure project, site and context.

Other ways in which Public Art is to be funded include:

- Section 94A contributions to Council's capital works program, made as part of development applications, can provide a source of funding for the ongoing development of the Public Art Strategy
- Planning Agreements can also provide a source of funding to the ongoing development of the Public Art Program/Schedule of Works.
- Changes to the Wollongong DCP with ensure that all major new developments incorporate Public Art into the overall budget and planning processes.

In addition, other avenues of support will be actively pursued. Additional sources of funding include:

- Government grants and philanthropic funds
- Other community grants programs
- Sponsorship and private funding (voluntary)
- Donations, bequests and gifts of money

Amongst the resourcing initiatives that will be considered in the future are:

- A Public Art Reserve - to facilitate the accumulation of funds to support the delivery of new commissions of enduring art, and act as a potential repository for financial gifts and bequests

REVIEW FREQUENCY

Every three years

DOCUMENT END DATE

30 June 2021

CONTACT INFORMATION

Community, Cultural and Economic Development

REPORTING



PART FOUR

GUIDELINES &
PROCESS



GUIDELINES AND PROCESS

Successful public art projects are dependent on a solid policy and implementation framework that guide the practices of all staff involved in the public art process. The following guidelines detail this approach.

MANAGEMENT

The various parts of Council have different and complementary roles and responsibilities in respect of public art. This section sets out the specific functions and responsibilities for each unit.

City of Wollongong – The City will demonstrate leadership by fulfilling the actions outlined in this strategy and providing skills, developing tools and resources and facilitating partnerships.

This leadership will be demonstrated at a Councillor, Director, Manager and Officer level.

Responsible Manager: Kerry Hurst

Responsible Officer: Sue Savage

Further to resourcing public art through providing qualified staff, administrative support and management within the City's Community & Cultural Services Unit, the City will also support its public art outcomes through drawing on a wide knowledge base that extends beyond the resources available within the organisation.

The public art program will be developed with input from, and in consultation with, experts in fields directly relevant to public art, and cultural advisors where appropriate.

Public Art Advisory Panel

A Public Art Advisory Panel will be convened by the City to bring together a diverse mix of experts in the industry to provide independent advice and to make recommendations on the implementation of the Public Art Strategy, policies, projects and programs.

The Panel provides advice to staff on public art proposals by the City and the private sector when appropriate to ensure the quality of proposals satisfies the principles outlined in the Public Art Strategy and Guidelines. Should such advice be necessary it is recommended that the Public Art Advisory Panel be consulted early in the process when any advice they may give can be acted upon. Any advice given by the Panel regarding specific development applications will be passed on to the relevant Planning Officer in the Development Assessments Unit by the City's Community & Cultural Services Unit for the advice of applicants.

Public Art Working Group

Within the organisation, in order to ensure consistency of decision making, a Public Art Working Group led by the Community & Cultural Services Unit, comprising representatives from across the City's units, will facilitate internal consultation and liaison to ensure alignment of public art projects with the strategy, policy and major capital works projects across the City and determine the suitability of proposed capital works projects.

Solid processes facilitate coordinated implementation of public art, resulting in clearer priority setting and resource allocation, works that are sited more strategically, and systems driven approaches shared across teams.

| COMMUNITY + CULTURAL SERVICES | INFRASTRUCTURE PLANNING DESIGN + TECHNICAL SERVICES | LAND USE PLANNING | DA ASSESSMENT PLANNING ASSESSMENT + ADVICE |
|---|---|--|---|
| Community + Cultural Services is responsible for the implementation of the policy and procedures associated with the provision of public art, and providing appropriate representatives for assessment panels and public art project teams, information back to DA assessment planners etc. | Infrastructure is responsible for advising appropriate Community + Cultural officers of proposed capital works projects and providing appropriate representatives for the assessment panels and public art project teams. Infrastructure also plays a key role in the coordination of procedures associated with the provision of public art. | Development of new and/or review of provisions/controls into DCP and other Statutory planning: <ul style="list-style-type: none"> • Hoardings policy • Precincts • New Releases • Major Developments | Planning Assessment and Advice – checklist and guidelines provided to DA applicant where appropriate. DA Assessment Planning to review and refer for assessment |

PUBLIC ART WORKING GROUP

Within the organisation, in order to ensure consistency of decision making, a Public Art Working Group led by the Community & Cultural Services Unit, comprising representatives from across the City's units, will facilitate internal consultation and liaison to ensure alignment of public art projects with the strategy.

PUBLIC ART ADVISORY PANEL

A Public Art Advisory Panel will be convened by the City to bring together a diverse mix of experts in the industry to provide independent advice and to make recommendations on the implementation of the Public Art Strategy, policies, projects and programs.

SELECTED DEFINITIONS:**Art**

The term “art” is defined as the product of practitioners who intend their work and activities to be seen and read as art.

It embraces material and immaterial products and concepts emanating from the imaginative and creative thinking of artists.

Public Art

The term “public art” is defined in the broadest sense as artistic works or activities accessible to the public. The work may be of a temporary or permanent nature. Located in or part of a public space or facility provided by both the public and private sector, public art also includes the conceptual contribution of an artist to the design of public spaces and facilities.

Arts Plan

The term “arts plan” is defined as a plan for designing, commissioning (or procuring), installation and management of artwork(s). The Arts Plan will document all stages of the process of developing an artwork, including research for the artist brief, selection process, commission of the design and installation of artwork(s).

Permanent Public Artworks

The term Permanent artwork might include a public artwork (as above) created with an expected life span of greater than ten (10) years.

Temporary Public Artworks

The term temporary artworks can describe works that are specifically designed to last for days, weeks or months. Temporary artworks might be used to describe projects such as projection or lighting works where there is no physical object created.

Artist Brief

The Artist Brief: a written description of the requirements for the production of an artwork. It often includes a description of the background context, objectives, location, any impediments and issues such as timeframe, preferred materials, risks and maintenance matters relevant to the development of an artwork concept and its production.

Integrated Public Artworks

The term artwork Integrated Artwork can be defined as artwork created by an artist that has been conceived especially for a site or building and forms part of the built environment.

Integrated Public Art forms a physical part of the building or structure for which it is designed.

Moral Rights

Moral rights are the personal, legally-enforceable rights of the creators of copyrighted works (e.g. the artist of a painting or the author of a book). These rights protect creators’ works from being acknowledged, used or altered in ways they didn’t intend.

Ephemeral Public Artworks

Ephemeral (short term): any art form that is transitory, changing and exists for a brief time in the public domain. Ephemeral works may include expressions of art that bring life, fun and interest to public spaces and events such as pop up art, platform art, street art, multimedia, and new media.

SELECTED REFERENCES:

- Wollongong City Centre Civic Improvement Plan CIP, 2007
- Destination Wollongong Development Plan, 2014
- Wollongong Public Art Policy, 2003
- Draft Wollongong Public Art Master Plan, 2008
- Wollongong Development Control Plan, 2009
- Wollongong Community Strategic Plan, 2022
- Wollongong Cultural Plan, 2014-18
- Wollongong Public Spaces Public Life, 2014
- Draft Wollongong A City For People, 2015
- Wollongong Live Music Action Plan, 2014
- Wollongong City Centre Evening Economy, 2014
- Wollongong Creative Spaces Strategy, 2015
- Wollongong Community Survey, 2014
- Wollongong Heritage Strategy, 2011-2014
- West Dapto Section 94 Development Contributions Plan, 2015
- Arts NSW Consultation Outcomes Report – developing the NSW arts and cultural policy, 2014
- Create in NSW: Arts & Cultural Policy Framework, Arts NSW, 2015
- NSW Aboriginal Arts and Cultural Strategy, Arts NSW, 2014
- Public Value Measurement Framework: Measuring the Quality of the Arts. Department of Culture and the Arts WA, 2014
- Public Art: making it happen, commissioning guidelines for local councils, Arts SA, 2006
- Landcom - Public Art Guidelines, 2008
- Code of Practice for the Professional Australian Visual Arts, Craft and Design Sector NAVA, 2008
- Public Art Guidelines for Artists and Commissioners - Arts Law, 2008
- City of Sydney – Public Art Strategy, 2012
- The Parramatta City Centre Public Domain Framework Plan, 2012
- Public Art Guide for Developers - City of Ryde, 2010

Photo Credits

Obvious Bus Stop, Baltimore Designed by Spanish Art Collective; “The Truth Is I See You”. Hank Willis Thomas; “Always was, always will be” by Reko Rennie; “In Between Two Worlds” by artist Jason Wing; “Aspire” by Warren Langley; “who we are 100w”: Nikki Gunson, Patrick Bullock, Sarah Parsons and Jo Coles; Nils Norman - developing public art proposals for the ‘Green Corridor’ country park; Velvet Water, Maria Fernanda Cardoso; Anita Larkin and Amanda Buckland from the Berkeley Arts project; Wonderwalls Street Art Festival 2013-15 program, Verb Syndicate; Street Art By Askew, by Smug, Numskull, Roach, Sam Clouston, Wonderlust; The 15 Spheres of Steam, by Donna Marcus; The Kefi Project; Warriors by Jan van der Ploeg; ‘Local Memory’ by Brook Andrew; ASPECT Studios Angel Place; I Stay by Jenny Holzer; Webb Bridge Melbourne Docklands; Anthony Gormley; Waste Frieight and Barrel by Steven Sigiel; Desert Passage, Canopy Dreams, by Barbara Grygutis; Migration Public Art Project by Narine Martini; Work by RMIT Public Arts students; Gurungaty Water Place; ‘Wingman’ by Bert Flugelman; Spiral and Wave, by Bert Flugelman; Wollongong Crown Street Mall concepts by artist Mike Hewson; Nike by Ken Unsworth; Wombarra Sculpture Garden;

WONDERWALLS



VIVA AGON



"Wollongong is currently on the edge of transformation, both physically through renewal and transformation, but also whereby recent public art activity has been defined by its ability to be more temporary, flexible, participative and enquiring...."



Blender
MUSIC + ARTS + TECH



ARTS PLAN IMPLEMENTATION:

GETTING STARTED
PROCESS OVERVIEW OF ACTIONS
PROCESS FUNDAMENTALS
PROCESS OPPORTUNITIES



ANIMATING
WOLLONGONG
PUBLIC ART
STRATEGY
& GUIDELINES 2016-2021



DEVELOPER - PUBLIC ART GUIDELINES & PROCESS

ARTS PLAN IMPLEMENTATION – PUBLIC ART IN DEVELOPMENT

GETTING STARTED

This section provides clear guidelines for the procurement of public art and is based on current best practice. The involvement of artists and art professionals in the initial stages of project planning is key to successful and meaningful public art outcomes.

Artists working in the public realm are among a number of professionals whose skills are brought to bear on architectural or other infrastructure developments.

The size and complexity of each project will vary depending on the site, the total development cost and the public art budget allocated. However, in all cases it is essential that you identify, with the help of professional advice, opportunities for implementing artwork in the very early stages of the development and design process.

Essentially, art in new development is aligned to the planning and construction process. The early thinking processes that determine the character, location and scope of a development are also useful for determining the scope and intent of art projects, thus making the art an integral part of the build and not an add-on.

Shaping any proposition for public art development needs to be considered in advance of the submission of the Development Application.

There is no single methodology for commissioning art. Though every commission is unique and responds to different circumstances and contexts, there are four outline stages, which are useful in thinking about a project's development.

The fundamentals are illustrated on the following pages. To summarise, it begins with the understanding the extent of the opportunity and who needs to be involved, then working with an artist/s to develop ideas and proposals, followed by supporting and producing the art commission. Furthermore there are the realities of owning the artwork/s, maintenance and lifespan.

These guidelines are aimed at all potential developers and are intended to suggest ways of approaching this task. They are intended to provide a useful checklist in the commissioning process. These notes promote allowing the public art commission to be as open as possible with regard to site, material and content, and using the creative ability and knowledge of artist/s to inform the whole process. This approach will usually result in a cohesive and successful outcome.

It is also valuable to spend time researching other successful public art projects that will help to inform the process you choose to develop and contribute to the success of your final project. Consider asking questions about artist selection, involvement of consultants, public art plans, and artwork budgets.

When embarking upon any sort of public art commission it is essential to identify clearly the aims of the commission and establish a clear strategy or arts plan. This needs to be done before engaging an artist and will allow early ideas to be explained and will result in a document that can easily be circulated to stakeholders, and also be used as a background for the artist/s brief.

Unless the developer or their design team is experienced in this area, it is recommended that professional advice is sought at the earliest stage.

By involving a public art consultant, curator, or lead artist, the developer will benefit from specialist advice which can help identify the conceptual framework for the arts plan, methods of selection, implementation and the budget required. The role is usually multi-faceted, combining curator, producer, creative consultant, visionary, catalyst, advocate, project manager, negotiator, and researcher.

They can also assist with undertaking project management. This role is a pivotal one in that it ensures good communication between all parties and ensures the project runs smoothly, to budget and on schedule.

PROCESS – OVERVIEW OF ACTIONS

DEVELOPER

OPENING A DIALOGUE

Project Initiation ACTIONS

- Pre DA Lodgement discussion
- Council to provide guidelines
- Confirming purpose & process
- Set up a Design team
- Developer to select arts consultant

DEVELOPING AN ARTS PLAN

Project Opportunities ACTIONS

- Arts Plan developed:
 - Contextual research of site
 - Identify opportunities
 - Propose conceptual approach
 - Identify budget allocation
 - Identify program
 - Identify potential artists
- Arts Plan submitted with Development Application

CULTIVATING & SHAPING IDEAS

Project Co-ordination ACTIONS

- Develop brief/s
- Select artist/s
- Sign Concept Contract/s
- Preliminary concept/s
- Sign Design/Development contract/s
- Final concept/s with drawing/s
- Technical review

ACHIEVEMENT

Project Finalisation ACTIONS

- Artwork/s fabrication
- Delivery of Artwork/s to site
- Installation of Artwork/s
- Hand-over: preparation of maintenance schedule/s
- Supply images of completed artwork to Council for records

STEPS

1

2

3

4

COUNCIL

APPROVALS

Project Initiation ACTIONS

- Notification from Developer on Design team and selected arts consultant

APPROVALS

Project Opportunities ACTIONS

- Arts Plan assessed with Development Application
- Notification to Developer of approval of the Arts Plan

APPROVALS

Project Co-ordination ACTIONS

- Notification from Developer on selected artist/s
- Review Preliminary Concept/s
- Approval of Final concept/s

APPROVALS

Project Finalisation ACTIONS

- Council to issue Compliance Certificate

1. OPENING A DIALOGUE

As with the process of undertaking any new development, public art projects often provoke considerable debate & discussion and it is important that consultation forms an important part of the approach. Developers are encouraged to open a dialogue with Council early. Opportunities exist to engage with Council staff particularly through a Pre DA Lodgement Meeting that will give valuable practical advice and direction on the developing an appropriate arts plan to be lodged within the Development Application Process. Ongoing dialogue will ensure that arts plans are completed to Council's satisfaction.

1.2 HAVING A PURPOSE

There are often a variety of reasons and motivations for a design team to identify opportunities, with clients, for commissioning public art as an integral part of a project.

Fundamentally, at the centre of a project needs to be a solid commitment from all to create an exemplary public art project that engages with the new development and its interface with the public domain.

Developing a wide-ranging arts plan for the site will help lead aims and inspirations that begin to embody the proposed character of the new development. A good starting point is the concept of 'place' that can inform the basis for commissioning and producing an art project whether it be used as an inspiration, issue or context. A wide range of case studies are included in these guidelines which draw on 'place' whether through a need to relate more expressively with a location, or with its community, or to challenge important and relevant issues or as a response to reflect on the history and social fabric of a place.

1.3 COMMITTING TO A PROCESS

Exemplary public art projects are fundamentally driven by a good process. Each project will present diverse opportunities that all have different emphasises, concerns and issues. In turn this will influence the project's duration and context.

Permanent public art projects are often dependent on larger building processes and longer timeframes, whilst temporary public art projects tend to offer opportunities across the life of the development and also encompass a broader range of artistic practice.

It is also critical to understand that whatever the kind of project to be developed, that working in the public domain often takes much longer than expected as does integrating a public art commission as part of construction of a new building.

The key is to start working on a project as early as possible or at least stating intent to commission with an appropriate budget line early on helps make projects more effective and can save money in the long term.

1.4 GATHERING A PROJECT TEAM

These guidelines promote the engagement of integrated design teams. Design teams possess the overview and detail of a construction project and have an essential role in informing the art commissioning process. They are often lead by architects and include engineers, and other design professionals. Their expertise includes a conceptual, technical and practical perspective.

Clear communication in the design team is critical to developing an art commission through on-going dialogue. Identifying arts expertise to join the design team at this early stage will help shape the opportunities appropriately and also assist in the project management of aligning the art project with detailed construction and procurement processes.

This project management role is pivotal and can be delivered by various arts professionals, including curators, art consultants or planners, and lead artists. For more information on acquiring expertise see attached appendices for details.

2. DEVELOPING AN ARTS PLAN

An important part of the responsibility for a public art project is to develop an appropriate strategy or plan. The plan will help determine the focus, rationale, opportunities and the most appropriate approaches to be undertaken.

The arts plan is largely an informed scoping document and project plan to undertake the project. Strategies and plans can usefully show how commissioning can build on the existing identity of a place, be part of the strategic focus for the development and be embedded into existing processes and structures. The arts plan can also be informed from other plans for the development like the statement of environmental effects, heritage reports, archaeology, green technologies etc. Generally the plan will cover the following as a minimum:

- Vision
- Curatorial approach
- Community/client engagement
- Context – history, site analysis, themes
- Potential sites/locations/treatments
- Selection methodology for artists
- Budgets & timetable
- Project management & responsibilities

As the project progresses more information in the way of briefs, artist concepts, designs, materials & finishes, and fabrication detail will be required.

2.1 UNDERSTANDING THE SITE

When undertaking a development, there are often many potential opportunities to site public art projects and often the site and proposed building envelope will inform the different parameters and processes to consider. Critical thinking needs to be developed, and connections made, to the context of the development, its social or cultural history, the ways users have and will continue to interact with that place.

In identifying an actual site or treatment areas, it can be beneficial to leave the brief reasonably open. Being too prescriptive when identifying a site and opportunity can narrow a project's potential. Furthermore, new forms of art practice can also open up thinking for new sites and places for projects within and over the life of the development.

2.2 EXAMINING AN APPROACH

There are many ways to realise public art projects. Often a combination of the context of the location, conceptual frameworks laid down by the design team, and opportunities & constraints will inform the diverse approaches to be undertaken. Also contemporary artists choose to work in many different ways. Often it can be delivered in a combination of the following ways:

- Temporary projects and installation
- Permanent stand-alone commissions
- Permanent integrated commissions
- Process-based projects (artist in residence programs)

Temporary and permanent projects have different profiles. For instance permanent artworks can be enduring landmarks, whilst temporary projects can be more challenging and innovative as there are often less constraints.

2.3 SETTING A BUDGET

It is essential to set a realistic budget for the development of a public art project, covering the full commissioning process – from inception through to realisation and maintenance.

The budget should be commensurate to the overall cost of the development. A good starting point is 1% of the total budget. In arriving at an appropriate amount it is worthwhile researching comparable public art commissions to understand what likely budgets are involved and what level was required (see case studies for some examples).

Largely, costs will vary depending on the scope of the artwork being temporary or permanent. For permanent artwork commissions, it is important to identify a budget line early on in the development process, which may be augmented, if appropriate, by other material budget costs during construction. Likely costs include:

- Project management fees
- Selection costs, as appropriate
- Design development costs including, prototypes or equipment Project costs: artist's and other fees, engineering, materials, fabrication, installation, transport
- Consultation fees (as required)
- Maintenance and warranty
- Contingency – there are many variables in construction projects

3. CULTIVATING & SHAPING IDEAS

This stage is about working with an artist/s to develop ideas and shape proposals.

It is important to start with the development of a well written brief. The brief/s is informed by the content of the strategy or arts plan for the site.

The brief does not need to be lengthy, but should contain all relevant information and requirements. Briefs should strike a balance between being open enough to allow an artist/s space to explore opportunities, and detailed enough to ensure a professional outcome.

A good, constructive brief should give the artist/s context, background and technical information, and let them know what is needed and expected of them and of the resulting artwork. This will lead to the commissioner having confidence that aesthetic, technical, maintenance and timing issues are agreed and will be carried out to expectations. Key points to include:

- The aims of the commission e.g. enhancing a site, providing a focal point etc.
- The exact nature of the site and its intended use and users, with site plan if relevant
- Relevant historical, social contextual detail
- The role of the artist and thematic directions for the artists consideration
- Any community or public involvement
- Site constraints and opportunities

3.1 SELECTING THE ARTIST/S

Selecting artists can happen in a number of ways: direct invitation, competitive interview, invited competition and open competition. Frequently the arts consultant/artist planner or curator will oversee this process and has the knowledge and visual arts background to identify the most appropriate artists to work with. Using the skills and experience of the design team will often bring in additional expertise to assist in this process.

Essentially, the artist's practice is the central emphasis of any art commission. Their role should reflect their expertise and experience and they should be seen as a professional with knowledge of their own discipline and field. Additionally, reflecting on an artist's previous work and interest may also highlight how they choose to work and participate in the project team. Databases are often available from local government and arts organisations. Most artists have images of their work available for prospective clients to look at.

It is important to remember the point of working with an artist is to embrace the unique skills and ability to conceive and interpret creative ideas. It is also imperative to allow them sufficient creative space and time to conceptualise a substantial project as part of the proposed development.

3.2 DEVELOPING PROPOSALS: IDEAS & RESPONSES INTO DESIGNS

It is critical to maintain good communication between the design team and artists. Artists should also be treated as peers in their work with planners, architects and other professionals. They should also be given realistic timescales for design ideas and creation of supporting material. Contracts should be clearly agreed and issued prior to any work taking place. There are three stages of design and fabrication work to be contracted from each artist undertaking a commission. These follow similar principles and steps to the design and construction of a building:

- A schematic design stage – artwork concepts in response to the brief: intent, scale,
- A design development stage – detailed design including feasibility/cost, construction plans etc.
- A fabrication stage – the building of the artwork.

Depending on the artist selection process, the artist/s will be paid a fee for each of the three stages of work and approval process established at the end of the schematic design and design development phases. Understanding how the completed artwork will look on site and how it will function is an important part of accepting the concept and approving the artwork. It is usual to require the artist to present a detailed design prior to the work being fabricated.

4. ACHIEVEMENT

This stage is about realising the artwork from design, installation to completion. The nature of art making is wide and diverse, so therefore the fabrication or execution of the work can be a detailed process. Fabrication will involve a co-ordination of a multiple responsibilities, from identifying the right contractor, to use of materials, production of samples, and the involvement of structural engineers and the artist. So too can be the installation of an artwork on site.

Celebration is a natural element of the creative process and it is important that an unveiling of the artwork takes place. A launch, dedication or opening of the artwork/s will recognise the work that has taken place and celebrates what has been achieved.

It will also give you the ideal opportunity to publicise the project, reconnect with the community and gain immediate feedback.

You also can't ignore the fact that maintenance and decommissioning are an integral part of the commissioning process. Details of which must be included in the contract. It is advisable that major commissions have a maintenance schedule from artists with a relevant timetable for aftercare.

4.1 FABRICATING THE ARTWORK/S

Art-making is very much a customised process and there are variety of methods and approaches to fabricating the final artwork/s. In some instances the artist may build or construct the work in their studio for transportation and installation on site. Some work may be crafted in situ. Other artworks may be fabricated by a specialist to construction drawings prepared by an engineer under the artist's supervision. The fabrication of large works is a complicated process to undertake and to coordinate. Clear decisions about lines of accountability, coordination responsibilities, communications and contractual obligations need to be resolved prior to fabrication commencing. Often samples of the artwork and materials require approvals of during work in progress of the fabrication as required.

4.2 INSTALLING THE ARTWORK/S

The installation of artwork on site will require considerable planning and will need to be incorporated into the construction schedules where appropriate. Additional installation materials maybe required, along with access for the artist and consultant to be present on site to oversee the installation process. After the artwork is installed or completed. The developer and the design team should inspect and sign off on the artwork. Any issues should be addressed promptly. Council may also wish to inspect the completed artwork as part of the sign off of the development. In the case of artwork that is a condition of the development approval process, Council usually requires that the artwork is completed and installed prior to the site being used or occupied.

4.3 PROTECTING THE INTEGRITY

As the owner, the Developer has several legal obligations to ensure the integrity of the permanent artwork/s over their given lifespan. Artwork/s should be acknowledged or attributed in some form to the artist. The artwork/s also must not be altered or removed, nor left to fall into disrepair.

Permanent public art should be robust but like other public structures it will be subject to wear and tear. Artwork requires the same attention to maintenance and repair as other elements in architectural contexts or public environments. Appropriate cleaning and repair, replacement of elements that are loosened or damaged, repair of vandalised surfaces or structures are all part of this process.

Where the work will become the property of Council requires a maintenance plan to be submitted detailing appropriate procedures and treatments for both cyclical maintenance as well as events such as vandalism or unintentional damage. The involvement of the artist in both repair and maintenance should be specified, along with timeframes for both routine and emergency work as required.

OPPORTUNITIES ANALYSIS – SITE AND CONTEXT

SITE ANALYSIS & CONTEXT

As indicated to achieve the best results, critical thinking needs to be developed, and connections made, to the context of the development, its social or cultural history, the ways users have and will continue to interact with that place.

The design process requires an analysis of fact, a synthesis of the results, and a homogenous blending of art and architecture with client requirements.

It is encouraged to also reference and supports other key planning documents such as heritage, environmental, or archaeological reports to see if there are any possible synergies.

The matrix opposite is provided as a starting point to undertake an appropriate site analysis to inform the arts plan.

LOCATION

Site

- i.e. Physical attributes
- i.e. Corner block, double frontage
- i.e. Adjoins public open space
- i.e. Connects with multiple modes of traffic – pedestrian, vehicle, rail, etc.

DEVELOPMENT

Type

- i.e. High level mixed use, Low level mixed use, Commercial, Residential etc.

Scale & Materials

- Smaller or larger than surrounding development etc.
- Robust, reflective, transparent etc.

INTERACTION

Connectivity and Accessibility

- i.e. Entrance/exit points & nodal structures - foyer

Sight lines

- i.e. Views from passing vehicles
- Visual awareness
- i.e. Pedestrian experience

CHARACTER

Urban Heritage

- i.e. former uses

Existing Features

- i.e. Natural Topography, heritage items

New Features

- i.e. tower, balconies, podiums, courtyards, colonnades

EXPERIENCE

Meeting place

- i.e. Human-centred experiences of communication, eating, recreation etc

Informal

- i.e. Gathering space for spontaneous activity

Formal

- i.e. High degree of use and significance

THEMATIC

Industrial/Commercial Memory

Social/Cultural Heritage

Celebration

Environment

Issues

Activation

Future

ARTISTIC RESPONSE

The current diversity of contemporary arts practice allows for multiple approaches across the life of the project or development and beyond.

Artworks can be either temporal or permanent and respond to either former uses of the site or aspects of the construction, design and proposed uses of the new development.

Contemporary art also embraces new technologies, design and fabrication techniques and can also be used to engage the community in a more flexible and experimental way.

The matrix opposite is provided as a starting point to understand some of the likely options that may inform an appropriate brief to artist/s.

TEMPORARY OR PERMANENT

Timeframe

i.e. Design/Construction time, site ownership

Budget

i.e. cost analysis for artwork/s

Context

i.e. engagement with users & community, type of arts practice, artist in residence programs etc.

SCALE

Macro

i.e. gateway, iconic, landmark

Micro

i.e. discovery, reflection, inspection

REFLECTIVE

Detailed

i.e. inclusive, engaging

Layered

i.e. provokes discussion & debate

Dedicatory or Celebratory

i.e. memorial etc.

INTEGRATED

Building architecture

i.e. Facade, glazing etc.

Materials

i.e. Lighting, sustainability features

Structures

i.e. courtyards, thoroughfares, arcades

INTERPRETATIVE

Rich content based

i.e. descriptive

Symbolism

i.e. representational imagery

Narrative

i.e. Storylines, personal or collective

INTERACTIVE

Tactile Surfaces

Projection

Sound

Water

Performance

Interplay – Multimedia

OPPORTUNITIES ANALYSIS - APPROACH



WORKING WITH ARTISTS

The developer must ensure that their public art obligation is complied with. Therefore the developer will be responsible for initiating the project and engaging professional consultants and artists to achieve a satisfactory outcome that meets aesthetic and process requirements as outlined in these guidelines.

The developer is not obliged to engage a Public Art Consultant; however Council would encourage the employment of a skilled professional to assist with the commissioning process.

An experienced consultant will be in a position to provide a considered assessment of the potential art opportunities, recommend appropriate artists and to oversee the entire process.

Also artists being commissioned by the developer; must be paid to appropriate fees and conditions. Although it seems simplistic to point out that one would not expect work or services to be provided for small cost from other professional sectors, such as architects, surveyors or engineers, there has been some regrettable traditions of artists being expected to work in this way and to deliver on unrealistic budgets.

This is a particular issue in the field of Public Art where many additional costs and factors may come into play in the realisation of a project.

Information on nationally recognised rates of pay can be obtained from National Association of Visual Arts (NAVA).

www.nava.org.au

ARTS CONSULTANT/CURATOR

Arts Consultants/curators can fulfil many roles beyond that of simply recommending artists. One of the most effective ways an artist can contribute to a development or construction projects is to be employed as a member of the design team from the outset.

They can contribute a fresh visual perspective to development schemes, can add conceptual and design skills to the collaborative process, particularly at the initial design and concept stage.

They can also lead the consultation strategy – keeping a dialogue between the developer, Council, artists and the community.

Each public art project is different and requires a tailored scope of works. There are a number of factors taken into account when calculating fees, which will vary. Fees may be charged by the hour from \$90 to \$150, or be between 5 percent and 15 percent of the commission costs.

LEAD ARTIST

A variation on the Arts Consultant/Curator in the Design Team approach is the creation of the role of Lead Artist, within the development steering group. Again, for this approach to be successful the Lead Artist should be appointed at an early stage in the development.

The Lead Artist's role will be to manage the public art element of the project and represent its relationship to other aspects of the development, ensuring the creative conceptual framework is adhered to and to contribute ideas on where art objects or projects can be integrated within the planned development.

The Lead Artist may also be commissioned to create their own artwork.

The Lead Artist would not be expected to become involved with the day-to-day management of the wider development.

OPPORTUNITIES ANALYSIS - PROCESS

APPOINTING THE RIGHT ARTIST FOR THE JOB

The field of contemporary art practice is broad and varied. In order to ensure the success of a commission, the correct artist with the appropriate range of skills needs to be appointed.

The following are the most common methods used for the recruitment of artists, and developers are encouraged to respect equal opportunities principles throughout the recruitment process.

In most cases a selection panel should be established to oversee the process and will usually consist of the project's design team and the appointed arts consultant. It is important that a representative of professional visual art or craft practice is involved.

Where possible members of the selection panel should be involved from the earliest stage in the selection process and should see the stages through to completion. Full information regarding the artist's brief and selection process should be circulated to each panel member at the start of the commissioning period.

The final choice of artist/s to be commissioned should be the responsibility of the developer, but they should be encouraged to seek advice and assistance from Council's Public Art Team if required.

The matrix provided opposite details the most common approaches to choosing an appropriate artist/s.

INVITATION TO ARTISTS NOMINATED BY A COMPETITIVELY APPOINTED CURATOR (ARTS CONSULTANT)

Curators are appointed based on their particular curatorial strengths and the artists they nominate for projects. An artist, or group of artists, is invited to submit a proposal, based on the stated brief; this model is useful where the project timescale may prohibit widespread advertising of the commission or where the project or development would benefit by the work or reputation of a particular established artist/s.

OPEN EXPRESSIONS OF INTEREST AND REQUESTS FOR PROPOSALS.

Invite artists through public expressions of interest to make proposals for temporary and permanent public artworks.

This involves the commission being advertised in appropriate arts journals, newspapers and websites etc.

INVITATION TO ARTISTS NOMINATED BY THE PAAP

On occasions the City's Public Art Advisory Panel recommends suitable artists to internal City departments and to private sector partners.

LIMITED COMPETITION

A small number of artists are invited to develop and submit proposals in response to the artists brief. A fee is paid to each artist for a proposal, which would include outline ideas, sketch or maquette, draft budget, and schedule for production.

This approach opens up the appointment process and encourages a range of creative concepts and artistic styles. It affords an opportunity for all parties involved in the commission to have an active role in the artist's selection.

OPPORTUNITIES ANALYSIS – OTHER APPROACHES

COMMUNITY ENGAGEMENT & AWARENESS

Larger development projects can benefit from much broader cultural/social outcomes through either short term or prolonged community engagement opportunities.

Some of the case studies in part 4 of these guidelines illustrate what can be achieved through a sustainable approach to engaging with communities in the development process through such approaches as Artist-in-residence programs and artist interventions.

There is no single model, and the expectations and requirements vary greatly. The relationship between the resident artist and the host is often an important aspect of a residency program.

Sometimes residents become quite involved in a community - giving presentations, workshops, or collaborating with local residents. At other times, they are quite secluded, with ample time to focus and investigate their own practice, and create public artworks.

ARTISTS- IN -RESIDENCE

This is a valuable way of working, with particular success on larger regeneration projects that last for a number of years.

The principle involves placing an artist, on a residential basis, within or near to the development where the public artwork, new public space or development will be created. Artists are enabled to connect with the local community, its traditions and topical concerns, thus assisting the conceptual development of the work and ensuring site specificity. This approach is also useful in the process of raising local awareness, participation and ownership.

Residencies can be structured with either specific prescriptive briefs (where an area of work and likely outcomes are specified) or open briefs (non-prescriptive and leaving the artist to make decisions about how the work should be realised). It is recommended that the artist has access to a support through the design team or arts consultant to avoid feeling isolated within the placed community, and to help resolve any issues that may arise.

No two artist-in-residence programs are the same. Each program has its own background and atmosphere. Some focus on only one discipline of the arts, most offer facilities for any discipline: visual arts, literature, music, performing arts, architecture, design, dance etc. Working periods will also differ enormously: from four weeks to six months or sometimes even a year.



OPPORTUNITIES ANALYSIS – OTHER APPROACHES

HERITAGE INTERPRETATION

The City of Wollongong contains a rich and diverse range of buildings, sites and elements which illustrate the City's history and characterise many of the City's villages and neighbourhoods. It is important that the heritage of the City is recognised, celebrated and conserved to allow present and future generations to appreciate the rich tapestry of the historic environment.

The information required for any development application will depend on the heritage significance of the heritage building, site or element, the contribution of the existing heritage building, site or element to the heritage conservation area or heritage streetscape, and the proposed development.

Major alterations to a heritage item also require the production of an interpretation strategy, detailing how the significant aspects and uses of the building may be publicly interpreted.

Like public art, well-conceived and well delivered heritage interpretation demands a clear understanding of both the site and the audience. Successful interpretation engages the audience, and provokes their interest and reflection about the site and its values in a way that sustains the significance of the place.

Other areas which are essential is the exploration of the Social significance of sites and places and the culture & identity of Aboriginal and Torres Strait islanders.

When both an Arts Plan and a Heritage Interpretation Strategy are required it is encouraged that the processes and outcomes are complimentary. Historians can add value to the Arts Plan and an Artist can assist in the interpretation and storytelling outcomes of a Heritage Plan.

Useful References:



OWNERSHIP

Ownership of the artwork will rest with the Developer, and/or the building owner. In some circumstances, where artworks and/or cultural objects are to be transferred to the care of the City, they will be assessed by the Public Art Committee who will then make a recommendation regarding the suitability of the artwork for the collection.

The work will also undergo a full appraisal by a Conservator. Depending on the work, the recommendation will be passed to Council or the CEO for approval.

All objects entering the permanent collection will be accompanied by a legal document transferring full rights of ownership to the City of Wollongong. Council will have exclusive copyright licence of the works, however full copyright will remain with the artist/author of the work/object.

Works shall have permanency as long as they retain their physical integrity and authenticity and so long as they reinforce the City of Wollongong's Public Art Policy & Strategy and are in accordance with City's 2022 plan, its directions, objectives and actions, and Council's vision for Wollongong

DE-ACCESSIONING

There is the obligation of the Owner that if they intend to remove, relocate, destroy or demolish any public artwork, they will first, make reasonable enquiries as to the identity and location of the artist (or the artist's representative). If, after making reasonable enquiries, the City cannot identify or locate the artist (or the artist's representative) the City may remove, relocate, destroy or demolish the public artwork as it sees fit.

All decisions in relation to these issues are to be considered in conjunction with the City's Public Art Guidelines.



Moral Rights - Overview

Standard Commission Agreements with artists reflect the requirements of the Copyright Act (Moral Rights) Amended Act 2007, and formalises Council's responsibilities to consult with the artist before relocating or removing artworks before the end of their specified lifespan.

What are Artistic Works?

Artistic works are original creations and can be paintings, murals, drawings, sculpture, craftwork and photographs. Artworks also covered by Moral Rights Legislation include; literary material (novels, screenplays, poems, song lyrics, journal articles), films (features, documentaries, music videos, television, commercials) and computer programs.

What are Moral Rights?

Moral rights are the personal, legally-enforceable rights of the creators of copyrighted works (e.g. the artist of a painting or the author of a book). These rights prevent creators' works from being acknowledged, used or altered in ways they didn't intend. An infringement of moral rights can result in the creator being awarded financial damages. Moral rights may continue after a creator's death. In which case, they become the responsibility of the creator's legal personal representative.

Respecting Creators

The creator of any copyrighted artwork should be acknowledged as such in reproductions of the artwork and on or near the artwork itself, unless he or she has requested in writing not to be. Artworks should not be treated in a derogatory way. That means doing anything that may compromise the intention of the creator/copyright holder. Even simple things like moving a work to a different location or using lights to highlight an artwork if contrary to the commissioning agreement could be a moral rights issue. The creator / copyright holder must be consulted when any changes to an artwork or display or location of an artwork are planned.

ARTS PLAN IMPLEMENTATION:

PROGRAM OUTLINE
PROGRAM AIMS & OBJECTIVES
PROGRAM PRINCIPLES
PROGRAM BENEFITS
PROGRAM OUTCOMES
PROGRAM APPLICATION
PROGRAM PROCESS



ANIMATING
WOLLONGONG
PUBLIC ART
STRATEGY
& GUIDELINES 2016-2021



DEVELOPER - PUBLIC ART GUIDELINES & PROCESS

PROGRAM OUTLINE - PUBLIC ART IN DEVELOPMENT

The City of Wollongong recognises the social, cultural, economic and environmental benefits that flow from integrating public art into the urban fabric - benefits not just for particular developments, but for the whole city. The public environment comprises land, buildings, institutions and open spaces that are effectively in collective ownership. The centres of large cities and villages offer a broad range of experiences and opportunities; intensity and variety contribute greatly to the texture of city life. It has the ability to effectively sustain business and commercial functions as well as underpinning the social and cultural life of the city.

New development often brings altered patterns access and activity that often blur the boundaries between public and private ownership. The facades of private buildings that frame public space, and associated landscape and design treatments, also private places that are physically inaccessible yet remain visibly accessible bring a heightened level of not only interest and but also ambiguity to the urban environment.

Private buildings and developments also usually bring a diverse range of scales, materials, styles and purposes to the urban environment. They establish their own particular 'signature' through architectural style, form, articulation and materials.

For developers or investors, public art provides value, cultural investment and a connection with local communities. In many cases it provides a point of difference for a development. It can provide a meeting place or landmark and, more importantly, it can provide a way to engage with the people who will live, use and benefit from the development.

The role of these Guidelines aims to assist developers and property investors to better understand the process and benefits of the inclusion of public art in the urban developments they initiate across the city. How public art can meaningfully coexist with the elements of the existing site and its surrounding context, assist with better integration into the streetscape, animate frontages, preserve heritage and storytelling, increase site permeability and use, and support sustainable development initiatives.

They also reinforce the much greater net effect that can be achieved by providing a role for artists to work with urban designers and architects from the inception of a project and participate directly in the design process.

Providing new development is sensitive to its context, the benefits of high quality urban design and public art accrue to businesses through increased productivity and prestige; to communities in improved city living and safer, healthier and creative places; and to developers and investors in better returns on investment.

The purpose of these Guidelines is to provide concise information on the City's requirements and processes for the provision of public art within new developments and the public realm. This resource guide is also intended to give developers information and tools to commission works of art. It features examples of different project types, discusses best practices, and outlines local and national resources for public art.



AIMS – PUBLIC ART IN DEVELOPMENT

THE PURPOSE OF THESE GUIDELINES IS TO:

- **Provide practical information** on the requirements, procedures, processes and approvals for public art in new developments
- **Enable high-quality public art** to be included in visible and accessible public spaces in all large scale developments;
- **Ensure works of public art are designed, constructed and installed in accordance with these guidelines** and the City's Strategic, Land Use Planning and Development Application & Consent processes.
- **To assist owners and developers in the commissioning,** procurement and presentation of public art;
- Encourage best practice approaches to public art by promoting the value of interdisciplinary collaboration between artists, architects, and designers at the earliest possible stage in the design process.
- **To initiate, partner and support programmes and practices that help build both the cultural and creative capacity** and the economic and environmental sustainability of art practice related to the City's public realm.
- **Raise the profile of public art and contemporary art practices** through creativity and innovation across the City's public domain.



OBJECTIVES – PUBLIC ART IN DEVELOPMENT

The City's Public Art Strategy provides a clear, sustainable and forward-looking framework which expresses the City's commitment to the vital role of art in the overall strategic planning of the city and the implementation of Wollongong 2022.

To support this framework, these guidelines set out to promote the inclusion of high quality public art in new development through the following key objectives:

THE CITY AIMS TO BUILD AND MAINTAIN A PROACTIVE DIALOGUE AND OPERATIONAL RELATIONSHIP WITH BUSINESS AND THE DEVELOPMENT SECTOR ON:

- **Being a catalyst for urban change and sustainability** through incorporating contemporary arts practice into the built and natural environment.
- **Promoting the benefits of design excellence** through 'best practice' public art processes
- **Promoting sustainable and value driven outcomes** in the costing, design, fabrication and installation of 'integrated' public art, urban design and architecture
- **Increased understanding and enjoyment of public art and an awareness and appreciation** of the significant benefits provided by a rich and diverse artistic environment.
- **Collaborating to develop and promote the overall cultural well-being of the city** by recognising, valuing and promoting the role of artists



PRINCIPLES – PUBLIC ART IN DEVELOPMENT

Value & Return

The inclusion of Art to a new development will bring inherent value. In the short term, good design & public art for the Developer largely contributes towards ‘product differentiation’ to their site and therefore gives the development an edge.

In the long term, this might mean better investment performance and better re-sale prices.

Though this maybe apparent ,the value of public art cannot be derived solely from an assessment of completed works, but must include its collaborative and complementary value as a component of public spaces, and its social value as a means through which to express, reflect and enjoy our city.

These guidelines encourage a more holistic return and measure to value.

An important means by which arts and culture contributes to urban regeneration is through a strong attachment to community.

Flexibility & Adaptability

Central to the City’s frameworks on the Arts is establishing more creative interfaces between art and place, and extending the concept of ‘place’ beyond just the built environment to include precincts and localities.

These guidelines promote adaptability through development that can respond to Wollongong’s changing social, technological and economic conditions. Large capital projects can often contribute to the City’s regeneration, it is also clear that physical infrastructure alone will not sustain this effect. A high-quality and ongoing programme of cultural activity is often key.

The current diversity of contemporary arts practice allows for multiple approaches across the life of the project or development and beyond.

Artworks can be either temporal or permanent and respond to either former uses of the site or aspects of the construction, design and proposed uses of the new development. Contemporary also embraces new technologies, design and fabrication techniques and can also be used to engage the community in a more flexible and experimental way.

Continuity and Change

Character and authenticity bring continuity to a city. Just as some elements of a city’s structure present people with a vivid ‘map’ of the city, other components of the urban fabric provide a chronological record of its development.

New buildings, spaces and functions should respond to these underlying patterns through orientation, scale, textures, local culture and the distribution of activities.

This does not mean that new development should imitate its immediate surroundings or replicate existing conditions that are perceived to contribute to distinctiveness.

The new development will also often bring fear of change, but public art offers an intrinsic value to link ‘old’ with ‘new’. The making of site-specific artworks and adaptable places, created for a particular location, that are informed by the environmental, social, cultural and/or historical significance of the area, builds an ongoing narrative about a place and its people; their histories, their aspirations and changing social & cultural values and diversity.

PROGRAM BENEFITS – ADD VALUE. ADD ART!



ADDS ECONOMIC VALUE BY:

- Producing returns on investments (good rental returns and enhanced capital values)
- placing developments above local competition at little cost
- responding to occupier demand
- contributing to more contented and productive workforces
- supporting the mixed-use elements in developments
- creating place marketing dividend
- differentiating places and raising their prestige
- Increased visitor footfall and commercial activity.
- opening up investment opportunities, raising confidence in development opportunities

ADDS SOCIAL, CULTURAL AND ENVIRONMENTAL VALUE BY:

- creating well connected, inclusive and accessible new places
- helping to deliver mixed-use environments with a broad range of pedestrian amenity available
- delivering development sensitive to its context
- can enhancing the sense of safety and security within and beyond the development
- boosting civic pride and enhancing civic image
- Revitalising urban heritage.
- returning inaccessible or run down areas and amenities to beneficial public use
- Assisting with education more energy efficient and less polluting development

WHO BENEFITS?

Investors benefit through favourable returns on their investments and through satisfying occupier demand, although the full pay-off may not be immediate.

Developers benefit by attracting investors and pre-lets more easily and hence from enhanced company image. If they retain a stake in their developments for long enough, they also benefit from good returns on their investments.

Occupiers benefit from the better performance, loyalty, health and satisfaction of their employees and from the increased prestige that well-designed developments command with guests and clients.

Business benefit from an opportunity to be involved in the construction and fabrication

Artists benefit because public art is crucially dependent on their input.

Community as a whole benefit from advantages of successful projects through access to a better quality environment

Council benefits by meeting their obligation to deliver a well-designed, economically, culturally socially, and environmentally viable environment

PROGRAM MONITORING

The City may elect to monitor ‘public art in development’ at three key stages that are aligned with the development application and approvals process. These performance standards should be read in conjunction with the practical information provided in other sections of these guidelines:

Development Application Assessment

The developer must submit an arts plan with the Development Application for the Site. (Details of the contents of an arts plan are provided in Section 3 of these guidelines).

The arts plan is considered as a part of the development application assessment process of Council.

Advice will be given to the applicant along with development assessment conditions to realise the full outcomes of the proposed arts plan.

Construction Certificate

In most cases it is required that the Developer must submit concepts and final artwork designs for approval with the application for the Construction Certificate.

Approval of the artwork designs will be given with the assessment of the development’s construction documentation.

Prior to Occupancy

The public art work must be completed and installed prior to the first occupation of the new development and a notice of artwork completion must be submitted to the city.

Alternatively, the city may accept a suitable agreement prepared at the applicant’s expense binding the proponent to complete the works within a specified timeframe.

PROGRAM APPLICATION



SCOPE

The following is the scope and application of the Public Art Strategy & Guidelines within Wollongong Local Government Area. A Public Art Plan and Outcome is required in the following types of development:

DEVELOPMENTS WITH
PUBLICLY ACCESSIBLE
SPACE AND/OR
CONSTRUCTION COST
>\$10 MILLION

DEVELOPMENTS
COMPLYING TO MASTER
PLAN SITES OR
STAGE 1 DAS

DEVELOPMENTS
COMPLYING TO
COMPETITIVE DESIGN
PROCESS

Note: The following should be read in conjunction with
the Wollongong DCP and LEP:

Major Developments:

Before you prepare and lodge a DA for a major development, for example a new building or major refurbishment, contact Wollongong City Council to discuss your proposal. It will be also necessary to:

- check how the City's planning instruments – plans, codes and policies – affect the proposed development
- obtain copies of the information necessary to submit a DA, including the DA form and the relevant planning instruments

APPLICATION – DEVELOPMENTS WITH PUBLICLY ACCESSIBLE SPACE AND/OR CONSTRUCTION COST \$10 MILLION+

PUBLIC ART PROCESS

Public Art Process for Developments with Publicly Accessible Space and/or Construction Cost >\$10 Million, the following three documents are required:



(1) Preliminary Arts Plan to be submitted with the Development Application

The Preliminary Public Art Plan should include an analysis of the precinct, planning requirements and any studies pertinent to the public art objectives. It should identify public art opportunities, propose a methodology for the selection and commissioning of artists and provide an estimated budget and program for the inclusion of artists.

The Preliminary Public Art Plan will be reviewed by the Public Art Committee for comment and any recommendations will be recorded and passed on to the developer.

(2) Detailed Arts Plan to be submitted with Construction Certificate Documentation

The Detailed Public Art Plan should include the public art concept/s illustrated in such a way that the form, dimensions, materials and location of the proposed artwork are clearly communicated. It should include a brief statement explaining the rationale behind the artwork and should demonstrate how the proposed work will relate to the proposed development and site.

It should provide a program for documentation, fabrication and installation and integration with the construction program for the development. It should also provide engineer's drawings, expected maintenance requirements and de-accessioning agreements.

The Public Art Plan will be reviewed by the Public Art Panel for comment and any recommendations will be recorded and passed on to the developer.

(3) Final Public Art Report to be submitted at Occupation Certificate Stage

The Final Public Art Report is to satisfy the City that the public art has been delivered and the public art commitments have been fulfilled. This will enable the Occupation Certificate to be released.

The Final Public Art Report should provide information about the artworks and artist, the fabrication and installation of the work, the documentation and engineers' drawings, the maintenance requirements, any additional relevant information regarding ownership, and copyright of the work.

The Public Art Report is a condition of Occupation Certificate.

APPLICATION – DEVELOPMENTS REQUIRING MASTER PLAN SITES OR STAGE 1 DAS



PUBLIC ART PROCESS

Developers of sites requiring a Master Plan or Stage 1 DA, the following three documents are required:

(1) Preliminary Arts Plan to be submitted with the Master Plan for master Plan sites or with the Stage 1 DA

The Preliminary Public Art Plan should include an analysis of the precinct, planning requirements and any studies pertinent to the public art objectives. It should identify public art opportunities, propose a methodology for the selection and commissioning of artists and provide an estimated budget and program for the inclusion of artists.

The Preliminary Public Art Plan will be reviewed by the Public Art Committee for comment and any recommendations will be recorded and passed on to the developer.

(2) Detailed Arts Plan to be submitted at the DA Stage of a Master Plan site or with the Stage 2 DA

The Detailed Public Art Plan should include the public art concept/s illustrated in such a way that the form, dimensions, materials and location of the proposed artwork are clearly communicated. It should include a brief statement explaining the rationale behind the artwork and should demonstrate how the proposed work will relate to the proposed development and site.

It should provide a program for documentation, fabrication and installation and integration with the construction program for the development. It should also provide engineer's drawings, expected maintenance requirements and de-accessioning agreements.

The Public Art Plan will be reviewed by the Public Art Committee for comment and any recommendations will be recorded and passed on to the developer.

The Detailed Public Art Plan is a condition of Development Consent.

(3) Final Art Report to be submitted at Occupation Certificate Stage

The Final Public Art Report is to satisfy the City that the public art has been delivered and the public art commitments have been fulfilled. This will enable the Occupation Certificate to be released. The Final Public Art Report should provide information about the artworks and artist, the fabrication and installation of the work, the documentation and engineers' drawings, the maintenance requirements, photos any additional relevant information regarding ownership, and copyright of the work.

The Public Art Report is a condition of Occupation Certificate.

APPLICATION – COMPETITIVE DESIGN PROCESS



PUBLIC ART PROCESS

Public Art Process for Developments applying to a Competitive Design Process:

(1) Preliminary Arts Plan to be undertaken within the Competitive Design Process

The Competitive Design Policy establishes the processes an applicant is required to undertake to demonstrate that a proposed development is the result of a competitive design process. An Arts Consultant/Curator must be appointed as a part of the competitive design process by each nominated Design team. Collaboration with the design team on public art will ensure that design excellence integrity is continued into detailed development proposals. The Preliminary Public Art Plan should include an analysis of the precinct, planning requirements and any studies pertinent to the public art objectives. It should identify public art opportunities, propose a methodology for the selection and commissioning of artists and provide an estimated budget and program for the inclusion of artists. The Preliminary Public Art Plan will be reviewed as part of the Public Art Advisory Group for comment and any recommendations will be recorded and passed on to the developer.

(2) Detailed Arts Plan to be submitted with Development Application

Following on from the Preliminary Arts Plan, the Design team and the Arts Consultant/Curator will work together on the Arts plan for lodgement with the Development Application. The Detailed Public Art Plan should include the public art concept/s illustrated in such a way that the form, dimensions, materials and location of the proposed artwork are clearly communicated. It should include a brief statement explaining the rationale behind the artwork and should demonstrate how the proposed work will relate to the proposed development and site.

It should provide a program for documentation, fabrication and installation and integration with the construction program for the development. It should also provide engineer's drawings, expected maintenance requirements and de-accessioning agreements. The Public Art Plan will be reviewed by the Public Art Panel for comment and any recommendations will be recorded and passed on to the developer.

(3) Final Public Art Report to be submitted at Occupation Certificate Stage

The Final Public Art Report is to satisfy the City that the public art has been delivered and the public art commitments have been fulfilled. This will enable the Occupation Certificate to be released. The Final Public Art Report should provide information about the artworks and artist, the fabrication and installation of the work, the documentation and engineers' drawings, the maintenance requirements, any additional relevant information regarding ownership, and copyright of the work. The Public Art Report is a condition of Occupation Certificate.

APPLICATION – OTHER PLANNING DOCUMENTS

VOLUNTARY PLANNING AGREEMENTS

Planning agreements are made in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and are voluntary agreements between Council and a landowner for development. Voluntary planning agreements within the City of Wollongong are listed on a public register.

A planning agreement may include infrastructure works and recurrent expenditure in relation to a public amenity, service or facility. A planning agreement specifies how it relates to any applicable Section 94 Contributions Plan, and may provide that a development be excluded from the requirements of that Plan in exchange for works in kind.

Council acknowledges that commissioning public artworks may not be suitable in every development and in these situations private developers are encouraged to look at other avenues to support a creative city, such as:

- Purpose built space for creative activity (gallery, studios etc.)
- Office space for creative and cultural organisations
- Exhibition space for artists or curators (cabinet, light boxes etc.)
- Affordable residences for creative practitioners

Early contact should be made with Council officers where planning agreements are envisaged if the provision of public facilities or the like outside of the requirements of the Section 94 Contributions Plan and/or a planning agreement is proposed.

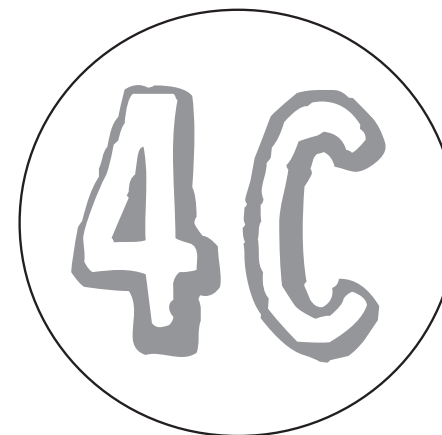


IMPLEMENTATION:

PROGRAM GUIDELINES - INTRODUCTION
PUBLIC ART CRITERIA
PROGRAM GUIDING PRINCIPLES
ROLES & RESPONSIBILITIES
PROCESS IN COMMISSIONING OF ARTWORKS
MAINTENANCE & REPAIRS
DECOMMISSIONING



ANIMATING
WOLLONGONG
PUBLIC ART
STRATEGY
& GUIDELINES 2016-2021



COUNCIL – PUBLIC ART GUIDELINES & PROCESS

The way we visually perceive and physically occupy space has become critical to the successful renewal of cities and their neighbourhoods. The public environment is therefore a fundamental supporting framework for the economic, cultural and civic life of any urban area. Much of this improvement of place is achieved through the planning application process, partnerships with investors and developers, and the considered and creative use of public art.

High quality urban design and public art becomes even more important as we increase the density of our cities and cater for a growing and changing population. It has been said that we will experience the equivalent of 100 years of cultural change over the next thirty years. It therefore requires proactive strategies to excellent planning, design and management, and a collaborative, multi-disciplinary and flexible approach to design.

Public art has the intrinsic ability to embrace both these physical and the social/cultural dimensions by encouraging people to engage in these spaces and extend their knowledge and familiarity with their locality. It is about making the connections between people and places, between public and private space, between the natural and built environment, between pedestrian movement and urban form, and between the social and economic purposes for which urban space is used.

“This is an exciting era for public art. Crossing the boundaries into architecture, urban planning, landscape architecture, new media technologies, and other arenas, the revitalisation of public art has become a global trend, as more sensitivity to the nuance of site is increasingly valued...”

Reconfiguring Site SVA Art Program – New York, USA 2012

The city believes public art is most effective when it is incorporated as a design strategy into the planning of public spaces from the outset. It can act as a catalyst for generating activity, reinvigorating spaces or occupying spaces in between.

Opportunities for integrated public art in key nodes of activity will be identified and prioritised in the city’s capital works program.

The purpose of the Guidelines is to establish standards and procedures for the selection, installation, maintenance and decommissioning of permanently donated, temporarily loaned and commissioned public art within the City of Wollongong, as per Council’s Public Art Policy, and Public Art Strategy.

Public art and other cultural objects are acquired into the City’s public art collection through direct commission, or by other means of acquisition on the advice of the City’s Public Art Advisory Panel.

On occasion the City maybe the recipient of gifts by private individuals or transfers of artworks by other authorities or developers. These guidelines provide a process and criteria for new works regardless of their provenance.

The Public Art Strategy and Guidelines will be monitored and implemented by Community & Cultural Services Unit with support from other city directorates.

Community & Cultural Services Unit will define the need for, and determine the strategic basis for public art projects and assist in the development the public art project briefs, and convene both the Public Art Working Group and the Public Art Advisory Panel where appropriate.

PUBLIC ART – CRITERIA

ESSENTIAL CRITERIA FOR DEFINING PUBLIC ART

Public art can broadly be defined as ‘the process of engaging artists’ creative ideas in the public realm’. This definition of public art encapsulates a diverse and flexible scope for public art projects and ensures that council is not limited in their scope and thinking when considering the possibilities for working with artists.

Given that public art exists in such varied forms, there is a temptation to define it loosely. Council believes that it is important for design teams, for artists and for the general public to be clear from the outset about what does and does not generally constitute public art.

The following criteria are based on international and national public arts best practice:

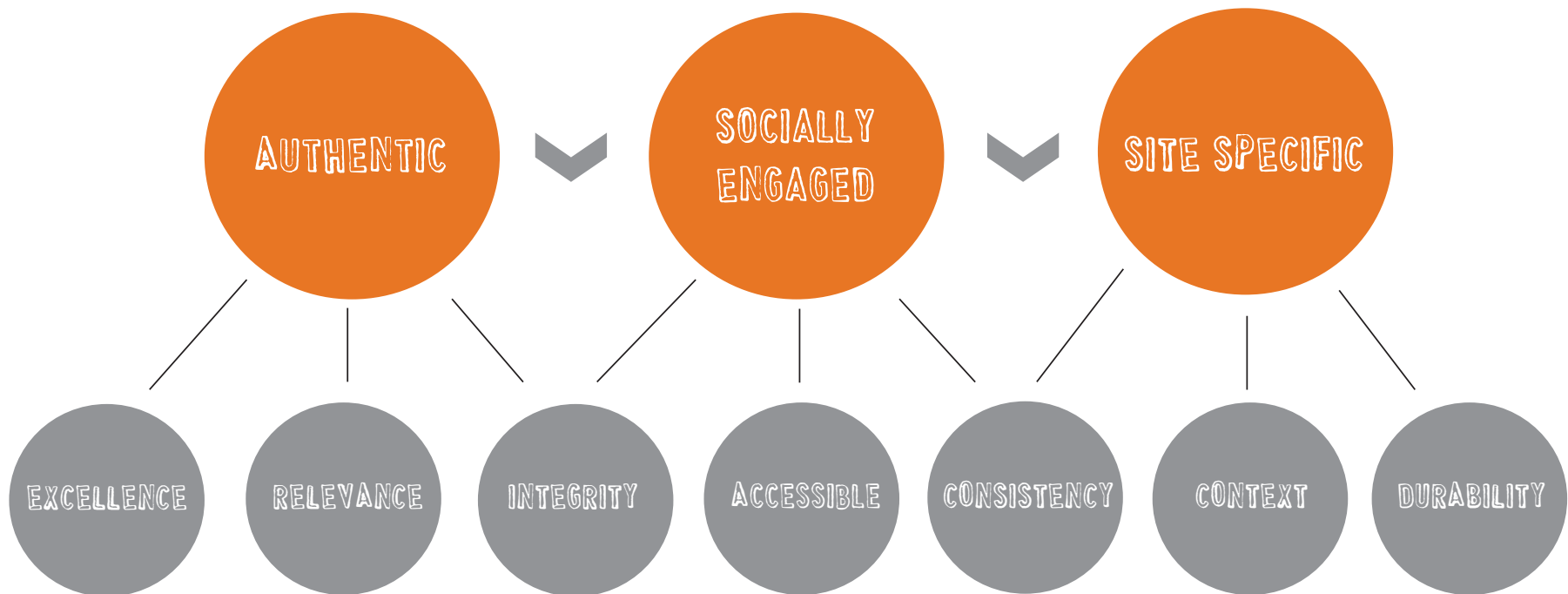
- The work must be the original work of an appropriate, living, professional artist. The work should be site specific (i.e. an original approach/design/work. - specific to the needs, limitations, conditions or long term use of the site and its users).
- The work should result from a transparent procurement process
- The work must not be a mass-produced object, a reproduction or a previously unrealised design.
- The definition of artworks does not extend to architectural detail, ornamentation, decoration or functional elements designed by architects, urban designers, landscape architects or interior designers.

CITY OF WOLLONGONG’S CRITERIA FOR PUBLIC ART

Evaluation and approval of all public artworks proposed by the City of Wollongong , the private sector, other public authorities, individuals and other groups in the City of Wollongong local government area is based on the following criteria:

- Relevance to the objectives and actions of Wollongong 2022, the Public Art Strategy, Acquisition and De-accession Guidelines, Public Art in Development Guidelines and the principles of the Public Art Policy
- Standards of excellence and innovation
- The integrity of the work
- Relevance and appropriateness of the work to the context of its site
- Consistency with current planning, heritage and environmental policies and Plans of Management
- Consideration of public safety and the public’s access to and use of the public domain
- Consideration of maintenance and durability requirements
- Evidence of funding source and satisfactory budget including an allocation for ongoing maintenance
- Non-duplication of monuments commemorating the same or similar events.

Guiding principles are important in developing a sense of place, they help define the key messages to be conveyed, and help define the way in which to interpret or create meaning or spirit of the place. They give structure to the selection and assembly of storylines that can be expressed to add life, vibrancy, surprise, humour, interaction and innovation to Wollongong.



Excellence – projects demonstrate high quality contemporary practice and contribute positively to the public domain and a sense of place.

ROLES AND RESPONSIBILITIES

The various parts of Council have different and complementary roles and responsibilities in respect of public art. This section sets out the specific functions and responsibilities for each unit.

City of Wollongong – The City will demonstrate leadership by fulfilling the actions outlined in this strategy and providing skills, developing tools and resources and facilitating partnerships.

This leadership will be demonstrated at a Councillor, Director, Manager and Officer level.

Responsible Director:

Responsible Manager:

Further to resourcing public art through providing qualified staff, administrative support and management within the City's Community & Cultural Services Unit, the City will also support its public art outcomes through drawing on a wide knowledge base that extends beyond the resources available within the organisation. The public art program will be developed with input from, and in consultation with, experts in fields directly relevant to public art, and cultural advisors where appropriate.

PUBLIC ART WORKING GROUP

Within the organisation, in order to ensure consistency of decision making, a Public Art Working Group led by the Community & Cultural Services Unit, comprising representatives from across the City's units, will facilitate internal consultation and liaison to ensure alignment of public art projects with the strategy, policy and major capital works projects across the City and determine the suitability of proposed capital works projects.



PUBLIC ART ADVISORY PANEL

The Panel provides advice to staff on public art proposals by the City and the private sector. Staff from the City's Community & Cultural Services Unit will provide this advice as part of a referral process to the City's Development Assessment Unit for applicants.

The Public Art Advisory Panel is approved by Council every Council term. A regular review of the Panel is undertaken to balance the Panel's skills with the requirements of implementing the Public Art Strategy.

One of the Panel's key roles is to provide the City with curatorial advice. On the recommendation of the Panel the City will occasionally engage a public art curator to set a curatorial direction for a project, to help select artists, and to guide artists through the development and delivery of a project.

Whether nominated by a curator, engaged through an open competitive process or as part of a multi-disciplinary design team on a capital works project or new development, proposals for new public artworks are presented to either the Public Art Working Group or the Public Art Advisory Panel for endorsement before being recommended to Council for approval.

The responsibility of the Public Art Advisory Panel will be guided by an appropriate term of reference and is to oversee:

- Advice on the strategic direction, policy and public program matters of the Public Art
- Advice on the development of public art projects and the acquisition of public artworks; and the de-accession, relocation, removal and disposal of public artworks.

ROLES & RESPONSIBILITIES MATRIX

| COMMUNITY + CULTURAL SERVICES | INFRASTRUCTURE PLANNING DESIGN + TECHNICAL SERVICES | LAND USE PLANNING | DA ASSESSMENT PLANNING ASSESSMENT + ADVICE |
|--|--|---|--|
| <p>Community + Cultural Services is responsible for the implementation of the policy and procedures associated with the provision of public art, and providing appropriate representatives for assessment panels and public art project teams, information back to DA assessment planners etc.</p> | <p>Infrastructure is responsible for advising appropriate Community + Cultural officers of proposed capital works projects and providing appropriate representatives for the assessment panels and public art project teams. Infrastructure also plays a key role in the coordination of procedures associated with the provision of public art.</p> | <p>Development of new and/or review of provisions/controls into DCP and other Statutory planning:</p> <ul style="list-style-type: none"> • Hoardings policy • Precincts • New Releases • Major Developments | <p>Planning Assessment and Advice – checklist and guidelines provided to DA applicant where appropriate.</p> <p>DA Assessment</p> <p>Planning to review and refer for assessment</p> |

PUBLIC ART WORKING GROUP

Within the organisation, in order to ensure consistency of decision making, a Public Art Working Group led by the Community & Cultural Services Unit, comprising representatives from across the City's units, will facilitate internal consultation and liaison to ensure alignment of public art projects with the strategy.

PUBLIC ART ADVISORY PANEL

A Public Art Advisory Panel will be convened by the City to bring together a diverse mix of experts in the industry to provide independent advice and to make recommendations on the implementation of the Public Art Strategy, policies, projects and programs.

WORKING IN PARTNERSHIP

In realising priorities outlined in the Public Art Strategy, Council recognises the importance of partnerships and engagement with key stakeholders in the development and presentation of public art.

There are a wide range of opportunities for partnerships which can be developed through quality public art initiatives and as a way of increasing the level of resources available for public art.

Where appropriate, Council will therefore:

- Work in partnership with stakeholders from other levels of government, as well as with private and community landowners and stakeholders
- Actively engage with communities in developing public art works
- Undertake to increase public awareness and appreciation of the value of public art in Wollongong
- Encourage and support community and/or business initiatives that increase opportunities for art in public places
- Encourage the integration of public art into private developments
- Provide targeted support within existing resources for artist initiated public art projects which contribute to Council's aims and priorities.

This support may take the form of community grants, promoting the work of local artists, and facilitating networking opportunities for artists, supporting other key and emerging events.

Consultation and engagement models will vary with regard to the type, scope and scale of the proposed project and the community in which it is to be developed. When Council is commissioning public art works, consultation and engagement approaches will be consistent with Council's Community Engagement Policy.

ENGAGING AND CONSULTING WITH COMMUNITIES

Wollongong encompasses a diverse range of places and communities. Public art is not just for communities where there are relatively highly developed levels of arts education and appreciation. Different types and approaches to public art have the potential to engage with a broad cross section of Wollongong communities.

It is important to recognise that regardless of the location in which a public art work is to be developed, the different needs and character, as well as cultural, social, environmental and aesthetic values attached to each place are considered.

There will be some approaches to public art which may be better suited to some local contexts than others, taking into account both the existing local character of the built environment and the communities who live there.

Effective community consultation and feedback processes are important in order to build meaningful participation and a sense of ownership by communities in relation to public art where public art is to be introduced.

It is also important to recognise that it is not realistic or even desirable to try and achieve universal approval for any particular work. There will always be individual variations of taste and judgement when it comes to responses to public art and these should not be seen as a barrier to promoting innovative, contemporary and relevant work.

While new public art works are not necessarily going to please every member of a local community. It is important that the work and the processes used to develop it resonate in some way with the character, needs and interests of a broad cross section of the community for whom it is intended

COMMISSIONING OF PUBLIC ARTWORKS

Commissioning of artworks and/or cultural objects may be integrated within the City's Capital Works Projects or may be curated art projects in keeping with the City's Public Art Strategy.

The commissioning process will vary depending on the nature of the project but will include some form of competitive selection and a creative response to a site-specific brief.

For large commissions, **The Public Art Advisory Panel** will advise on the appropriate selection process for artists and curators within Council's procurement processes.

For smaller commissions, artworks at the concept design stage will be assessed by the **Public Art Working Group** who will then make a recommendation regarding the suitability of the artwork for commission.

Depending on the work, the recommendation will be passed to the CEO, and where necessary Council, for approval.

Proposals for public artworks

Unsolicited proposals for new artworks or memorials will follow the same procedure as commissions initiated by the City. The commissioning process will vary depending on the nature of the project but will include some form of competitive selection and a creative response to a site-specific brief. Artworks at the concept design stage will be assessed by the Public Art Advisory Panel who will then make a recommendation regarding the suitability of the artwork. Depending on the work, the recommendation will be passed to the CEO, and where necessary Council, for approval. The Public Art Advisory Panel will advise the City on selection, development and execution of the proposal.

Gifts and bequests of public artworks

Gifts and bequests for artworks and/or cultural objects will be presented to the Public Art Advisory Panel who will make a recommendation regarding the suitability of the artwork for the collection.

Depending on the work, the recommendation will be passed to the CEO, and where necessary Council, for approval.

Transfers of public artworks

Where art works or cultural objects are transferred to the care of the City, they will be assessed by the Public Art Advisory Panel who will then make a recommendation regarding the suitability of the artwork for the collection. Depending on the work, the recommendation will be passed to Council or the CEO for approval.

Excellence in public art requires careful planning, appropriate strategies and attention to detail. Collaborators need to be coordinated and visionary site-specific design briefs must be prepared for artists and trained professionals.

Excellence is achieved through orderly processes and appropriate contracts. The most effective public art is usually created through site-specific design with the artist working alongside a project team of design professionals. The artist designs and makes the work of art for a specific place, responding to its history, current functions, and expected future uses. The artist's vision and skills are supported by and integrated into the design and construction processes of architects, landscape architects, and builders. The artist works closely with design professionals at all stages of the commission.

APPROACHES TO COMMISSIONING

Approaches to commissioning required for a particular project will depend on the objectives of each project, the size of the budget and the city's procurement requirements. The process conforms with local government legislation and to the City's Procurement Policy which ensures fairness and transparency.

The City attempts to balance open, curated and invited selection processes, outlined below, carefully. A range of commissioning processes and budgets provides flexibility to achieve different objectives. This approach provides opportunities for all artists on most artworks, with targeted selection processes made for projects engaging specific cultural groups or communities.

There are number of ways that public art is to be procured:

1. Open Expressions of Interest and Requests for Proposals.

From time to time the City invites artists through public expressions of interest to make proposals for temporary and permanent public artworks. In a expressions of interest approach the commissioner selects and invites artists to submit proposals in response to an art brief. This may be appropriate if the artist is required to work in collaboration with an architect, landscape architect, and or an urban designer. Artists are required to submit a CV, examples of previous works and a schematic /and or written response to the artwork brief.

2. Invitation to artists nominated by the Public Art Advisory Panel

On occasions it may be necessary to accept the recommendation of suitable artists to internal City departments and to private sector partners by the Public Art Advisory Panel.

3. Invitation to artists nominated by a competitively appointed Curator.

Curators are appointed based on their particular curatorial strengths and the artists they nominate for projects.

4. Artists nominated by a competitively appointed tenderer for capital works and major projects.

The City may request tenderers to nominate artists in selected capital works projects and encourages the private sector to include high quality public art in developments through the planning approval process.

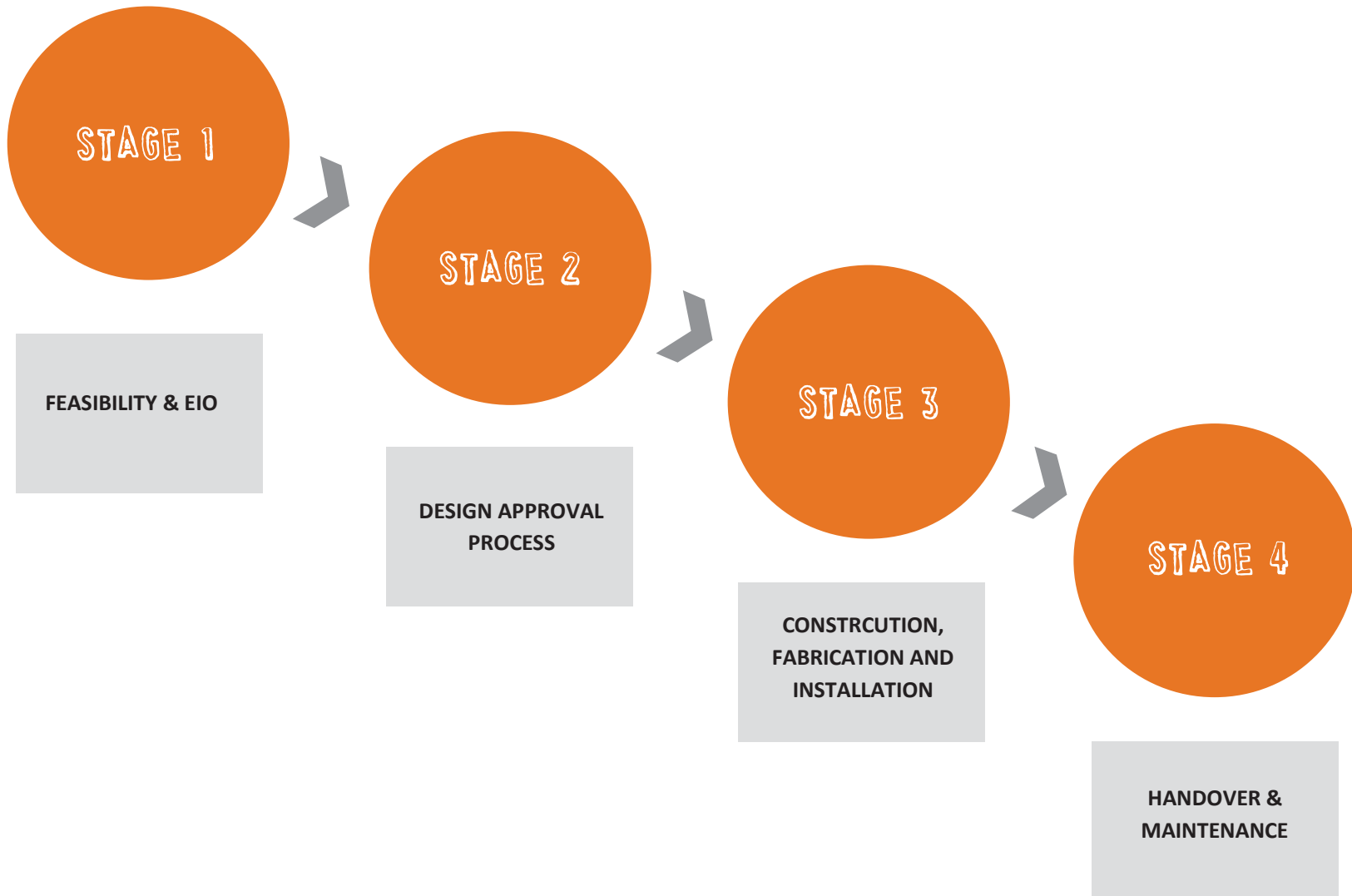
ARTIST

Professional artists will be eligible to carry out public art commissions. As the term 'artist' is self-referencing, for the purposes of this plan, a professional visual artist can be defined as a person who fits into at least two of the following categories:

- A person who has a university degree or minimum three year full time TAFE Diploma in visual arts, or when the brief calls for it, other art forms such as multi-media;
- A person who has a track record of exhibiting their artwork at reputable art galleries that sell the work of professional artists;
- A person who has had work purchased by major public and private collections, including (but not limited to) local, state or national collections in Australia, any of the university collections or Artbank;
- A person who earns more than 50% of their income from arts related activities, such as teaching art or design, selling artwork or undertaking public art commissions.

Sometimes it will be appropriate to be more flexible and seek emerging artists and practitioners other than professional artists to carry out artwork commissions. This may apply in instances when young, emerging and Indigenous artists or students may be considered appropriate.

COMMISSIONING PROCESS –OUTLINE



COMMISSIONING PROCESS – STAGE 1



Building Understanding of Public Art

Public art can be a complex area and at times attracts both passionate and polarised views.

Not only is there a vast array of different types of public art, but planning the “right” type of work for each situation is an area which often attracts multiple views while also requiring specialist advice and management. It is important that the selection of work is handled in a professional, informed and transparent way.

At this early stage of project development, it is useful to test assumptions about all aspects of the project and to ensure that all members of the project group or steering committee share a common understanding of terminology associated with the project.

In developing the rationale, project plan and brief, it is important to ensure that appropriate professional and community expertise is incorporated from stakeholders.

PROJECT INITIATION AND DEVELOPMENT



All commissioned public art work concepts and proposals are to be outlined in a project brief that clearly defines the scope and objectives of the project.

The brief will need to demonstrate how the proposed project will achieve successful outcomes for all stakeholders, including the Council, the artist and the community. Specifically this stage of the public art commissioning process will involve the following steps:

1. **Determine public art opportunities, project motivation and desired outcomes**
2. **Consider the influence of policy and legislative requirements and any issues that may impact on the project**
3. **Resolve project theme and parameters, project budget, site project management issues, risk management issues, timeframes and planning and approval processes.**
4. **Ensure consultation with key stakeholders; and**
5. **If significant community consultation and engagement is required the relevant process will be clearly defined in the project brief.**

PRIORITISATION VERSUS OPPORTUNITIES?

The prioritisation of projects will rest with fulfilling the key principles, narratives, outcomes and goals of the Public Art Strategy.

Public art opportunities associated with new or existing capital works or civic initiatives will be broadly considered according to the following criteria:

- **public art that will advance the capital projects goals or readily achieve other civic strategic objectives**
- **projects should have a high degree of public use or public realm impact and lend themselves to an artist intervention;**
- **projects providing for an enriched community process;**
- **factors such as the presence of other art works in the area; the opportunity for an art project to respond successfully to a need identified in the community; or the availability of other funding, will also be considered.**

A Public Art Plan will then be developed that sets out the budget, artist participation, selection process, community process, and other matters as appropriate.

It is proposed that this then be reviewed by either the Public Art Working Group and/or the Public Art Advisory Panel. The intent is to ensure artists are selected on merit by a process informed by expertise and community input. Proposals by artists will generally be initiated through open competition, invited submission, or a curatorial process leading to direct commission.

QUESTIONS TO CONSIDER

- What is the motivation for considering a public art project?
- What will be achieved by commissioning an artist?
- Is the artist required to exercise artistic expression and interpretation to create a work of significant artistic merit, or are they to create functional elements for the environment?
-
- What are the parameters and opportunities for an artist's involvement?
- Is there scope to commission a significant stand-alone work of art, or is the opportunity restricted to smaller integrated elements?
- Have the desired aesthetic, social, and community outcomes and objectives been identified? Are they realistic? (An artistic response may not solve urban design problems, for example.)
- How can broader Council strategies and objectives be addressed through public art?

TEMPORARY OR PERMANENT?

One of the key considerations in planning for new public art is whether the work should be ephemeral, temporary or permanent.

The intended duration of the work will be influenced by a range of factors including the aims or purpose of the work, its site, budget, and the materials to be used.

Ephemeral art works are designed to slowly disintegrate over time due to the nature of the materials and their interaction with the surrounding environment.

Temporary art works are generally designed to last between 0 – 5 years. These may include performance-based works, temporary installations etc. The commissioning of temporary public art, sometimes on an ongoing platform, provides new points of interest to Wollongong's communities, opportunities for emerging artists and as a whole; it is more affordable than permanent works of art.

Artwork and events focused on art production and exhibition in the public realm also bring recognisable benefits in health and well-being through the promotion of active lifestyles, recreation and environmental awareness, all of which encourage the development of social cohesion and resilient communities.

Permanent works are generally intended to last between 5 – 15 years or occasionally longer depending on the durability of the materials, and the ongoing relevance of the work. For example a “permanent” wall mural is likely to last for 5 – 6 years while a steel sculpture is likely to last up to 15 years or longer.

Public art projects can be works that are also:

Functional: where the primary purpose of the art or design element is utilitarian, such as seating, lighting, furniture, bollards, signage, rubbish bin surrounds, window treatments, reception areas, door handles and carpets.

Decorative: where the primary purpose is to aesthetically enhance an environment or structure, such as incorporated imagery or sculpture, paving elements and lighting.

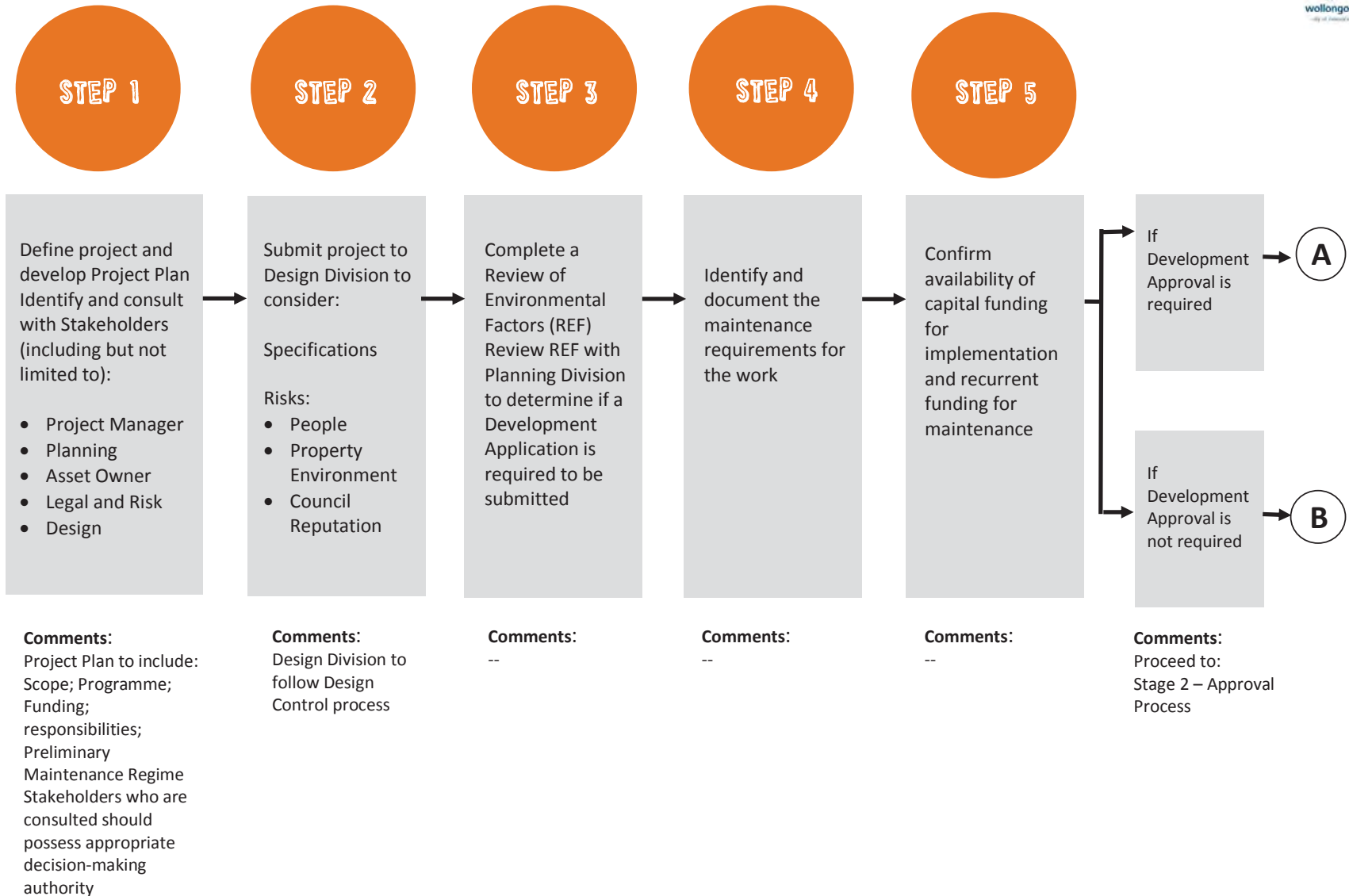
Iconic: A stand-alone or significant work, where the artist's approach is largely independent of other considerations – ‘art-for-art's-sake’. Examples include sculpture, water features, lighting or multimedia.

Integrated: Works that are fully incorporated within the design of the built or natural environment. Integrated works may include floor and window design, lighting, landscaping and associated elements.

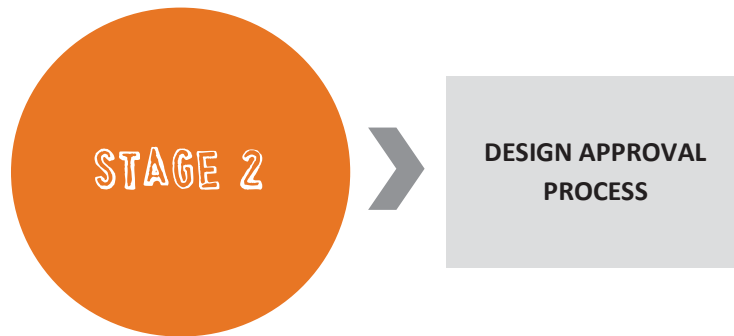
Site specific: designed specifically for, and responsive to, a particular site through scale, material, form and concept. Could apply to all listed categories. **Interpretive:** where the primary purpose is to describe, educate and comment on issues, events or situations. Examples include signage, pavement inlays, sculpture, seating, landscaping, murals and text based work.

Commemorative: where the primary purpose is to acknowledge and recall an event, activity or person important to the local community and its visitors. Examples include sculpture, murals, pavement details and gardens. Could apply to all listed categories.

STAGE 1 - FEASIBILITY



COMMISSIONING PROCESS – STAGE 2



Concept Development and approval/and or recommendations will be made in consultation with the Working Group and/or the Advisory Panel. In assessing each concept either the Public Art Working Group and the Public Art Advisory Panel aims to ensure that the successful proposal:

1. **is of a high standard in terms of design and technical and structural execution;**
2. **is culturally appropriate**
3. **requires low level maintenance**
4. **does not pose risk or WH&S management issues**
5. **best meets the requirements outlined in the project brief and Council's objectives**
6. **meets relevant building and safety standards**
7. **does not pose any long-term conservation issues**
8. **meets the requirements of the project budget**
9. **will meet the specified timeframe; and**
10. **is assessed on the basis of the guidelines outlined in this document and Council's Public Art Policy and Council's Public Art Strategy.**

RISK ASSESSMENT

Best practice guidelines state that public art needs to be safe and secured.

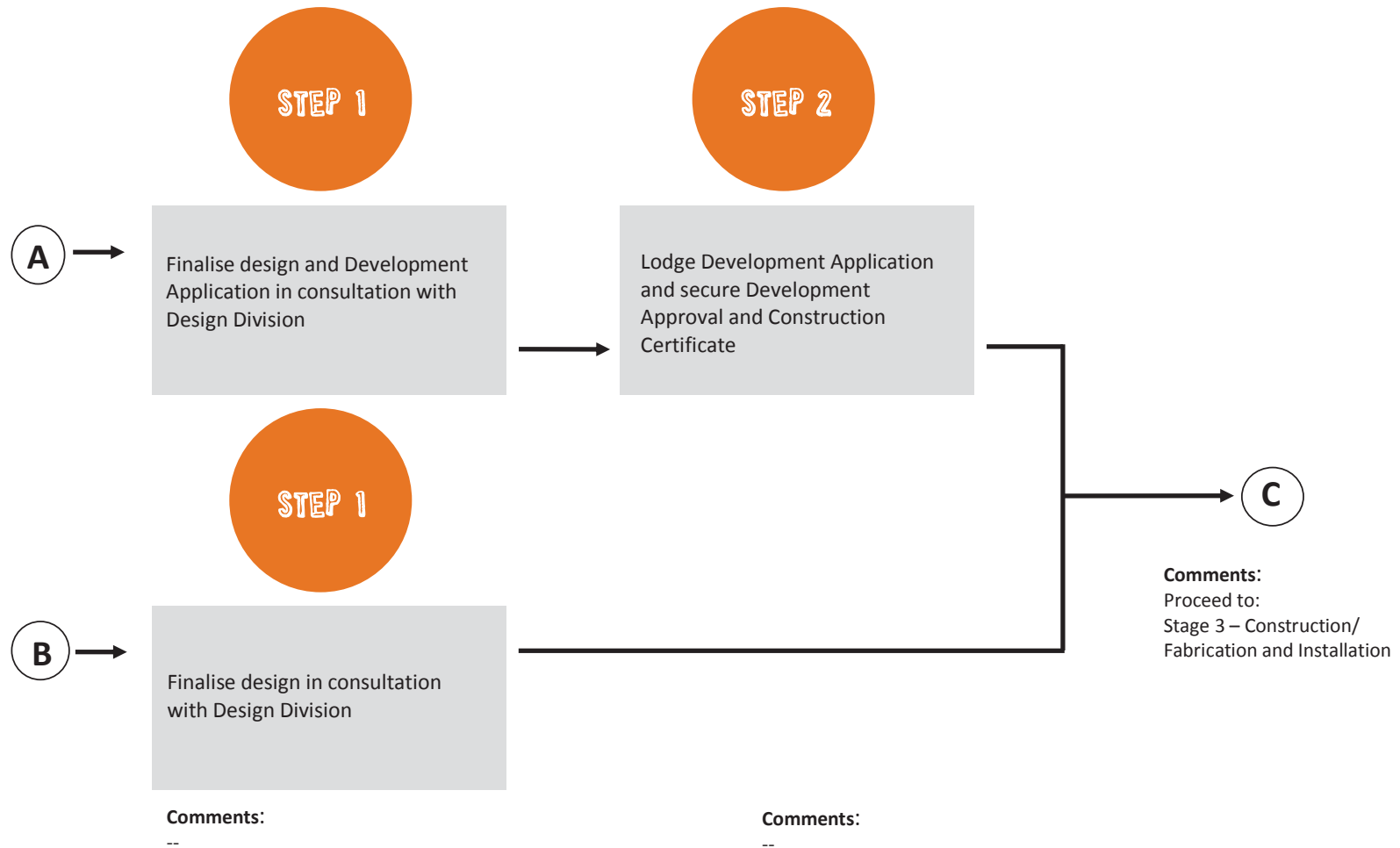
Council has a right to remove the art if it doesn't comply with safety regulations or is offensive.

A risk assessment of the artwork needs to be carried out before it can be accepted as public art and installed.

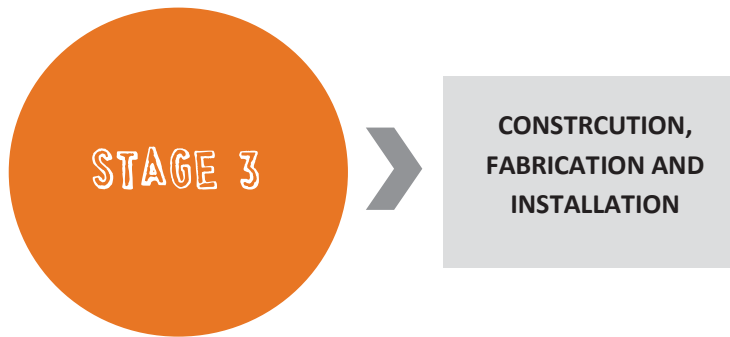
Likely considerations include:

- Is the art a risk to the public e.g. slippery, loose or sharp surfaces, entrapment holes or dangerous features?
- Does the art need to be illuminated?
- Will the art have an impact on the local environment e.g. ground erosion, flora, fauna, soil, waterways?
- Does it comply with noise limits?
- Does the art need to have an enclosure?
- Are any dangerous materials being used in the artwork e.g. barbed wire?
- Will the art cause any traffic hazards during installation?
- What manual handling is required to install the artwork?
- What equipment will be required to install the artwork?
- What is the art's lifespan (expiry date)?
- What are the infrastructure costs for Council?
- What are the maintenance costs for Council?

STAGE 2 - APPROVALS



COMMISSIONING PROCESS – STAGE 3



FABRICATION

Art-making is very much a customised process and there are variety of methods and approaches to fabricating the final artwork/s. In some instances the artist may build or construct the work in their studio for transportation and installation on site.

Some work may be crafted in situ. Other artworks may be fabricated by a specialist to construction drawings prepared by an engineer under the artist's supervision. The fabrication of large works is a complicated process to undertake and to coordinate.

Clear decisions about lines of accountability, coordination responsibilities, communications and contractual obligations need to be resolved prior to fabrication commencing. Often samples of the artwork and materials require approvals of during work in progress of the fabrication as required.

FABRICATION AND INSTALLATION

An open and collaborative communication process will be encouraged between all parties during the fabrication stage and in the lead up to installation. The artist will be responsible for ensuring construction/fabrication complies with all relevant standards and Council policies and planning instruments.

Fabrication of the public art proposal will be monitored by a relevant Council officer. Installation of the public art work will be determined at the Commission Contract stage.

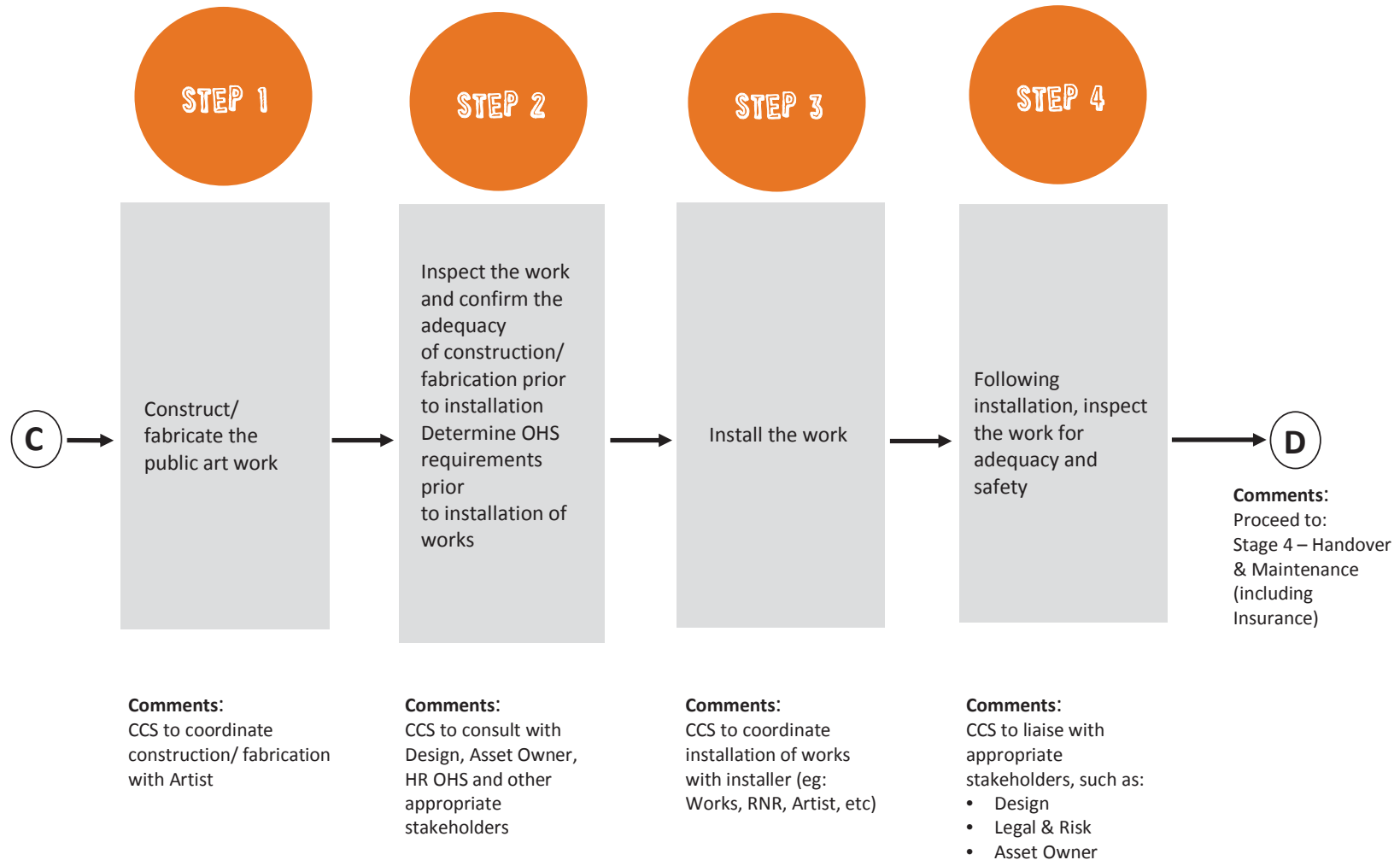
It may be the responsibility of the artist and/or Council through a contractor to install the art work. Responsibility for installation and maintenance will be determined at the project brief development stage.

The artist will be required to submit a maintenance plan prior to Council's endorsement of the concept design. Once completed and installed, the artwork will be inspected by Council staff and a Certificate of Practical Completion issued.

At this stage, the final fee, less the retained which may be held until completion of the Warranty Period as per the Commission Contract, is paid to the artist and the artwork is entered onto Council's public art register.

Following a further three month period, a Certificate of Final Completion is issued if no ongoing structural or maintenance issues are identified.

STAGE 3 - CONSTRUCTION/FABRICATION AND INSTALLATION



COMMISSIONING PROCESS – STAGE 4



INSTALLATION AND COMPLETION

The installation of artwork on site will require considerable planning and will need to be incorporated into the construction schedules where appropriate. Additional installation materials maybe required, along with access for the artist to be present on site to oversee the installation process. Other questions to consider:

- Once in situ, what is needed to complete the work for formal acceptance by Council?
- Is all site remediation and clean up completed?
- Are there aspects of the work that need to be tested on site, the lighting for example?
- Does the artist need a formal sign-off and acceptance stage with contractors before the work is accepted by Council?
- Who will write to the artist formally accepting the work?

INSURANCE

All commissioned and donated artworks will be recorded on the Public Art Register and will be the property of Council thus will be valued and covered under Council's insurance – to be referred to Council's Insurance section for advice.

The processes of installation, maintenance, moving the artwork or decommissioning, will need to be considered on a case-by-case basis with Council's insurers. In the case of damage where Council insures an artwork, negotiations will be required to ascertain who will pay the excess fee if damage is sustained.

Artists are responsible for an artwork while it is the control of the artist, such as in transit and installation on site where the artist is in control, unless agreed otherwise.

Artist Insurance

All artists who loan public artwork to Council should have their own insurance. Practitioners need to look carefully at the insurance requirements outlined in the commission contract or agreement before signing it. Artwork commissioned by Council or donated to Council will need to be insured by Council.

Property Insurance

All loaned art work will be provided by the artist at the artist's risk. Council will not be responsible for any damage, loss or destruction of donated or loaned artwork. This includes the removal of graffiti and any rectification work required to maintain the donated artwork.

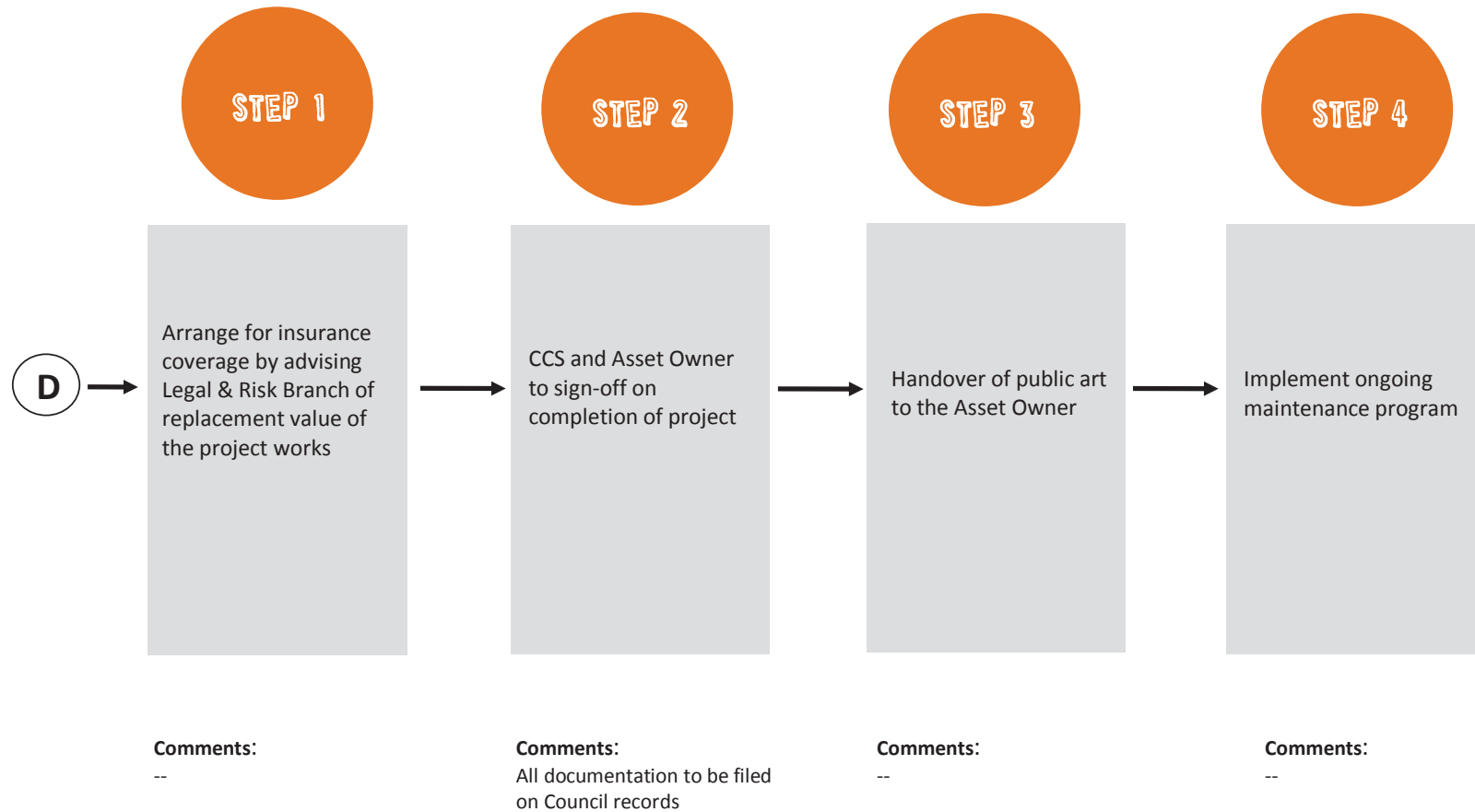
Workers Compensation

A practitioner who is an independent contractor will be responsible for taking out workers' compensation insurance to cover themselves and anyone the practitioner employs directly to work on the commission, both on and off site. The cost of the insurance should be included as an item in the commission budget.

Public Liability

Council will be responsible for public liability of any public artwork commissioned, or donated if displayed for public art.

STAGE 4 – HANDOVER & MAINTENANCE (INCLUDING INSURANCE)



MAINTENANCE

In commissioning public artworks and in accepting bequests and gifts, Council accepts the inherent responsibility to maintain the work of art and its surroundings in a manner which:

- is consistent with the design intent of the work
- does not significantly inhibit or alter the intended perception of the work
- is in accord with the instructions contained in artist's maintenance manual for the work, whose annual requirements will have been assessed and approved prior to the
- work's fabrication as being appropriate and within Council's financial and human resources.

Council does not accept responsibility for the maintenance of public art which has been loaned. This responsibility lies with the artist.

Council also accepts that making provision for proper upkeep, maintenance, and minimisation of vandalism includes the requirement for forward identification and cost planning of the progressively increasing annual cost of public art maintenance as the number of commissioned works grows.

Maintenance requirements to consider include:

- recoating of surface finishes such as anti-graffiti coatings or wax treatments
- determine requirements for regular cleaning, maintenance or servicing, specifically what is
- required, who should do it and how often
- take into account issues or requirements relating to the maintenance of the surrounding
- environment that will impact on the work
- specify recommended cleaning agents for surface treatments and materials
- in the case of vandalism and graffiti, confirm who is to be contacted and the action advised
- consider the potential long-term cost of ongoing maintenance, if it is achievable within available
- budgets, and the most effective solution
- document the anticipated aging effects.

PUBLIC ART MAINTENANCE REPORT

To assist Council to conserve and maintain the artwork, full details of the artwork, including description and conceptual premise together with a Maintenance Report must be submitted as handover from artist to Council. The report is to include:

- The expected life span of the work;
- Details of materials used;
- The method of construction and the fabricator and subcontractors details;
- Electrical and mechanical systems installed;
- Finishes to the surfaces such as formulae for patination's;
- A written recommended maintenance schedule;
- As installed drawings;
- Artist direction should removal or relocation of the artwork be required;
- Photographic documentation.

REPAIRS

Council should be contacted if repairs to commissioned or donated artwork is required but not in the case of artwork which has been loaned by the artist.

In all cases, the artist should have the first option to carry out repairs or recommend an appropriate repairer; however, the artist may not always be available and may wish to nominate a conservator, gallery, agent or organisation to be the first point of contact to provide:

- initial advice,
- names and addresses of fabricators and suppliers of materials for replacement components,
- technical advice or repairs, as relevant,
- any details of spare parts that have been lodged.

Council may also consider a maintenance contract with the artist or conservator.

DECOMMISSIONING

As a general rule public artworks shall have permanency as long as they retain their physical integrity and authenticity and so long as they reinforce the City's Public Art Policy and Strategy. Generally the proposed lifespan of the artwork will be outlined in the artist contact during commissioning.

It is sometimes necessary to relocate, remove or dispose of an art work or cultural object if there are significant changes to the context in which the item is located or if the item itself poses a risk to the public or is not able to be maintained. Artworks and cultural objects in public spaces are subject to extreme wear and may also be subject to vandalism and graffiti.

Public Art Decommissioning refers to the process undertaken to remove a work of art from public display, or from a public collection. Council will undertake a review of its public art work assets every 5 years to assess the value of the asset life. The decision to decommission public artwork will be informed by the asset management and maintenance framework relevant to each public artwork.

The condition of the work

An art work may be considered for removal from public display when its condition has deteriorated or damage to the extent that:

- it can no longer be considered to be the original work of art
- it is beyond restoration or the cost of restoration is excessive in relation to the value of the public artwork; or
- The cost of ongoing maintenance is excessive.
- Objects for which the cost of the adequate care and maintenance required over a five-year period exceeds the original value of the object.

- Objects integrated into the fabric of City-owned buildings, streets or parks which are subject to redevelopment by the City where the object is not salvageable.

Legal/risk and moral right considerations

- the work has deteriorated and represents an unacceptable level of risk or danger to the public
- changes to the environment impact on the integrity of the work, affecting the artist's original intent or moral rights; or
- The work of art has design faults, either on a material or workmanship basis.

Artistic considerations

- the artistic merit of the work falls below the general level of the collection of public artworks
- the public art work lowers the level of quality or representation of its specific area; or
- Council wishes to replace the work with a more significant work by the same artist

DECOMMISSIONING PROCESS

The Public Art Advisory Panel will assess a request for deaccessioning and make a recommendation regarding the item. This may include whether the item should be relocated, removed from the public domain or destroyed. Depending on the work, the recommendation will be passed to Council or the CEO for approval or endorsement.

Relocation, removal or disposal of an item will be recorded in the Public Art Register. All decisions and actions should be fully documented.

Where the City intends to remove, relocate, destroy or demolish any public artwork, it will:

- First, make reasonable enquiries as to the identity and location of the artist (or the artist's representative). If, after making reasonable enquiries, the City cannot identify or locate the artist (or the artist's representative) the City may remove, relocate, destroy or demolish the public artwork as it sees fit.
- If the City identifies and locates the artist (or the artist's representative), it will before the removal, relocation, destruction or demolition of the artwork give the artist (or the artist's representative), written notice stating:
 1. the City's intention to remove, relocate, destroy or demolish the artwork; and
 2. that the artist may, within 3 weeks of the notice, seek to have access to the artwork for: (a) making a record of the artwork; and/or (b) consulting in good faith with the City about the removal or relocation.
 3. If the artist notifies the City that they would like access to the artwork (for recording or consulting), the City will give the artist a reasonable opportunity to access the artwork within a further 3 week period.

If requested, the City will consult in good faith with the artist in relation to the removal, relocation, destruction or demolition of the artwork. However, the City is under no obligation to agree to any demands of the artist, whether or not those demands or requests are reasonable.

Where the public artwork is moveable (that is, anything that may be picked up and carried around), the City will also give the artist a reasonable opportunity to remove the artwork from the place where it is situated before taking any further action.

Objects which are destroyed should be disposed of in a responsible manner.

OWNERSHIP OF PUBLIC ART

Ownership of public art is defined by the commissioning process and contract, and the land on which it is located.

Through the contract with the artist the artwork usually becomes the property of the commissioning body once the art is supplied and paid for. However, the contract may enable the commissioner and the artist to own joint copyright of the artwork.

Artwork located on private property is owned and maintained by the landowner/s. Artwork located on public land is the responsibility of the managing authority, which will usually be the City.

Moral Rights - Overview

Standard Commission Agreements with artists reflect the requirements of the Copyright Act (Moral Rights) Amended Act 2007, and formalises Council's responsibilities to consult with the artist before relocating or removing artworks before the end of their specified lifespan.

What are Artistic Works?

Artistic works are original creations and can be paintings, murals, drawings, sculpture, craftwork and photographs. Artworks also covered by Moral Rights Legislation include; literary material (novels, screenplays, poems, song lyrics, journal articles), films (features, documentaries, music videos, television, commercials) and computer programs.

What are Moral Rights?

Moral rights are the personal, legally-enforceable rights of the creators of copyrighted works (e.g. the artist of a painting or the author of a book). These rights prevent creators' works from being acknowledged, used or altered in ways they didn't intend. An infringement of moral rights can result in the creator being awarded financial damages. Moral rights may continue after a creator's death. In which case, they become the responsibility of the creator's legal personal representative.

Respecting Creators

The creator of any copyrighted artwork should be acknowledged as such in reproductions of the artwork and on or near the artwork itself, unless he or she has requested in writing not to be. Artworks should not be treated in a derogatory way. That means doing anything that may compromise the intention of the creator/copyright holder. Even simple things like moving a work to a different location or using lights to highlight an artwork if contrary to the commissioning agreement could be a moral rights issue. The creator / copyright holder must be consulted when any changes to an artwork or display or location of an artwork are planned.

ADOPTED BY COUNCIL: [TO BE COMPLETED BY CORP SUPPORT]

BACKGROUND

Council recognises the important role that access to foreshore public open space plays in enhancing the health and lifestyle of our community.

Council acknowledges that there is demand for Commercial Surf School Activities to improve surf-related knowledge and skills to visitors and residents.

This policy is intended to provide opportunities for Commercial Surf School Activities to be undertaken in a safe manner with minimal impact on users of our foreshore, parks and beaches.

OBJECTIVE

To ensure the sustainable use of public open space while providing equitable access for general community use and Commercial Surf School Activities.

To enable Council to manage the use of its beaches by Commercial Surf School Operators' whilst not diminishing the opportunity for visitors and residents to safely utilise our foreshore parks and beaches.

POLICY STATEMENT

The purpose of this policy is to provide for the effective management of Commercial Surf School Activities occurring on foreshore public open space, to ensure that they are delivered in a manner which protects public infrastructure, minimises disturbance to beach users and addresses public risk concerns.

STATEMENT OF PROCEDURES
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DEFINITIONS OF THIS POLICY

COMMERCIAL SURF SCHOOL

The term 'Commercial Surf School' where stated in this policy refers to the instruction of surfing/water safety for the purposes of conducting a business and to assist participants in learning to surf, improve surfing skills and ocean knowledge. Engaging in such business involves the exchange of fee or payment.

COMMERCIAL SURF SCHOOL ACTIVITY OPERATOR

The term 'Commercial Surf School Activity Operator' where stated in this policy refers to those people owning, managing or instructing surfing/water safety lessons for the purposes of conducting a business for exchange of fee or payment.

COMMERCIAL SURF SCHOOL ACTIVITIES

The term 'Commercial Surf School Activities' where stated in this policy refers to the various surf school activities conducted for the purposes of conducting a business through instructing participants on how to improve their surfing/water safety skills and ocean knowledge. This may include surf boards, foam boards, surf rescue boards, body boards and stand-up paddle boards.

FIXED STRUCTURE

The term 'fixed structure' where stated in this policy refers to any item that is deemed immovable or securely positioned, including storage containers.

LICENCE

The term 'Licence' where stated in this policy refers to a printed document that gives official permission from Wollongong City Council to a specific person, operator or company to conduct Commercial Surf School Activities within a designated area of a foreshore public open space. A Licence may be issued in accordance with the *Local Government Act 1993* and *Crown Lands Act 1989*.

NOTICES

The term 'Notices' where stated in this policy refers to signs erected by Council which relate to the doing of anything in a public place, the use of the place or any part of the place, or the payment of a fee for entry or use of the public place.

FORESHORE PUBLIC OPEN SPACE

The term 'Public Open Space' where stated in this policy refers to land that is provided for the use of the community and administered through its representatives in government. Specifically, 'Foreshore Public Open Space' includes land designated as public parks and reserves, beaches, cycleways, shared pathways and footpaths within public parks/open spaces that are within the ownership of Wollongong City Council or Crown Land vested in the care and control of Wollongong City Council.

1 INTRODUCTION

Wollongong City Council plays a significant role in providing recreational opportunities and the supporting infrastructure on public land that encourages physical activity among the community. Council acknowledges there is a demand for Commercial Surf School Operators to enhance public knowledge and skills in the aquatic environment.

In supporting the use of foreshore public open space for Commercial Surf School Activities, Council recognises the need to plan and coordinate for the provision and maintenance of public open space to limit the impact of Commercial Surf School Activities and ensure equitable use of foreshore public open space.

Management of the use of foreshore public open space within the Wollongong Local Government Area is regulated by the *Local Government Act 1993* and *Crown Lands Act 1989*, and is subject to Council's Plans of Management.

This policy complements Wollongong 2022: Community Strategic Plan in ensuring good planning of public infrastructure for community cohesion, health and well being. The policy is also consistent with Wollongong City Council's Strategic Framework for Open Space, Recreation Facilities and Community Facilities, Planning People Places.

1.1 Aim

The purpose of this policy is to provide for the effective management of the regular commercial use of foreshore public open space by Commercial Surf Schools by designating areas for their use, limiting the number of schools operating at any one designated area, and by requiring each school to use the area in accordance with the terms and conditions of a Licence agreement, development consent and this policy.

These requirements will minimise the impact of Commercial Surf School Activities on surrounding residents and the general public use of foreshore public open space.

Through the implementation of this policy, Council aims to:

- a) ensure equity of access to foreshore public open space;
- b) reduce and manage the potential impact of Commercial Surf School Activities on public assets;
- c) minimise public liability concerns; and
- d) contribute to reaching Our Community Goals.

1.2 Area to which the Policy applies

This policy applies to all Council-managed foreshore public open space within the Wollongong Local Government Area (LGA). This policy will permit all Council foreshore public open space to be reviewed as potential locations for Commercial Surf School Activities and allow Council to determine appropriate locations and the number of licensed operators.

In determining the suitability of operations at sites, Council will review natural and built constraints, access, parking, historical usage patterns, demand and potential impact of Commercial Surf School Activities on passive recreational pursuits.

The scope of this policy refers to all individual and group sessions.

1.3 Approval Process

All Commercial Surf School Activities covered by this policy require development consent and a Licence from Council for use of a designated area of foreshore public open space.

Approved sites for Commercial Surf School Activities on a designated area of foreshore public open space may be licensed through Council's Property and Recreation Division in accordance with the *Local Government Act 1993* and the *Crown Lands Act 1989*.

Licensed Commercial Surf School Operators are only permitted to operate in approved areas in accordance with their Licence Agreement, Development Application (DA) consent and in accordance with this and other Council policy requirements. Where a Commercial Surf School Operator wishes to operate from more than one licensed area, additional Licence Agreements will need to be obtained.

The following groups/activities are exempt from the approval process:

- Activities directly delivered by not-for-profit groups (eg Disabled Surfing, School Sport).

- Irregular recreation activities directly delivered by local sporting clubs, Surf Life Saving and Board Riders Clubs and Associations (where there are no tuition fees).
- Instruction in surfing/water safety delivered directly by teaching staff employed by either the Department of Education and Communities, Catholic Education Office or Independent Schools Association.

Any significant organised activities which these groups may wish to conduct on a foreshore public open space must be independently hired and would be subject to Wollongong City Council's *Terms and Conditions for Use of Beaches* and Wollongong City Council's current *Major Events Policy*.

1.4 Exclusion Zones

Commercial Surf School Activities are not permitted within or on the following areas:

- Sand Dunes and Dune Stabilisation Areas.
- Beaches – within 50 metres either side of patrolled areas (ie surf craft flagged areas).

Council may nominate other exclusion areas during the life of this policy from time to time.

1.5 Prohibited Activities

The following activities within public open space are prohibited under this policy:

- Surf School Activities conducted with amplified music or voice including megaphones;
- the soliciting of funds directly from beach or park visitors or the public;
- the erection of advertising signs and banners without Council's prior written consent;
- the inappropriate use of park/beach infrastructure;
- exemptions may be considered for special events and are subject to Council approval.

1.6 Term of Licence

A Licence issued by Council to Commercial Surf School Operator's will be valid for a period of **not less than twelve (12) months and not greater than five (5) years** and will authorise each Commercial Surf School Operator to use designated foreshore public open space for Commercial Surf School Activities in accordance with this policy on a **non-exclusive basis**.

1.7 Security Deposit

It is a requirement of the Licence issued by the Council that Commercial Surf School Operator's must deposit with Council the sum equivalent to twenty-five per cent (25%) of the annual Licence fee as a security deposit.

This deposit will be refunded upon termination of the Licence provided there is no damage to the designated area of foreshore public open space as a result of the Commercial Surf School Activities undertaken on the site or the Council terminates the Licence as a result of some other breach of the Licence by the Commercial Surf School Operator.

1.8 Fees

A Licence Preparation Fee and Annual Licence Fee are applicable under this policy and shall be determined by Council.

Annual fees are to be paid to Council in advance upon approval of Licences.

2 GENERAL PROVISIONS

2.1 Industry Compliance

All Commercial Surf School Activities must be undertaken in accordance with the applicable guidelines and recommendations of the peak bodies including Surfing Australia/The Academy of Surfing Instructors/Surf Life Saving Australia and/or Department of Education & Communities (ie student: instructor ratio).

2.2 Area of Operation

Commercial Surf School Operators are permitted to conduct their Activities within the Licensed area subject to the terms of the Licence, on the beach subject to this and other Council policies.

Licensed Commercial Surf School Operators must comply with all reasonable directions from Lifeguards, Lifesavers and Council Officers.

The Commercial Surf School Activities within licensed areas, on beaches and in the surf must be cancelled if conditions are unsafe, or if a surf carnival, or major event is being held.

2.3 Hours of Operation

Subject to development consent, Licensed Commercial Surf School Operators are permitted to operate on their licensed area:

- During the scheduled patrolling season from Monday to Saturday between sunrise and sunset and 11.00 am to sunset on Sundays.
- Outside the scheduled patrolling season from Monday to Sunday between sunrise and sunset.

Failure to operate within these specified times may result in the Licence being terminated.

Commercial Surf School Operators must during normal patrol hours or upon the arrival of the patrolling Lifeguards or Lifesavers, consult with patrolling Lifeguards or Lifesavers prior to entering the water.

2.4 Qualifications

To be eligible to apply for a Licence from Council, a Commercial Surf School Operator must:

- provide evidence of having completed accredited courses specific to the type of activity being instructed and endorsed by Surfing Australia or the Academy of Surfing Instructors and/or VETAB providers;
- possess a current Senior First Aid Certificate;
- possess a current Surf Bronze Medallion or equivalent; and
- provide evidence of Working with Children Check in accordance with relevant Child Protection Legislation.

2.5 Storage

All equipment used for Commercial Surf School Activities is not to be stored on foreshore public open space, or in the Licensed area when not in use by the Commercial Surf School Operators. The erection of fixed structures for the storage of Surf School equipment is not permitted.

2.6 Structure

Temporary shade structures are permitted to be erected throughout the duration of the daily business activities of Licensed Commercial Surf School Operators. Structures should be secured in accordance with manufacturers' guidelines and be removed from the Licensed area at the end of each day. Structures should not exceed 3 x 6 square metres in size.

2.7 Sale of Merchandise

Licensed Commercial Surf School Operators are only authorised to offer Surfing Lessons. The sale of clothing, equipment or any other goods, service or products is not permitted from a licensed area.

2.8 Rescue Equipment

Licensed Commercial Surf School Operators shall at all times during operating hours, provide, maintain and have available a mobile phone to facilitate communication with emergency services and for rescue purposes, suitable rescue equipment, first aid and oxygen equipment (as outlined in NSW Office of Local Government 'Practice Note 15' on Water Safety).

2.9 Car Parking

Licensed Commercial Surf School Operators and participants are required to park in designated parking areas. Parking on grassed open space or beach areas is not permitted and will incur penalties in accordance with section 632, section 650 and section 651 of the *Local Government Act 1993*.

2.10 Waste

Licensed Commercial Surf School Operators are required to ensure the area used for Commercial Surf School Activities is clean and tidy after use and that this is communicated to lesson participants.

2.11 Environment

Licensed Commercial Surf School Operators must manage the Activities to minimise their impact on foreshore public open space. Designated beach and park access tracks are to be used where available.

2.12 Risk Management

Licensed Commercial Surf School Operators must, prior to commencing and during their Commercial Surf School Activities:

- inspect the immediate area and ocean conditions to ensure no hazards are evident and take appropriate action to remove those hazards or alternatively move the surf school site and, without undue delay, report to Council the hazard or any other hazardous matters observed during the training that may require Council's attention;
- complete and document a Site Safety Management Plan for the licensed area (including relevant Standard Operating Procedures for the Activities being undertaken);
- ensure a mobile phone is available for emergency use with each class;
- ensure First Aid Kits are available onsite throughout the duration of each class and that all stock is current; and
- ensure Instructor's rescue boards are onsite for all classes.

Licensed Commercial Surf School Operators must have distinctive high visibility colour garments for each student and teacher.

2.13 Insurance

Licensed Commercial Surf School Operators must take out and maintain in their name, for the duration of the term of the Licence, a public liability insurance policy for a minimum of \$10 million (or such greater amount as Council may reasonably require); and produce documentary evidence of this at the time of application and at time of renewal of such insurance policy.

2.14 Business Interruption

Council will not accept any responsibility or liability for any interruption to business caused by the need for Council or any other Authority to conduct any special event or carry out any maintenance works, natural events or any other interruption to business howsoever caused.

2.15 Noise/Disturbance

Under this policy and the allocation of a Licence, Commercial Surf School Operators:

- must always conduct themselves in accordance with Surfing Australia, Academy of Surfing Instructors, Surf Life Saving Australia or the Department of Education & Communities' Code of Conduct in a proper and orderly manner and be considerate to other beach and park users and adjacent residents;
- must not create any noise from Commercial Surf School Activities that unreasonably disturbs other beach or park users and adjacent residents or businesses;
- must ensure that any surf school equipment used does not create any hazards or obstruction, and
- must leave the licensed surf school area in the same condition as it was at the commencement of the Commercial Surf School Activities.

2.16 Penalties for Acting Contrary to Notices and Development Consent Conditions

A person who fails to comply with terms of any notice erected by Council is guilty of an offence pursuant to section 632 of the *Local Government Act 1993*. Council Officers and Rangers will enforce penalties on any person who fails to comply with any notice.

A person who fails to comply with any conditions of development consent permitting Commercial Surf School activities is in breach of the *Environmental Planning and Assessment Act 1979*, and may be subject to penalties.

2.17 Other conditions

Under this policy and any Licence issued by Council, Commercial Surf School Operators are to:

- use their licensed area and approved beach areas as the only location for their Commercial Surf School Activities;
- ensure that their Commercial Surf School Activities do not impact on other licensed activities outside of their licensed area or elsewhere on the beach or in the water.

| SUMMARY SHEET | |
|----------------------------|-------------------------------------|
| Responsible Division | Property and Recreation |
| Date adopted by Council | |
| Date of previous adoptions | 25 February 2013, 28 September 2010 |
| Date of next review | February 2020 |
| Prepared by | Recreational Services Manager |
| Authorised by | Manager Property and Recreation |

BACKGROUND

Council maintains various forms of sporting fields on behalf of the community. Council recognises that it has an obligation to maximise the sustainable use of its sporting fields and to accommodate competing demands for use of the fields on an equitable basis.

OBJECTIVE

The objectives of this policy are to:

- ensure the sustainable use of Council's sporting fields while providing equitable access to training and playing facilities for all sporting agencies;
- optimise the utilisation of Council's limited sporting facilities throughout the LGA; and
- ensure all licensed facilities within the Local Government Area are accessed by sporting agencies when the licensed areas are not required for the immediate use of the licensee.

POLICY STATEMENT

The provision of shared and equitable access to all sporting fields will be in accordance with the objectives outlined in this policy.

STATEMENT OF PROCEDURES

- 1 That all sporting clubs and associations abide by the Terms and Conditions for the use of Council's Parks and Playing Fields.
- 2 That all sporting clubs that are in a contractual licence with Council abide by the Terms and Conditions of the licence agreement.
- 3 That all sporting clubs and associations utilising Council or licensed sportsgrounds ensure that their constitution support the objectives of this policy. Any organisation that has a constitution that prevents the sharing of grounds will not have access to Council's sporting facilities.
- 4 Access to all Council and licensed sportsgrounds be provided equitably following consultation between the Sports Fields Coordinator and the sporting club/association.
- 5 In seeking access to Council's sport fields and or licensed facilities all sporting clubs and associations must provide details of membership, club history, usage patterns and proposed future use of fields.
- 6 Shared access to all sporting fields be in accordance with Council's fees and charges.
- 7 Shared access to licensed facilities shall be provided by the licensee, noting that the licensee may charge a reasonable fee to cover the costs of the use by the sporting club. In the event that this fee cannot be agreed upon by both parties, Council reserves the right to set the fee.
- 8 Where regular access to a licensed sportsfield is required by more than one sporting club within the same code and affordable access is not negotiated then, upon renewal, the licence may be issued to the sport's peak association with the interests of those clubs protected within the agreement.

| SUMMARY SHEET | |
|----------------------------|-----------------------------------|
| Responsible Division | Property and Recreation |
| Date adopted by Council | |
| Date of previous adoptions | 31 January 2005, 25 February 2013 |
| Date of next review | |
| Prepared by | Manager Recreation Services |
| Authorised by | Manager Property and Recreation |

BACKGROUND

Wollongong City Council offers a range of events, programs and services which contribute to the community's sense of belonging and cultural life.

Many of these events offer exposure to a broad cross section of the community for potential sponsors.

Through external sponsorship, Council can obtain increased resources or funding to enhance or offset the cost of producing and promoting events, programs and services.

This policy takes into consideration the Independent Commission Against Corruption (ICAC) *Sponsorship in the Public Sector* (May 2006) and Wollongong City Council's *Code of Conduct* (February 2013).

OBJECTIVE

The main objectives of this policy are to –

- Provide a clear definition of Sponsorship of Council Activities from external sources
- List the methods Council will use to seek sponsorship from external sources
- Set out the principles for assessment of sponsorship applications
- Set out the assessment criteria against which applications will be assessed
- List the types of acknowledgement which may be available to sponsors.

POLICY STATEMENT

This policy aims to provide a clear understanding of Council's policy to potential sponsors seeking to contribute to Council's events, programs and services.

This policy does not relate to requests by external individuals or groups for Council to receive grants or sponsorship from Wollongong City Council. This Policy is supported by a Management Policy and staff procedure.

REVIEW SCHEDULE

This policy should be reviewed every Council term, or more frequently as required.

STATEMENT OF PROCEDURES

DEFINITIONS

Sponsorship is defined by ICAC as:

A commercial arrangement in which a sponsor provides a contribution in money or in-kind to support an activity in return for certain specified benefits.

Sponsorship can be provided:

By the corporate sector or private individuals, in support of a public sector activity; or

- By the public sector in support of related and worthwhile private or public sector activities.

Sponsorship does not include:

- The selling of advertising space;
- Joint ventures;
- Consultancies;
- Grants (in regard to received sponsorship);
- Unconditional gifts, donations, bequests or endowments;

Sponsorship is not philanthropic. A sponsor expects to receive a reciprocal benefit;

- Sponsorship can be provided as cash or 'in-kind' where the sponsor provides a product or service. The value of sponsorship arrangements can vary from a few hundred dollars to tens of thousands of dollars.

Testimonial as used in this Policy is defined as being a written statement testifying to an individual or company's character or qualifications.

PRINCIPLES

The following principles have been adapted from ICAC's *Sponsorship in the Public Sector* (May 2006) and are to be used by Council in assessing sponsorship for its events, programs or services:

- 1 Sponsorship agreements will not impose or imply conditions that influence or affect Council's ability to carry out its functions fully and impartially.
- 2 There should be no conflict between the objectives and/or mission of Council and those of the sponsor.
- 3 Council will not seek or accept sponsorship from an organisation or individual which is tendering for Council business, or may have a current Development Application before Council or be the subject of any court or other formal regulatory investigation. The sponsorship agreement will provide Council the opportunity to terminate or suspend the agreement.
- 4 Sponsorship agreements will not provide a written testimonial (does not include use of logo) of the sponsor or the sponsor's products.
- 5 Council will, where reasonable or appropriate, evaluate products offered as part of a sponsorship agreement to ensure they are fit for purpose before accepting them.
- 6 No employee of Council shall receive a personal benefit from a sponsorship.
- 7 In order to maintain equity and transparency Council will publicly advertise opportunities to sponsor Council events, programs and services. Council may also make targeted approaches to individuals and organisations that meet the specific criteria in this Policy and procedure.
- 8 Sponsorship proposals shall be assessed against predetermined criteria which are included in the Sponsorship of Council Activities from External Sources Council Policy; are available on Council's website; and made publicly available to potential sponsors.
- 9 All sponsorship arrangements will be in the form of a written agreement.
- 10 All sponsorship agreements will be approved by the General Manager unless delegated, and will be listed in Council's Annual Report.

ATTRACTING SPONSORS

Council will promote the opportunity to sponsor events and activities in the following ways:

1 Public advertisement

Council will advertise opportunities to become a sponsor through local media and Council's website.

2 Targeted approach

Council may directly approach organisations and invite them to consider becoming a sponsor and/or to use an external agent to seek and secure sponsorship.

3 Brokerage

For high profile events, programs or services Council may opt to use a sponsorship broker or agent. Any commission arrangements must be agreed in advance between Wollongong City Council and the broker.

SPONSORSHIP ASSESSMENT CRITERIA

Criteria against which potential sponsors and sponsorship agreements will be judged include:

- The objectives and products of potential sponsors are not in, or will not be perceived to be in, conflict with the values and objectives of Wollongong City Council;
- Council will not accept sponsorship from entities that are involved in the manufacture, or wholesaling of alcohol and tobacco related products or addictive drugs, armaments, pornography or sexual services; have been found guilty of illegal, corrupt or improper conduct; are political in nature e.g. political parties;
- Potential sponsors will be credible organisations or individuals with an established track record of corporate responsibility;
- As stated in Principle 5 of the ICAC Guidelines, goods or services offered are 'fit for purpose', relevant to the community's needs and add value to the proposed activity, as determined by Council, acting reasonably;
- Potential sponsors will not be subject to regulation or inspection by Council during the lifetime of the agreement;
- The agreement must not impede Wollongong City Council's compliance with legislative obligations;
- The agreement must benefit the City, its residents, workers and visitors;
- The agreement will not create any real, or perceived conflict of interest;
- The agreement will not provide personal benefit to any employees of Wollongong City Council.

The assessment criteria will be made publicly available to potential sponsors and the general community.

ACKNOWLEDGEMENT OF SPONSORS

Acknowledgement of sponsors will vary depending on the level of sponsorship.

Some of the benefits available may include:

- Naming rights to the event/service or activity;
- Appropriate signage at the sponsored activity or service;
- Acknowledgement in media releases written and distributed by Wollongong City Council;
- Static display in the foyer of Council's Administration Building or Libraries;
- Invitations to selected Council functions;
- Acknowledgement on Council's website, online calendar or social media channels;
- Acknowledgement in Council's newsletters;
- Acknowledgement in publicity for the activity or service Event suppliers may be acknowledged as sponsors in publicity in return for discounted agreements as negotiated;
- Council will not explicitly endorse either the sponsor or the sponsor's products.

PUBLIC REGISTER

All sponsorship agreements must be listed in a publicly accessible register. Sponsorships will also be noted in Council's Annual Report.

RELATED DOCUMENTS

Sponsorship of Council Activities from External Sources Management Policy

Council's Codes of Conduct

DRAFT

| SUMMARY SHEET | |
|----------------------------|---|
| Responsible Division | [Name of Division] |
| Date adopted by Council | [To be inserted by Corporate Governance] |
| Date of previous adoptions | [List previous adoption date/s] |
| Date of next review | [List date - Not more than 3 years from adoption] |
| Prepared by | [Position title only] |
| Authorised by | [Manager/Director's title only] |

BACKGROUND

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

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

OBJECTIVE

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

POLICY STATEMENT

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

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

STATEMENT OF PROCEDURES

CONTENTS

DRAFT

PART 1 - INTRODUCTION

1.1 WHAT IS PERSONAL INFORMATION?

Personal information is defined as:

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

1.2 WHAT IS NOT PERSONAL INFORMATION?

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

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

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

1.3 WHAT IS HEALTH INFORMATION?

Health information is defined in the HRIPA as:

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

1.4 APPLICATION OF THIS PLAN

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

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

1.5 PERSONAL AND HEALTH INFORMATION HELD BY COUNCIL

The Council holds personal information concerning Councillors, such as:

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

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

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

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

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

1.6 UNSOLICITED INFORMATION

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

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

PART 2 - PUBLIC REGISTERS

2.1 DEFINITION

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

Council holds public registers under the LGA, including:

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

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

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

- Register of consents and certificates
- Record of building certificates

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

- Public register of licences

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

- Record of impounding

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

2.2 DISCLOSURE OF PERSONAL INFORMATION CONTAINED IN PUBLIC REGISTERS

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

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

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

2.3 PURPOSES OF PUBLIC REGISTERS

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

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

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

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

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

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

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

2.4 SECONDARY PURPOSE OF ALL PUBLIC REGISTERS

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

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

2.5 OTHER REGISTERS

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

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

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

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

2.6 APPLICATIONS FOR ACCESS TO OWN PERSONAL OR HEALTH INFORMATION

Informal request

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

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

Formal Application

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

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

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

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

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

2.78 APPLICATIONS FOR SUPPRESSION OF PERSONAL INFORMATION IN A PUBLIC REGISTER

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

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

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

PART 3 – POLICIES AND LEGISLATION

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

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

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

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

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

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

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

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

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

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

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

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

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

PART 4 - INFORMATION PROTECTION PRINCIPLES

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

IPP 1 & HPP 1 Lawful collection

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

IPP 2 & HPP 2 Direct collection

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

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

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

IPP 3 & HPP 3 Requirements when collecting

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

IPP 4 & HPP 4 Relevance of collection

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

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

IPP 5 & HPP 5 Secure storage

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

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

IPP 6 & HPP 6 Transparent access

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

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

IPP 7 & HPP 7 Access to own information

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

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

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

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

IPP 9 & HPP 9 Accurate use of information collected

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

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

IPP 10 & HPP 10 Limits to use of information collected

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

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

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

IPP 12 Special limits on disclosure

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

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

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

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

SPECIFIC HEALTH INFORMATION PRIVACY PRINCIPLES

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

The specific Health Privacy Principles are:

HPP 12 Unique Identifiers

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

HPP 13 Anonymity

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

HPP 14 Transborder data flow

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

HPP 15 Cross-organisational linkages

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

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

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

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

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

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

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

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

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

5.2 Communication strategy

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

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

PART 6 – COMPLAINTS AND PROCEDURES FOR INTERNAL REVIEW

6.1 Internal Review

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

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

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

6.2 How does the process of Internal Review operate?

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

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

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

The role of the Privacy Commissioner in the internal review process

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

6.3 What happens after an Internal Review?

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

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

6.4 Alternative to lodging an application for internal review

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

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

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

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

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

PART 8 - OTHER INFORMATION

Wollongong City Council

Privacy Contact Officer

Locked Bag 8821

WOLLONGONG DC NSW 2520

Phone: (02) 4227 7111

Fax: (02) 4227 7277

Email: council@wollongong.nsw.gov.au

Information & Privacy Commission

GPO Box 7011

SYDNEY NSW 2001

Phone: 1800 472 679

Email: ipcinfo@ipc.nsw.gov.au

Web: www.ipc.nsw.gov.au

Administrative Decisions Tribunal

Level 10

John Maddison Tower

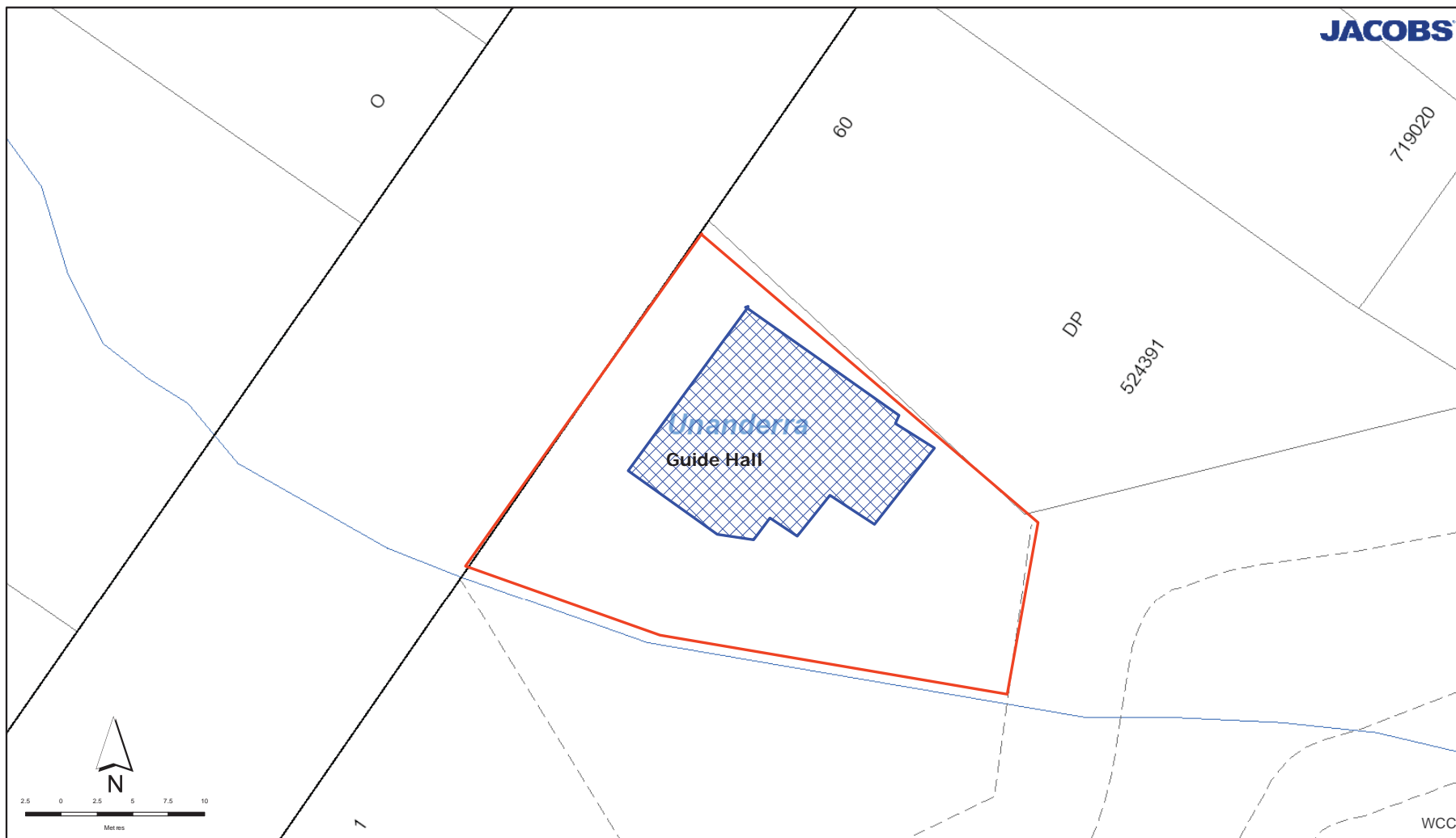
86-90 Goulburn Street

SYDNEY NSW 2000

Phone: (02) 9377 5711

Fax: (02) 9377 5723

| SUMMARY SHEET | |
|--|---|
| Responsible Division | Governance and Information |
| Date adopted by Council | [To be inserted by Corporate Governance] |
| Date of previous adoptions | 11 March 2013, 23 November 2010; 17 July 2007; 17 July 2000 |
| Date of next review (at least every three <u>two</u> years) | <u>February</u> 2018 |
| Prepared by | Manager Governance and Information |
| Authorised by | Director Corporate and Community Services |



2015 Minor Donations - Approved

| Date | Recipient | Event | Event date | Amount approved | Budget remaining | Total budget |
|----------|-----------------------|--|------------|-----------------|-----------------------|--------------------|
| | | | | | | \$ 3,235.00 |
| 28.7.15 | Lions Club of Woonona | Lions Club of Woonona | | \$ 110.00 | \$ 3,125.00 | |
| 26.8.15 | Kyle Eskridge | National Cross Country Championship | 29.8.15 | \$ 250.00 | \$ 2,875.00 | |
| 26.8.15 | Scott Ashcroft | Ironman World Championships | 10.10.15 | \$ 250.00 | \$ 2,625.00 | |
| 11.11.15 | Caitlin Smith | 2015 McDonald's Qld Swimming Championships | 12.12.15 | \$ 250.00 | \$ 2,375.00 | |
| 11.11.15 | Janice Henderson | World Schools Cross Country Championships | Apr-16 | \$ 250.00 | \$ 2,125.00 | |
| 11.11.15 | Parrys Raine | Sustainable Innovation Forum | 7.12.15 | \$ 250.00 | \$ 1,875.00 | |
| | | | | | Budget balance | \$ 1,875.00 |

2015/2016 Out of Round Sponsorship of Community Event approvals

| Recipient | Event | Event date | Amount approved | cash/inkind |
|-------------------------------------|--------------------------------|--|-------------------|-------------|
| Alexander Marjanovic | Carols in the Park | Saturday 5 December 2015 | \$ 1,000.00 | cash |
| Greenacres | Mountain to Mountain Challenge | Sunday 31 July 2016 | \$ 1,200.00 | Cash |
| Cancer Council | Wollongong Relay for Life | Saturday 18 and Sunday 18 September 2016 | \$ 4,000.00 | inkind |
| Total out of rounds approved | | | \$6,200.00 | |



**Towradgi Community Centre Upgrade
T15/42**



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Cliff Road to Tramway access stairs **T16/02**



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**Replacement of existing shelters, furniture
and BBQ's at JP Galvin Park
T16/03**



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WOLLONGONG CITY COUNCIL

1 July 2015 to 29 January 2016

| | 2015/16 Original Budget \$'000 | 2015/16 Current Budget \$'000 | 2015/16 YTD Budget \$'000 | 2015/16 Actual YTD \$'000 |
|--|--------------------------------------|-------------------------------------|---------------------------------|---------------------------------|
| Income Statement | | | | |
| Income From Continuing Operations | | | | |
| Revenue: | | | | |
| Rates and Annual Charges | 173,253 | 174,086 | 101,313 | 101,310 |
| User Charges and Fees | 33,194 | 30,115 | 17,991 | 18,246 |
| Interest and Investment Revenues | 4,772 | 5,147 | 2,833 | 2,986 |
| Other Revenues | 9,454 | 11,239 | 6,877 | 6,231 |
| Grants & Contributions provided for Operating Purposes | 28,846 | 29,928 | 17,621 | 17,988 |
| Grants & Contributions provided for Capital Purposes | 14,520 | 19,696 | 15,244 | 15,457 |
| Other Income: | | | | |
| Profit/Loss on Disposal of Assets | 0 | 0 | (153) | (103) |
| Total Income from Continuing Operations | 264,040 | 270,212 | 161,725 | 162,114 |
| Expenses From Continuing Operations | | | | |
| Employee Costs | 113,797 | 114,122 | 65,613 | 65,412 |
| Borrowing Costs | 4,206 | 4,206 | 2,448 | 2,504 |
| Materials, Contracts & Other Expenses | 89,130 | 86,199 | 47,318 | 45,431 |
| Depreciation, Amortisation + Impairment | 62,074 | 62,074 | 36,464 | 37,195 |
| Internal Charges (labour) | (11,876) | (11,828) | (6,881) | (6,159) |
| Internal Charges (not labour) | (1,400) | (1,540) | (896) | (668) |
| Total Expenses From Continuing Operations | 255,932 | 253,234 | 144,067 | 143,715 |
| Operating Results From Continuing Operations | 8,108 | 16,978 | 17,658 | 18,399 |
| Net Operating Result for the Year | 8,108 | 16,978 | 17,658 | 18,399 |
| Net Operating Result for the Year before Grants & Contributions provided for Capital Purposes | | | | |
| | (6,412) | (2,719) | 2,414 | 2,942 |
| NET SURPLUS (DEFICIT) [Pre capital] % | 3.1% | 6.3% | 10.9% | 11.3% |

Funding Statement

| | | | | |
|---|----------------|-----------------|---------------|---------------|
| Net Operating Result for the Year | 8,108 | 16,978 | 17,658 | 18,399 |
| Add back: | | | | |
| - Non-cash Operating Transactions | 77,378 | 77,446 | 45,600 | 46,505 |
| - Restricted cash used for operations | 15,464 | 16,532 | 10,501 | 10,855 |
| - Income transferred to Restricted Cash | (34,812) | (44,875) | (33,302) | (33,857) |
| - Payment of Accrued Leave Entitlements | (11,550) | (11,512) | (7,943) | (7,935) |
| - Payment of Carbon Contributions | 0 | 0 | 0 | 0 |
| Funds Available from Operations | 54,588 | 54,569 | 32,514 | 33,967 |
| Advances (made by) / repaid to Council | 0 | 0 | 0 | 0 |
| Borrowings repaid | (6,371) | (6,371) | (4,539) | (4,538) |
| Operational Funds Available for Capital Budget | 48,217 | 48,197 | 27,975 | 29,429 |
| CAPITAL BUDGET | | | | |
| Assets Acquired | (86,256) | (90,528) | (37,046) | (34,245) |
| Contributed Assets | 0 | 0 | 0 | 0 |
| Transfers to Restricted Cash | 0 | (7,100) | (7,100) | (7,100) |
| Funded From :- | | | | |
| - Operational Funds | 48,217 | 48,197 | 27,975 | 29,429 |
| - Sale of Assets | 2,008 | 1,626 | 380 | 352 |
| - Internally Restricted Cash | 5,136 | 7,443 | 1,752 | 1,215 |
| - Borrowings | 0 | 0 | 0 | 0 |
| - Capital Grants | 9,439 | 13,959 | 5,958 | 5,925 |
| - Developer Contributions (Section 94) | 6,510 | 6,397 | 2,179 | 1,696 |
| - Other Externally Restricted Cash | 9,460 | 7,614 | 4,426 | 4,545 |
| - Other Capital Contributions | 2,365 | 2,150 | 659 | 1,162 |
| TOTAL FUNDS SURPLUS / (DEFICIT) | (3,122) | (10,241) | (817) | 2,979 |

**Manager Project Delivery Division
Commentary on January 2016 Capital Budget Report**

As at 29 January 2016, year to date expenditure was \$34.2M of the approved capital budget of \$90.5M. This value is \$2.8M behind the initial forecast expenditure of \$37.0M 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, is a no change in the overall capital budget.

| Program | Major Points of change to Capital Budget |
|--|--|
| Road Works | Introduce additional R2R and RMS funding. Reallocate budget from West Dapto Infrastructure Expansion |
| West Dapto Infrastructure Expansion | Rephase loan funding to future year for construction phase of projects. Reallocate budget to Road Works program |
| Footpaths | Introduce additional R.M.S. funding for new projects Reallocate budget from Commercial Centre Upgrades – Footpaths and Cycleways Reallocate budget from Emergency Services Plant & Equipment Replacement |
| Cycle/Shared Paths | Remove R.M.S. funding from existing project Reallocate budget from Stormwater Management |
| Commercial Centre Upgrades – Footpaths and Cycleways | Reallocate budget to (suburban) Footpaths program |
| Carpark Reconstruction or Upgrading | Reallocate budget from Capital Project from Road Upgrades for existing project. |
| Floodplain Management | Reallocate budget to Stormwater Management program. |
| Stormwater Management | Reallocate budget Floodplain Management program for new projects accelerated from future years. Reallocate budget to Cycle/shared Paths |
| Administration Buildings | Reallocate budget to Community Buildings |
| Community Buildings | Rephase funding from existing projects Reallocate budget to Rock/Tidal Pools program |
| Public Facilities | Reallocate budget to Community Buildings program |
| Play Facilities | Reallocate budget to Rock/Tidal Pools program |
| Recreation Facilities | Reallocate budget to Rock/Tidal Pools program Reallocate budget to Sporting Facilities program |
| Sporting Facilities | Reallocate budget from Recreation Facilities program Introduce additional funding from sport priority program reserve for existing projects. |
| Beach Facilities | Reallocate budget to Rock/Tidal Pools program. Reallocate budget to Treated Water Pools program. |
| Rock/Tidal Pools | Relocate budget form Community Buildings, Play facilities, Recreation facilities and beach Facilities Programs for project accelerated from future year program |
| Treated Water Pools | Reallocate budget from both Community Buildings and Beach Facilities programs for existing projects. |
| Whytes Gully New Cells | Introduce funding from Waste Levy for existing project |
| Helensburgh Rehabilitation | Rephase funding to Waste Levy for existing project |
| Portable Equipment | Reallocate budget and funding to Mobile Plant Program |
| Mobile Plant | Reallocate budget and funding from both the Portable Equipment and Fixed Equipment programs |
| Fixed Equipment | Reallocate budget to Mobile Plant Program |
| Emergency Services Plant & Equipment | Reallocate budget to (suburban) Footpaths program |
| Land Acquisitions | Reallocate budget from Capital Project Contingency for new acquisitions as per council resolutions |
| Capital Project Plan | Reallocate budget to Land Acquisitions program. |

CAPITAL PROJECT REPORT

as at the period ended 29 January 2016

| ASSET CLASS PROGRAMME | \$'000 | | \$'000 | | \$'000 | | |
|--------------------------|----------------|---------------|----------------|---------------|-----------------|-------------|---------------|
| | CURRENT BUDGET | | WORKING BUDGET | | YTD EXPENDITURE | VARIATION | |
| | EXPENDITURE | OTHER FUNDING | EXPENDITURE | OTHER FUNDING | | EXPENDITURE | OTHER FUNDING |

Roads And Related Assets

| | | | | | | | |
|---------------------------------------|---------------|----------------|---------------|----------------|--------------|------------|--------------|
| Traffic Facilities | 3,682 | (2,262) | 3,682 | (2,262) | 2,553 | (0) | (0) |
| Public Transport Facilities | 441 | (172) | 441 | (172) | 180 | 0 | 0 |
| Roadworks | 13,369 | (3,452) | 13,752 | (3,716) | 6,836 | 383 | (263) |
| Bridges, Boardwalks and Jetties | 1,850 | (350) | 1,850 | (350) | 427 | (0) | (0) |
| TOTAL Roads And Related Assets | 19,342 | (6,237) | 19,725 | (6,500) | 9,995 | 383 | (263) |

West Dapto

| | | | | | | | |
|-------------------------------------|--------------|----------------|--------------|----------------|--------------|----------------|------------|
| West Dapto Infrastructure Expansion | 5,954 | (4,865) | 4,902 | (4,013) | 1,043 | (1,052) | 852 |
| TOTAL West Dapto | 5,954 | (4,865) | 4,902 | (4,013) | 1,043 | (1,052) | 852 |

Footpaths And Cycleways

| | | | | | | | |
|--|---------------|-----------------|---------------|-----------------|--------------|------------|-------------|
| Footpaths | 8,588 | (4,648) | 8,962 | (4,705) | 4,329 | 374 | (57) |
| Cycle/Shared Paths | 8,090 | (5,560) | 8,324 | (5,544) | 3,379 | 233 | 17 |
| Commercial Centre Upgrades - Footpaths and Cycleways | 3,040 | (435) | 2,770 | (435) | 432 | (270) | 0 |
| TOTAL Footpaths And Cycleways | 19,718 | (10,643) | 20,056 | (10,684) | 8,140 | 337 | (40) |

Carparks

| | | | | | | | |
|-------------------------------------|--------------|--------------|--------------|--------------|------------|-----------|----------|
| Carpark Construction/Formalising | 775 | (500) | 775 | (500) | 457 | (0) | 0 |
| Carpark Reconstruction or Upgrading | 1,001 | 0 | 1,081 | 0 | 163 | 80 | 0 |
| TOTAL Carparks | 1,776 | (500) | 1,856 | (500) | 619 | 80 | 0 |

Stormwater And Floodplain Management

| | | | | | | | |
|---|--------------|----------------|--------------|----------------|--------------|--------------|----------|
| Floodplain Management | 1,660 | (667) | 1,475 | (667) | 320 | (185) | (0) |
| Stormwater Management | 2,290 | (443) | 2,225 | (443) | 876 | (65) | 0 |
| Stormwater Treatment Devices | 250 | (150) | 250 | (150) | 25 | (0) | 0 |
| TOTAL Stormwater And Floodplain Management | 4,200 | (1,260) | 3,950 | (1,260) | 1,222 | (250) | 0 |

Buildings

| | | | | | | | |
|--|---------------|----------------|---------------|----------------|--------------|--------------|------------|
| Cultural Centres (IPAC, Gallery, Townhall) | 1,131 | 0 | 1,131 | 0 | 332 | (0) | 0 |
| Administration Buildings | 1,280 | 0 | 765 | 0 | 201 | (515) | 0 |
| Community Buildings | 12,840 | (3,375) | 12,683 | (3,066) | 6,030 | (157) | 309 |
| Public Facilities (Shelters, Toilets etc.) | 617 | 0 | 522 | 0 | 246 | (95) | 0 |
| TOTAL Buildings | 15,868 | (3,375) | 15,101 | (3,066) | 6,809 | (767) | 309 |

Commercial Operations

| | | | | | | | |
|---|--------------|----------|--------------|----------|------------|----------|----------|
| Tourist Park - Upgrades and Renewal | 750 | 0 | 750 | 0 | 416 | 0 | 0 |
| Crematorium/Cemetery - Upgrades and Renewal | 190 | 0 | 190 | 0 | 73 | 0 | 0 |
| Leisure Centres & RVGC | 195 | 0 | 195 | 0 | 1 | 0 | 0 |
| TOTAL Commercial Operations | 1,135 | 0 | 1,135 | 0 | 489 | 0 | 0 |

Parks Gardens And Sportfields

| | | | | | | | |
|--|--------------|----------------|--------------|----------------|------------|-------------|-------------|
| Play Facilities | 1,145 | (50) | 1,106 | (50) | 170 | (39) | (0) |
| Recreation Facilities | 3,440 | (1,892) | 3,363 | (1,892) | 320 | (77) | (0) |
| Sporting Facilities | 834 | (151) | 897 | (195) | 490 | 63 | (43) |
| Lake Illawarra Foreshore | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| TOTAL Parks Gardens And Sportfields | 5,419 | (2,093) | 5,367 | (2,137) | 980 | (52) | (43) |

Beaches And Pools

| | | | | | | | |
|--------------------------------|--------------|----------|--------------|----------|--------------|------------|----------|
| Beach Facilities | 449 | 0 | 346 | 0 | 60 | (103) | 0 |
| Rock/Tidal Pools | 1,186 | 0 | 1,526 | 0 | 892 | 340 | 0 |
| Treated Water Pools | 956 | 0 | 1,273 | 0 | 516 | 317 | 0 |
| TOTAL Beaches And Pools | 2,591 | 0 | 3,145 | 0 | 1,468 | 554 | 0 |

CAPITAL PROJECT REPORT

as at the period ended 29 January 2016

| ASSET CLASS PROGRAMME | \$'000 | | \$'000 | | YTD EXPENDITURE | \$'000 | |
|--|----------------|---------------|----------------|---------------|-----------------|-------------|---------------|
| | CURRENT BUDGET | | WORKING BUDGET | | | VARIATION | |
| | EXPENDITURE | OTHER FUNDING | EXPENDITURE | OTHER FUNDING | | EXPENDITURE | OTHER FUNDING |
| Natural Areas | | | | | | | |
| Environmental Management Program | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Natural Area Management and Rehabilitation | 175 | (25) | 175 | (25) | 53 | (0) | 0 |
| TOTAL Natural Areas | 175 | (25) | 175 | (25) | 53 | (0) | 0 |
| Waste Facilities | | | | | | | |
| Whytes Gully New Cells | 2,112 | (2,112) | 2,645 | (2,645) | 745 | 532 | (532) |
| Whytes Gully Renewal Works | 300 | (300) | 300 | (300) | 40 | (0) | 0 |
| Helensburgh Rehabilitation | 547 | (547) | 184 | (184) | 61 | (363) | 363 |
| TOTAL Waste Facilities | 2,959 | (2,959) | 3,129 | (3,129) | 846 | 170 | (170) |
| Fleet | | | | | | | |
| Motor Vehicles | 1,748 | (1,130) | 1,748 | (1,130) | 301 | (0) | 0 |
| TOTAL Fleet | 1,748 | (1,130) | 1,748 | (1,130) | 301 | (0) | 0 |
| Plant And Equipment | | | | | | | |
| Portable Equipment (Mowers etc.) | 480 | (296) | 100 | (296) | 42 | (380) | (0) |
| Mobile Plant (trucks, backhoes etc.) | 2,021 | (221) | 2,701 | (221) | 329 | 680 | 0 |
| Fixed Equipment | 300 | 0 | 0 | 0 | 0 | (300) | 0 |
| TOTAL Plant And Equipment | 2,801 | (517) | 2,801 | (517) | 371 | (0) | 0 |
| Information Technology | | | | | | | |
| Information Technology | 895 | 0 | 895 | 0 | 138 | (0) | 0 |
| TOTAL Information Technology | 895 | 0 | 895 | 0 | 138 | (0) | 0 |
| Library Books | | | | | | | |
| Library Books | 1,150 | 0 | 1,150 | 0 | 893 | (0) | 0 |
| TOTAL Library Books | 1,150 | 0 | 1,150 | 0 | 893 | (0) | 0 |
| Public Art | | | | | | | |
| Public Art Works | 200 | 0 | 200 | 0 | 59 | (0) | 0 |
| Art Gallery Acquisitions | 110 | 0 | 110 | 0 | 87 | (0) | 0 |
| TOTAL Public Art | 310 | 0 | 310 | 0 | 146 | (0) | 0 |
| Emergency Services | | | | | | | |
| Emergency Services Plant and Equipment | 635 | 0 | 588 | 0 | 86 | (47) | 0 |
| TOTAL Emergency Services | 635 | 0 | 588 | 0 | 86 | (47) | 0 |
| Land Acquisitions | | | | | | | |
| Land Acquisitions | 3,270 | (2,825) | 3,320 | (2,825) | 433 | 50 | 0 |
| TOTAL Land Acquisitions | 3,270 | (2,825) | 3,320 | (2,825) | 433 | 50 | 0 |
| Non-Project Allocations | | | | | | | |
| Capital Project Contingency | 51 | 0 | 51 | 0 | 0 | (0) | 0 |
| Capital Project Plan | 530 | 0 | 480 | 0 | 204 | (50) | 0 |
| TOTAL Non-Project Allocations | 581 | 0 | 531 | 0 | 204 | (50) | 0 |
| Loans | | | | | | | |
| West Dapto Loan | 0 | (2,760) | 0 | (2,760) | 0 | 0 | 0 |
| TOTAL Loans | 0 | (2,760) | 0 | (2,760) | 0 | 0 | 0 |
| GRAND TOTAL | 90,528 | (39,189) | 89,883 | (38,545) | 34,245 | (644) | 644 |

WOLLONGONG CITY COUNCIL

| | | Actual 2015/16 \$'000 | Actual 2014/15 \$'000 |
|--|-----------|-----------------------------|-----------------------------|
| BALANCE SHEET | | | |
| | | as at 29/01/16 | as at 30/06/15 |
| CURRENT ASSETS | | | |
| Cash Assets | 132,734 | 124,611 | |
| Investment Securities | 17,501 | 11,046 | |
| Receivables | 19,107 | 22,108 | |
| Inventories | 6,030 | 6,040 | |
| Other | 5,733 | 4,313 | |
| Total Current Assets | 181,106 | 168,118 | |
| NON-CURRENT ASSETS | | | |
| Non Current Cash Assets | 9,000 | 9,000 | |
| Property, Plant and Equipment | 2,247,668 | 2,251,345 | |
| Investment Properties | 2,750 | 2,750 | |
| Westpool Equity Contribution | 1,159 | 1,159 | |
| Intangible Assets | 906 | 1,219 | |
| Total Non-Current Assets | 2,261,483 | 2,265,474 | |
| TOTAL ASSETS | 2,442,589 | 2,433,592 | |
| CURRENT LIABILITIES | | | |
| Current Payables | 24,243 | 29,868 | |
| Current Provisions payable < 12 months | 16,501 | 16,790 | |
| Current Provisions payable > 12 months | 34,871 | 34,871 | |
| Current Interest Bearing Liabilities | 6,369 | 6,369 | |
| Total Current Liabilities | 81,983 | 87,899 | |
| NON-CURRENT LIABILITIES | | | |
| Non Current Interest Bearing Liabilities | 35,729 | 39,758 | |
| Non Current Provisions | 43,606 | 42,554 | |
| Total Non-Current Liabilities | 79,335 | 82,312 | |
| TOTAL LIABILITIES | 161,319 | 170,210 | |
| NET ASSETS | 2,281,270 | 2,263,381 | |
| EQUITY | | | |
| Accumulated Surplus | 1,134,997 | 1,132,670 | |
| Asset Revaluation Reserve | 1,011,065 | 1,011,064 | |
| Restricted Assets | 135,208 | 119,648 | |
| TOTAL EQUITY | 2,281,270 | 2,263,381 | |

| WOLLONGONG CITY COUNCIL | | |
|---|----------------------------------|------------------------------|
| CASH FLOW STATEMENT | | |
| as at 29 January 2016 | | |
| | YTD Actual 2015/16 \$ '000 | Actual 2014/15 \$ '000 |
| CASH FLOWS FROM OPERATING ACTIVITIES | | |
| Receipts: | | |
| Rates & Annual Charges | 100,776 | 166,562 |
| User Charges & Fees | 22,934 | 33,505 |
| Interest & Interest Received | 3,252 | 5,789 |
| Grants & Contributions | 34,378 | 54,189 |
| Other | 7,421 | 23,908 |
| Payments: | | |
| Employee Benefits & On-costs | (55,581) | (92,705) |
| Materials & Contracts | (26,773) | (58,052) |
| Borrowing Costs | (915) | (1,311) |
| Other | (25,457) | (42,795) |
| Net Cash provided (or used in) Operating Activities | 60,035 | 89,090 |
| CASH FLOWS FROM INVESTING ACTIVITIES | | |
| Receipts: | | |
| Sale of Infrastructure, Property, Plant & Equipment | 352 | 12,570 |
| Deferred Debtors Receipts | - | 10 |
| Payments: | | |
| Purchase of Investments | - | - |
| Purchase of Investment Property | - | - |
| Purchase of Infrastructure, Property, Plant & Equipment | (41,191) | (85,072) |
| Purchase of Interests in Joint Ventures & Associates | - | - |
| Net Cash provided (or used in) Investing Activities | (40,839) | (72,492) |
| CASH FLOWS FROM FINANCING ACTIVITIES | | |
| Receipts: | | |
| Proceeds from Borrowings & Advances | - | 15,000 |
| Payments: | | |
| Repayment of Borrowings & Advances | (4,617) | (5,244) |
| Repayment of Finance Lease Liabilities | - | - |
| Net Cash Flow provided (used in) Financing Activities | (4,617) | 9,756 |
| Net Increase/(Decrease) in Cash & Cash Equivalents | 14,579 | 281 |
| plus: Cash & Cash Equivalents and Investments - beginning of year | 144,656 | 144,375 |
| Cash & Cash Equivalents and Investments - year to date | 159,235 | 144,656 |

| WOLLONGONG CITY COUNCIL | | |
|---|----------------------------------|------------------------------|
| CASH FLOW STATEMENT | | |
| as at 29 January 2016 | | |
| | YTD Actual 2015/16 \$ '000 | Actual 2014/15 \$ '000 |
| Total Cash & Cash Equivalents and Investments - year to date | 159,235 | 144,656 |
| Attributable to: | | |
| External Restrictions (refer below) | 81,642 | 66,137 |
| Internal Restrictions (refer below) | 53,567 | 22,208 |
| Unrestricted | 24,026 | 56,311 |
| | 159,235 | 144,656 |
| External Restrictions | | |
| Developer Contributions | 18,022 | 11,758 |
| RMS Contributions | 389 | 238 |
| Specific Purpose Unexpended Grants | 6,573 | 10,910 |
| Special Rates Levy Wollongong Centre Improvement Fund | - | - |
| Special Rates Levy Wollongong Mall | 133 | 251 |
| Special Rates Levy Wollongong City Centre | 6 | 11 |
| Local Infrastructure Renewal Scheme | 20,072 | 18,791 |
| Unexpended Loans | 7,133 | 12,877 |
| Domestic Waste Management | 9,525 | 6,408 |
| Private Subsidies | 4,749 | 1,883 |
| West Dapto Home Deposit Assistance Program | 9,666 | - |
| Stormwater Management Service Charge | 910 | 834 |
| West Dapto Home Deposits Issued | 85 | - |
| Carbon Price | 4,379 | 2,176 |
| Total External Restrictions | 81,642 | 66,137 |
| Internal Restrictions | | |
| Property Development | 4,122 | (252) |
| Property Investment Fund | 8,032 | - |
| Strategic Projects | 21,325 | - |
| Future Projects | 6,661 | - |
| Sports Priority Program | 618 | 850 |
| Car Parking Strategy | 621 | 489 |
| MacCabe Park Development | 778 | 391 |
| Darcy Wentworth Park | 184 | 99 |
| Garbage Disposal Facility | 10,182 | 20,281 |
| Telecommunications Revenue | 138 | 279 |
| West Dapto Development Additional Rates | 435 | 71 |
| Southern Phone Natural Areas | 343 | - |
| Lake Illawarra Estuary Management Fund | 128 | - |
| Total Internal Restrictions | 53,567 | 22,208 |

| WOLLONGONG CITY COUNCIL STATEMENT OF INVESTMENTS 29 January 2016 | | | | | | | | |
|--|------------|-------------------|--------------------------|---------------|-------------------------|-------------------|------------------------|--|
| DIRECT INVESTMENTS | | | | | | | | |
| Investment Body | Rating | Purchase Price \$ | Fair Value of Holding \$ | Security | Purchase Date | Maturity Date | Interest / Coupon Rate | |
| NAB Professional Maximiser | A-1+ | - | 14,983,418 | 11am | 29/01/2016 | 29/01/2016 | 2.05% | |
| BankWest | A-1+ | 1,000,000 | 1,000,000 | T/Deposit | 7/08/2015 | 3/02/2016 | 2.85% | |
| ME Bank | A-2 | 2,500,000 | 2,500,000 | T/Deposit | 21/09/2015 | 18/02/2016 | 2.80% | |
| ME Bank | A-2 | 1,000,000 | 1,000,000 | T/Deposit | 28/10/2015 | 25/02/2016 | 2.90% | |
| Bank of Queensland | A-2 | 2,000,000 | 2,000,000 | T/Deposit | 27/02/2014 | 26/02/2016 | 4.05% | |
| NAB | A-1+ | 4,000,000 | 4,000,000 | T/Deposit | 27/02/2014 | 29/02/2016 | 4.13% | |
| Bank of Queensland | A-2 | 2,000,000 | 2,000,000 | T/Deposit | 11/09/2015 | 10/03/2016 | 2.90% | |
| SUN Corp | A-1+ | 2,000,000 | 2,000,000 | T/Deposit | 11/09/2015 | 14/03/2016 | 2.91% | |
| ME Bank | A-2 | 2,000,000 | 2,000,000 | T/Deposit | 18/02/2015 | 18/03/2016 | 3.20% | |
| CBA | A-1+ | 1,000,000 | 1,000,000 | T/Deposit | 28/08/2015 | 24/03/2016 | 2.79% | |
| CBA | A-1+ | 3,000,000 | 3,000,000 | T/Deposit | 26/03/2015 | 24/03/2016 | 2.95% | |
| NAB | A-1+ | 2,000,000 | 2,000,000 | T/Deposit | 30/11/2015 | 30/03/2016 | 2.91% | |
| BankWest | A-1+ | 1,000,000 | 1,000,000 | T/Deposit | 6/10/2015 | 4/04/2016 | 2.85% | |
| BankWest | A-1+ | 1,000,000 | 1,000,000 | T/Deposit | 5/11/2015 | 5/04/2016 | 2.80% | |
| NAB | A-1+ | 2,000,000 | 2,000,000 | T/Deposit | 18/09/2015 | 18/04/2016 | 2.99% | |
| SUN Corp | A-1+ | 1,000,000 | 1,000,000 | T/Deposit | 24/09/2015 | 21/04/2016 | 2.90% | |
| BankWest | A-1+ | 1,000,000 | 1,000,000 | T/Deposit | 31/07/2015 | 27/04/2016 | 2.90% | |
| BankWest | A-1+ | 2,000,000 | 2,000,000 | T/Deposit | 27/11/2015 | 27/04/2016 | 3.00% | |
| IMB | A-2 | 2,000,000 | 2,000,000 | T/Deposit | 28/05/2015 | 28/04/2016 | 2.80% | |
| CBA | A-1+ | 3,000,000 | 3,000,000 | T/Deposit | 9/10/2015 | 6/05/2016 | 2.84% | |
| CBA | A-1+ | 2,000,000 | 2,000,000 | T/Deposit | 10/11/2015 | 9/05/2016 | 2.89% | |
| Westpac | A-1+ | 1,000,000 | 1,009,880 | FRN | 30/01/2012 | 9/05/2016 | 3.27% | |
| NAB | A-1+ | 2,000,000 | 2,000,000 | T/Deposit | 24/09/2015 | 24/05/2016 | 2.97% | |
| SUN Corp | A-1+ | 1,500,000 | 1,500,000 | T/Deposit | 24/09/2015 | 24/05/2016 | 2.85% | |
| BEN | A-2 | 3,000,000 | 3,000,000 | T/Deposit | 4/01/2016 | 1/06/2016 | 2.75% | |
| CBA | A-1+ | 2,000,000 | 2,000,000 | T/Deposit | 11/09/2015 | 7/06/2016 | 2.86% | |
| IMB | A-2 | 2,000,000 | 2,000,000 | T/Deposit | 11/09/2015 | 10/06/2016 | 2.80% | |
| Bank of Queensland | A-2 | 3,000,000 | 3,000,000 | T/Deposit | 16/09/2015 | 16/06/2016 | 2.80% | |
| Bank of Queensland | A-2 | 3,000,000 | 3,000,000 | T/Deposit | 23/09/2015 | 23/06/2016 | 2.93% | |
| IMB | A-2 | 1,000,000 | 1,000,000 | T/Deposit | 28/08/2015 | 1/07/2016 | 2.80% | |
| CBA | A-1+ | 2,000,000 | 2,000,000 | T/Deposit | 27/11/2015 | 25/07/2016 | 2.95% | |
| BankWest | A-1+ | 2,000,000 | 2,000,000 | T/Deposit | 31/07/2015 | 29/07/2016 | 2.90% | |
| ANZ | A-1+ | 2,500,000 | 2,500,000 | T/Deposit | 6/08/2015 | 6/08/2016 | 3.06% | |
| NAB | A-1+ | 2,500,000 | 2,500,000 | T/Deposit | 6/08/2014 | 8/08/2016 | 3.74% | |
| CBA | A-1+ | 2,000,000 | 2,000,000 | T/Deposit | 11/09/2015 | 9/08/2016 | 2.85% | |
| CBA | A-1+ | 2,000,000 | 2,000,000 | T/Deposit | 27/02/2015 | 22/08/2016 | 3.05% | |
| ME Bank | A-2 | 2,500,000 | 2,500,000 | T/Deposit | 27/02/2015 | 22/08/2016 | 2.90% | |
| IMB | A-2 | 2,000,000 | 2,000,000 | T/Deposit | 11/09/2015 | 12/09/2016 | 2.80% | |
| ME | A-2 | 3,000,000 | 3,000,000 | T/Deposit | 18/01/2016 | 18/09/2016 | 3.10% | |
| ME | A-2 | 2,000,000 | 2,000,000 | T/Deposit | 18/01/2016 | 18/09/2016 | 3.10% | |
| CBA | A-1+ | 1,000,000 | 1,000,000 | T/Deposit | 23/12/2015 | 19/09/2016 | 2.97% | |
| STG | A-1+ | 1,000,000 | 1,000,000 | T/Deposit | 23/12/2015 | 19/09/2016 | 2.87% | |
| WBC | A-1+ | 2,000,000 | 2,000,000 | T/Deposit | 24/04/2015 | 19/10/2016 | 2.90% | |
| Bendigo Bank | A-2 | 1,500,000 | 1,500,000 | T/Deposit | 26/10/2015 | 25/10/2016 | 2.90% | |
| Bendigo Bank | A-2 | 2,000,000 | 2,000,000 | T/Deposit | 29/09/2015 | 28/10/2016 | 3.00% | |
| CBA | A-1+ | 2,000,000 | 2,000,000 | T/Deposit | 23/12/2015 | 17/11/2016 | 2.97% | |
| NAB | A-1+ | 2,000,000 | 2,000,000 | T/Deposit | 18/01/2016 | 18/11/2016 | 3.01% | |
| BWest | A-1+ | 1,000,000 | 1,000,000 | T/Deposit | 7/12/2015 | 6/12/2016 | 2.90% | |
| NAB | A-1+ | 1,030,000 | 1,030,000 | T/Deposit | 17/12/2015 | 19/12/2016 | 3.03% | |
| Bendigo Bank | A-2 | 2,000,000 | 2,000,000 | T/Deposit | 29/09/2015 | 22/12/2016 | 3.05% | |
| BWest | A-1+ | 2,000,000 | 2,000,000 | T/Deposit | 23/12/2015 | 22/12/2016 | 3.00% | |
| BWest | A-1+ | 1,000,000 | 1,000,000 | T/Deposit | 4/01/2016 | 3/01/2017 | 3.00% | |
| ME | A-2 | 2,000,000 | 2,000,000 | T/Deposit | 17/12/2015 | 16/01/2017 | 3.05% | |
| SUN | A-1+ | 2,000,000 | 2,000,000 | T/Deposit | 23/12/2015 | 23/01/2017 | 3.00% | |
| ANZ | A-1+ | 3,000,000 | 3,000,000 | T/Deposit | 31/07/2015 | 31/01/2017 | 2.74% | |
| BOQ | A-2 | 2,000,000 | 2,000,000 | T/Deposit | 4/01/2016 | 3/02/2017 | 2.95% | |
| IMB | A-2 | 2,000,000 | 2,000,000 | T/Deposit | 28/08/2015 | 28/02/2017 | 2.80% | |
| NAB | A-1+ | 1,500,000 | 1,500,000 | T/Deposit | 31/08/2015 | 28/02/2017 | 2.78% | |
| Bendigo Bank | A-2 | 1,000,000 | 1,000,000 | T/Deposit | 11/09/2015 | 13/03/2017 | 2.90% | |
| St George | A-1+ | 1,500,000 | 1,500,000 | T/Deposit | 27/11/2015 | 25/05/2017 | 2.81% | |
| SUN Corp | A-1+ | 1,500,000 | 1,500,000 | T/Deposit | 27/11/2015 | 26/05/2017 | 2.81% | |
| ME | A-2 | 1,000,000 | 1,000,000 | T/Deposit | 23/12/2015 | 15/06/2017 | 3.15% | |
| Bendigo Bank | A-2 | 2,000,000 | 2,000,000 | T/Deposit | 31/07/2015 | 31/07/2017 | 3.00% | |
| IMB | A-2 | 5,000,000 | 5,000,000 | T/Deposit | 30/07/2015 | 31/07/2017 | 2.80% | |
| Bank of Queensland | A-2 | 3,000,000 | 3,000,000 | T/Deposit | 28/08/2015 | 28/08/2017 | 2.80% | |
| Bendigo Bank | A-2 | 1,000,000 | 1,000,000 | T/Deposit | 11/09/2015 | 11/09/2017 | 2.95% | |
| Commonwealth Bank Australia zero coupon bond with a \$4M face value | A-1+ | 2,000,000 | 3,690,357 | BOND | 21/01/2008 | 22/01/2018 | | |
| CBA | A-1+ | 1,000,000 | 1,000,080 | FRN | 19/10/2015 | 19/10/2018 | 2.90% | |
| Bendigo Bank | A-2 | 1,000,000 | 996,250 | FRN | 16/09/2015 | 17/09/2019 | 3.10% | |
| NAB | A-1+ | 3,000,000 | 2,981,280 | FRN | 24/06/2015 | 3/06/2020 | 2.94% | |
| Bendigo Bank | A-2 | 2,000,000 | 2,000,800 | FRN | 18/08/2015 | 18/08/2020 | 3.22% | |
| SUN Corp | A-1+ | 1,500,000 | 1,499,370 | FRN | 20/10/2015 | 20/10/2020 | 3.40% | |
| ANZ | A-1+ | 1,000,000 | 1,006,340 | FRN | 5/11/2015 | 5/11/2020 | 3.28% | |
| EMERALD A Mortgage Backed Security * | AAA | 700,707 | 551,779 | M/Bac | 17/07/2006 | 22/08/2022 | 2.58% | |
| EMERALD B Mortgage Backed Security * | AA | 2,000,000 | 1,346,020 | M/Bac | 17/07/2006 | 23/08/2027 | 2.88% | |
| 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 | 1,652,463 | 13/06/2007 | -4.41% | -45.98% | -7.10% | |
| Investment Body | Face Value | | Security | | | | | |
| Southern Phone Company | | 2 | | shares | | | | |
| TOTAL | | | \$ | 157,248,038 | | | | |

* 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

Investment Income Compared to Budget 2015-2016



Development Applications approved with variations to development standards for the quarterly period between 1 October 2015 and 31 December 2015

| | | | | |
|-------------|---|--|---------------|---|
| Application | DA-2015/95 | | | |
| Lots | A DP 932017, 2 DP 505687, 1 DP 505687, B 932017 | | Zone | B2 Local Centre |
| Address | 1-5 Stuart Street and 4 Club Lane, HELENSBURGH NSW 2508 | | | |
| Description | Commercial/Residential - mixed use development and subdivision - three (3) lots | | | |
| Decision | Approved | | Decision Date | 13 October 2015 |
| Variations | Planning Instrument | WLEP 2009 | Clause | c7.13 Excludes residential accommodation on ground floor development in business zone |
| | Justification of variation | <p>The inclusion of ground floor residential units within the business zone is considered to be reasonable in this instance. It has been sufficiently demonstrated that the proposal will not result in unreasonable adverse impacts on surrounding properties, nor is it inconsistent with the zone objectives. Lane 11 and Club Lane are not required to have active street frontages under the Helensburgh Town Centre Plan and there is no strategic plan for either to activate the street frontage into the future. At present Club Lane and Lane 11 do not have a distinct streetscape in the immediate vicinity of the subject site and both carriageways act as a rear access lane to service the residential component of 20 Walker Street and No.s 9, 11 and 15 Stuart Street.</p> <p>The application was referred to IHAP on 16 September 2015. IHAP concurred with the Council Officer's report recommendation.</p> | | |
| | Extent of variation | Residential units included on ground floor of building addressing service lane Club Lane in B2 Zone. | | |

| | | | | |
|-------------|--|--|------------------------|-------------------------------|
| Application | DA-2015/639 | | | |
| Lot | B DP 345709 | Zone | R1 General Residential | |
| Address | 10 Pleasant Avenue, NORTH WOLLONGONG NSW 2500 | | | |
| Description | Residential - Demolition of existing structures and construction of a 5 storey residential flat building over 2 levels of basement parking | | | |
| Decision | Approved | | Decision Date | 15 December 2015 |
| Variations | Planning Instrument | WLEP 2009 | Clause | c7.14, 24m minimum site width |
| | Justification of variation | It is considered that the proposed development has been designed appropriately with regard to the site constraints and is unlikely to result in significant adverse impacts on the character or amenity of the surrounding area. Only the southern portion of the land does not achieve the minimum site width, and a better built outcome would not be achieved if this portion was excluded from the development. The application was referred to IHAP on 21 October 2015. IHAP recommended the application be approved, subject to minor design changes. The proposal was amended in line with IHAP recommendation and approved. | | |
| | Extent of variation | The site has frontage of 13.71m to Pleasant Avenue, expanding to a 30.17m rear boundary. | | |

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:

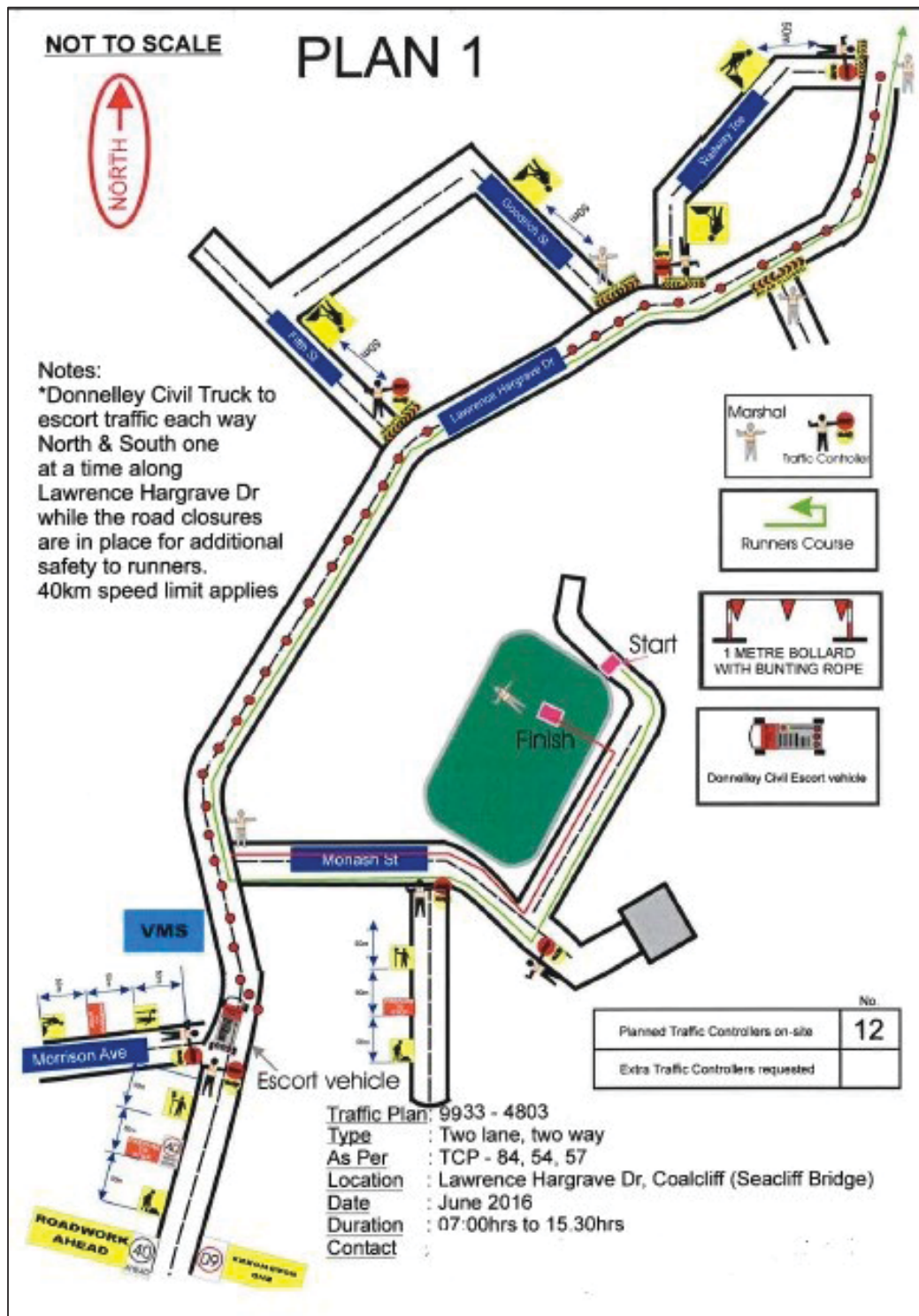
- ☒ **Completed Council Form:**
'Application to Open and Occupy or Underbore a Roadway or Footpath'.

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.

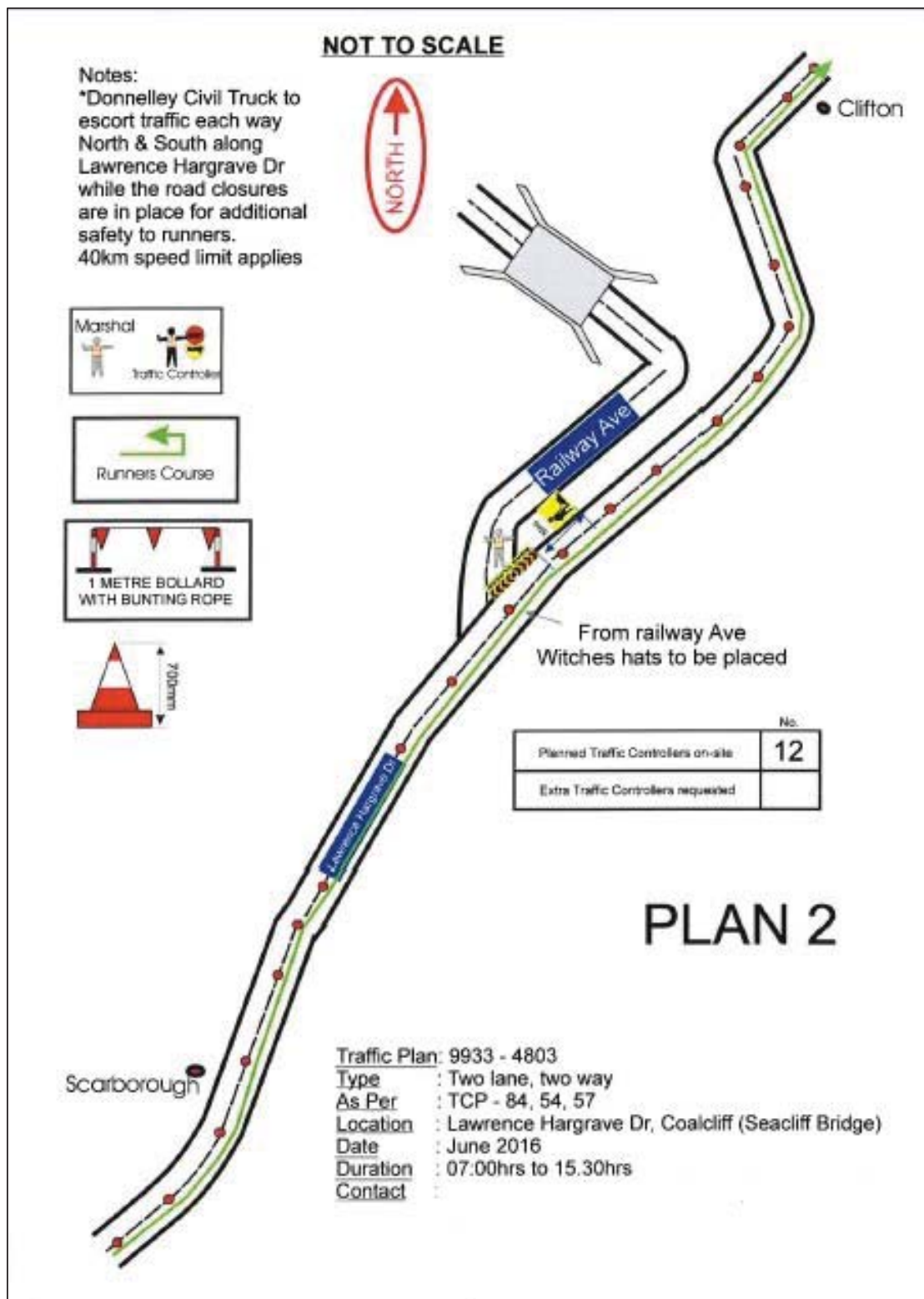
Attachment 2 – 'Seacliff Half' Marathon Event – 1 of 5



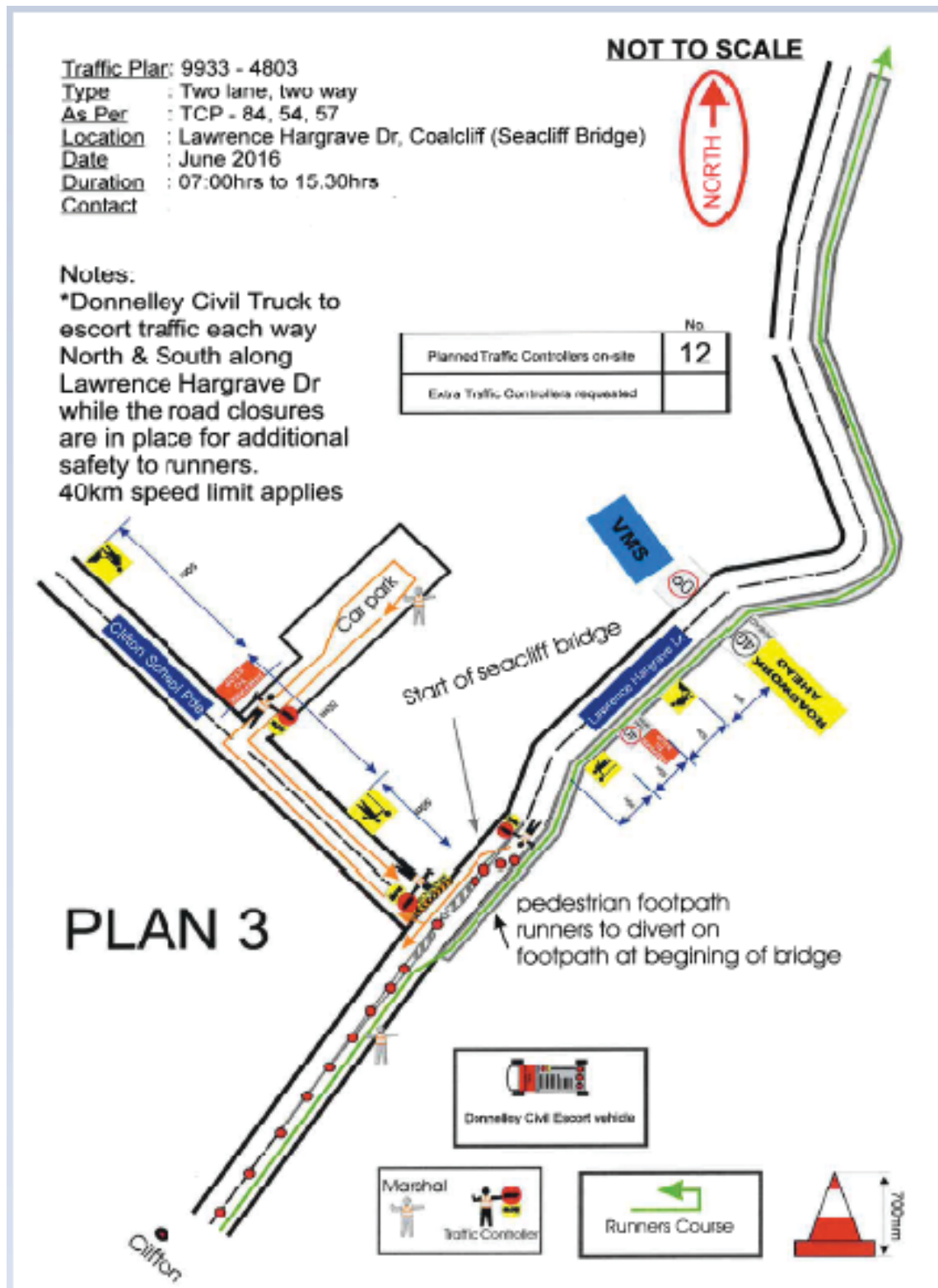
Attachment 2 – 'Seacliff Half' Marathon Event – 2 of 5



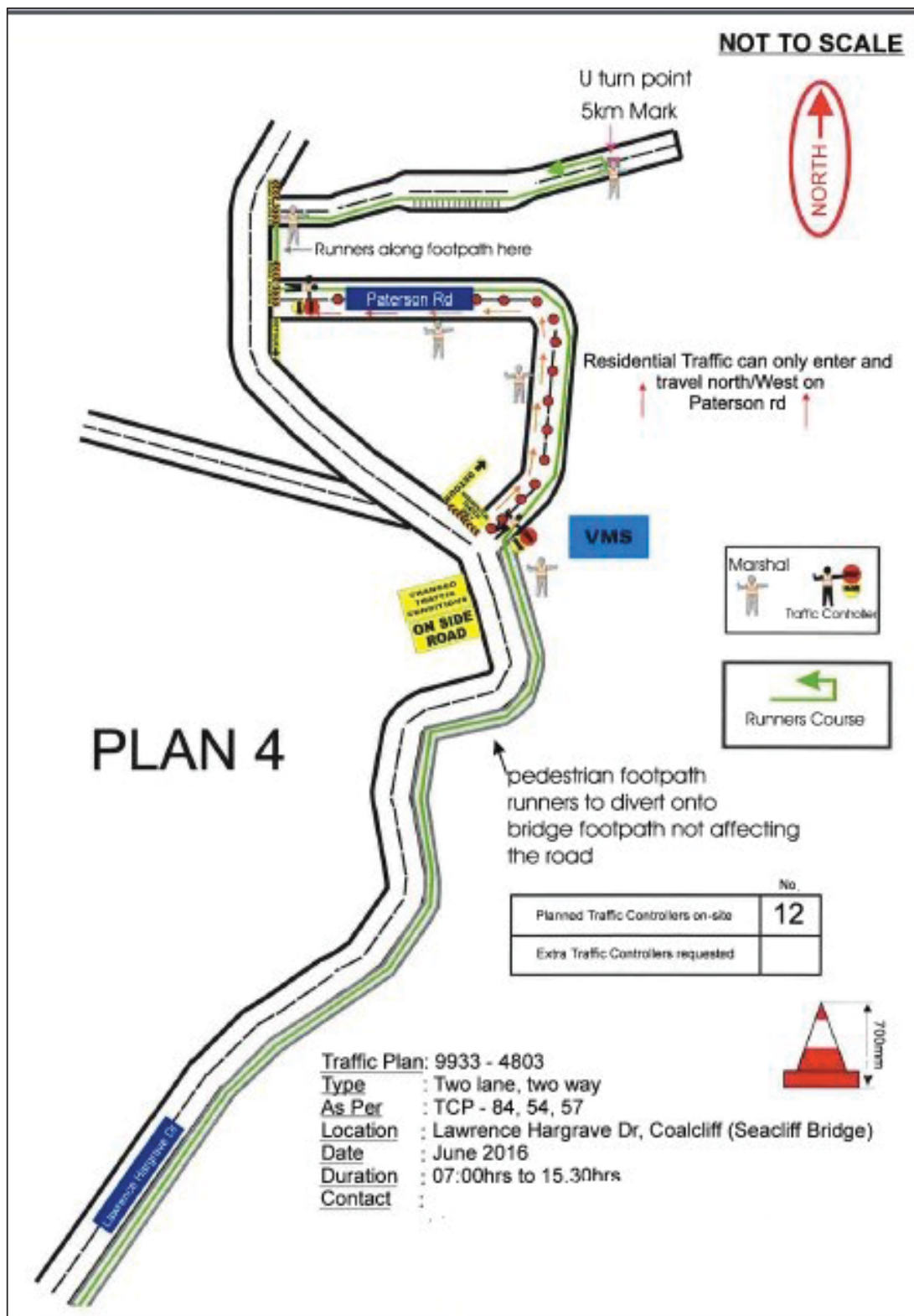
Attachment 2 – 'Seacliff Half' Marathon Event – 3 of 5



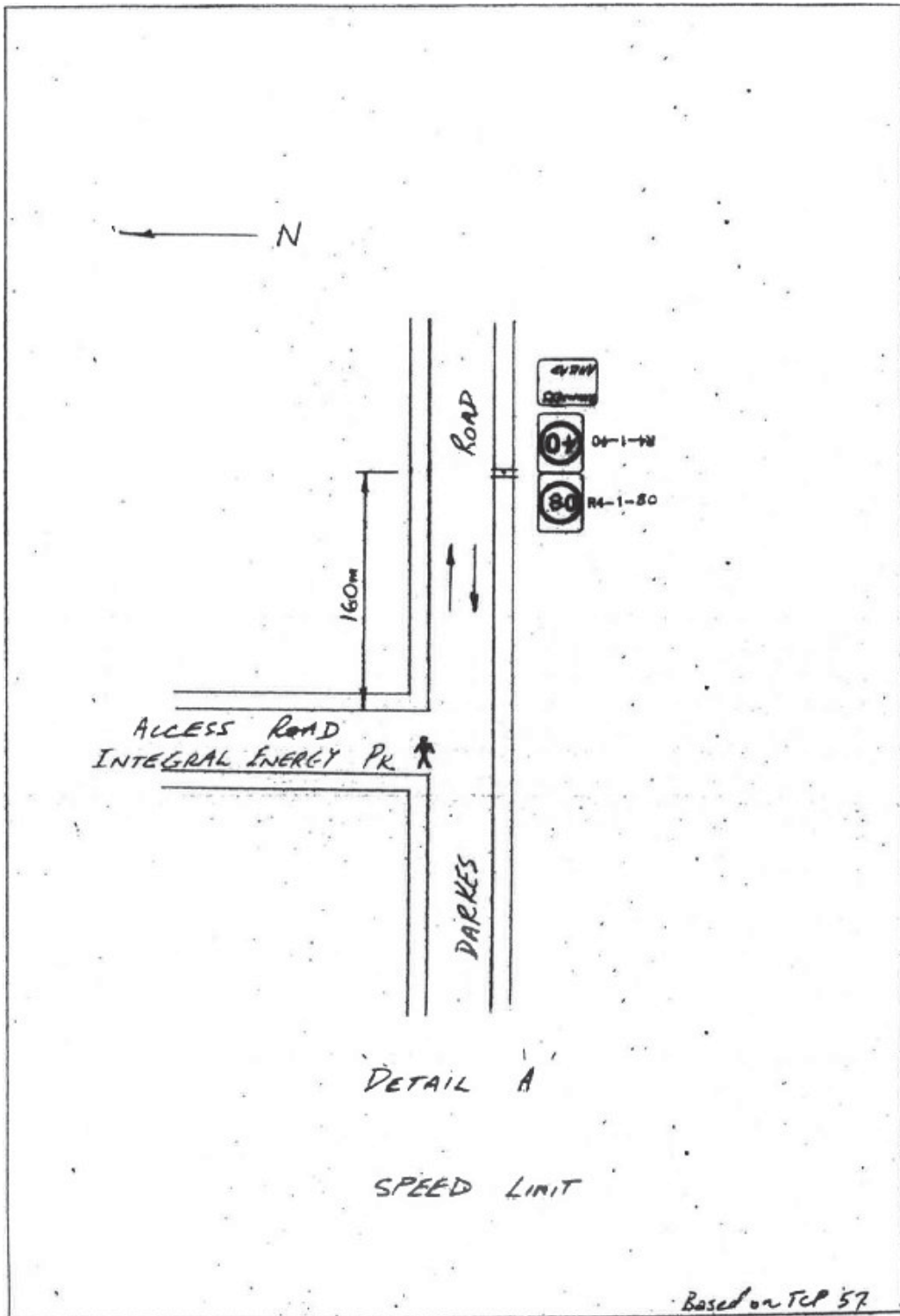
Attachment 2 – 'Seacliff Half' Marathon Event – 4 of 5



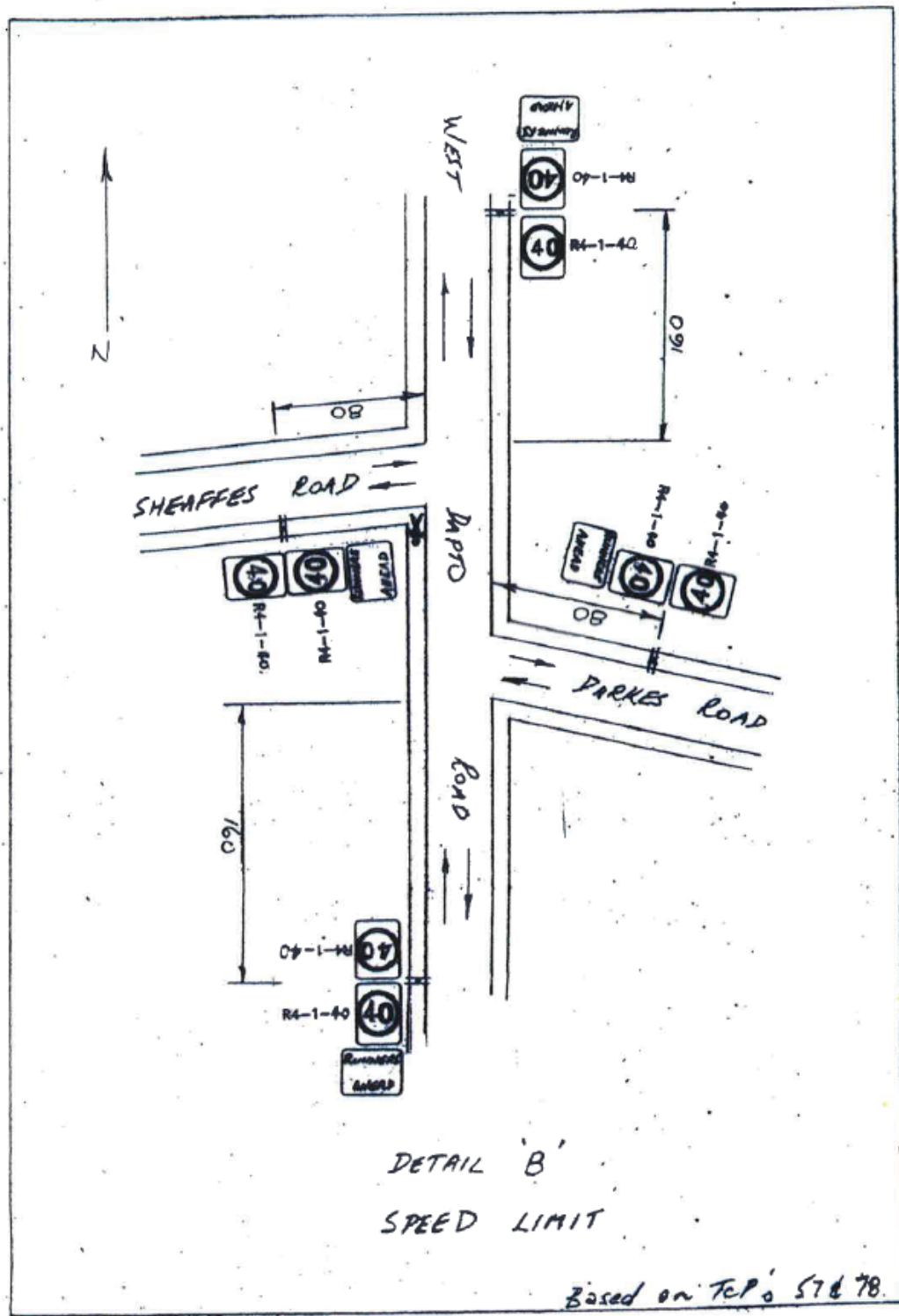
Attachment 2 – 'Seacliff Half' Marathon Event – 5 of 5



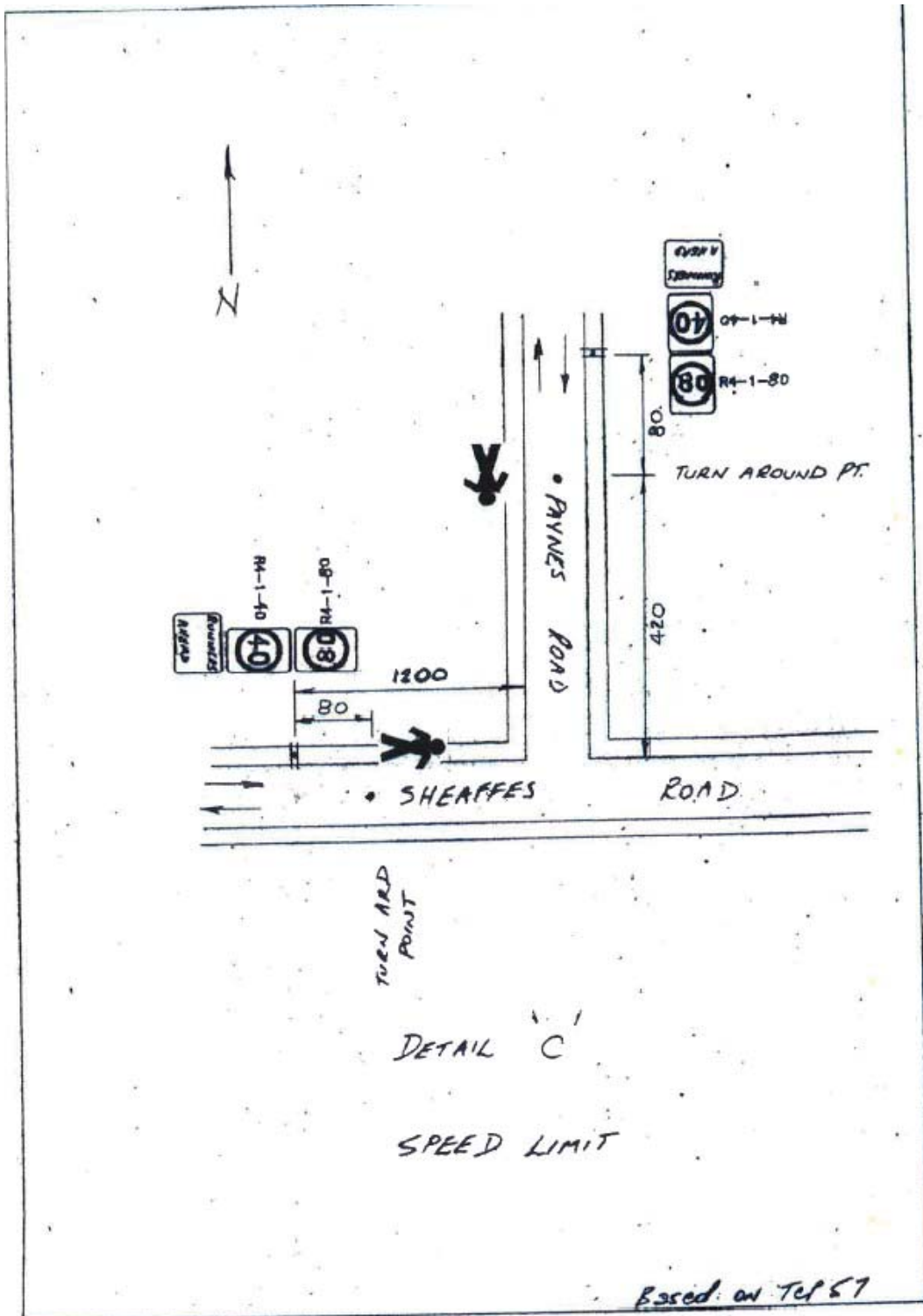
Attachment 3 – Kembla Joggers Winter Series – 1 of 14



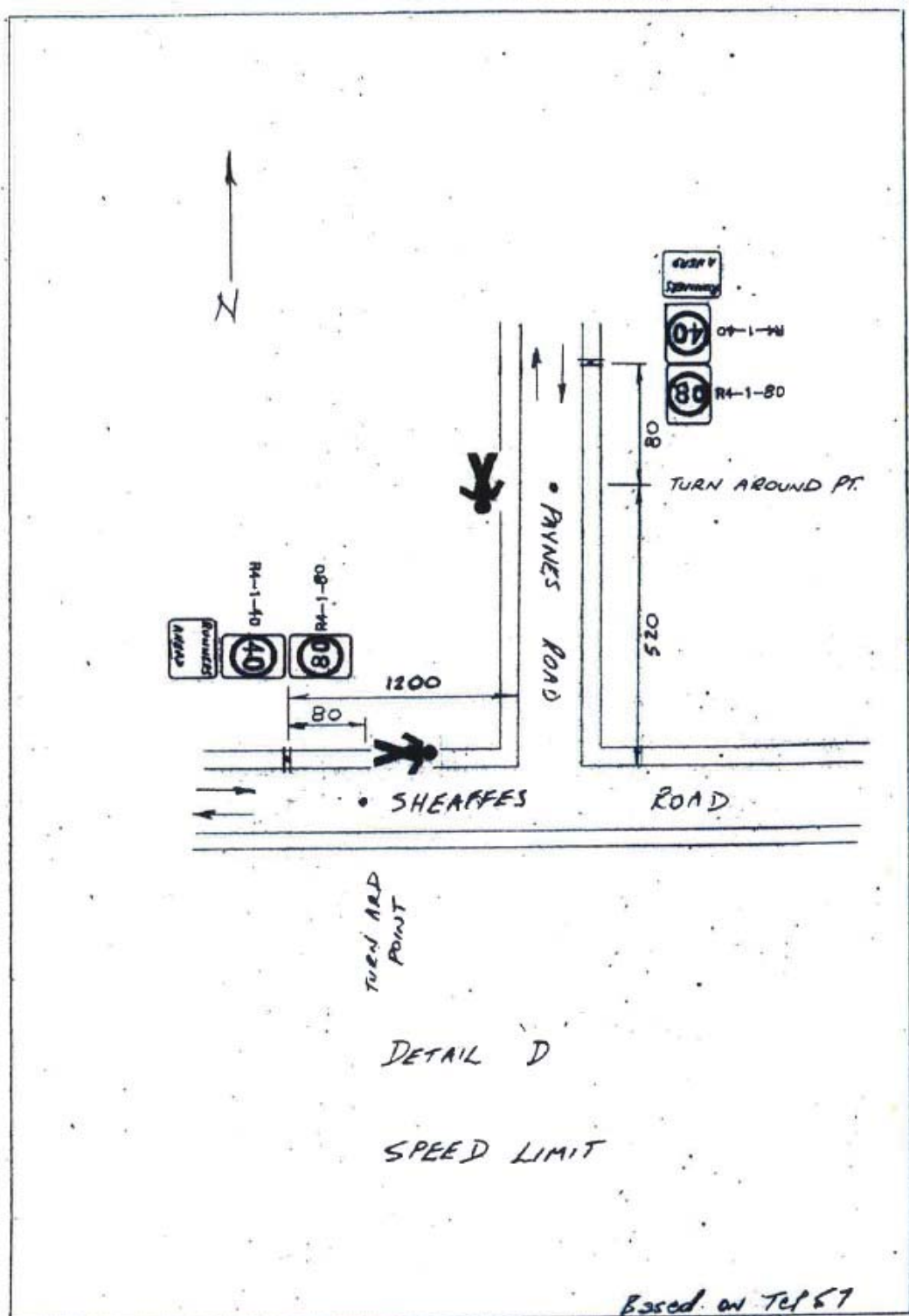
Attachment 3 – Kembla Joggers Winter Series – 2 of 14



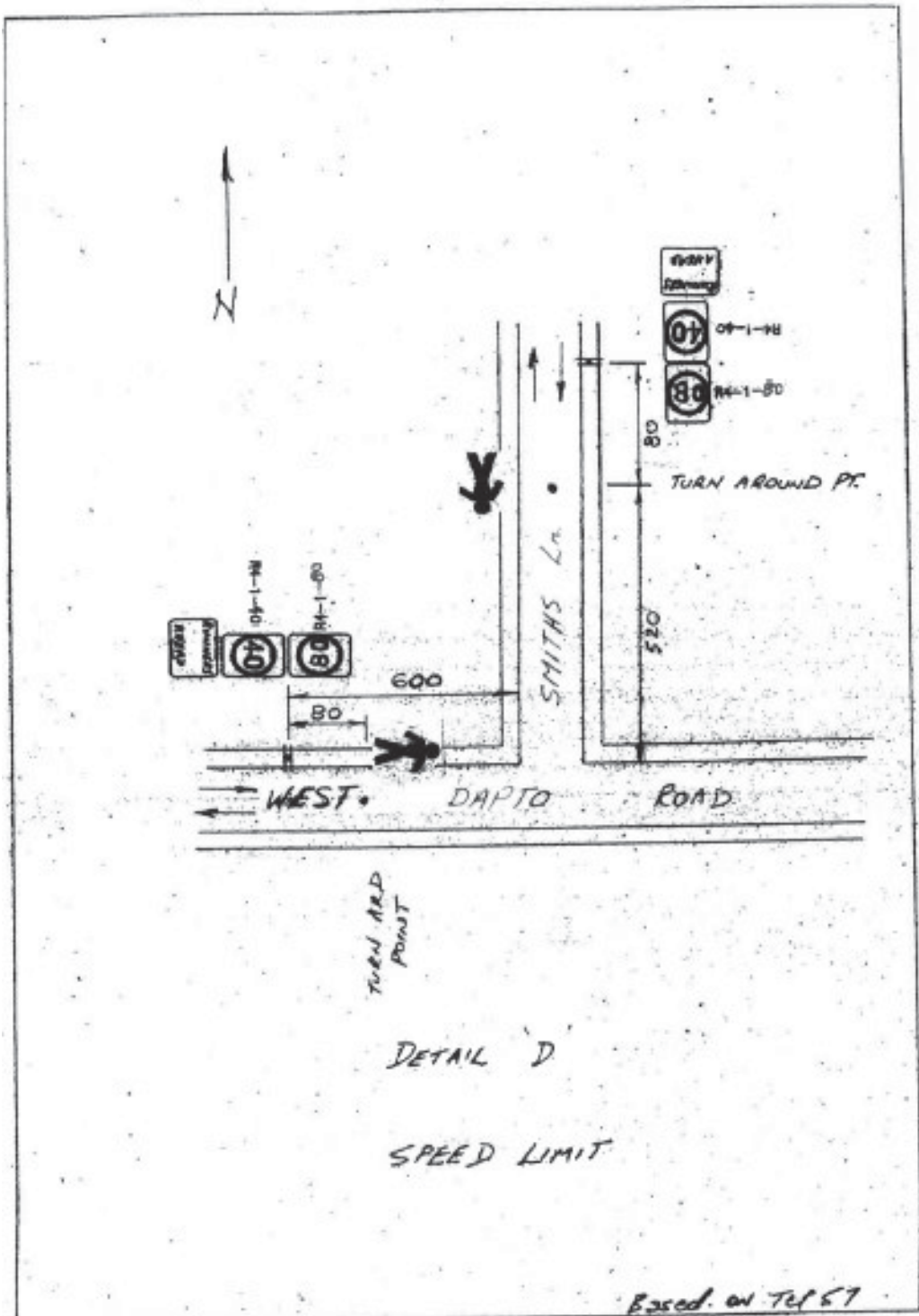
Attachment 3 – Kembla Joggers Winter Series – 3 of 14



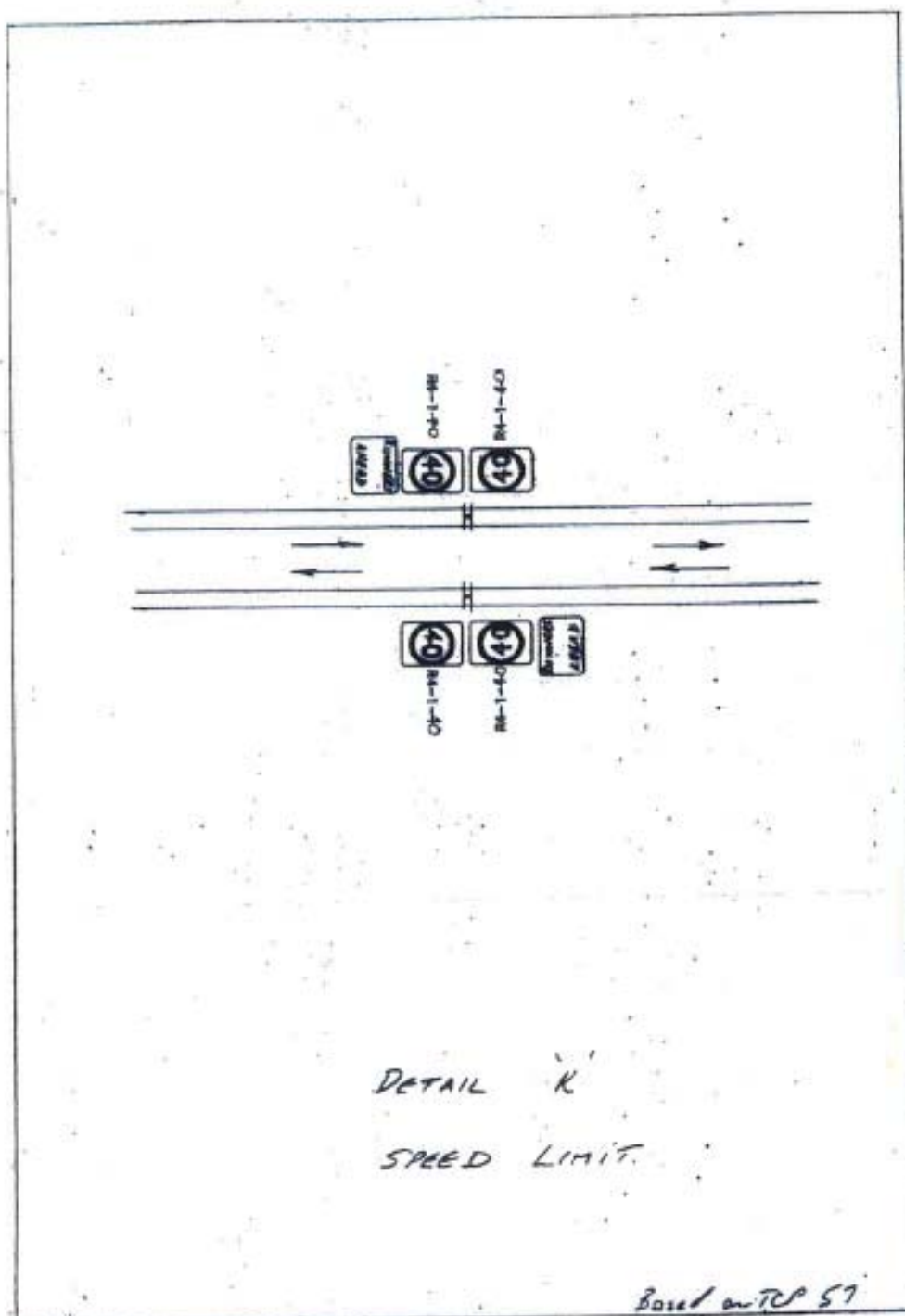
Attachment 3 – Kembla Joggers Winter Series – 4 of 14



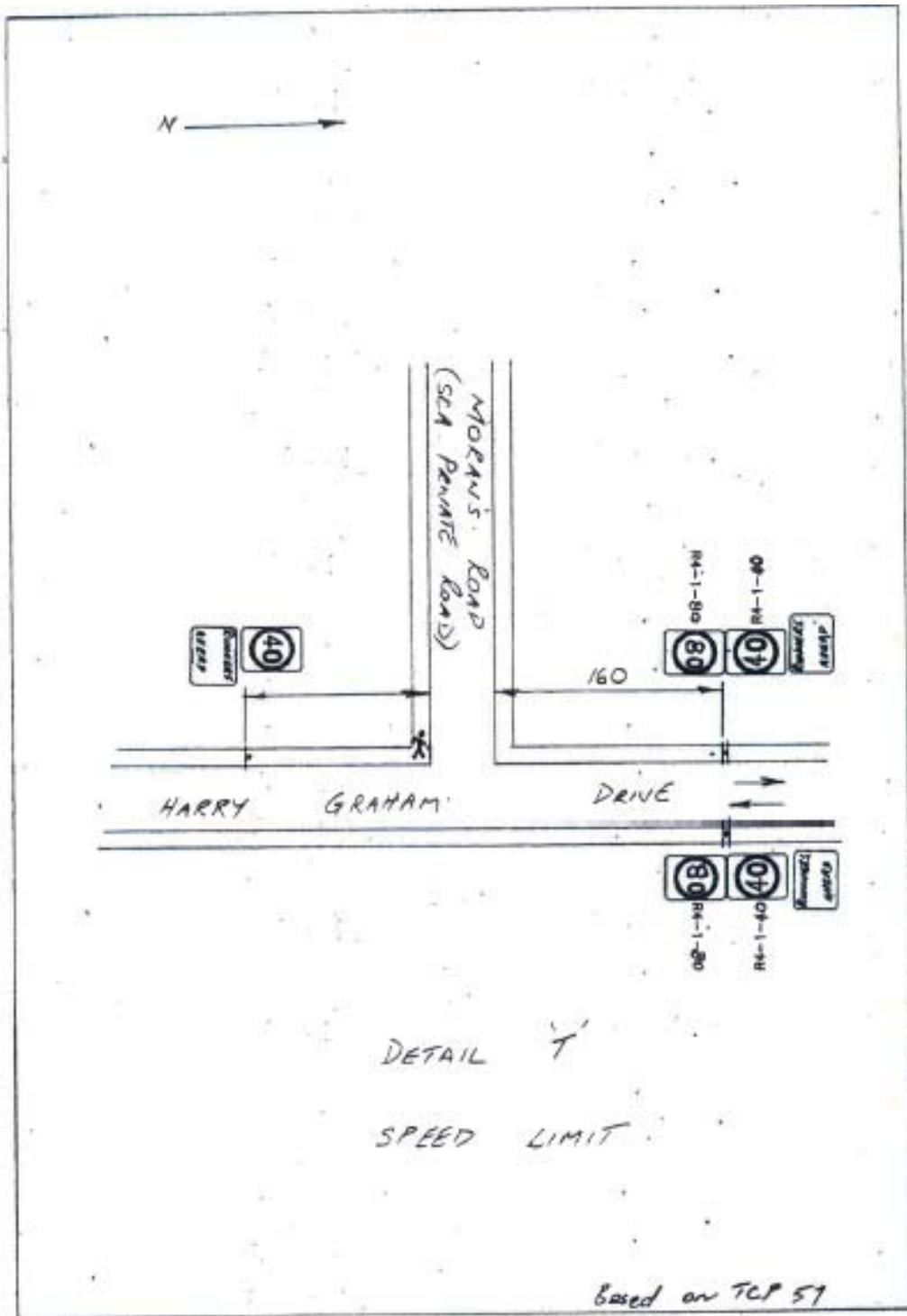
Attachment 3 – Kembla Joggers Winter Series – 5 of 14



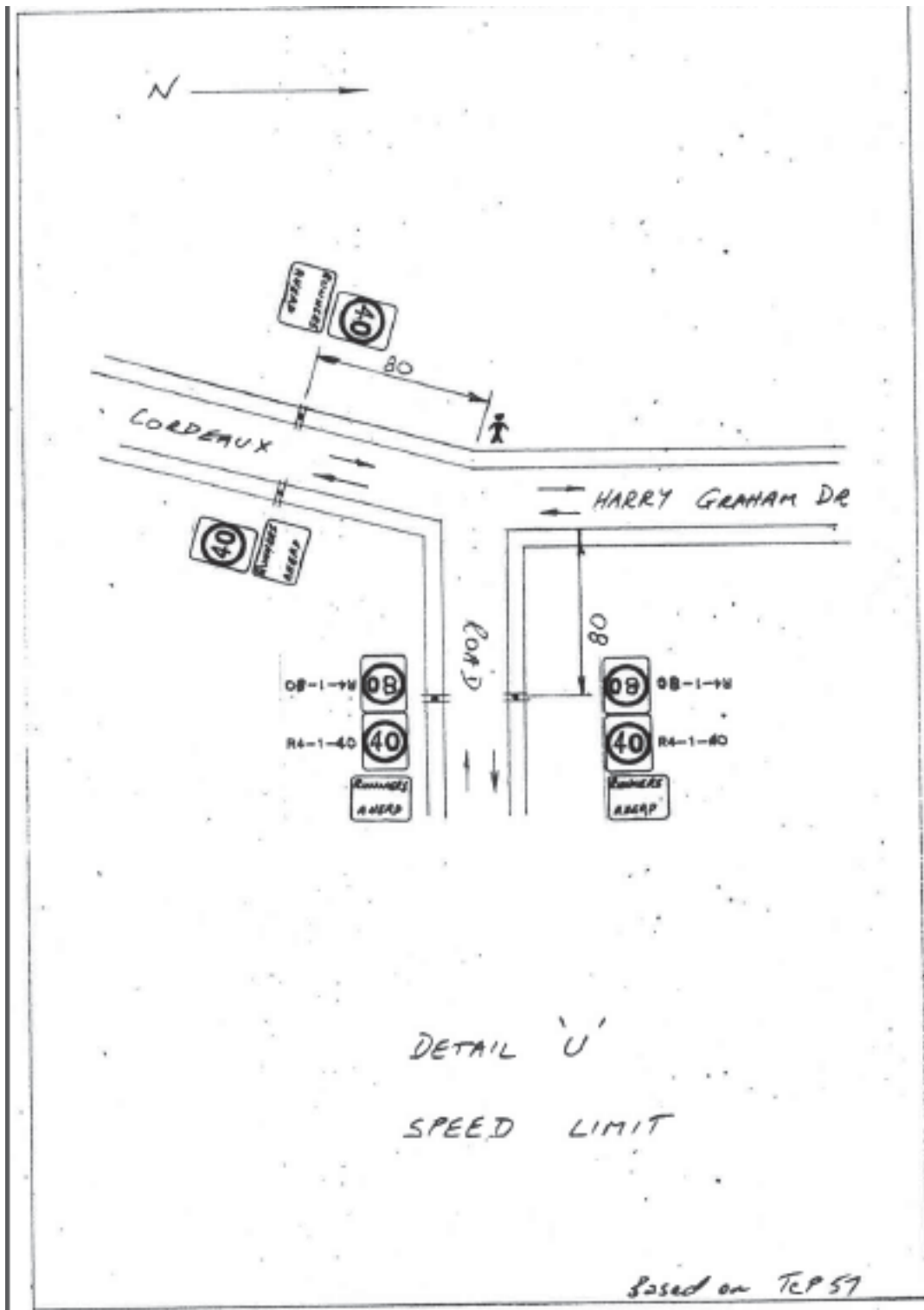
Attachment 3 – Kembla Joggers Winter Series – 6 of 14



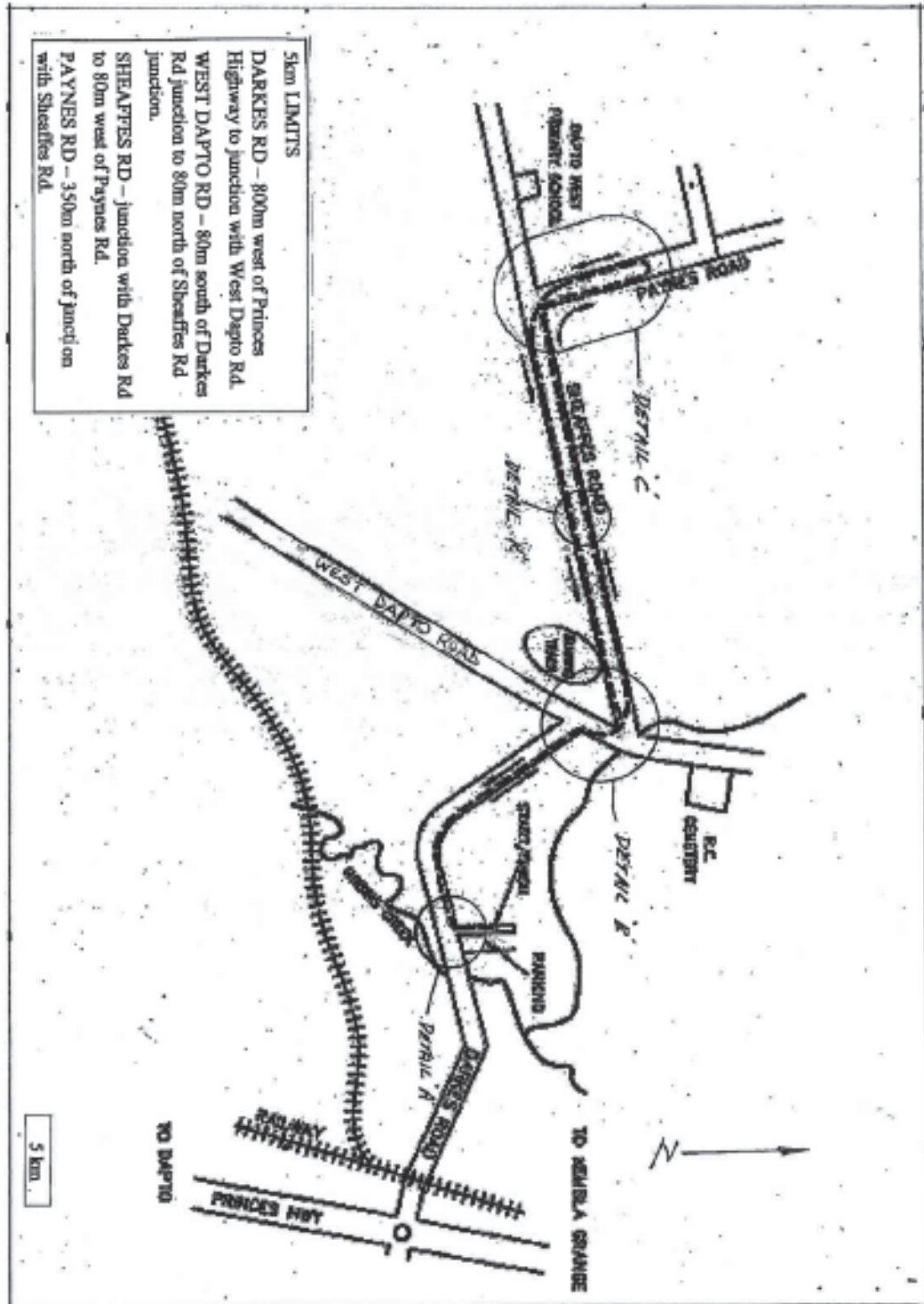
Attachment 3 – Kembla Joggers Winter Series – 7 of 14



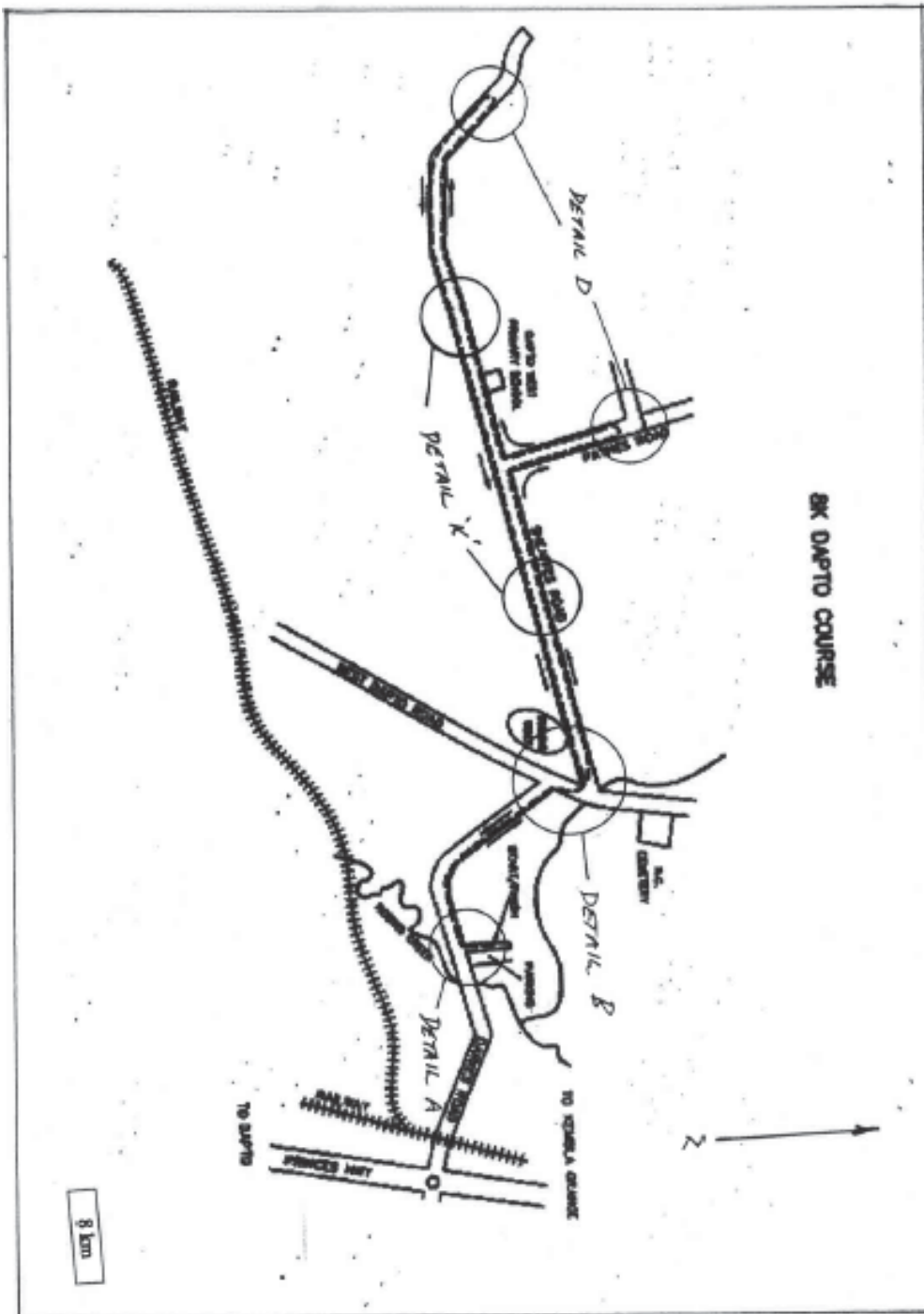
Attachment 3 – Kembla Joggers Winter Series – 8 of 14



Attachment 3 – Kembla Joggers Winter Series – 9 of 14



Attachment 3 – Kembla Joggers Winter Series – 10 of 14



Attachment 3 – Kembla Joggers Winter Series – 11 of 14

