



**BUSINESS
PAPER**

ORDINARY MEETING OF COUNCIL

To be held at 6.00 pm on

Monday 24 August 2015

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 3 August 2015
- 7 Call of the Agenda
- 8 Lord Mayoral Minute
- 9 Urgent Items
- 10 Agenda Items

Members

Lord Mayor –
Councillor Gordon Bradbery OAM (Chair)

Deputy Lord Mayor –
Councillor Chris Connor

Councillor Michelle Blicavs

Councillor David Brown

Councillor Leigh Colacino

Councillor Bede Crasnich

Councillor Vicki Curran

Councillor John Dorahy

Councillor Janice Kershaw

Councillor Ann Martin

Councillor Jill Merrin

Councillor Greg Petty

Councillor George Takacs

QUORUM – 7 MEMBERS TO BE PRESENT

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ITEM A

LORD MAYORAL MINUTE - STRENGTHENING LOCAL ECONOMIC CAPACITY THROUGH STRATEGIC PROCUREMENT

Author: Councillor Chris Connor - Deputy Lord Mayor (Acting Lord Mayor)

In a statement to the Australian Stock Exchange on 10 June 2015, BlueScope Steel Limited confirmed there had been no decision made about the closure of steelmaking at Port Kembla. In further media statements, BlueScope confirmed that a target to save approximately \$200 million a year had been implemented to keep Port Kembla steel operations viable, and further confirmed a \$50 per tonne savings target had been introduced which represented around 10% of the cost of making steel.

In response to these statements, a report by the University of Wollongong prepared for the Australian Workers' Union Port Kembla, titled "Regional Economic Impacts of a Closure of BlueScope Steel Operations in Port Kembla" was commissioned, and released last week. The report focused on the assumption of a complete shutdown of BlueScope Steel Port Kembla and the flow-on impact to the region, with key findings of:

- An estimated \$3.3b loss to gross regional product (GRP) – current GRP for the Illawarra region is \$15.5b;
- Loss of an estimated 10,000 jobs.

Even a partial closure or shutdown would have wide-ranging negative effects on our regional economy.

The Australian Steel Institute has long been advocating that stricter local content policies be applied to Government and private projects where Government has financial involvement. There is inconsistency across States in this regard with some States such as Victoria mandating a 25% local content on publicly-funded projects and those deemed of strategic importance.

Other regions across Australia have embarked on regional strategies to maximise the economic and social impact of regional spend on major projects and the routine procurement spend across government and private sectors. These strategies ensure that public and private sector organisations in the region understand the value of their procurement spend to regional growth and sustainability and, in whatever ways they can, commit to identifying opportunities to grow both local content and social outcomes through their procurement policies and practices. Key to the strategies is ensuring that local suppliers who are creating local jobs are actively included in value supply chains and social procurement (ensuring that social and economic outcomes are actively considered in procurement processes).

All stakeholders have a role to play in supporting and strengthening local economic capacity and preserving the steelmaking industry.

Wollongong City Council's Sustainable Procurement Policy supports the strengthening of local economic capacity through procurement management procedures with criteria to assist local firms to obtain business with Council based upon the following strategies:

- a Quotations - Council will give preference to a local supplier if the assessment of all selection criteria is equal; or
- b Tenders – A criterion weighted at 5% for strengthening of local economy with the following five criteria being considered in all tenders:
 - (i) An existing legitimate business premises in WCC local area;
 - (ii) Locally sourced materials (grown, manufactured, assembled, made within the WCC local area) specific to the contract;
 - (iii) Locally sourced services as a result of the contract (eg maintenance);
 - (iv) Locally sourced labour (people domiciled within the WCC local area), either sub-contractors or employees; and
 - (v) Locally sourced labour and materials from a business premise in the WCC local area.

I THEREFORE MOVE THAT -

- 1 Council write to relevant Federal and State Ministers, local Members of Parliament and relevant Trade Unions, seeking their support and advocacy to maximise Australian steel content in all State and Federal Government procurement contracts and tenders.
- 2 Council explore options to support the viability of BlueScope Steel Port Kembla, including prioritising the development of a strategic centre-led approach to procurement policies and procedures to further strengthen local economic capacity.
- 3 Council seek the support of all stakeholders to commit to working collaboratively to support the steelmaking industry and steel value chain to achieve a positive outcome for the region.

ITEM 1 GLENIFFER BRAE CALL FOR PROPOSALS SUBMISSIONS

On 8 September 2014, Council resolved to undertake a Call for Proposals process to receive submissions from interested parties for the future use of the area at Gleniffer Brae not under lease by the Conservatorium of Music. The Call for Proposals process has now been completed. This report details the options available to Council as a result of that process and recommends Council prepare a draft Planning Proposal to add *Function Centre* as a permissible use on the site and commence a review of the Botanic Garden Plan of Management and the Gleniffer Brae Conservation Management Plan to progress suitable uses.

RECOMMENDATION

- 1 The outcomes of the Call for Proposals process be noted.
- 2 A review of the Botanic Garden Plan of Management and Gleniffer Brae Conservation Management Plan commence.
- 3 The draft Plan of Management and Conservation Management Plan be reported to Council for endorsement prior to exhibition.
- 4 A draft Planning Proposal be prepared to add 'Function Centre' as a permissible use in the RE1 Public Recreation zone for the Gleniffer Brae site through a Schedule 1 amendment and referred to the NSW Department of Planning and Environment for Gateway determination prior. The exhibition of the draft Planning Proposal occur concurrently with the draft Botanic Garden Plan of Management.
- 5 Letters be sent to the Call for Proposals submitters advising them that a Tender process will be required and will be undertaken following the review of the Plan of Management and finalisation of the Planning Proposal.
- 6 In the interim period, the part of Gleniffer Brae not under lease by the Conservatorium of Music be authorised to be used for uses consistent with the current Plan of Management and planning controls.

ATTACHMENTS

There are no attachments for this report.

REPORT AUTHORISATIONS

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

BACKGROUND

Gleniffer Brae is a site listed on the NSW State Heritage Register and adjoins the Wollongong Botanic Garden. In 2012, a draft Planning Proposal was considered by Council for the rezoning and reclassification of the site. The Planning Proposal was not progressed, and Council resolved to work with stakeholders to consider options for the future use of the site.

A stakeholder engagement process was undertaken to inform the values of the site to be considered in determining a future use and the outcomes reported to Council on 8 September 2014. Council resolved that:

- 1 A Call for Proposals process, as outlined in the report, be undertaken to receive submissions from interested parties for use of the area not currently under lease by the Conservatorium of Music at Gleniffer Brae.*
- 2 Submissions made in response to the Call for Proposals process must demonstrate how they address each key community value as documented in the report.*
- 3 A further Council report be prepared detailing the outcomes of the Call for Proposals process and any associated costs and recommendations for Council's consideration.*
- 4 The report referred to in Part 3, be subject of a Councillor Briefing Session before it comes to Council.*

The Call for Proposals was advertised in local newspapers and via Tenderlink, and closed on 17 March 2015. Three (3) proposals were received and have been reviewed and scored by the Assessment Panel.

The Call for Proposals assessment panel assessed all proposals in accordance with the following assessment criteria and weightings as set out in the Call for Proposals documents:

- Demonstrate the extent to which your proposed use of the site will maintain or enhance the heritage values of Gleniffer Brae. Your proposal should include concept plans (if necessary) showing your proposed development/use in relation to the Manor House and surrounds – **12%**
- Demonstrate your financial capacity to maintain the financial viability of your proposal as outlined in a business plan – **12%**
- Demonstrate how your proposal will provide for community access to Gleniffer Brae – **12%**
- Demonstrate how your proposal will enhance tourism potential for Gleniffer Brae – **12%**
- Demonstrate how your proposal will be compatible with the existing users/tenants of Gleniffer Brae – **12%** Demonstrate how your proposal will add to and improve the security of Gleniffer Brae and the Botanic Garden – **12%**

- Demonstrate how your proposal will link to and integrate with the Botanic Garden – **12%**
- Specify what, if any, terms and conditions you are seeking as part of your lease/licence of the site including a rental offer, contribution to outgoings and any contribution that may be offered towards maintenance costs of area proposed to be occupied – **16%**.

Mandatory Requirements

- Acknowledgement that this site is classified as Community Land under the Local Government Act 1993 and any proposed lease or license will be subject to statutory advertising in compliance with Section 46 and/or 47 of the Local Government Act 1993.
- Acknowledgement of the current lease between Council and the Conservatorium of Music (CoM) for use of part of the site and the requirement that the CoM have rights and privileges under that lease.
- Acknowledgement that Council makes no warranty that the site will be suitable for the proposed use and that all works (including development applications) required to accommodate the proposed use will be at the proponent's costs.
- Acknowledgement that any new use may require development consent and an amendment to the Plan of Management and that these processes may take no less than 6 months.
- Acknowledgement that the site is listed as a site of State Significance on the NSW State Heritage Register.
- Acknowledgement that any commercial use that is not exempt under Section 46 of the Local Government Act 1993 may be subject to a second stage tender under Division 1 of Part 3 of the Act if the proposed term exceeds 5 years.

It is noted that these criteria were developed to align with the values of the site, identified through an extensive period of consultation with stakeholders, as detailed in the Council report of 8 September 2014.

As indicated above, three (3) proposals were received in response to the Call for Proposals. As these submissions contain information that is commercial in confidence, the proposals are discussed in a general nature below.

The uses proposed in the three proposals can be summarised as:

- volunteer run tours, functions and events with off-site catering and on-site office (not for profit use)
- premium restaurant and function centre (commercial use "A")
- off-site catered functions and events (commercial use "B").

The Call for Proposals assessment panel utilised a weighted scoring method for the assessment of proposals which allocates a numerical score out of 5 in relation to merit offered by the submissions to each of the assessment criteria as specified in the Call for Proposals documentation. The method then takes into account pre-determined weightings for each assessment criteria which provides for a total score out of 5 to be calculated for each submission. The submission with the highest total score is considered to be the submission that best meets the requirements of the Call for Proposals documentation.

Table 1 below summarises the results of the Call for Proposals assessment and the ranking of submissions.

TABLE 1 – SUMMARY OF CALL FOR PROPOSALS ASSESSMENT

Submission	Ranking
Commercial use “A”	1
Commercial use “B”	2
Not for Profit community use	3

PROPOSAL

Based on the evaluated criteria, the submission by Commercial Use “A” has been assessed as being the most meritorious by acknowledging all mandatory criteria and addressing the key community values of the site to the greatest extent; that is, it provided a better financial return on the asset which would assist in its long term maintenance and viability, would be expected to result in higher visitation and enhanced community access, and would allow for its promotion as an iconic Wollongong site.

However, as was highlighted in the mandatory criteria and acknowledged by all respondents, any commercial use that is not exempt under Section 46 of the *Local Government Act 1993* may be subject to a second stage Tender under Division 1 of Part 3 of the Act if the proposed term exceeds 5 years. It is reasonable to assume that in order to recoup significant initial set up and required capital costs and due to the nature of the wedding and function industry (with bookings 12-24 months in advance), that long term lease options will be required for between 10-20 years for most commercial operators. A Tender process is therefore required to facilitate a commercial use at Gleniffer Brae.

It is noted that the Not for Profit submission could be accepted without the need to go to Tender. Although this would reduce the time associated with a Tender process, this is not recommended as the assessment undertaken for the Call for Proposals process ranked the Not for Profit submission as the lowest submission.

In addition to the Tender process, implementing a future use will also require changes to the existing Plan of Management and planning controls for the site. This is discussed in more detail below.

MATTERS FOR CONSIDERATION IN DETERMINING AND IMPLEMENTING NEW USES AT GLENIFFER BRAE

2006 Plan of Management for Wollongong Botanic Garden (including Gleniffer Brae and Kooloobong Oval)

A Plan of Management is a document that provides a framework for the management and use of areas of community land. The plan enables management to proceed in an efficient and sustainable manner, helps reconcile competing interests, identifies priorities for allocation of available resources and facilitates public understanding. Periodic review of a Plan of Management also enables changing social, economic and ecological conditions to be taken into account as they arise and where necessary, the plan can be amended to reflect these changes. Under the *Local Government Act 1993*, community land is to be used and managed in accordance with a Plan of Management and other relevant legislation relating to the use of land such as the *Environmental Planning and Assessment Act 1979*.

In 2006 Council adopted the Plan of Management for Wollongong Botanic Garden (including Gleniffer Brae and Kooloobong Oval) to ensure that any future use of Gleniffer Brae and the Botanic Garden maximises and encourages community use of these facilities whilst at the same time conserving the historical significance of the site and retaining the general amenity of the area. Future development and management of Gleniffer Brae is guided by the Conservation Management Plan (Tropman and Tropman, 2001) for Gleniffer Brae, which is appended to the Plan of Management.

Both the Wollongong Botanic Garden Plan of Management and Gleniffer Brae Conservation Management Plan are due for review. At the time these documents were written, Council was managing weddings and functions at Gleniffer Brae as a short term casual use. This service ceased in 2009.

The Call for Proposals process which was predicated on identified key community values for the site, indicated that changes will be required to the Plan of Management and Conservation Management Plan to facilitate the types of uses proposed by respondents on an ongoing leasehold rather than short term casual license basis.

Currently, the only permissible use for the area within the Manor House not currently leased to the Conservatorium of Music is "*The holding of public and private functions and exhibitions in those areas unhatched in figure 2 and the courtyard. The granting of short term casual licence(s) for those purposes for a duration of no longer than 7 days.*"

Based on the potential types of uses indicated in the Call for Proposals submissions, the permissible uses stipulated in the Plan of Management will require review. The Plan of Management review process will involve further stakeholder engagement and requires any proposed amendment to be exhibited for a minimum of 42 days for public comment with the results of the exhibition period to be considered in a further report to Council.

Wollongong Local Environmental Plan 2009 - Permissibility

An additional planning and approval consideration relates to the current RE1 Public Recreation zoning of the site. As noted, until 2009 Council was managing weddings and functions at Gleniffer Brae as a short term casual use. With the introduction of the Standard Template Wollongong LEP in 2009, "Function Centre" is now a defined use and is not permissible in the RE1 Public Recreation zone. All three proposals received during the Call for Proposals process identified functions as a use for the site. It is noted that there is a difference between holding functions in a building, as an ancillary use, and a function centre, where only functions are held. For example, someone may use an approved restaurant to hold a function, but the defined use of the building is as a restaurant.

If Council wishes to encourage the use of Gleniffer Brae for functions, noting this was a previous use until 2009 and that this use has been identified in the Call for Proposals process, a draft Planning Proposal could be prepared to allow "Function Centre" as a permissible use in the RE1 Public Recreation zone for this site, through a Schedule 1 amendment. This would add an additional use for this site only, and not amend the land use table for the RE1 Public Recreation zone across the City.

An alternative approach to facilitating a function centre on this site, is to utilise the Heritage Conservation Incentive Clause 5.10(10) in the Wollongong LEP 2009, as part of the assessment of a Development Application. The incentive provisions enable, notwithstanding the zoning of the site, for any purpose if the consent authority is satisfied that:

- a the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and
- b the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and
- c the consent to the proposed development would require that all the necessary conservation work identified in the heritage management document is carried out, and
- d the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and
- e the proposed development would not have any significant adverse effect on the amenity of the surrounding area.

Council officers consider the most transparent and appropriate way to facilitate the use of the site as a function centre is to allow this use through a Schedule 1 amendment. Community feedback would be sought during the public exhibition of a draft Planning Proposal and considered before finalising the Planning Proposal.

As Gleniffer Brae is owned by Council and the draft Planning Proposal is a Council initiative, it is recommended that Council advise the NSW Department of Planning and Environment, that Council does not wish to utilise the delegation to finalise the Planning Proposal in this instance.

NSW Heritage Act Approval Requirements

It is also relevant to note that any proposed new use and any new resulting works including changes to the building or grounds, or any new development within the site's defined State Heritage Curtilage would require a Section 60 consent under the NSW Heritage Act 1977. This would be a complex process and require detailed consideration of heritage impacts, should such changes be required to facilitate a new use. As such, it is recommended in this report that the Conservation Management Plan be reviewed and updated concurrently with the Plan of Management to clearly define the community accepted parameters for any such development, prior to going to Tender.

In summary, the following actions would need to occur:

- A Review and amendment of the Wollongong Botanic Garden Plan of Management (including Gleniffer Brae Conservation Management Plan)
- The preparation of a draft Planning Proposal to make "Function Centre" a permissible use on the site
- Tender process to determine the preferred tenderer for the site
- A Development Application to allow the activity to occur (this would be undertaken by the successful tenderer)
- Heritage Council NSW approval under Section 60 of the NSW Heritage Act 1977 for the proposed use, and any changes proposed to the interior of the building or grounds.

The Call for Proposals process has been essential in clarifying for Council the types of uses that best satisfy the key community values for the site. This knowledge is required to facilitate required next steps to allow implementation of any new uses.

The Call for Proposal assessment process has indicated that having a viable and professional business underpin the future uses at Gleniffer Brae is the best way to maximise all community values to the greatest extent, and still incorporate various community/volunteer uses such as tours and information talks into these operations.

In view of the steps needed to facilitate future uses at Gleniffer Brae, Table 3 details a sequence of tasks and estimated timeframes:

TABLE 3 – TASKS, TIMEFRAMES AND RESPONSIBILITIES

Task	Estimated Timeframe	Responsibility
Prepare draft Botanic Garden Plan of Management and draft Gleniffer Brae Conservation Management Plan review, including consultation and preliminary public consultation (Council report required to endorse draft for exhibition)	Sept 2015 – May 2016	Council
Preparation of a draft Planning Proposal to allow “Function Centre” as a permissible use on the site, including Gateway determination. Noting that exhibition will occur with draft Plan of Management	Sept 2015 – May 2016	Council
Report draft Botanic Garden Plan of Management, draft Gleniffer Brae Conservation Management Plan review to Council prior to exhibition. Including Councillor Briefing	June 2016	Council
Exhibition of draft Botanic Garden Plan of Management, draft Gleniffer Brae Conservation Management Plan review, and draft Planning Proposal	June 2016 – July 2016 (42 days)	Council
Council Report on outcomes of the exhibition	September 2016	Council
If endorsed, finalise Planning Proposal and Plan of Management	October 2016	Council
Open Tender process, assessment and Council Report for decision	October 2016 – December 2016	Council
DA and Heritage approvals of approved use	2017	Proponent and Council
New use commences	2017/2018	Proponent

In view of the estimated timeframe for a new use to commence as outlined above, Council officers have considered ways to facilitate use of the site consistent with the Plan of Management and current planning controls in the interim. The permissibility of the following uses have been considered:

Possible Use	Permissible in RE1 zone	Permissible in PoM
Tours	Yes	Yes – if short term
"Themed" dinner parties (like murder mysteries) with capped numbers for a set price 3-4 course meal. Council takes bookings, and caterer provides dinner service	Yes	Yes – if short term

Possible Use	Permissible in RE1 zone	Permissible in PoM
Restaurant	Yes – with development consent	No
Take away food and drink" and "kiosk	Yes – with development consent	No
Information and education facilities – include Visitor Centre, Art Gallery, Museum	Yes	Yes – if short term
Lease to Conservatorium of Music	Yes – Education Establishment with development consent	No
Community Groups eg Friends of Wollongong Botanic Garden / National Trust etc for one-off special events	Yes	Yes

It is recommended that the part of Gleniffer Brae not leased by the Conservatorium of Music be authorised to be used for uses consistent with the current Plan of Management of the planning controls.

CONSULTATION AND COMMUNICATION

As reported to Council on 8 September 2014, a comprehensive community engagement process occurred in the lead up to the formal Call for Proposals process. The outcomes of this consultation are reflected in the key community values which became assessable criteria to score submissions. The Call for Proposals process has been conducted by Council Officers and observed by an independent community member.

However to progress any future use at Gleniffer Brae, there will be further opportunities for community consultation. It is recommended Council commence the review of the Botanic Garden Plan of Management and preparation of the draft Planning Proposal, with both processes allowing for further community feedback.

PLANNING AND POLICY IMPACT

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

It specifically delivers on core business activities as detailed in the Botanic Garden and Annexes Service Plan 2015-16 ('Facilitate the future uses of Gleniffer Brae').

OPTIONS

There are numerous options available to Council as a result of the Call for Proposals process, as outlined in the following table:

TABLE 4 – OPTIONS

ISSUE	DISCUSSION
<p>Timing of Plan of Management and Conservation Management Plan Review:</p> <p>a) Before; or</p> <p>b) Concurrent with tender</p>	<p>It is considered prudent to review the permissible uses and conservation strategies prior to going to tender. This will give transparency and certainty to all stakeholders, including tenderers.</p>
<p>Lease for type of usage:</p> <p>a) Commercial with community access (tender); or</p> <p>b) Not for Profit (no tender required)</p>	<p>The Call for Proposals process has ranked commercial uses as meeting all criteria to a greater extent than Not for Profit.</p>
<p>Facilitate the use of the site as a 'Function Centre' through</p> <p>a) A Schedule 1 Amendment to enable a site specific additional use; or</p> <p>b) Use of the Heritage incentive provisions</p>	<p>The most transparent and appropriate way to facilitate the use of the site as a function centre is to allow this use through a Schedule 1 amendment to the Wollongong LEP 2009.</p>

FINANCIAL IMPLICATIONS

The review of the Botanic Garden Plan of Management (including the Gleniffer Brae Conservation Management Plan) and the preparation of the draft Planning Proposal can be funded from existing operating budgets, and will primarily involve staff time.

CONCLUSION

By following the recommendations of this report, Council will progress with implementing a suitable new use for those areas at Gleniffer Brae not currently under lease to the Conservatorium of Music.

ITEM 2

KEIRAVILLE - GWYNNEVILLE IMPLEMENTATION PLAN AND
PLANNING PROPOSAL REQUEST

On 22 October 2012 Council endorsed Neighbourhood Forum 5 to lead the preparation of the Keiraville - Gwynneville Precinct Plan. On 13 March 2014 the community group submitted the “Keiraville Gwynneville Community Planning Project Report” for Council consideration. On 28 April 2014 Council endorsed the 10 vision statements for Keiraville – Gwynneville and endorsed Council officers assisting the Neighbourhood Forum 5 to prepare an Implementation Plan. The resulting Implementation Plan is attached for Council endorsement.

In March 2014 Neighbourhood Forum 5 submitted a draft Planning Proposal request to amend planning controls in the Keiraville Gwynneville area. Following discussions Neighbourhood Forum 5 have now withdrawn the request.

RECOMMENDATION

- 1 The Keiraville - Gwynneville Implementation Plan be endorsed to guide implementation and future capital and operational expenditure (Attachment 1).
- 2 Neighbourhood Forum 5’s withdrawal of the draft Planning Proposal request be noted.
- 3 Neighbourhood Forum 5 be thanked for the preparation of the draft Implementation Plan, draft Planning Proposal and ongoing input into the Keiraville – Gwynneville area.
- 4 The University of Wollongong’s support for the preparation of the Access and Movement Study and University Master Plan be noted.
- 5 The timing of the Keiraville Gwynneville Access and Movement Study remain 2016/17 – 2017/18, as indicated in the Annual Plan 2015/16, as the Roads and Maritime Service are unable to contribute funding towards the project.

ATTACHMENTS

- 1 Keiraville - Gwynneville Implementation Plan
- 2 Letter from Department of Planning and Environment

REPORT AUTHORISATIONS

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

BACKGROUND

On 22 October 2012 Council considered a report on the Town and Village Plans and other Land Use Planning priorities. Council also received a presentation from the chair of Neighbourhood Forum 5 requesting that Council include a Keiraville - Gwynneville study as a high priority maximising the utilisation of community resources. The Chairperson advised that there was an urgent need for the development of a Precinct Plan and utilising the considerable resources within that community would expedite the process.

Council resolved (in part) that:

- 3 *A Working Group, comprising Ward 2 Councillors, community representatives and staff, be formed to develop an outline for Neighbourhood Forum 5 and other community representatives to help advance the Gwynneville - Keiraville plans.*

Over the next 17 months, Neighbourhood Forum 5, with the input from the community, University of Wollongong, Councillors and Council officers developed the “Keiraville Gwynneville Community Planning Project Report”.

The study area included the suburbs of Keiraville, Gwynneville and part of West Wollongong. The study area includes the University of Wollongong, Wollongong TAFE and Botanic Gardens, but excludes Wollongong Hospital.

On 13 March 2014 Neighbourhood Forum 5 submitted the “Keiraville - Gwynneville Community Planning Project Report” and requested that Council endorse the ten visions for the area.

On 28 April 2014 Council resolved that:

- 1 *The Keiraville - Gwynneville Community Planning Project Report be received and Council thank Neighbourhood Forum 5 for its efforts in developing the Report.*
- 2 *The ten (10) vision statements be endorsed:*
 - 4.1 *Keiraville and Gwynneville are villages;*
 - 4.2 *Viable shopping centres;*
 - 4.3 *Building styles to reflect village character;*
 - 4.4 *Managing traffic for safety and access;*
 - 4.5 *Managing parking pressures;*
 - 4.6 *A mix of people;*
 - 4.7 *A connected community;*
 - 4.8 *Valuing the University while retaining our character;*
 - 4.9 *Protecting green spaces; and*
 - 4.10 *Protecting heritage.*
- 3 *Neighbourhood Forum 5 be advised that its funding request for the Keiraville - Gwynneville Access and Movement Study was considered as part of the 2014-2015 Annual Plan and Budget considerations, but funding is not proposed in the draft plan.*

- 4 *Council note that a draft Planning Proposal seeking to amend floor space ratios in some areas of Keiraville and Gwynneville, has been submitted and is being assessed and will be reported to Council separately.*
- 5 *Neighbourhood Forum 5 be advised that they may proceed to develop an Implementation Plan, with the assistance of Council officers, for Council consideration.*

On 11 August 2014 Council considered a Lord Mayoral Minute on the Keiraville Gwynneville Access and Transport Study, and resolved that:

- 1 *Council write to:*
 - a *NSW Department of Planning and Environment;*
 - b *NSW Roads and Maritime Services;*
 - c *Transport for NSW; and*
 - d *University of Wollongong,*

seeking their commitment to support (and jointly fund) the development of an Access and Movement Study for Keiraville - Gwynneville.

- 2 *If preparation of the Access and Movement Study is supported and funded by the other agencies/stakeholders, the General Manager be requested to consider options to fund Council's share, ie the deferral of other projects in the 2014/15 Annual Plan or inclusion in the Budget deliberations for 2015/16.*
- 3 *Council inform Neighbourhood Forum 5 of the above and facilitate the required community engagement to set the scope and parameters of the study.*

On 9 June 2015 Council considered a report on joint funding a bus shelter on Northfields Avenue with the University of Wollongong. Council supported the funding request and resolved (in part) that:

- 4 *Write to The Hon. Andrew Constance MP, Minister for Transport and Infrastructure, The Hon. Gareth Ward MP, Parliamentary Secretary for The Illawarra, and Local Members of State Parliament, seeking their help in securing agreement of Roads and Maritime Services to fund a proportion of the costs for the relevant Gwynneville - Keiraville transport studies, noting Council and the University of Wollongong have agreed to provide a proportion of funds for the studies.*
- 5 *Council bring forward \$100,000 from the Future Projects Restricted Assets to fund the Keiraville Gwynneville Access and Movement Study in 2015-2016; on the proviso that Roads and Maritime Services makes a similar contribution.*

The responses received and the status of the Access and Transport study is discussed later in the report.

PROPOSAL

Implementation Plan

The Keiraville Gwynneville Community Planning Project Report (March 2014) included 85 implementation actions suggested by the community. Following Council's endorsement of the vision statements, Neighbourhood Forum 5 representatives refined the list and then worked with Council officers to further refine the actions and develop an Implementation Plan (Attachment 1).

The Implementation Plan has a similar format to those endorsed by Council for Warrawong, Figtree and Unanderra Town Centres, and includes actions relating to Governance, Planning, Infrastructure and Capacity Building. Some of the key actions are:

- 2.1.3 Review the KEG planning proposal in light of the Council's housing study and in context of the Wollongong Centre (as defined by Department of Planning and Environment's Illawarra Growth Plan).
- 2.3.1 Council to work with the UOW to investigate a range of planning related matters relating to the future master planning for the UOW site and its surrounds, including the potential to develop planning controls relating to the site and surrounds/newly acquired sites. (discussed later in this report)
- 2.5.1 Review legislative requirements around a range of student living scenarios.
- 3.1 An Access and Movement Study to be prepared to investigate a range of matters relating to transport in the area (discussed later in this report).
- 3.4 Investigate signage and wayfinding at Keiraville and Gwynneville town centres to ensure current parking supply is easily identifiable for community and visitors.

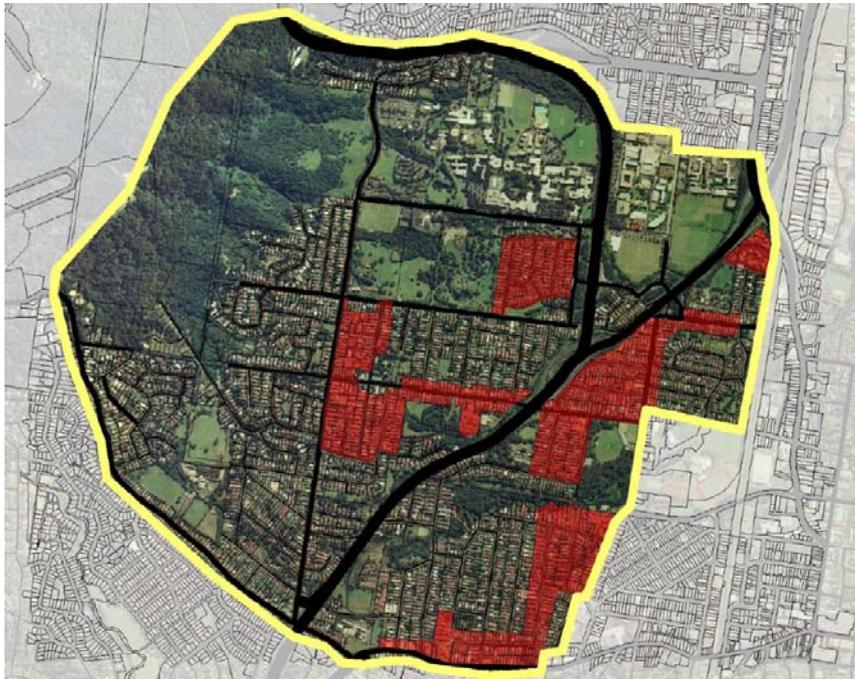
It is recommended that Council endorse the Implementation Plan (Attachment 1) to guide implementation and future capital expenditure in the Keiraville Gwynneville area.

Planning Proposal Request

On 17 March 2014, Neighbourhood Forum 5 submitted a draft Planning Proposal request seeking to:

- a Change the Floor Space Ratio maps applying to the area to:
 - i Increase the floor space ratio in areas with good accessibility to services, employment, higher education and public transport, and generally where medium density housing already exists, from 0.5:1 to 0.6:1. The nominated areas were near North Wollongong Station, between Madoline Street and Murphys Avenue Keiraville, between Gipps Street, the M1 and Foleys Street Gwynneville, near Wollongong Hospital, and along Gipps Street Keiraville (coloured red in the Figure below).

- ii Decrease the floor space ratio for more remote areas from 0.5:1 to 0.3:1 (in the remainder of the area, not coloured red).
- b Introduce a clause which allows dwelling houses, with or without secondary dwellings, to have a floor space ratio of 0.5:1 in Low Density Residential zones where the floor space ratio is 0.3:1;
- c Amend clause 7.14 of the LEP to prevent the residential component of development in a B1 Neighbourhood Centre exceeding 0.5:1, and
- d Introduce a new local provision which requires development in a Low Density Residential zone, where the floor space ratio is 0.3:1, to require all dwellings adjacent to a street to face it and have the appearance of detached dwelling houses.



In summary, the Planning Proposal request sought to reduce the floor space ratio from 0.5:1 to 0.3:1 for multi dwelling housing, residential flat buildings (not single dwelling houses or secondary dwellings) for the majority of the Keiraville, Gwynneville, West Wollongong study area. The loss of development potential was proposed to be offset by increasing the floor space ratio from 0.5:1 to 0.6:1 for all forms of residential development in the “red areas”.

Neighbourhood Forum 5 indicated that the request arose from the Keiraville - Gwynneville Community Planning Project Report, advising that the change was necessary to ensure that the density and scale of development reflects the surrounding development patterns.

Neighbourhood Forum 5 indicated that as all types of residential development are permissible anywhere in the residential area, there is no incentive to develop medium density housing in accessible locations with higher land values. As a result medium

density housing is often being developed in remote locations contrary to economic, social or environmental sustainability principles.

To gauge the potential effect of the proposed changes, Council requested the NSW Department of Planning and Environment to test the proposed changes in its “Urban Feasibility Model”, which examines housing capacity and feasibility. The Department advised that the proposal would reduce the overall dwelling potential of the area by 2,036 dwellings and reduce the feasible capacity by 572 dwellings (Attachment 2). The Department indicated that the housing capacity of the area should be considered in the context of the broader Wollongong Centre (as defined in draft Regional Growth Plan). The Department subsequently indicated that in Keiraville – Gwynneville:

- Under current planning controls there is capacity for 4,045 additional dwellings of which 1,456 are feasible for development under current market conditions.
- Under the NF5 proposed changes to planning controls (reduced FSR in non-red areas and increased FSR in red areas) there would be capacity for 2,009 additional dwellings of which 884 would be feasible for development under current market conditions.
- The proposal results in a reduction of 2036 potential dwellings and 572 feasible dwellings.

At a meeting on 19 June 2015, the Department advised staff from Council and a representative of Neighbourhood Forum 5 of concerns with the Planning Proposal due to the reduction in development potential, inconsistencies with Ministerial Directions and the draft Illawarra Regional Growth and Infrastructure Plan.

Council officers also indicated concern over the draft Planning Proposal request. Council officers considered that the city-wide Housing Study needed to be completed, to provide a complete picture of housing needs and opportunities in the City, and guide where housing density increases and decreases should occur. It was acknowledged by both the Department and Council officers that the principles underpinning the Planning Proposal request had merit, but the overall reduction in development potential could not be supported.

The draft Illawarra Regional Growth and Infrastructure Plan (2014) includes the Gwynneville – Keiraville area within the Wollongong Centre precinct, which also includes the Wollongong CBD, University of Wollongong, Innovation Campus and Wollongong Hospital.

Neighbourhood Forum 5 considered the advice of the Department and Council officers and on 1 July 2015 resolved to:

withdraw its Planning Proposal on the understanding that:

- 1 *a modified version of the Proposal will be given sympathetic consideration at an appropriate time;*

- 2 *in the interim, an early meeting takes place with Council development assessment and strategic planning staff to discuss what changes to the Development Control Plan could achieve improvements in outcomes and that these changes are processed as a matter of priority.*

The Implementation Plan developed in collaborative with representatives aligns actions to finalise the housing study and response to Neighbourhood Forum 5 requests, consider housing in the context of the Wollongong Centre, review the character statements in the DCP and review student accommodation controls.

It is recommended that Council note the withdrawal of the draft Planning Proposal request.

Access and Transport Study and University of Wollongong Campus Master Plan

Following Council's resolution on 11 August 2014 concerning the Keiraville Gwynneville Access and Transport Study, letters were sent to the NSW Department of Planning and Environment, NSW Roads and Maritime Services, Transport for NSW and the University of Wollongong seeking commitment to jointly fund an Access and Movement Study for Keiraville and Gwynneville.

Council received in-principle, support from the University of Wollongong. However, both the Department of Planning and Environment, and Transport for NSW advised they were unable to contribute to the study at this time and believe that contributing to the study would be premature as the Illawarra Regional Growth and Infrastructure Plan had not been completed.

Following Council's resolution on 9 June 2015 letters were sent to the Minister for Transport and Infrastructure and Members of Parliament. The Roads and Maritime Services has advised that it is unable to fund the study.

As funding by the other agencies has not been provided, the study has not been brought forward to 2015-16, and remains scheduled for 2016/17 – 2017/18 as indicated in the Annual Plan 2015-16 (endorsed by Council on 22 June 2015) with a draft budget of \$100,000.

The need for the transport study and University Campus master plan has been further highlighted in part of the assessment of two student accommodation developments in Northfields Avenue. DA-2014/1474 for a 215 unit (261 beds) post graduate student accommodation development in Northfields Avenue, was approved by the Joint Regional Planning Panel on 31 July 2015, having been deferred at the May meeting.

The second Development Application DA-2014/1510 for the demolition of 14 single storey student accommodation buildings and the construction of 3 student accommodation buildings (7-8 storeys) containing 802 beds in western Northfields Avenue, is still under assessment and is yet to be reported to the JRPP.

On 8 May 2015 the Southern Joint Regional Planning Panel resolved (in part) that:

- 3 The Panel encourages Wollongong City Council and the University of Wollongong to jointly prepare a parking and access study for the area and a masterplan for inclusion in a development control plan chapter.*

On 4 June 2015, in response to the JRPP deferral, the University of Wollongong advised that they are willing to partner in a Parking and Access Traffic Study and develop a master plan for the University Campus. The letter notes that in discussions with the Department of Planning and Environment, it was determined that a master plan would be a better strategic document to guide the future development of the campus, rather than a DCP chapter.

Responses have been sent to the University thanking them for their offers. With regard to the master plan, a letter has been sent to the University advising that Council is supportive of the preparation of such a plan and suggesting a meeting be held to discuss the scope and how the organisations can best work together to ensure the masterplan is a useful tool in guiding the future development of the University precinct. It is noted that the University is a Crown Authority and the Council or JRPP cannot refuse a Development Application without the Minister for Planning's approval, and cannot impose conditions of consent without the University's or Minister for Planning's agreement.

A master plan prepared by the University with community and Council input will assist the University in mapping out it's vision for the campus and addressing community concerns.

It should be noted, that the preparation of a master plan is not a current Council project in the 2015-16 Annual Plan and if the master plan progresses, it will divert resources from other Council priorities. The extent of the impact will depend on the scope of the master plan and the level of Council involvement.

In terms of community input, at its meeting on the 3rd June 2015, NF5 resolved to re-iterate that it is proud of the University and supports its growth and development. However, it calls for a masterplan process to set out publically, growth prospects and alternative implementation strategies before adoption.

It is recommended that Council note that:

- 1 The RMS has advised that it is unable to fund the Access and Movement study and the timing of the project will remain 2016/17 – 2017/18.
- 2 Discussions will occur with the University of Wollongong on the scope and development of a master plan, and the level of Council's involvement.

CONSULTATION AND COMMUNICATION

Keiraville - Gwynneville Implementation Plan has been developed by Neighbourhood Forum 5 in consultation with Council officers.

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 Wollongong 2022 Objective 5.1. *There is an increase in the physical fitness, mental health and emotional wellbeing of all our residents under the Community Goal we are a healthy community in a liveable City.*

It specifically addresses the Annual Plan 2015-16 Key Deliverables *Assist the community in the preparation of the Keiraville – Gwynneville precinct study* which forms part of the Five Year Action 5.1.6.1 *Review planning controls for priority location* contained within the Delivery Program 2012-17.

FINANCIAL IMPLICATIONS

Council officers have supported the preparation of the Keiraville – Gwynneville Implementation Plan through in-kind support. The allocation of resources to undertake the actions in the Implementation Plan will be considered by the various Council Divisions as part of the preparation of draft Annual Plans for future years.

The Annual Plan 2015-16 (endorsed by Council on 22 June 2015), includes a draft budget of \$100,000 over 2 years 2016/17 - 2017/18 for the Keiraville - Gwynneville Access and Movement Study. On 9 June 2015 Council resolved bring forward \$100,000 from the Future Projects Restricted Assets to fund the Keiraville - Gwynneville Access and Movement Strategy in 2015-2016; on the proviso that Roads and Maritime Services makes a similar contribution. The Roads and Maritime Service have advised that they are unable to fund the study.

Discussions are occurring with the University of Wollongong on the scope and development of a master plan, and Council's commitment.

CONCLUSION

On 28 April 2014 Council endorsed the ten (10) vision statements developed as part of the community led Keiraville - Gwynneville Community Planning Project Report. Neighbourhood Forum 5, with Council support, has developed an Implementation Plan which is recommended for Council endorsement.

The draft Planning Proposal request submitted by Neighbourhood Forum 5 has been withdrawn by the Forum, pending the completion of other housing and precinct reviews.

The University of Wollongong has agreed to participate in a Keiraville – Gwynneville Access Movement Study and prepare a Campus master plan. The Roads and Maritime Service has advised that it is unable to fund the Access and Movement Study.

ITEM 3 RSPCA DEED OF AGREEMENT

Council's original RSPCA Deed of Agreement period has expired. The RSPCA has provided Council with a new, five (5) year term, Deed of Agreement which contains a new fee structure.

Both the Executive Management Committee and Council's Auditor requested a comparative assessment of continuing with the RSPCA or alternatively building and operating a Council impounding facility to determine fair value.

This report provides information on the outcome of that comparison and on the RSPCA's new fee structure. It also seeks approval for the General Manager to finalise the terms of the RSPCA Deed of Agreement.

RECOMMENDATION

- 1 Council note that the comparative cost offered by the RSPCA Deed of Agreement offers fair value in comparison to building and operating a new Council Animal Impounding Facility;
- 2 Council not invite tenders for the provision of Animal Impounding services within the Wollongong City Council Local Government Area in accordance with Section 55(3) for the reason that there is no competitive tenderer with the capability of providing the service to Council to the required standard, other than the RSPCA. A satisfactory result would not be achieved by inviting tenders;
- 3 The General Manager be granted authority to finalise and execute the Contract (RSPCA Deed of Agreement) and any other documentation required to give effect to this resolution;
- 4 Council grant authority for the use of the Common Seal of Council on the Contract and any other documentation, should it be required to give effect to this resolution; and,
- 5 A Contract Management Plan be developed to monitor the RSPCA's performance.

ATTACHMENTS

There are no attachments for this report.

REPORT AUTHORISATIONS

Report of: Jeannie Nicol, Manager Regulation and Enforcement
Authorised by: Andrew Carfield, Director Planning and Environment – Future, City and Neighbourhoods

BACKGROUND

Prior to 2008 Council operated an impounding facility. The condition of this facility had deteriorated and increasing standards for such a facility required Council to consider either building a new facility or outsourcing this function. An evaluation of the options at that time resulted in the decision to outsource the animal impounding function and associated services to the RSPCA.

Council's previous, and initial, Deed of Agreement with the RSPCA commenced on 1 June 2009 and finished 1 June 2011. A twelve (12) month option for the RSPCA to extend the Deed of Agreement existed and Council had indicated that they wished to pursue this option however, the RSPCA did not formally agree to the extension.

Instead, the RSPCA submitted for Council's consideration a new sixteen (16) month Deed of Agreement (March 2012 - June 2013) inclusive of a change in the annual management fee.

The RSPCA explained that they had based their initial Deed of Agreement on assumed costs; the implication was a significant increase of some \$214,000 (GST inclusive) in the cost of the RSPCA's annual management fee.

Concern was raised with the increase particularly given that the proposed annual management fee was not consistent across like Councils. In short, the RSPCA indicated that they were interested in continuing to provide Council's animal impounding services and committed to developing a new, more standardised, Deed of Agreement for all Councils throughout the state. Given this, Council continued with the current arrangement inclusive of the increase.

In July 2013 Council's auditor O'Connor Marsden and Associates undertook an internal Audit of the Animal Control Unit with one (1) outcome being the following recommendation:

"We recommend that consideration be given to developing a Contract Management Plan to monitor the RSPCA's performance and/or in the event of expiration of current contract arrangements, that investigations are undertaken to determine whether the use of the RSPCA is the best value for money option available to the Council".

EMC also made a similar recommendation on 30 September 2013 and resolved the following:

- 1 Council continues with the current RSPCA arrangement, inclusive of an increased Annual Management Fee while awaiting the RSPCA's provision of their new standardised Deed of Agreement, anticipated prior to the close of 2013.
- 2 Prior to entering a new Agreement with RSPCA, the alternatives of Council building and operating a pound facility should be modelled and costed.

The RSPCA has now provided a new Deed of Agreement for Wollongong. The terms are standardised and fee structures consistent. The costings within the new Deed now also enable Council to complete a comparison for fair value.

This report outlines the new fee structure and provides information on the outcome of the comparative costs of entering into the new Deed of Agreement or alternatively in building and operating a new animal impounding facility.

PROPOSAL

The initial Deed of Agreement was predicated on a fee structure that combined an annual management fee together with tiered surcharges in addition to euthanasing fees.

The previous animal management fee was based on sixty percent (60%) employment costs and forty percent (40%) operational costs, inclusive of sustenance, calculated on expected total impoundment numbers for both identified and unidentified companion animals. The tiered penalty surcharge operated once these calculated ceilings were exceeded.

While the new Deed of Agreement still relies on an annual management fee structure and additional euthanasing fees, a tiered surcharge is no longer applicable. Instead the impounding ceiling now relates only to unidentified companion animals. Identified companion animals, or unidentified companion animals above the ceiling are charged a daily sustenance fee.

The Agreement provides incentive for Councils to return registered animals direct to owners. Wollongong City Council's Animal Control Rangers already take this approach only impounding when the owner isn't home or a nominated relative or friend is unable to take charge. Thirty one percent (31%) of all seized companion animals were returned home in 2014-15.

Comparative Costs

The comparison report identified a total net operating cost difference between a Council service and the RSPCA service of \$368,136, favouring the RSPCA, in addition to an establishment and capital cost of \$5,100,000 for a Council facility.

The comparison report indicated fair value will be provided by the RSPCA to Council and as such it is proposed that authority be given to the General Manager to finalise the RSPCA's Deed of Agreement.

Exemption from Tendering

On 25 November 2008 Council determined under Section 55(3) of the Local Government Act 1993, not to invite tenders for the provision of animal shelter services for the reason that there is no competitive tenderer with the capability of providing the service to Council to the required standard other than the RSPCA and a satisfactory result would not be achieved by inviting tenders.

At the time, research indicated that the RSPCA was the only provider within the Wollongong City Local Government Area. Shellharbour was already under an RSPCA

Deed of Agreement using the Unanderra facility. Ten (10) other Councils throughout the state operated under an RSPCA Contract. This currently remains the same.

It was also found that some animal welfare organisations within NSW provided part service but not to the level required by Council and in particular did not undertake the legal services required under the Companion Animals Act. Circumstances have not changed and no other potential service provider currently exists within or close to the Wollongong City Local Government Area that can provide:

- a NSW Department of Primary Industries compliant impounding facility of sufficient capacity;
- the required legal services under the Companion Animals Act;
- the provision of onsite veterinarian services;
- substantial experience; and
- a positive reputation within the animal services area.

Therefore, Section 55 (3) of the Local Government Act again applies and inviting tenders would not provide a satisfactory result. However, should Council believe there is public benefit in tendering for the service an Expression of Interest (EOI) is able to be prepared. In this regard discussions would need to be held with the RSPCA as to Council's intention and continuing with the current fee structure for a period of time.

There is also a risk that the RSPCA will not take part in this expression of interest process as previous discussions have indicated that they do not wish to expand the Council service provisions of their organisation but will continue to support existing customers.

Currently the RSPCA have agreed to continue the service under the existing fee structure which, as of 1 July 2015, underwent an indexed increase as per the initial Deed of Agreement.

The RSPCA has continued to provide a good service on behalf of Council for the care and management of Council's impounded animals. The original assumed benefits of the Deed of Agreement with the RSPCA have proven correct in that Council no longer receives animal welfare complaints, no longer receives complaints about the humane euthanasing of animals, and more animals are re-homed. Work, Health & Safety implications associated with aggressive owners during the release process and with money handling, have also been removed.

The unexpected impact of using the RSPCA as an impounding service and facility was the increase in the public taking stray animals to the RSPCA and the amount of stray cats impounded by the Animal Welfare League.

There have been no negative contractual issues identified since the commencement of the RSPCA Agreement with the exception of the delay in signing a new Agreement after the expiration of the formal Agreement.

CONSULTATION AND COMMUNICATION

The Legal Section has been consulted and reviewed the draft Deed of Agreement. Concerns raised by the Legal Section were similar to that of other Councils and have to the most part been addressed in this finalised Deed of Agreement.

The Finance Division has been consulted and contributed substantially to the comparison report in relation to the costs between the proposed contract and building a new shelter.

Coffs Harbour, Lake Macquarie and Shellharbour Councils were previously consulted and indicate they have a good relationship with the RSPCA in terms of their contractual obligations.

Significant consultation has been held with the RSPCA.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 under the objective 5.5 "Participation in recreational and lifestyle activities is increased" and Community Goal 5 "We are a healthy community in a liveable city".

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

RISK ASSESSMENT

There is a risk that if Council does not accept the Deed of Agreement, Council would not have a suitable pound facility. Utilising Council's previous facility is not an option as the Pound structure did not meet animal welfare requirements, was structurally unsound and has been demolished.

FINANCIAL IMPLICATIONS

The previous Deed of Agreement involved a simple fee structure in that the annual management fee was the primary fee inclusive of sustenance costs. A tiered surcharge system was used to address the exceeding of ceiling numbers of which resulted in significant cost increases.

The new Deed of Agreement still relies on one (1) primary fee known as the Service Fee. This service fee is based on a ceiling limit of unidentified companion animals only. The ceiling limit has been calculated on the actual 2013-14 numbers of unidentified animals entering the shelter. Any identified animals or unidentified animals above the ceiling limit will now be subject to daily sustenance fees rather than to tiered surcharges.

In 2013-2014 there were 879 identified and 321 unidentified dogs and 97 identified and 833 unidentified cats. Each year approximately 340 of the unidentified cats are feral/infant cats that are included in the overall numbers that are supplied to the shelter due to the efforts of the Animal Welfare League. Last year forty percent (40%) that is 856 of all animals entering the pound were identified by microchip. The high non-

compliant rate of unidentified cats will require education and although difficult to enforce is an area to focus upon in future.

Based on indicative impounding statistics and the cost comparison report it is expected that the current Animal Control budget can support the new Deed of Agreement. Actual impounding numbers will be examined in the quarterly reviews with the aim of addressing the need for any adjustments.

ITEM 4

DRAFT SHONE AVENUE AND WEST DAPTO ROAD, HORSLEY
NEIGHBOURHOOD PLAN - POST EXHIBITION

On 23 February 2015 Council resolved to exhibit the draft Neighbourhood Plan for land fronting Shone Avenue and West Dapto Road, Horsley and to prepare a draft Planning Proposal to make minor amendments to the planning controls.

The draft Neighbourhood Plan was exhibited between 20 April and 22 May 2015 and five (5) submissions were received. The purpose of this report is to provide feedback on the public exhibition and to seek a Council resolution to adopt a revised Shone Avenue and West Dapto Road Neighbourhood Plan as an amendment to the Wollongong Development Control Plan 2009 Chapter D16 West Dapto Release Area.

RECOMMENDATION

The amended Neighbourhood Plan for land fronting Shone Avenue and West Dapto Road, Horsley, be adopted as an amendment to the Wollongong Development Control Plan 2009 Chapter D16 West Dapto Release Area.

ATTACHMENTS

- 1 Locality Map and Current Zoning
- 2 Amendments to Neighbourhood Plan arising from Council resolution
- 3 Amended Neighbourhood Plan
- 4 Updated Wollongong DCP 2009 – Chapter D16 West Dapto Release Area – incorporating Neighbourhood Plan 5.3.9 Shone Avenue and West Dapto Road

REPORT AUTHORISATIONS

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

BACKGROUND

Wollongong Development Control Plan 2009 – Chapter D16 West Dapto Release Area contains specific development controls to guide future urban development in the West Dapto urban release area and supplements the standard provisions contained in the Development Control Plan. Wollongong Local Environmental Plan 2009 and Chapter D16 require a Neighbourhood Plan to be prepared and adopted by Council to guide development within a specified neighbourhood/precinct. The adoption of a Neighbourhood Plan enables future development applications submitted in accordance with the Plan to comply with Clause 6.2 of the Wollongong Local Environmental Plan 2009.

In September 2014 a draft Neighbourhood Plan was submitted for land fronting Shone Avenue and West Dapto Road, Horsley. The total area of the precinct is approximately

46.16 hectares and contains eight separate privately owned land holdings. The southern and eastern boundaries of the neighbourhood are bordered by the Robins Creek. A small tributary of this creek system also bisects the north-west corner of the precinct. The northern part of the neighbourhood is physically separated from West Dapto Road by an existing railway line for the Wongawilli Colliery, which runs parallel and adjacent to this road (Attachment 1).

On 23 February 2015 Council resolved to exhibit the draft Neighbourhood Plan, subject to the following amendments:

- The acoustic building exclusion zone of 25m along the railway line be incorporated into the design of the Neighbourhood Plan based on the Noise report recommendations and be noted clearly for the purpose of identification in the Wollongong Development Control Plan 2009. Re-design lots 371 to 393 in the Neighbourhood Plan to ensure that there is suitable space for a building envelope outside of the 25m exclusion zone;
- A local park be included into the design of the Neighbourhood Plan comprising 2ha of land, 1ha being developable land outside of the 1 in 100 year event and 1ha of non-developable land that is able to accommodate one playing field;
- Clearly identify on the Neighbourhood Plan that the lot layout and roads can accommodate a 32m wide Asset Protection Zone to the eastern part of the site near Robins Creek and the 15m wide Asset Protection Zone in the north western corner and the south eastern corner on private land or on public roads;
- Detention basins need to be located outside of the 1 in 100 year event;
- The electricity easements be re-designed into the Neighbourhood Plan as part of larger lots, and not be transferred to Council; and
- Further work is required to demonstrate how any proposed cut and fill of flood affected land could be managed within the Neighbourhood Plan area.

In line with the Council resolution, these amendments were made to the Neighbourhood Plan (Attachment 2).

Council also resolved to prepare a draft Planning Proposal to make minor adjustments to the planning controls. The draft Planning Proposal is currently on exhibition and will be reported separately.

PROPOSAL

The draft Neighbourhood Plan seeks to facilitate approximately 344 low density residential lots. The site is currently predominantly zoned R2 Low Density Residential, with an E3 Environmental Management zoning over riparian land on the southern and eastern boundaries and north west corner.

The Neighbourhood Plan additionally provides for:

- A sound wall along Wongawilli Colliery rail line north of the neighbourhood;
- A road hierarchy based on predicted traffic volumes and movements throughout the neighbourhood;
- Connectivity with Shone Avenue at one location managed as a future round-about and a possible future connection with West Dapto Road (if the rail line is removed);
- Provisions for community and/or recreation facilities, which include dedicated environmental/open space land with riparian corridor area;
- TransGrid electricity easements within the road reserve; and
- Perimeter roads and shared pedestrian/cycleway paths.

CONSULTATION AND COMMUNICATION

The draft Neighbourhood Plan was exhibited between 20 April and 22 May 2015. The following NSW State Agencies were consulted as part of the exhibition period:

- NSW Rural Fire Service;
- Sydney Water;
- NSW Department of Primary Industries - Office of Water;
- NSW Department of Planning and Environment; and
- NSW Office of Environment and Heritage.

The exhibition was advertised through Council's website and in the Illawarra Mercury and Advertiser newspapers. Copies of the suite of documents were available for viewing on Council's website, in Wollongong and Dapto libraries, and at Council's Customer Service Centre in the Administration Building, Wollongong. Adjoining property owners and Neighbourhood Forum 8 were notified of the public exhibition by mail. The abovementioned State Agencies were notified by mail, along with TransGrid.

As a result of the public exhibition the website page received 227 views and the draft Neighbourhood Plan exhibition material was downloaded 164 times. A total of five (5) submissions were received from the following:

- Office of Environment and Heritage
- Office of Water
- NSW Rural Fire Service
- Sydney Water
- Neighbourhood Forum 8

The table below illustrates the issues raised as a result of the public exhibition of the draft Neighbourhood Plan. It is recommended that these issues are addressed as either amendments to the exhibited draft Neighbourhood Plan, or at the development application stage (as appropriate). The amended Neighbourhood Plan is shown as Attachment 3. The recommended amendment to the Wollongong Development Control Plan 2009 Chapter D16 West Dapto Release Area is shown as Attachment 4.

ISSUES RAISED IN EXHIBITION		
	Issue Raised	How Issue was resolved
1	<p>Office of Water:</p> <p>Inconsistency with NSW Office of Water (2012) guidelines, as non riparian uses are proposed to be located in the inner 50 per cent of the vegetated riparian zone (VRZ). The draft Plan should seek to minimise non riparian uses within prescribed Vegetated Riparian Zones, including locating infrastructure, bushfire asset protection and residential lots outside the VRZ or in accordance with the Guidelines for riparian corridors on waterfront land.</p>	<p>In response to Office of Water submission, the Neighbourhood Plan has been modified such that there is no encroachment into the E3 lands along Robins Creek and all residential lots and roads are not affected by the 1% AEP flood line. The revision has included the removal of some proposed lots and realignment of roads.</p> <p>The study area contains waterfront land and therefore the preparation of a Vegetation Management Plan is likely to be required at the DA stage.</p>
2	<p>Office of Environment & Heritage:</p> <p>Concerns raised in relation to floodplain management issues, specifically:</p> <ul style="list-style-type: none"> • Risks to life and property, with depths identified in excess of 2-3m over some lots; • Evacuation and isolation issues in times of flood; • Cumulative impacts both upstream and downstream; • Climate change impacts; and • Environmental factors including erosion and sedimentation due to potential geomorphic instability. <p>The submission recommends Council:</p> <ul style="list-style-type: none"> • Review the adequacy of the modelling and documentation undertaken, particularly in relation to some apparent inconsistencies between the depth and velocity mapping across the events; and • Ensure the proposed neighbourhood plan is consistent with the NSW Government's Flood Prone Land Policy, the relevant LEP/DCP flood planning framework and the Mullet and Brooks Creek Floodplain Risk Management Study and Plan. 	<p>The residential areas of West Dapto have been designed to be above the 1% Annual Exceedance Probability (AEP) flood level (while still recognising that larger flood events could occur). The revised Neighbourhood Plan has adopted the WCC Mullet Creek Extension Study (2011) to define the 1% AEP flood line. All proposed lots are now shown to be either flood free, in low flood risk precinct or medium flood risk precinct. The re-entrant upon which the playing field and the road serving lots 311-314 will be located will be reduced to low or medium risk after the proposed minor earthworks are completed. Lots 291-298 are located over a dam which will be decommissioned and backfilled (and assessed at the DA stage).</p> <p>The Stormwater division initially recommended that the proposed lots 321-328 be</p>

ISSUES RAISED IN EXHIBITION		
	Issue Raised	How Issue was resolved
		removed from the Neighbourhood Plan on the basis that the modelling has shown they could be affected up to 2m in flood depth during a PMF event. The proponent has requested that the Plan not be amended on the basis that Council's Flood risk mapping show these proposed lots as lying in a low flood risk precinct, with the provision for the inclusion of these lots to be further reviewed/ justified at the DA stage.
3	<p>Office of Environment & Heritage:</p> <p>Noted that management strategies and recommendations in the AHMS West Dapto Road Preliminary Aboriginal Heritage Assessment Report (2014) are deemed appropriate. Areas identified by the AHMS report as having potential for subsurface archaeological deposits should be investigated in accordance with relevant OEH guidelines.</p>	To be addressed at DA stage – the proponent has commenced additional Aboriginal archaeological research in line with the recommendations from Council's Heritage Officer.
4	<p>NSW Rural Fire Service:</p> <p>The future subdivision shall comply with <i>Planning for Bush Fire Protection 2006</i> with particular reference to:</p> <ul style="list-style-type: none"> • Provision of Asset Protection Zones (APZs) in accordance with Table A2.4; • Access, including road layout and design, to be provided in accordance with section 4.113; and • Services to be provided in accordance with section 4.1.3. <p>The provision of the future road connection to West Dapto Road is supported as a secondary access to and egress from the neighbourhood.</p>	<p>A bushfire constraints assessment has been completed by Australian Bushfire Protection Planners (2014) to identify any bushfire protection constraints associated with the proposed residential subdivision.</p> <p>Compliance required at development application stage.</p>
5	<p>Sydney Water:</p> <p>Water and wastewater trunk infrastructure to service this area are planned to be delivered by Sydney Water by December 2015. Developers will be responsible for constructing the reticulation mains within the development area that connect to these trunk mains.</p>	To be addressed at development application stage.

ISSUES RAISED IN EXHIBITION		
	Issue Raised	How Issue was resolved
6	Neighbourhood Forum 8: Request to consider second access to Shone Avenue.	A second access to Shone Avenue was not supported by Council traffic engineers. There is provision for a possible future connection with West Dapto Road (if the rail line is removed).

Internal consultation raised concerns about the location of some proposed residential lots and roads in terms of exposure to flood risk, and the need to ensure that non riparian uses such as asset protection zones, recreational areas, roads, development lots and infrastructure would be located in the outer 50 per cent of the Vegetated Riparian Zone (VRZ).

The Neighbourhood Plan has been modified such that there is no encroachment into the E3 lands along Robins Creek. This revision has included the removal of some proposed lots and realignment of roads. The Office of Water will provide comments on any subdivision plan submitted to ensure compliance with the *Water Management Act 2000* in this regard.

The revised Neighbourhood Plan also identifies the intention to undertake some minor earthworks to bring all proposed lots above the 1% AEP flood level. Flood modelling will be further reviewed at the Development Application (DA) stage to:

- consider the potential flood impacts as a result of the proposed Neighbourhood Plan inclusive of fill platforms;
- consider the potential flooding impacts of the recently completed Shone Ave bridge/road/creek works, immediately west of the proposed Neighbourhood Plan; and
- confirm the accuracy of the flood model against Council’s adopted flood study for Mullet Creek West Dapto extension (December 2011).

In response to internal consultation the Neighbourhood Plan was amended post exhibition to include 6.5 metre wide carriageways. A minor realignment of the shared path and footpath to better match the desire line will be finalised at the development application stage.

The Development Control Plan Chapter D16 has been updated with controls to ensure that houses front and address Shone Avenue, and notes that Shone Avenue will be access denied. The Neighbourhood Plan indicates the intended dwelling outlook direction.

Internal consultation recommends that prior to subdivision works a detailed assessment of contamination is conducted. A Stormwater Quality Strategy report has been submitted and Water Sensitive Urban Design (WSUD) principles will be incorporated into development applications.

Satisfactory internal referrals were received in relation to geotechnical, traffic and access issues for consideration.

The proposed Shone Avenue access point to the neighbourhood may need to be moved to ensure that the location also provides a suitable access point to the residential land to the west. This issue can be considered at development application stage and in consultation with the landowner opposite (Wollongong Coal) and their consultants.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 objective “*Residents have improved access to a range of affordable housing options*” under the Community Goal “*We are a healthy community in a liveable city*” and the objective “*Walking, cycling and public transport is an accessible and well resourced means of transport, and the use of private cars is reduced*” under the Community Goal “*We have sustainable, affordable and accessible transport*”.

It specifically addresses the Annual Plan 2015-16 Key Deliverable “*Continue to review and assess Neighbourhood Plans*” which forms part of the Five Year Action “*Implement the West Dapto Release Area Masterplan*” contained within the Revised Delivery Program 2012-17.

CONCLUSION

The revised draft Neighbourhood Plan provides a design that enables land holdings to be developed with the appropriate level of integration, internally and with the wider release area. This integration relates to the road network, the pedestrian pathways and cycleway networks; drainage and flooding management; as well as appropriate interaction between residential uses and environmentally zoned land. This integrated approach enables the efficient generation of new housing opportunities in West Dapto while minimising any environmental impact. It is recommended that Council adopt the amended Shone Avenue and West Dapto Road Neighbourhood Plan as an amendment to the Wollongong Development Control Plan 2009 Chapter D16 West Dapto Release Area.

ITEM 5

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

Council has received a request from WIN Sports and Entertainment Centre (WSEC) for a licence over the Stewart Street East Car Park for use on a range of dates including weekends and after hours on weekdays to support the WSEC operations.

RECOMMENDATION

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

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

ATTACHMENTS

- 1 Submission by WIN Sports and Entertainment Centre
- 2 Parking map

REPORT AUTHORISATIONS

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

BACKGROUND

The WIN Sports and Entertainment Centre was opened in 1998. The construction did not provide any parking in the development and parking was provided on land owned by Sydney Water, which was also the site of the "Showground Markets".

The Sydney Water land was sold to Transmedia Enterprises Pty Ltd [Transmedia] and later to Miltonbrook Developments Pty Ltd [Miltonbrook]. The City Beach apartments were constructed under these ownerships. Council acquired the Stewart Street East Car Park from Transmedia in lieu of Section 94 contributions under a Planning Deed that saw Council construct the Harbour Street and Bank Street extensions and drainage to facilitate the development of the residential complexes in Bank Street. The 'Chifley Hotel' site was subdivided and sold to a developer by Miltonbrook, with the hotel being constructed in 2006-07.

In 2003, Council constructed the current car park by sealing and lighting the site. It has been identified in the Inner City Parking Strategy as a prime parking location. The strategy identifies it as the highest priority for the development of a multi-story car park in the City Centre based on use during business hours to support CBD visitors and workforce and after hours to support the lower Crown Street area which is identified as

an entertainment sector. In 2004, Council sought expressions of interest for a Public Private Partnership to construct a multi-storey car park to provide parking for 500 vehicles. Although submissions were received, none were financially viable due to the low level of cost of parking in the City Centre.

In 2014, WSEC unsuccessfully sought funding for the refurbishment of the centre from the State Government. Included in their request was an amount of \$5 million that would contribute to the construction of a multi-storey car park on Stewart Street East.

Parking in this area is provided by the Stewart Street East Car Park [163 spaces], the Administration Building Car Park [310 spaces 6 am to midnight] and after hours and weekends by the George Street Car Park [89 spaces]. These are shown on Attachment 2.

Since opening, the WSEC has used the car parking available, first as Sydney Water land and then, later, as a Council car park to provide parking for the complex. The arrangement has been a loose one with licences issued for single day events but not under a more permanent arrangement. The WSEC has used the car park for events with expected attendance of 3,000 or more and have charged a \$5 parking fee. This fee has been used to cover the cost of a security attendant [employed by WSEC].

The WSEC have used the car park approximately 30 times per year to support events such as:

- Major concerts;
- Family events such as the Wiggles, Disney on Ice;
- School events such as Southern Stars
- Sporting events such as Dragons, Hawks and A-League games;
- Sport conferences and exhibitions such as Cross Fit, National Judo championships; and
- Events such as Super Cross, Crusty Demons and Nitro Circus.

For information the types of major events in the near future that would benefit from the use of Stewart Street East Car Park are:

Event	Date	Expected Attendance
Dragons v Cowboys	Saturday 4 July	12,000
Mary Poppins	Saturday 11 July (2 shows)	4,000
Dragons v Panthers	Sunday 23 August	14,000
Southern Stars	Friday 28 August (evening)	4,000 (Plus 2,500 in the show)
Southern Stars	Saturday 29 August (2 shows)	8,000 (Plus 2,500 in the show)

A request has now been received from the WSEC for a formal licence to use the Stewart Street East Car Park for event parking. The request is based on the following rationale provided by the WSEC management:

- 1 *The use of the Stewart Street East Car Park is at times when the car park is underutilized by the community. The prime demand times are business hours 8:30 am to 4:30 pm at which times the parking is metered. After hours and weekend usage is very low and use by the WSEC eases on-street parking pressures;*
- 2 *The provision of car parking facilities is often an important factor in attracting major events to Wollongong.*

Many major event organisers make it a proviso of bringing their events to the City, that the promoter can arrange parking for patrons, VIP's, participants or their corporate/sponsor guests. If this provision cannot be guaranteed, there is a strong likelihood that the number of major events to the city will be diminished;

- 3 *The Stewart Street East Car Park forms part of the Transport, Traffic and Parking plan for major events at the WSEC.*
- 4 *Council is reminded that, through its hosting of events, the WSEC provides over **\$27 million of regional economic benefits and sustains 271 FTE jobs** (IRIS Research).*

The biggest factors in these economic benefits come from Dragons games, major concerts and conferences, which are attracted to Wollongong. These happen to be the events that are most reliant on event parking.

PROPOSAL

The proposal seeks exclusive use of the car park for major events on the following basis:

Term

A term has not been proposed in the WSEC submission, but a term of five years is recommended. As stated earlier, the site is identified as the highest priority for a multi-storey car park. At present, the car park is highly used during business hours and with the commercial and residential development of the vacant sites in the area this is expected to increase. After hours' use of this site is primarily from the surrounding churches and the stadium and entertainment centre, which will continue to provide demand.

Rent/Fee

WSEC have proposed a "profit share" as follows:

The WSEC offers Council a share in the revenue created from this Licence Agreement, as follows:

- a) *When the WSEC charges a Parking Fee (currently \$5 per car) the WSEC will retain monies from the fees collected, to cover the wages and on-costs of employing a Security Guard, to be on duty throughout the event.*
- b) *This cost of the staffing will vary, according to the day of the week and time of the event, with the NSW Security Award having different Monday-Friday (Day), evening, Saturday and Sunday hourly rates.*
- c) *WSEC will also retain an additional 10% of the fees paid, each quarter, to cover other costs involved in providing staff, administration of the process and production of signage and tickets.*
- d) *The WSEC offers WCC 50% of the revenue parking fees collected, after the above costs are deducted.*
- e) *The WSEC will settle with WCC (with full details of times of use, staff costs, cars parked etc, on a quarterly basis (in arrears).*

This arrangement has been offered as the WSEC does not charge for all use of the space. The need to provide parking for corporate clients of the facility users means that the WSEC do not always have the opportunity to charge for the spaces, but still incur the cost of security. They have provided the following information in respect to usage at recent events:

Event Type	Average number of cars parker per event
Concerts [Major and other]	81
Family events [eg Wiggles]	119
WEC Sport, Conferences/ Exhibitions	124
Hawks	58
Dragons/A-League	113

While it is recognised the parking does not necessarily break even with paying customers, the provision contributes to the corporate and other non-paying customers as required in contractual arrangements. This allows the WSEC to earn income from those events, given they do not have the capacity to park them on their own site.

The proposed arrangement would be a cumbersome arrangement in terms of Council auditing and ensuring that the appropriate income and costs were being applied. Also the WSEC, while contributing to the cultural and entertainment experiences of the city, is basically a commercial enterprise. Other commercial users of the site have been required to meet the cost of parking at a per space basis.

Fees could be based on the following options:

- 1 An annual fee (charged monthly) would be the simplest method of charging and would be in line with fees charged to other users of Council property. The basis for the establishment of the fee could be either through a flat fee or a fee per event. If the WSEC were to charge \$5 per space for all spaces at the average 30 events per year, they would collect \$24,450 over those events and would have costs

estimated [by Council] of \$6,500 with a net result of say \$18,000. A 50% share of that as proposed would be \$9,000 pa.

- 2 A fee based on a per space basis could be assessed as an average time use of 4 hours [163 spaces at \$0.60 per hour] and an average 30 uses per year would be \$11,736 pa.
- 3 Based on the information provided in the WSEC submission, the profit sharing option would yield Council around \$4,200 pa. This varies from Option 1 as only fees for an average of 100 spaces per event are calculated, the others not attracting fees as they are used for the corporate clients.

A flat annual fee of \$4,500 would appear to be a reasonable fee and would be the easiest for Council to administer.

General Terms

- WSEC to effect Public Liability Insurance to a minimum of \$20 million. The policy must note the interest of Wollongong City Council as the property owner.
- WSEC must release and indemnify Wollongong City Council to the full extent permitted by law from and against all liability in respect to damage to or loss of property, death or personal injury sustained in or in connection with the property except liability arising out of the negligence of the occupant or the occupant's employees, agents or invitees.
- WSEC must not do anything that would invalidate any insurance policy covering the property or that might increase the premium.
- All improvements placed on the land by WSEC shall be removed and the site restored to its original condition upon vacating the site.
- WSEC agree to restore the surface of the land and any adjoining lands if damage occurs as a result of their occupation and make good at the completion to the satisfaction of Council. This is to include repair of any damage to the surface and infrastructure including any access driveways, fencing, footpaths or services affected as a result of your occupation of the land.
- Wollongong City Council does not have to maintain or repair the property.
- Major Event Traffic Management Plans must be presented to Council prior to the major events.
- Secure parking will not operate during the hours of 8.30 am to 4.30 pm Monday to Friday.
- Parking may be secured no earlier than 2 hours prior to the event start time.
- The WSEC may charge a parking fee of \$5.00 per vehicle to cover labour and other costs incurred.

- The area will be secured by a WSEC Security Guard wearing uniform and 'High-Vis' clothing who will collect the fees, and who will remain on site until the majority of the event patrons have left the car park.
- The collection point for fees will be located at such a point as to allow queuing for payment in the drive-way so as to keep the street clear of queuing vehicles.
- Pedestrian walkways are not to be obstructed by the Collection Point.
- When all of the line-marked parking bays are full, the car park will be closed.
- Standard Operating Procedures as outlined in Attachment 1.
- Council reserves the right to terminate the occupancy at any time should a breach of the above conditions occur.

CONSULTATION AND COMMUNICATION

WSEC management have met with Council Officers and the Lord Mayor prior to submitting their proposal.

PLANNING AND POLICY IMPACT

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

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

RISK ASSESSMENT

The licence document will ensure that the risks associated with the WSEC use of the site are mitigated through appropriate Standard Operational Procedures, Traffic Management Plans and insurance cover for the activity.

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

FINANCIAL IMPLICATIONS

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

CONCLUSION

The WSEC has relied on lands not owned by them since opening to provide the necessary parking for the site. Since the construction of the Stewart Street East Car Park, the WSEC have used it on an event-by-event basis for major event parking. WSEC have also recognised the need to contribute towards parking in any future re-development of the Centre and have sought to include parking allowance in funding applications put to the Federal and State Governments.

While the Stewart Street East Car Park is a community car park, and available to the general community free of charge after 4:30 pm and on weekends and public holidays, it is not well used out of hours and on weekends and public holidays. It is recognised in the Inner City Parking Strategy as providing an event role after hours.

The WSEC have a need to guarantee parking to be able to attract major events and contribute to the City entertainment. The ability of the Stewart Street East Car Park to achieve this is recognised, but as other commercial operators are required to meet a cost when using Council property, the WSEC should also be prepared to meet a fair fee.

ITEM 6 POLICY REVIEW: PUBLIC ACCESS FORUM

Council on 30 March 2015 resolved, in part, to place the Public Access Forum policy on exhibition and a report be presented to Council in relation to submissions received during the exhibition period.

RECOMMENDATION

- 1 Council note and thank residents for their submissions.
- 2 The Public Access Forum policy be adopted, as exhibited, subject to the inclusion of a link to Council's Codes of Conduct within the Policy Statement.

ATTACHMENT

Draft Exhibited Public Access Forum Policy

REPORT AUTHORISATIONS

Report of: Deanne Heidrich, Executive Officer to the Lord Mayor
Authorised by: David Farmer, General Manager

BACKGROUND

Council is committed to engaging with the community in an effective, timely and transparent manner so their views can provide input into decision making. Council actively encourages the participation of community members who may be affected by, or are interested in a decision. The Community Engagement Council Policy commits to engaging the community, to seeking opportunities to inform the community, develop community partnerships and seek community input into decision-making.

This Policy reflects the community's aspirations in Wollongong 2022: Our Community Strategic Plan to become a connected and engaged community. Council will engage with the community in:

- building relationships and trust;
- seeking input into the design of services and policies;
- keeping the community informed about projects and plans;
- seeking joint ownership of solutions.

In doing so, Council offers a variety of ways for the community to participate in engagement to be accessible to a wide range of needs including:

- Council's website and online media channels
- Council newsletters
- Customer service
- Events and festivals
- Kiosks and information sessions
- Public Access Forum

- Ward meetings
- Community forums
- Kiosks
- Surveys and submissions
- Online engagement
- Communication channels
- Independent Hearing and Assessment Panel
- Reference and Advisory groups
- Focus groups and Workshops
- Reference and Advisory groups
- Ability to correspond or telephone Councillors directly

Additionally, Councillors have an active role to play in engaging the community in order to understand their concerns and aspirations and consider these in decision making. The community can contact their Councillors to discuss and contribute their views and ideas.

At the Ordinary Meeting of Council of 30 March 2015 the draft Public Access Forum Policy was resolved to be placed on public exhibition for a minimum period of 28 days, with 42 days allowed for the receipt of submissions and a report be presented to Council.

During the exhibition period, sixty three (63) residents visited the online exhibition page and twenty eight (28) residents downloaded the documents. In this respect eight (8) residents submitted feedback (three online, four written and 47 form letters), around six key themes, namely:

- 1 Delete the maximum of 6 addressee's provision (2 individuals plus form letters)
- 2 Delete the 'two for' and 'two against' provision (3)
- 3 Restriction of speakers who reside outside the local government area (7)
- 4 The Lord Mayor should not be the sole decision maker on who can and cannot speak to the elected Councillors (3)
- 5 Current practice does not meet Policy objectives (3)
- 6 Current forums perceived to be intimidating, nuisance factor and hostile (1)

Note: One submission was not relevant to Policy review

Reasons given in submission	Council's response
<p>Delete the maximum of 6 addressees per Public Access Forum provision (3)</p>	
<p><i>Does not facilitate s.8(1) of the Local Government Act regarding involvement of the Public with Local Government</i></p>	<p>It is recommended that Council not consider deletion of a maximum number of addresses during the Public Access Forum from the current Policy due to time constraints. Given the 30 minute limit for the Public Access Forum it is necessary to limit the number of speakers to a maximum of 6 speakers, who each have 5 minutes to address the Council.</p> <p>The number of speakers in the Public Access Forum may be varied on particular matters by the General Manager, who has the discretion to:</p> <ul style="list-style-type: none"> - approve additional applications in the event of there being more than the maximum number of applicants wishing to speak to current agenda and business paper items; and - vary the maximum number of speakers on a particular agenda and business paper item should the item be addressing an issue of significant community interest. <p>There are a variety of ways for the community to participate in engagement, listed as part of this report.</p>
<p>Delete the 'two for' and "two against' provision (3)</p>	
<p><i>Does not facilitate s.8(1) of the Local Government Act regarding involvement of the Public with Local Government</i></p>	<p>It is recommended that Council not consider deletion of the two for and two against provisions for the following reasons:</p> <p>In addition to limiting the number of speakers, as a point of procedural fairness and in order to provide opportunity Council to hear balanced submissions both for and against a matter it is important to ensure that the Public Access Forum is not filled with speakers with only a one-sided view on a matter.</p> <p>It is also important to ensure that members of the public who wish to address Council on other matters on the agenda are not excluded from speaking under the 6 speakers rule due to the registration of speakers for one other matter only. For this reason, Council has adopted the practice of hearing a maximum of 2 speakers 'for' a matter and 2 speakers 'against'.</p>

Reasons given in submission	Council's response
	<p>The number of speakers in the Public Access Forum may be varied on particular matters by the General Manager, who has the discretion to:</p> <ul style="list-style-type: none"> - approve additional applications in the event of there being more than the maximum number of applicants wishing to speak to current agenda and business paper items; and - vary the maximum number of speakers on a particular agenda and business paper item should the item be addressing an issue of significant community interest. <p>There are also a variety of other ways for the community to participate in engagement with Council, listed as part of this report.</p>
Restriction of speakers who reside outside the local government area (7)	
<p><i>Limits speakers to those who reside in the LGA and denies the right of people to have another person speak on their behalf</i></p>	<p>The exhibited draft Policy provides for speakers who reside outside of the LGA and for other people to speak on another person's behalf, namely:</p> <p><i>A duly appointed person (written authority must be provided)</i></p> <p><i>Any person or nominee of an organisation invited to speak by resolution of Council or by approval of the Lord Mayor.</i></p>
The Lord Mayor should not be the sole decision maker on who can and cannot speak to the elected Councillors (3)	
<p><i>Not democratic</i></p>	<p>Under the Policy the General Manager has the delegation within eligibility criteria, to consider and determine applications from speakers to address the Council via the Public Access Forum.</p> <p>Additionally, the Policy provides for the Lord Mayor to approve applications from speakers to address Council via the Public Access Forum, who may be excluded from speaking as they may not fall within the listed eligibility criteria.</p> <p>There are also a variety of other ways for the community to participate in engagement with Council, listed as part of this report.</p>

Reasons given in submission	Council's response
Current practice does not meet Policy objectives (3)	
<p><i>Not meeting objectives to improve communication between council and its residents to raise relevant issues, assist in the decision making process and be open and accessible.</i></p>	<p>The Public Access Forum is only one of many opportunities for our community to engage with Council. Other opportunities include informal community dialogue sessions in the wards, submissions to various committees and reference groups and Policy documents, as well as engagement kiosks held frequently across the Local Government Area.</p>
Current forums perceived to be intimidating, nuisance factor and hostile (1)	
<p>NHF5</p>	<p>Council agrees there may be opportunities to improve Public Access Forums. The proposed changes to the Policy reflect those opportunities and are considered to be appropriate and ensure that members of our community may be heard in an open and accessible environment and be treated with respect in accordance with Council's Codes of Conduct.</p> <p>In order to address this concern, the Public Access Forum Policy should contain a link to the Council's Codes of Conduct.</p>

COMMUNICATION AND CONSULTATION

The draft Public Access Forum Policy was placed on public exhibition for a period of 28 days, with 42 days allowed for the receipt of submissions as per the resolution of the 30 March 2015. Eight residents submitted feedback (three online, four written and 47 form letters). Governance and Information officers were also consulted during the drafting of the changes to the Policies and on the consideration of the submissions on the final recommended Policy.

As the Public Access Forum Policy is a Council Policy, there are no statutory or legislative requirements in relation to the requirement to re-exhibit amendments made to the Policy by Council, after considering public submissions received.

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

In considering the submissions received and the provision within the Policy to accommodate the concerns raised, as well as the premise that the Public Access Forum is only one manner in which community can engage with Council, it is recommended Council adopt the Public Access Forum Policy as exhibited with the addition of a link to the Council's Codes of Conduct.

ITEM 7 POLICY REVIEW: CODE OF MEETING PRACTICE

Council on 30 March 2015 resolved that the draft Code of Meeting Practice be placed on public exhibition for a minimum period of 28 days, with 42 days allowed for the receipt of submissions and a subsequent report be presented to Council.

RECOMMENDATION

Council adopt the Code of Meeting Practice subject to:

a Clause 4.8 being re-ordered to read as follows:

- 1 *If the Lord Mayor is the Chairperson at a Council meeting, the Chairperson, is by minute signed by the Chairperson, entitled to put to the meeting without notice¹ any matter or topic that is within the jurisdiction of Council or of which the Council has official knowledge. Reg 243*
- 2 *Lord Mayoral Minutes should not be used to introduce, without notice, matters that are routine, not urgent, or need research or a lot of consideration by the Councillors before coming to a decision. These types of matters are better placed on the Agenda with the usual period of notice given to the Councillors. OLG Prac Note 16/2009 – Pg 14*
- 3 *Such a minute, when put to the meeting, takes precedence over all business on the Council agenda/business paper for the meeting. The Chairperson (but only if the Chairperson is the Lord Mayor) may move adoption of the minute without the motion being seconded.*
- 4 *A recommendation made in a minute of the Chairperson (being the Lord Mayor) or in a report by a Council employee is, so far as adopted by Council, a resolution of Council. Reg 243*
- 5 *A Late Business Lord Mayoral Minute prepared prior to the Council meeting will be added to the business paper agenda in accordance with the Order of Business as stated in Clause 4.5 of this Code.*

b The addition of the following explanatory footnote:

¹“without notice” meaning the matter is not included on the Agenda.

ATTACHMENT

Draft Exhibited Code of Meeting Practice

REPORT AUTHORISATIONS

Report of: Deanne Heidrich, Executive Officer to the Lord Mayor
Authorised by: David Farmer, General Manager

BACKGROUND

No submissions were received on the draft exhibited Code of Meeting Practice. However it is recommended that the following administrative change be made to the Policy to provide clarification.

Clause 4.8 be reordered and a footnote added in para 2, as below:

- 1 If the Lord Mayor is the Chairperson at a Council meeting, the Chairperson, is by minute signed by the Chairperson, entitled to put to the meeting without notice any matter or topic that is within the jurisdiction of Council or of which the Council has official knowledge. *Reg 243*
- 2 Lord Mayoral Minutes should not be used to introduce, without notice¹, matters that are routine, not urgent, or need research or a lot of consideration by the Councillors before coming to a decision. These types of matters are better placed on the Agenda with the usual period of notice given to the Councillors. *OLG Prac Note 16/2009 – Pg 14*
- 3 Such a minute, when put to the meeting, takes precedence over all business on the Council agenda/business paper for the meeting. The Chairperson (but only if the Chairperson is the Lord Mayor) may move adoption of the minute without the motion being seconded.
- 4 A recommendation made in a minute of the Chairperson (being the Lord Mayor) or in a report by a Council employee is, so far as adopted by Council, a resolution of Council. *Reg 243*
- 5 A Late Business Lord Mayoral Minute prepared prior to the Council meeting will be added to the business paper agenda in accordance with the Order of Business as stated in Clause 4.5 of this Code.

Footnote:

¹“without notice” meaning the matter is not included on the Agenda.

COMMUNICATION AND CONSULTATION

The Code of Meeting Practice and Public Access Forum policy were placed on public exhibition for a period of 28 days, with 42 days allowed for the receipt of submissions as per the resolution of the 30 March 2015. No submissions were received specifically relating to the Code of Meeting Practice. Governance and Information officers were also consulted during the drafting of the changes to the policies and also on the consideration of the submissions on the final recommended policies.

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.

ITEM 8 COUNCIL AND COMMUNITY DIALOGUE FORUMS

Council on 8 April 2013 resolved as follows in relation to the Community Engagement Policy:

- 1 *Council adopt the amended draft Community Engagement Policy.*
- 2 *Council discontinue the trial of external Council meetings as per Minute 149 of the June 2012 Council Meeting and these be replaced with 'Council and Community Dialogue Forums' that are held annually in each Ward.*
- 3 *A new Charter be developed for Neighbourhood Forums, as consultative forums based on Model 2 outlined in the report.*

This report responds to point two of the above resolution.

RECOMMENDATION

- 1 Council note the report.
- 2 The 'Council and Community Dialogue Forums' be discontinued.

ATTACHMENT

There are no attachments for this report.

REPORT AUTHORISATIONS

Report of: Deanne Heidrich, Executive Officer to the Lord Mayor
Authorised by: David Farmer, General Manager

BACKGROUND

Council is committed to engaging with the community in an effective, timely and transparent manner so their views can provide input into decision making. Council actively encourages the participation of community members who may be affected by, or are interested in a decision. The Community Engagement Council Policy commits to engaging the community, to seek opportunities to inform the community, develop community partnerships and seek community input into decision making.

This Policy reflects the community's aspirations in Wollongong 2022: Our Community Strategic Plan to become a connected and engaged community. Council offers a variety of ways for the community to participate in engagement and to be accessible to a wide range of needs including:

- Council's website and online media channels
- Council newsletters
- Customer service
- Events and festivals
- Kiosks and information sessions

- Public Access Forum
- Ward meetings
- Community forums
- Kiosks
- Surveys and submissions
- Online engagement
- Communication channels
- Independent Hearing and Assessment Panel
- Reference and Advisory groups
- Focus groups
- Workshops
- Reference and Advisory groups

The following steps were undertaken to implement the Council resolution:

2013/2014 Council undertook city wide engagement to review the Neighbourhood Forum Charter.

Council undertook extensive city wide engagement as part of the Securing our Future project whereby residents were provided with opportunities to discuss operational and efficiency improvements, changes to service levels, and changes to funding sources across the Local Government Area.

2014/15 Council conducted opportunities for City wide engagement via four Community Dialogue Forums across the City.

Over the course of the forums a total of ten members of the community attended the forums.

COMMUNICATION AND CONSULTATION

The Forums were advertised widely through the Community Newsletter which was letter box dropped as well as through and through our social media channels.

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.

Following the delivery of the four Community Dialogue Forums across the city the Council resolution has now been completed in full, however given the level of participation from community members, this report recommends the discontinuation of the Forums rather than scheduling ongoing annual sessions.

CONCLUSION

In considering the minimal community response received to the Community Dialogue Forums and the provision of other numerous mechanisms for the community to liaise and engage with Councillors on an as needs basis, it is recommended the Community Dialogue Forums be discontinued other more effective mechanisms for engagement outlined in the Community Engagement Policy be utilised.

ITEM 9 ECONOMIC DEVELOPMENT TRADE MISSION

Council has been working closely to establish new business relations and strengthen existing business relations in China.

Wollongong City Council and Longyan Fujian Province in China, signed a Friendship City Agreement in 2000. Longyan have extended an invitation to the Lord Mayor to visit Longyan in November 2015 to celebrate 15 years of the Friendship City Relationship between Longyan and Wollongong City Council.

It is proposed that the Lord Mayor and two Council Officers undertake a trade mission to China to develop economic ties and celebrate the fifteenth anniversary of our Friendship City Agreement.

RECOMMENDATION

Council support a trade mission to China in October / November 2015 led by the Lord Mayor, to promote opportunities for new and existing business investment in Wollongong and to support Wollongong based businesses with investment in China.

ATTACHMENTS

There are no attachments for this report.

REPORT AUTHORISATIONS

Report of: Deanne Heidrich, Executive Officer for the Lord Mayor
Authorised by: David Farmer, General Manager

BACKGROUND

Wollongong City Council has been working to promote investment in Wollongong with the longer term aim of stimulating economic growth and employment in the region through ongoing diversification of the region's economic base. Council and other organisations such as Destination Wollongong and NSW Trade and Investment have been working with Chinese investors and tourism operators to increase investment in the region and increase visitor patronage to the area.

In 2013, the Lord Mayor and Economic Development Manager visited China, working closely with NSW Trade and Investment, Destination NSW and Austrade as part of a trade mission to China. Important links were made with Chinese investors, entrepreneurs and tourism wholesale agents. Destination Wollongong officials have subsequently made a number of visits to China.

In 2013, the Lord Mayor, in conjunction with Destination NSW, hosted a function in Shanghai for approximately 13 leading wholesale travel agents. Destination Wollongong reported that 80% of those operators have since sent business to Wollongong.

A key outcome of this visit is the conversion of business to Wollongong from leading wholesale agent, China International Travel Services (CITS), as a direct result of the Lord Mayor's presence in the market place. There is an opportunity to grow on this with Destination Wollongong indicating interest in sending a representative on the proposed trade mission.

Destination Wollongong has identified China as a significant growth market in its management plan. Visitors from China to NSW increased 8.6% in 2014, staying a total of 12.1 million nights (increase of 3.9%) and spent an estimated \$1.5 billion (increase of 15.2%). Wollongong and the South Coast have been identified as the third most visited destinations by mainland China tourists (behind Sydney and the Hunter).

Local IT company Internetrix, has also reached into the China market with numerous offices in China including Shanghai and Beijing. Internetrix now hold four unique Google Analytics certifications in Australia and China and is only one of two Australian Companies which have achieved Certification.

The University of Wollongong (UoW) have invited the Lord Mayor to speak at their newly purchased Community College in Hong Kong, which they hope will act as a feeder for their Wollongong Campus. Currently UoW enjoy approximately 3,000 student enrolments from mainland China.

The proposed trade mission to China has been considered in accordance with Council's Civic Relations Policy and has been assessed using the Decision Template as follows:

- 1 Authenticity: The proposed tour of China originated from a Friendship City request and developed through credible links within the tourism, business and education sectors including NSW Trade and Investment, Destination NSW and Austrade.
- 2 Matrix: Of a potential 18, the proposed tour of China scores 14 (projects need to score over 10 in order to be considered appropriate)
- 3 Risk Assessment: The Department of Foreign Affairs and Trade advice for travellers recommends "Exercise normal safety precautions".

PROPOSAL

The purpose of the visit is to promote the Illawarra/Wollongong as a place to invest (with a focus on information technology and education) and to visit (tourism focus).

Wollongong City Council has established number of strong relationships across China including:

- A Friendship City relationship with Longyan in the Fujian Province of China
- Strong tourism links in Shanghai (following on from the 2013 trade mission) with opportunities to strengthen links with leading wholesale travel agents in Beijing
- Business links with Beijing, Shanghai, Xiamen Jinan, Zhabei district of Shanghai
- Educational links with UoW in China and Hong Kong

- Links with the following local businesses currently operating out of China
 - o Internetrix – internet solutions provider with Chinese ITC licence with operations in Wollongong
 - o Big Fat Smile development and delivery of autism training package within China
 - o Pactera – a Chinese ICT business with offices in Wollongong with a regional base employing approximately 20 staff
 - o Bisalloy Steels is Australia's only manufacturer of high-tensile and abrasion-resistant quenched and tempered steel plate under the brand name of "BISPLATE®". Located in Unanderra, Bisalloy Steels distributes directly to end users, through its businesses in Indonesia, Thailand, the People's Republic of China and through agents in at least a dozen countries worldwide.
- Chinese investment in Wollongong has expanded with current developments including Oxford Tavern, Western Crown Street and Regency Towers and discussions with Chinese investors seeking potential development sites.
- Discussions are currently being undertaken with prospective Chinese investors looking to utilise Australia's manufacturing quality control processes.

Representatives of local businesses involved in actual and potential trade within China have been invited to join the trade mission to promote and reinforce the region to potential Chinese markets. A preliminary itinerary has been designed based on discussions with Commonwealth, State Agencies and businesses which may include:

- Representations and briefings in Shanghai and Beijing with NSW Department of Industries and Commonwealth Austrade Officers to strengthen whole of government support and collaboration for the region;
- Meetings with Internetrix to support their growth internationally including visits to IBM and Google to explore shared services opportunities for region;
- Visit to Big Fat Smile operation in Beijing to support and strengthen the autism development program and the capability of the region in early childhood development and education in conjunction with the UoW;
- Business exchange at the NSW Business Chamber Showcase Centre – a central on stop showcase point providing the opportunity for NSW and the regions businesses, delivering or seeking to deliverer projects/services to the Chinese market, to be showcased;
- Hosting of wholesale travel agents in both Shanghai and Beijing in conjunction with Destination NSW, to promote the region as a key tourism destination for the inbound Chinese tourism market;
- Visit to Zhabei - Lord Mayor established business and government links during the trade mission to China in 2013. Since this visit Zhabei have been actively engaging with Wollongong, showing interest in investing in the city. The Lord

Mayor welcomed a delegation earlier in 2015 engaging in discussions with Wollongong business leaders;

- Strengthening relationships with UoW and the international student population, with a visit to their newly established Community College in Hong Kong;
- A cultural reception and tradeshow in Longyan in recognition of the 15th anniversary of our Friendship City Relationship.

The delegation of business leaders to accompany the trade mission from the region is currently being finalised. Supporting the delegation will be two professional Council officers with responsibilities in economic development and protocol management. These officers will support the Lord Mayor and the delegation in the provision of professional expertise in attendance at briefings/meetings, logistics, business/economic advice and government liaison throughout the trade mission, to ensure a professional and culturally appropriate environment.

CONSULTATION AND COMMUNICATION

Communication and consultation has been undertaken with a number of people within key organisations to date:

External communication has been undertaken with:

- Municipality of Longyan Fujian Province China
- NSW Department of Industries (China Office)
- Austrade
- AusCham
- University of Wollongong
- Illawarra Business Chamber
- Destination Wollongong
- Pactera
- Internetrix
- Bisalloy Steel
- Accounting Professionals
- Destination NSW – Shanghai Office
- Bluescope Steel

Internal communication has been undertaken with:

- Office of the Lord Mayor
- General Manager
- Director Corporate and Community Services
- Community Cultural and Economic Development Manager
- Public Relations Manager
- Economic Development Manager

PLANNING AND POLICY IMPACT

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

Community Strategic Plan	Delivery Program 2012-2017	Annual Plan 2015-16
Strategy	5 Year Action	Annual Deliverables
2.1.1 Cross-sector initiatives are coordinated and implemented to increase and attract business investments and jobs growth, particularly for young people	2.1.1.1 Support regional activities and partnerships that result in increased business investment and jobs growth	Deliver the Economic Development Strategy

RISK ASSESSMENT

A risk assessment was undertaken in accordance with the requirements of the Civic Relations Council Policy and Civic Relations Targets Management Policy.

FINANCIAL IMPLICATIONS

The estimated costs associated with the proposed China tour for Lord Mayor and two Council officers include:

- Travel costs – airfares, transfers, accommodation and meals
- Translator services
- Culturally appropriate gifts

The approximate cost for the above mentioned activity is \$22,000. These costs can be met through the current operational budget.

CONCLUSION

Trade missions and delegations to China led by local government leaders are considered esteemed and received with the highest honour. These delegations are imperative to building strong working relationships that lead to successful economic development and real business outcomes. The proposed economic development trade mission to China will deliver on all of these levels as well as supporting our Friendship City relationship with Longyan. This trade mission will also facilitate opportunities for business investment, build relationships in education and IT sectors and strengthen relationships with key wholesale agents in a growing tourism market.

ITEM 10

DESTINATION WOLLONGONG - APPOINTMENT OF THREE COUNCIL APPOINTED INDEPENDENT DIRECTORS

Following Council's resolution on 22 June 2015 in relation to Destination Wollongong's Constitution, a recruitment process calling for nominations for three Council Appointed Independent Director positions on the Destination Wollongong Board took place. The number of Council Appointed Independent Director positions decreased from four to three, following the adoption by Destination Wollongong of its new Constitution on 22 June 2015. This report presents Council's nominations for the three Council Appointed Independent Directors on the Destination Wollongong Board.

On Saturday, 4 July 2015 Council released an Expression of Interest (EOI) for the three positions with nine applications being received. Overall the panel determined there was a very strong field of candidates with six being rated as suitable for the position. The panel recommended that Mr Wayne Morris, Ms Anita Mulrooney and Ms Amy Harper be referred to Council for endorsement as the Council Appointed Independent Directors on the Destination Wollongong Board.

RECOMMENDATION

1 Council endorse the appointment of:

- Mr Wayne Morris
- Ms Anita Mulrooney
- Ms Amy Harper

as the Council Appointed Independent Directors on the Destination Wollongong Board for a period of four years.

2 The three additional candidates who were considered suitable for the position be retained on an eligibility list, should a vacancy become available within the next two years.

ATTACHMENTS

There are no attachments for this report.

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

BACKGROUND

On 22 June 2015 the Destination Wollongong Board (Board) voted to amend its Constitution which included a reduction in the Board's composition from 11 to nine Directors. The Board now consists of:

- three Council Appointed Independent Directors
- two Council Appointed Officer Directors
- four Member Directors

A panel consisting of the General Manager, Manager Community Cultural and Economic Development [Acting] and Economic Development Manager was established to undertake the recruitment process.

Following these changes Council released an Expression of Interest (EOI) on Saturday, 4 July 2015 seeking nominations for its three Council Appointed Independent Directors. As part of the recruitment process, a suite of selection criteria was developed, including:

- Board experience or corporate experience,
- proven experience in establishing and maintaining strategic partnerships and networks,
- superior communication skills,
- experience in corporate and strategic planning,
- a demonstrated commitment to Wollongong 2022, and
- proven track record/previous Board experience.

Advertisements were placed in the Illawarra Mercury (4 July 2015) and the Wollongong Advertiser (8 July 2015) with nine applications being received by Council by the closing date of 17 July 2015. The panel assessed each applicant under the *Recruitment of External Members to Committees* Policy. Each applicant was assessed under each of the selection criteria and scored accordingly.

As required under the Council endorsed *Recruitment of External Members to Committees* Policy, a Confidential Information Note has been prepared for the consideration of Council outlining the process undertaken. Following Council's determination, successful and unsuccessful applicants will be notified in writing regarding the outcome of the process.

Under the new Destination Wollongong Constitution, the Board of Directors will now consist of two Council Appointed Officer Directors (including one Councillor and one Council Officer). Cr Colacino was elected as Council's representative on the Destination Wollongong Board for a period of twelve months, which is due to expire shortly. Council will consider its nominees on Committees and external Boards (including Destination Wollongong) at its meeting of 14 September 2015.

PROPOSAL

Overall the panel felt there was a strong field of candidates with six considered suitable for the position. This report recommends Council endorse the appointment of Mr Wayne Morris, Ms Anita Mulrooney and Ms Amy Harper to the Destination Wollongong Board as Independent Council Appointed Directors for a period of four years.

The panel also rated three other candidates as suitable for the position. The panel recommends to place these candidates on an eligibility list should a vacancy come up within the next two years.

CONSULTATION AND COMMUNICATION

Advertisements calling for nominations for the three positions were placed in the:

- Illawarra Mercury on 4 July 2015
- Wollongong Advertiser on 8 July 2015

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 goal “We have an innovative and sustainable economy”.

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

RISK ASSESSMENT

The nomination of suitable candidates to fill the three available positions will enable the Board to function to its full capacity and deliver on the Destination Wollongong Constitution.

FINANCIAL IMPLICATIONS

There are no direct financial implications associated with this report.

CONCLUSION

The nomination process undertaken for filling three positions of Council Independent Appointed Directors to the Destination Wollongong Board has been undertaken in accordance with the Destination Wollongong Constitution and Council’s *Recruitment of External Members to Committees* Policy.

On this basis this report is submitted for endorsement of the recommended candidates.

ITEM 11 DRAFT MEDIA POLICY

The draft Media Policy has been developed to ensure that comment made to the public through the media:

- is consistent, well informed, timely and appropriate;
- provides a coordinated, professional and consistent approach to media liaison; and
- clearly indicates Council's authorised spokespersons.

The draft Policy also aims to provide guidance on Councillor and staff rights and responsibilities in relation to media comment.

RECOMMENDATION

The Media Policy be adopted.

ATTACHMENT

Draft Media 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

BACKGROUND

In February 2009 Council's Policy – Media Protocol was updated to reflect the procedures for dealing with media queries or comment by the Administrators, General Manager, Directors, Public Relations Manager or any other delegated Council officer.

In 2011, the Council Policy – Media Protocol was moved to become a Management Policy, which was reviewed and amended in 2014.

This report seeks Council's endorsement of the draft Media Policy in order to provide a strong statement of Council's commitment to working with the media in order to communicate accurate and timely information to the community. It also defines the rights and responsibilities of Council staff and elected representatives in dealing with the media.

PROPOSAL

Council endorse the draft Media Policy.

CONSULTATION AND COMMUNICATION

Council officers gathered and analysed policies from ten other regional and metropolitan councils in order to gain an understanding on industry standards for media policies and found consistent approaches. Council would like to thank the following Councils for sharing their documents and contributing to this review: Blacktown, Blue Mountains, Liverpool, Newcastle, Randwick, Sutherland Shire, Tweed Shire, Warringah, Waverley and Wyong Shire.

Councillors were invited to a Briefing on 17 November 2014 to workshop content for this Policy, review Council’s previous approach and consider content from the above councils’ policies. Feedback from this workshop was collated and forwarded to Councillors as an Information Note in January 2015.

The policies of the councils listed above were made available through the Councillors’ Portal as background reading. A further Councillor Briefing held on 23 March 2015 updated Councillors on proposed changes to be incorporated into the draft Policy.

Internal engagement has occurred with officers from Governance and Information to ensure consistency with other related Council policies.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 Goal “4.4 Our local Council has the trust of the 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

The Policy is supported by three related Policies:

- Media Protocol Management,
- Use of Confidential Information, and
- Council’s Code of Conduct.

Upon adoption of this draft Policy the Media Protocol Management Policy will be reviewed for consistency and to provide further guidance to management and staff.

FINANCIAL IMPLICATIONS

There are no cost implications in endorsement of this draft Policy.

CONCLUSION

The draft Council Policy – Media is submitted for consideration and endorsement.

ITEM 12

LEASE TO GIRL GUIDES ASSOCIATION OF NSW OF THE GUIDE
HALL AT LOT 1 DP860110 TALLEGALLA STREET, UNANDERRA

The lease to the Girl Guides Association of NSW of the Girl Guides Hall at Lot 1 DP860110 Tallegalla Street, Unanderra, expired on 30 June 2014. A proposal for renewal of the lease for a period of 10 years commencing on 1 July 2014 has been accepted by the Girl Guides Association.

RECOMMENDATION

Council -

- 1 Agree to enter into a new lease over Lot 1 DP860110 Tallegalla Street, Unanderra, with the Girl Guides Association of NSW for a term of 10 years at a commencing rent of \$620.00 per annum, including GST.
- 2 Delegate to the General Manager the authority to finalise and execute the Lease and any other documentation required to give effect to this resolution.
- 3 Grant authority for the use of the Common Seal of Council on the Lease and any other documentation, should it be required to give effect to this resolution.

ATTACHMENTS

Map of proposed lease area.

REPORT AUTHORISATIONS

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

BACKGROUND

The Girl Guides Association of NSW has leased the property at Lot 1 DP860110 Tallegalla Street, Unanderra, from Council since November 1971. The current lease expired on 30 June 2014 and this report seeks Council's approval to enter into a new lease for a period of 10 years commencing on 1 July 2014 on the following terms and conditions. The property continues to be used as a Girl Guides Hall.

PROPOSAL

Lessor:	Wollongong City Council
Lessee:	Girl Guides Association of NSW
Address:	PO Box 950, Strawberry Hills, NSW 2012
Email:	melissa.hanna@girlguides-nswact.org.au
Area to be Licensed:	Lot 1 DP860110 Tallegalla Street, Unanderra NSW 2526
Permitted Use:	Girl Guide activities and community activities which do not adversely impact on surrounding residents.
Permitted Hours:	N/A
Term of Licence:	10 Years
Date of Commencement:	1 July 2014
Rental:	\$620.00 per annum
Security Bond Deposit:	No
Review of Rental:	As per Council's Fees and Charges for Sporting and Community groups
Interest Rate:	The rate specified for the time being under Section 566 Local Government Act 1993
Outgoings:	100% of all outgoings including Council rates and charges and all charges for use of water and sewerage, electricity, gas, telephone and garbage charges and any charges for the property whatsoever including land taxes (if applicable).
Insurance:	The Lessee must hold Public Liability Insurance for a minimum of \$10 million and Property Insurance for any structures within the leased area.
Special Conditions:	<p>Hall Hire:</p> <ul style="list-style-type: none"> The Lessee must provide to Council a copy of their Standard Hire Agreement for approval prior to commencing hiring of the premises to ensure the terms are appropriate and in accordance with the lease.

- The Lessee may permit others to occupy and use the whole or any part of the Property on days or at times that the Property (or the relevant part of the property) is not normally used or required for use by the Lessee.
- The Lessee may hire the premises to other community groups consistent with the Permitted use and charge a reasonable fee to cover the cost of use by the hire group. Such hire of the hall will be permitted subject to the hirer entering into a Hire Agreement with the Girl Guides.
- Council reserves the right to request a copy of the hire agreement if the activity becomes a nuisance or annoyance to adjoining residents and reserves the right to cancel that hire agreement.
- Any dispute in regard to the fee or the term and conditions of use will be determined by the Lessor in its absolute discretion.

Transfer and Sublease

- The Lessee must not transfer the Lease without the consent of the Lessor, but that consent cannot be unreasonably withheld.

The Lessor can withhold consent only if:

- The proposed transferee is not a 'not-for-profit' organisation and, therefore, not considered a 'community group' by Wollongong City Council; or
- The Lessee has not complied with the following:
 - I. A request for consent to transfer this lease must be made in writing and the Lessee must provide the Lessor with such information as the Lessor may reasonably require concerning the proposed transferee.
 - II. Before requesting consent to a proposed transfer of this Lease, the Lessee must furnish the proposed transferee with a copy of any disclosure statement given to the Lessee in respect of this lease, together with details of any changes that have occurred in respect of the information contained in the disclosure statement (being changes of which the Lessee was aware or could reasonably be expected to be aware).

Other conditions

- No advertisement or advertising matter shall be erected or placed or be permitted to remain on the area leased without prior written consent from Council.
- No structures are to be erected on the property without Council's prior written permission.
- All electrical equipment is to be tested and tagged in accordance with current NSW or Australian legislative requirements before being brought onto the Lease area and all items of electrical equipment are to be connected via an earth leakage protection device.
- The Lessee is to keep the property safe, clean and tidy and dispose of waste at the Lessee's cost at a waste disposal depot.
- The Lessee is to keep the property secured at all times it is not in immediate use.
- The Lessee must at all times comply with Work, Health and Safety Legislation requirements.
- The Lessee is to comply with all laws regulating how the property is used, obtain any consents or leases needed, comply with any condition of consent and keep current any leases or registrations needed for the use of the property or for the conduct of the Lessee's business there.
- The Lessee must not use the property as a residence or for any activity that is dangerous, offensive, noxious, illegal or immoral or that is or may become a nuisance to the lessor or to the owner or occupier of any neighbouring property.
- The Lessee must not bring to the premises or keep any hazardous substance on the premise without prior consent of the Lessor, which consent shall not be unreasonably withheld.
- The Lessee must not replace any locks on any gate or door; install carpet or window coverings or a security system without the written consent of the Lessor.
- The Lessee must not sell or allow alcohol to be consumed on the property leased without first obtaining a liquor licence and/or development approval allowing these activities.

- The Lessee must not install any telecommunications equipment on the property leased without prior written consent of the Lessor which can be refused in its absolute discretion. The Lessor may require that the Lessee enter into a separate agreement with the Lessor which will include the payment of a rental fee to the Lessor.

MAINTENANCE

- The Lessor must maintain essential services to the leased property but is not responsible for any maintenance of the property whatsoever.
- The Lessee is responsible for all minor and major maintenance of the property and must maintain the property in its condition at the commencement of the lease and promptly do repairs needed to keep it in that condition.
- The Lessee is to carry out repairs and maintenance works during the term of the lease in accordance with Council's letter dated 16 July 2014 regarding the findings of the Building Condition Inspection Report for the Unanderra Girl Guides Hall. Council is to be informed in writing when the works are completed so that inspections can be arranged. These works will then be subject to annual inspection by Council to ensure that they are being maintained in good condition.
- All works undertaken must be carried out by a licensed contractor in accordance with a relevant Australian Standard, or, if a relevant Australian Standard does not exist, to the highest quality workmanship as approved by Wollongong City Council.
- The Lessee must arrange for two pest inspections of the property during the term of the lease by a suitably qualified pest inspection contractor and must forward a copy of each pest inspection report to the Lessor.
- The Lessee is responsible for all grounds maintenance of the property including grass mowing and watering, weeding and rubbish removal, mulching of plants and maintenance of all plants, shrubs and trees and replacement of dead or dying plants.
- The Lessor is not responsible for any damage to or loss of property, death or personal injury arising from the overflow or leaking of water supply or rainwater into the

	property or arising from any defects in the gas, electricity, telephone, water or sewerage connections or any fittings or appliances used in conjunction with these connections, except to the extent that it is contributed to by the wilful or negligent act or omission of the Lessor's employees or agents.
Legal Costs	\$155.00 payable by the Lessee

CONSULTATION AND COMMUNICATION

As the land is classified 'Community Land', advertising was undertaken as per Section 47 of the Local Government Act 1993. An advertisement was placed in The Advertiser of the 6 May 2015 and letters were sent to the occupiers of surrounding properties notifying them of the proposal to renew the lease to the Girl Guides Association of NSW. No submissions were received in response to this advertising.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 goal "We are a healthy community in a liveable city".

It specifically delivers on core business activities as detailed in the Property Services Plan 2015/16 – "Manage the statutory requirements of Council's Property portfolio for Community Lands and management of Crown Lands held under Trust."

FINANCIAL IMPLICATIONS

Council will receive \$620.00 per annum (inclusive of GST) in the first year of the Lease as per Council's Fees and Charges for community and sporting group rentals.

CONCLUSION

The granting of the Lease will formalise responsibility for the land and Council will receive income of \$620.00 in the first year of the Lease period for the occupation of the Council land.

ITEM 13

TENDER T15/22 - PROVISION OF THOMAS DALTON PARK SPORTS FIELD LIGHTING TO COUNCIL

This report recommends acceptance of a tender for the provision of Thomas Dalton Park Sports Field Lighting to Council in accordance with the requirements of the Local Government Act 1993 and the Local Government (General) Regulation 2005. The existing lighting is inadequate for its intended use by community stakeholders, thus requiring the upgrade to relevant standards.

Six tenders were received and the report recommends Council accept the tender submitted by Musco Lighting Australia Pty Ltd.

RECOMMENDATION

- 1 In accordance with the Local Government (General) Regulation 2005, Clause 178 (1) (a), Council accept the tender of Musco Lighting Australia Pty Ltd for provision of Thomas Dalton Park Sports Field Lighting to Council, in the sum of \$307,000.00, 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.

ATTACHMENTS

Location Plan

REPORT AUTHORISATIONS

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

BACKGROUND

The Thomas Dalton Park facility has over recent years not been able to meet the growing needs of local sporting groups (including football, touch football and baseball) who utilise the facility on a regular basis. The scope of work provides an upgrade of the sports field lighting on the three southern playing fields to meet current lighting standards. The lights are designed to upgrade the existing facility to meet the current and future needs of the local sporting communities.

Tenders were invited by the open tender method with a close of tenders of 10.00 am on 28 July 2015.

Six tenders were received by the close of tenders and all tenders have been scrutinised and assessed by a Tender Assessment Panel constituted in accordance with Council's Procurement Policies and Procedures and comprising representatives of the Project Delivery, Governance and Information, Finance and Property and Recreation 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 - 25%
- 2 Appreciation of scope of works and construction methodology – 10%
- 3 Demonstrated experience in projects of a similar size, nature and risk profile – 15%
- 4 Design and sustainability of lighting system, ongoing compliance to Australian Standards and operational costs of the system – 10%
- 5 Ongoing services/warranties/backup and availability of parts – 10%
- 6 Staff qualifications and experience – 5%
- 7 Demonstrated strengthening of local economic capacity – 5%
- 8 Project Schedule – 10%
- 9 Demonstrated WH & S Management System – 5%
- 10 Environmental management policies and procedures – 5%

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

TABLE 1 – SUMMARY OF TENDER ASSESSMENT

Tenderer	Ranking
Musco Lighting Australia Pty Ltd	1
ETE Services Pty Ltd	2
JRW Trading Pty Ltd	3
REES Electrical Pty Ltd	4
Star Electrical Co Pty Ltd	5
Stowe Australia Pty Ltd	6

PROPOSAL

Council should authorise the engagement of Musco Lighting Australia Pty Ltd to carry out the provision of Thomas Dalton Park Sports Field Lighting to 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. The company has previously constructed lighting projects for Council to a satisfactory standard.

CONSULTATION AND COMMUNICATION

The community stakeholders and users of the site have been kept informed regarding these works throughout the design and tender process. Works are programmed to commence in September 2015 and these works will have minimal impact on the users of the site.

- 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 project risk is considered medium based upon Council's risk assessment matrix and appropriate risk management strategies will be implemented throughout the process.

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

Musco Lighting Australia Pty Ltd has submitted an acceptable tender and Council should endorse the recommendations of this report.

ITEM 14

INTEREST PAYABLE - DEFAULT BY LESSEES AND LICENSEES -
2015/16 FEES AND CHARGES

Council at its meeting on 27 October 2014 resolved that a provision for Interest Payable – Default by Lessees and Licensees be included in the draft fees for 2015/2016. It was found that the fee had been inadvertently missed from being included in the draft Fees and Charges schedule.

A report was submitted to Council requesting endorsement for the public exhibition of the Draft Fees and Charges for 2015/2016 financial year for Interest Payable – Default by Lessees and Licensees. Council resolved at its meeting on 22 June 2015 that:

- 1 *Draft Fees and Charges for 2015/2016 for Interest Payable – Default by Lessees and Licensees be placed on public exhibition for 28 days.*
- 2 *A subsequent report be provided to Council which includes comments received during the exhibition period and recommendation regarding the adoption of Fees and Charges.*

The notice was placed on public exhibition for 28 days in The Advertiser newspaper edition of 1 July 2015 with no submissions being received from the public regarding the advertised fee.

RECOMMENDATION

Council adopt the Interest Payable – Default by Lessees and Licensees for the 2015/2016 Fees and Charges.

ATTACHMENTS

Council Resolution – Extract from Minutes of 22 June 2015 – Item 19

REPORT AUTHORISATIONS

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

BACKGROUND

Council, at its meeting on 22 June 2015, resolved:

- 1 Draft Fees and Charges for 2015-2016 for Interest payable – Default by Lessees and Licensees be placed on public exhibition for 28 days.
- 2 A subsequent report be provided to Council which includes comments received during the exhibition period and recommendation regarding the adoption of Fees and Charges.

The public exhibition of the proposed fee and charge was placed in The Advertiser in the Council pages of the 1 July 2015 edition of the newspaper with a closing date for submissions on 29 July 2015.

Council did not receive any submissions from the general public relating to the introduction of the proposed fee for Interest Payable – Default by Lessees and Licensees.

PROPOSAL

It is proposed that Council adopts the Interest Payable – Default by Lessees and Licensees in the 2015/2016 Fees and Charges thereby enabling Council to provide an incentive for Lessees and Licensees to pay their rent in a timely manner.

CONSULTATION AND COMMUNICATION

Council Resolution 27 October 2014

Council Resolution 22 June 2015

Public Exhibition of the fee in The Advertiser edition of 1 July 2015

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 Wollongong 2022 Objective 4.4 “Our Local Council has the trust of the Community”, to ensure “Policies and procedures are simplified to ensure transparency and efficiency”. It delivers on core business activities as detailed in the Property Services Plan 2015-16.

RISK ASSESSMENT

Failure to adopt Fees and Charges for the Interest Payable – Default by Lessees and Licensees would result in a loss of income to Council.

FINANCIAL IMPLICATIONS

The imposition of this fee provides an incentive for Lessees and Licensees of Council to pay their rent in a timely manner and enable Council to use those funds for other purposes.

CONCLUSION

The draft Fees and Charges were advertised for 28 days and Council did not receive any submissions from the public regarding the introduction of the fee for Interest Payable – Default by Lessees and Licensees.

ITEM 15 DRAFT QUARTERLY REVIEW STATEMENT - JUNE 2015

The draft Quarterly Review Statement 2015 outlines the progress made to achieve Council's Wollongong 2022 Strategic Management Plans, in particular the Delivery Program 2012-17 and Annual Plan 2014-15. It addresses the financial and operational performance of Council for the fourth quarter of 2014-15. The draft Quarterly Review also includes the Quarterly Review Budget Report and Preliminary End of Year – Report of Manager Finance 2014-15.

RECOMMENDATION

- 1 The draft Quarterly Review Statement June 2015 be adopted.
- 2 The Quarterly Review Budget Report and Preliminary End of Year – Report of Manager Finance 2014-15 be adopted.

ATTACHMENT

Draft Quarterly Review Statement June 2015 including Quarterly Review Budget Report as at June 2015

REPORT AUTHORISATIONS

Report of: Deanna Sacco, Executive Manager Strategy (Acting)
Authorised by: David Farmer, General Manager

BACKGROUND

Council's draft Quarterly Review Statement June 2015 outlines the operational and financial performance of Council's Wollongong 2022 Strategic Management Plans, in particular the Delivery Program 2012-17 and Annual Plan 2014-15.

This report also provides an overview of the significant achievements against priority areas and demonstrates organisational performance through the inclusion of performance indicators.

During the quarter there were a number of significant highlights:

- Fit for the Future application was submitted
- Refugee Week 2015 was held from 14 to 20 June
- Illawarra 200 Calendar was launched
- MacCabe Park Playground was officially reopened.

This quarterly overview of how Council is tracking against its budgets and expenditure is a concise visual summary of Council's financial situation for the quarter and a preliminary result for the year, including budget, capital budget and expenditure.

CONSULTATION AND COMMUNICATION

All members of the Executive Management Committee and Senior Management Group have had input into the production of the draft Quarterly Review Statement June 2015.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 goal “4 We are 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	4.4.4.2 Streamline reporting across the organisation and provide user friendly plain English reports	Integrate supporting documents (formally strategies and plans) into Council's strategic management cycle

FINANCIAL IMPLICATIONS

Full financial performance details and implications on Council's financial position are contained within the attached Quarterly Review Budget Report and Preliminary End of Year – Report of Manager Finance 2014-15.

CONCLUSION

This draft Quarterly Review Statement June 2015 has been prepared following input and assistance from all Divisions within the organisation. It is submitted for consideration by Council.

ITEM 16

CITY OF WOLLONGONG TRAFFIC COMMITTEE MINUTES -
22 JULY 2015

A meeting of the City of Wollongong Traffic Committee was held on 22 July 2015.

Items 1 – 7 and 12 – 15 of the meeting have been adopted by Council through delegated authority.

Items 8 – 11 of the meeting must be determined by Council and are recommended to Council for approval for the temporary regulation of traffic on public roads for works or events by independent parties.

RECOMMENDATION

In accordance with the powers delegated to Council, the minutes and recommendations of the City of Wollongong Traffic Committee Meeting held on 22 July 2015 in relation to Regulation of Traffic be adopted.

ATTACHMENTS

- 1 Standard Conditions for Road Closures
- 2 Traffic Management Plan – St Michael's Thirroul Annual School Fete
- 3 Traffic Management Plan – Annual 'Spring into Corrimal' Event
- 4 Traffic Management Plan – Mt Keira Challenge

REPORT AUTHORISATIONS

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

BACKGROUND

REGULATION OF TRAFFIC

1 THIRROUL

Station Street – St Michael's Annual School Fete, Saturday 17 October, 2015

Background:

The school community of St Michael's Catholic School Thirroul has requested a road closure of the one way section of Station Street between Lawrence Hargrave Drive and the southern boundary of the school for the purposes of their annual fete. Traffic Management Plans have been submitted which show similar arrangements as previous years.

PROPOSAL SUPPORTED UNANIMOUSLY

The road closure be approved subject to the submitted Traffic Management Plan (Attachment 2) and Council's Standard Conditions for Road Closures (Attachment 1).

2 CORRIMAL

Annual 'Spring into Corrimal' Event 13 September 2015

Background:

The Annual 'Spring into Corrimal' Event has been proposed for Sunday 13th September 2015 and involves road closures of Princes Highway, Short Street, Railway Street, Russell Street and Bertram Lane. Traffic Management Plans have been submitted which show similar arrangements as previous years.

PROPOSAL SUPPORTED UNANIMOUSLY

The road closures be approved subject to the submitted Traffic Management Plan (Attachment 3) and Council's Standard Conditions for Road Closures (Attachment 1).

3 MT KEIRA

Mt Keira Road – 'Keira Challenge' Cycle Climb & Fun Run/Walk

Background:

The Keira Challenge is a road cycle (hill climb) and fun run/walk event involving an uphill cycle climb race of 6.5km and fun run/walk of 5km set within Mount Keira Road, Wollongong. The planned date is Sunday 22nd November 2015 with road closures from 7.30am to 12.30pm. Endorsed by Cycling NSW, the organisers envisage hosting the event annually on suitable dates on either the 2nd or 4th Sunday of November each year.

This event has arisen post the inaugural Keira Challenge which was held in November 2014, with participant and wider positive stakeholder feedback leading to the submission to create an annual event. As the event involves a cycling race separate approval will be required by NSW Police. Mount Keira Road is an important light traffic thoroughfare particularly when breakdowns and crashes block Picton Road. In the event that NSW RMS requires Mount Keira Road as a diversion route for light vehicles, the event may need to be suspended.

PROPOSAL SUPPORTED UNANIMOUSLY

The road closures be approved subject to Mount Keira Road not being required for traffic diversions, the submitted Traffic Management Plan (Attachment 4), Council's Standard Conditions for Road Closures (Attachment 1) and approval by NSW Police.

4 PORT KEMBLA

Gloucester Boulevard – Illawarra Triathlon – Change of date for event 30 August 2015

Background:

Events proposed for the 2015/2016 program presented by the Illawarra Triathlon Club at the 13 May 2015 meeting of the Traffic Committee and subsequently endorsed by Council at their meeting held 9 June 2015. The Illawarra Triathlon Club has recently advised that they need to change the date for the 30 August to 13 September 2015.

PROPOSAL SUPPORTED UNANIMOUSLY

The change of date from 30th August to 13th September 2015 for the road closures be approved in relation to the 2015/2016 Illawarra Triathlon Club Program.

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 3 August 2015

Present

Lord Mayor – Councillor Bradbery OAM (in the Chair), Councillors Kershaw, Connor, Brown, Takacs, Martin, Blicavs, Dorahy, 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, Public Officer – J Reilly, Manager Governance and Information – K Cowgill, Manager Finance – B Jenkins, Manager Property and Recreation – P Coyte, Manager Environmental Strategy and Planning (Acting) – D Green, Manager Community Cultural and Economic Development – K Hunt and Manager Infrastructure Strategy and Planning - M Dowd

Apology and Leave of Absence

Min No.

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

99 COUNCIL'S RESOLUTION - RESOLVED on the motion of Councillor Takacs seconded Councillor Crasnich that Councillor Merrin be granted leave of absence for this Council meeting.

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DISCLOSURES OF INTERESTS

Councillor Martin advised that with respect to Item A, she was a Port Kembla resident and she also had a long-standing working relationship with Port Kembla Copper, which may come into the debate on this Item. Councillor Martin also declared a non-significant, non-pecuniary interest in Items 1 and 2, due to her employment at the Department of Planning and Environment, insofar as these matters relate to planning issues which will be referred to that Department.

Councillor Bradbery did not consider he had a conflict of interest in Item A, however, he advised that he did live within 5 kms of the area outlined in the report.

Councillor Petty declared a non-significant, non-pecuniary conflict of interest in Item 11.

CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 13 JULY 2015

100 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Connor that the Minutes of the Ordinary Meeting of Council held on Monday, 13 July 2015 (a copy having been circulated to Councillors) be taken as read and confirmed.

PUBLIC ACCESS FORUM – CRINGILA COMMUNITY

On behalf of the Cringila Community Action Group, Ms P Loustos requested that Cringila be included within the area mentioned in Item A which relates to lead and heavy metal contamination. In terms of other issues facing the Cringila community, Ms Loustos advised that the Cringila Public School did not have the services of a 'lolly-pop' person and after discussions with residents and the School, it was considered that the installation of speed humps, together with CCTV cameras in the vicinity of the crossing, would slow down the speed of traffic and curb vandalism in the area. Ms Loustos also stated that the vacant overgrown land near the school continued to attract vermin and again needs clearing. There are also households which have been affected by the installation of No Standing signs and she felt that each affected household should be issued with one parking sticker.

In conclusion, Ms Loustos said that heavy industry had left its mark on Cringila and whilst this cannot be changed, the School and community can work together to beautify what they have. She requested that Council give consideration to the issues outlined above.

Minute No.

- 101** **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Curran seconded Councillor Takacs that Ms Loustos be thanked for her presentation.

CALL OF THE AGENDA

- 102** **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Blicavs that the staff recommendations for Items 1, 6, and 8 to 10 inclusive, be adopted as a block.

DEPARTURE OF COUNCILLORS

During the debate and prior to voting on Item A (Foreshadowed Motion), Councillors Blicavs and Kershaw departed and returned to the meeting, the times being 7.01 pm to 7.03 pm, and 7.01 pm to 7.04 pm, respectively.

During debate and prior to voting on the Amendment, Councillor Dorahy departed and returned to the meeting, the time being 7.13 pm to 7.14 pm.

ITEM A – NOTICE OF MOTION _ COUNCILLOR CURRAN - LEAD AND HEAVY METAL CONTAMINATION FROM INDUSTRY AND ITS IMPACT ON PUBLIC AND ENVIRONMENTAL HEALTH

The following PROCEDURAL MOTIONS were CARRIED to allow additional time for Councillors to address the meeting in relation to Item A –

Moved by Councillor Petty seconded by Councillor Takacs – an additional five minutes for Councillor Curran; and,

Moved by Councillor Crasnich seconded Councillor Connor – an additional three minutes for Councillor Martin.

MOVED Councillor Curran seconded Councillor Dorahy that Council –

- 1 Write to Federal and NSW Ministers responsible for Industry, Environment and Public Health, calling on them to provide urgent substantial financial and scientific assistance to address the lead and heavy metal contamination legacy from industry at Port Kembla impacting on homes, soil and the environment in the Wollongong local government area.

Minute No.

- 2 Organise the establishment of the Illawarra Lead and Industrial Contamination Taskforce which will include representation from relevant State and Federal agencies, scientific experts, the Port Kembla Pollution Committee, community representatives, Council's most senior and expert officers in industrial pollution, as well as Ward 3 Councillors. It is noted that this community Taskforce would be eligible to apply for Government Funding from the Lead Environmental Community Groups Grants Program.
- 3 Issue stickers and factsheets to all landowners within a 5 km radius of Port Kembla industrial lands, warning of the possible lead and heavy metal health hazard and measures that must be taken to avoid risk to health of occupants and those who may perform works, or grow produce on the land.
- 4 Urgently develop Policy and Procedures that ensure that no disturbance or distribution of lead and other known heavy metals and hazardous materials from industrial sources at Port Kembla occurs during renovation or demolition of homes/yards in areas known to have such contaminants in their ceilings and soil.

At this stage, Councillor Bradbery FORESHADOWED a MOTION should Councillor Curran's Motion be defeated.

Councillor Curran's MOTION on being PUT to the VOTE was LOST.

In favour Councillors Curran and Petty

Against Councillors Kershaw, Connor, Brown, Martin, Takacs, Blicavs, Dorahy, Crasnich and Bradbery

Following the defeat of Councillor Curran's Motion, Councillor Bradbery's FORESHADOWED MOTION became the MOTION.

103 COUNCIL'S RESOLUTION - RESOLVED on the motion of Councillor Bradbery seconded Councillor Martin that -

- 1 a Wollongong City Council include on its website and in quarterly newsletters references for the need to exercise caution when renovating or the demolition of any property in the local government area.
- b Council develop health tips and advice on possible legacy issues for property owners when they renovate or demolish buildings as the City moves forward in dealing with its industrial past into a cleaner safer future.
- c This information be prepared in consultation with the Department of Health and the Environment Protection Authority.

Minute No.

- 2 Property owners be alerted to -
 - a Question and check that their building waste is being handled by an appropriate licensed waste contractor for correct handling and disposal.
 - b Exercise diligence on the matters in Point 1 (above) and, if they are concerned, to seek an assessment from a qualified environmental expert.
- 3 Points 1-2 above be considered in the context of Council's review of contaminated lands and the requirements of SEPP 55 Contaminated Lands State Environmental Policy for consistency.
- 4 A report on the cost and scope of a Council-led Taskforce, which would review and propose actions in relation to the Contaminated Lands Study be submitted to a future Council meeting once the Study is complete.
- 5 A Councillor Briefing be held prior to the Contaminated Lands Study being reported to Council.

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

- 1 a Wollongong City Council include on its website and in quarterly newsletters references for the need to exercise caution when renovating or the demolition of any property in the local government area.
 - b Council develop health tips and advice on possible legacy issues for property owners when they renovate or demolish buildings as the City moves forward in dealing with its industrial past into a cleaner safer future.
 - c This information be prepared in consultation with the Department of Health and the Environment Protection Authority.
- 2 Property owners be alerted to -
 - a Question and check that their building waste is being handled by an appropriate licensed waste contractor for correct handling and disposal.
 - b Exercise diligence on the matters in Point 1 (above) and, if they are concerned, to seek an assessment from a qualified environmental expert.
- 3 Points 1-2 above be considered in the context of Council's review of contaminated lands and the requirements of SEPP 55 Contaminated Lands State Environmental Policy for consistency.

Minute No.

- 4 Council organise the establishment of the Illawarra Lead and Industrial Contamination Taskforce which will include representation from relevant State and Federal agencies, scientific experts, the Port Kembla Pollution Committee, community representatives, Council's most senior and expert officers in industrial pollution, as well as Ward 3 Councillors. *It is noted that this community Taskforce would be eligible to apply for Government Funding from the Lead Environmental Community Groups Grants Program.*
- 5 A report on the cost and scope of a Council-led Taskforce, which would review and propose actions in relation to the Contaminated Lands Study be submitted to a future Council meeting once the Study is complete.
- 6 A Councillor Briefing be held prior to the Contaminated Lands Study being reported to Council.

Variations The Variations moved by –

- *Councillor Crasnich (the addition of Part 4 to the Motion and Part 5 to the Amendment); and,*
- *Councillor Takacs (the addition of Part 5 to the Motion and Part 6 to the Amendment),*

were accepted by the Movers and Seconders of both the Motion and the Amendment.

A PROCEDURAL MOTION was MOVED by Councillor Dorahy seconded Councillor Curran that the matter lay on the table. The PROCEDURAL MOTION on being PUT to the VOTE was LOST.

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

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

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

ITEM 1 - WEST DAPTO URBAN RELEASE AREA - DARKES ROAD SOUTH WEST PRECINCT PLANNING PROPOSAL - POST EXHIBITION

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 102).

COUNCIL'S RESOLUTION –

- 1 The amended draft Planning Proposal for the Darkes Road South West precinct be forwarded to NSW Planning and Environment for a revised “Gateway” determination.
- 2 Following the revised “Gateway” determination, Council refer the amended draft Planning Proposal to Government agencies and re-exhibit the proposal.

DEPARTURE OF COUNCILLOR

During the debate and prior to voting on Item 2, Councillor Curran departed and returned to the meeting, the time being from 7.28 pm to 7.29 pm.

ITEM 2 - NORTH HUNTLEY DRAFT NEIGHBOURHOOD PLAN AND DRAFT PLANNING PROPOSAL - POST EXHIBITION

104 **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Takacs seconded Councillor Connor that -

- 1 The draft Huntley Avondale Road North Neighbourhood Plan be adopted as an amendment to the Wollongong Development Control Plan Chapter D16 West Dapto Release Area.
- 2 The draft Planning Proposal to amend the boundary between the E4 Environmental Living and R2 Low Density Residential zone on Lot 2 DP 549152 (as indicated in Attachment 2 of the report) and consequential amendments to the Minimum Lot Size and Floor Space Ratio Maps be endorsed.
- 3 The draft Planning Proposal be adjusted to include correction of a minor mapping anomaly between E2 Environmental Conservation and E4 Environmental Living zones and associated amendments to Minimum Lot Size, Floor Space Ratio and Illawarra Escarpment Maps.
- 4 The draft Planning Proposal be finalised under delegation issued to the General Manager.
- 5 Council support, in principle, the Biocertification process for the Huntley precinct and this be subject to a further report to Council.

DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 3, Councillor Curran departed and returned to the meeting, the time being from 7.33 pm to 7.36 pm.

ITEM 3 - DETERMINATION OF NUMBER OF COUNCILLORS FOR 2016-2020 TERM OF OFFICE

105 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Crasnich that -

- 1 In accordance with section 224(2) of the Local Government Act 1993, Council determine the number of Councillors for the 2016-2020 term of office to be 13 (one of whom is the Lord Mayor).
- 2 Council note that Ward elector numbers will be kept under review until September 2017 and in the event that the discrepancy between the number of electors in each Ward exceeds the 10% tolerance at that time a Ward boundary adjustment will be undertaken for the 2020 election in accordance with the Local Government Act 1993.

During debate, a PROCEDURAL MOTION was MOVED by Councillor Petty seconded Councillor Crasnich that the MOTION be PUT. The PROCEDURAL MOTION on being PUT to the VOTE was LOST.

DEPARTURE OF COUNCILLOR

During the debate and prior to voting on Item 4, Councillor Petty departed and returned to the meeting, the time being from 7.46 pm to 7.49 pm.

ITEM 4 - ATTENDANCE AT LOCAL GOVERNMENT NSW 2015 ANNUAL CONFERENCE – SYDNEY

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

- 1 The Lord Mayor and Councillors Kershaw, Brown, Connor, Crasnich, Curran, Blicavs and Martin be authorised to attend the 2015 Local Government NSW Annual Conference and associated functions, staying two nights on business.
- 2 A further report be presented to the 14 September 2015 Council Meeting to delegate voting rights for this conference (following the election of the Deputy Lord Mayor).
- 3 The Lord Mayor be authorised to submit to the Local Government NSW Conference agenda items, based on resolutions carried by Council since the last Conference.

Variation The variation moved by Councillor Blicavs (to add her name to Part 1) was accepted by the Mover and Seconder.

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

Against Councillor Petty

ITEM 5 - POLICY REVIEW - VERTEBRATE PEST ANIMAL MANAGEMENT

107 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor Takacs seconded Councillor Dorahy that the revised Vertebrate Pest Animal Management Policy be endorsed.

ITEM 6 - PROPOSED ACQUISITION OF EASEMENT FOR ACCESS OVER LOT 1 DP 588060 POINT STREET, BULLI

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 102).

COUNCIL'S RESOLUTION –

- 1 Council authorise the acquisition of an Easement for Access Purposes 4 Wide over Lot 1 DP 588060 Point Street, Bulli, as shown on the attachment to the report. Stockland to be responsible for all costs in the matter.
- 2 Authority be granted to affix the Common Seal of Council to the easement creation documents and any other documents required to give effect to this resolution.

ITEM 7 - TENDER T14/12 - MANAGEMENT AND OPERATION OF REVOLVE AND COMMUNITY RECYCLING CENTRES AT WOLLONGONG WASTE AND RESOURCE RECOVERY PARK (WWARRP) AND NOMINATED COUNCIL SITES

108 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Blicavs that -

- 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 Management and Operation of the Revolve and Community Recycling Centres at the Wollongong Waste and Resource Recovery Park (WWARRP) and Nominated Council Sites and resolve to enter into negotiations with one or all of the tenderers or any other party 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 it is anticipated that a satisfactory outcome can be achieved with one of those parties who demonstrate a capacity and ability to undertake the works.
- 2 Council delegate to the General Manager the authority to undertake and finalise the negotiations with one or all of the tenderers or any other party with a view to entering into a contract in relation to the subject matter of the tender.

Minute No.

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

ITEM 8 - TENDER T15/13 THIRROUL BEACH KIOSK REFURBISHMENT THIRROUL

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 102).

COUNCIL'S RESOLUTION –

- 1 In accordance with the Local Government (General) Regulation 2005, Clause 178 (1) (a), Council accept the tender of Momentum Built Pty Ltd for the Thirroul Beach Kiosk Refurbishment, in the sum of \$1,544,587.18, excluding GST.
- 2 Council delegate to the General Manager the authority to finalise and execute the contract and any other documentation required to give effect to this resolution.
- 3 Council grant authority for the use of the Common Seal of Council on the contract and any other documentation, should it be required to give effect to this resolution.

ITEM 9 - STATEMENT OF INVESTMENTS - JUNE 2015

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 102).

COUNCIL'S RESOLUTION – Council receive the Statement of Investments for June 2015.

ITEM 10 - SOURCES AND HISTORICAL USE OF BONDED ASBESTOS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 102).

COUNCIL'S RESOLUTION – The information be noted.

DEPARTURE OF COUNCILLORS

During debate and prior to voting on Item 11, the following Councillors departed and returned to the meeting –

- Councillor Curran from 8.49 pm to 8.51 pm; and,
- Councillor Dorahy from 9.04 pm to 9.06 pm.

ITEM 11 - REVIEW OF ILLEGAL WASTE DUMPING PREVENTION MOUNDS

A PROCEDURAL MOTIONS were MOVED and CARRIED to allow additional time for the following Councillors to address the meeting –

- Moved by Councillor Crasnich seconded Councillor Martin - an additional five minutes for Councillor Blicavs; and,
- Moved by Councillor Curran seconded Councillor Brown – an additional one minute for Councillor Petty to address the meeting in relation to his proposed Foreshadowed Motion.

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

- 1 The report be noted.
- 2 The rectifications identified be endorsed.
- 3 Ongoing reporting be undertaken to the Corporate Governance Committee on the progress of rectifications including the implementation of the 'IAB Review Rectification Plan', and a report which includes timelines be submitted to the Council meeting on 19 October 2015.
- 4 The Audit Committee be requested to commission a post implementation Audit of the 'IAB Review Rectification Plan' to be reported to Council.
- 5 The General Manager be directed to produce a report that explains how the findings of the IAB have been used to review practices in Council across all Divisions, with particular reference to recommendation 11.1 where the commentary (IAB report, pages 21-22) states that "... a focus on outcomes not processes, has resulted in Council procedures not being followed, increasing risk of regulatory non-compliances and work health and safety hazards to Council and community".

Minute No.

- 6 The Performance Review Committee incorporate Point 5 (above) into the Key Performance Indicators the General Manager is assessed against.

Variation *The variation moved by Councillor Dorahy to add the words 'and a report which includes timelines, be submitted to the Council meeting on 19 October 2015' to Part 3, was accepted by the Mover and Seconder.*

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

Against Councillor Petty

THE MEETING CONCLUDED AT 9.13 PM.

Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on 24 August 2015.

Chairperson

PROJECT	DETAILS (LAST UPDATED AUGUST 2015)	TIMEFRAME	WHO IS RESPONSIBLE	PARTNERS INTERNAL	PARTNERS EXTERNAL	ESTIMATED COST	RESOURCED*	PRIORITY (L,M,H)	FINANCIAL YEAR					
									2014 - 15	2015 - 16	2016 - 17	2017 +		
GOVERNANCE														
1.1	IMPLEMENTATION	Through the Senior Manager Town & Village Steering Committee, formalise a Project Control Group to coordinate delivery against the Implementation Strategy – Council and KEG.	Short term With ongoing resourcing required to support delivery.	ESP	LCS PR PD	CCED ISP F	NF5	Operational	N	High				
1.2	MONITORING	1.2.1Develop a strategy on how to measure progress and success against the Master Plan and Implementation Strategy. 1.2.2Implement the monitoring strategy	- Short term – with ongoing resourcing to support delivery. - On-going	ESP	LCS PR PD	CCED ISP F	NF5	Operational	N	Medium				
PLANNING														
2.1	PLANNING AND DEVELOPMENT	2.1.1_Informed by the Housing Study, review WPSPL and Illawarra Regional Growth Plan, undertake a housing capacity review to understand the growth pressures on housing supply in Keiraville and Gwynneville. The Review will: _investigate residential pressures on the suburbs; _identify future capacity requirements for growth; _identify key locations to support higher density and residual density requirements; _investigate mechanisms to guide high quality design outcomes for dwellings and streetscapes; _consider the planning principles of the KEG planning proposal	Short	ESP	LCS CCED	DPI NF5	Operational - integrated with Housing Study Review.	Y	High					
		2.1.2_DP&E to review Planning Proposal using Urban Feasibility Model (UFM).	Complete	DPI			Operational	Y	Complete					
		2.1.3_Review the KEG planning proposal in light of the Council's housing study and in context of the Wollongong Centre (as defined by DP&E's Illawarra Growth Plan)	Medium	ESP		NF5	Operational	N	Medium					
2.2	WOLLONGONG DCP - CHARACTER STATEMENT REVIEW	2.2.1_WCC to facilitate a discussion forum with relevant planning staff and KEG to discuss the role and application of the Character Statements for Keiraville (3.28), Gwynneville (3.30), and West Wollongong, in Chapter D1 of the Wollongong DCP	Short	ESP	DAC	NF5	Operational	Y	High					
		2.2.2_Review and update the Character Statements for Keiraville (3.28), Gwynneville (3.30), and West Wollongong, in Chapter D1 of the Wollongong DCP	Medium	ESP	DAC	NF5	Operational	N	High					

3.1	ACCESS AND MOVEMENT STUDY	3.1 An Access and Movement Study to be prepared to investigate a range of matters relating to traffic in the area, with a focus on: _Traffic capacity in context of key destinations UoW; Hospital; Botanic Gardens; City Centre; _Parking; _Pedestrian Access and Safety. Refer Brief developed with KEG (attached)	Short Medium Long	WCC RMS		KEG RMS UOW	Operational + Capital \$100,000 over 2016-17 and 2017-18 Requires RMS and UOW partnership funding	Y	High				
3.2	REGULATION AND ENFORCEMENT	Regulation and Enforcement _monitor illegal parking: -WCC continue Hot Spot Targeting UOW Precinct -WCC continue Hot Spot Targeting Hospital Precinct -continue to spot check timed parking at villages. _review timed parking at village centres:	Medium Long	KEG RE ISP		KEG	Operational	Y	Low Low				
3.3	BICYCLE PARKING	Plan for bicycle parking facilities in village centres (in context of Access and Movement Strategy)	Medium	ISP		NF5	Operational and aligned with Access and Movement Strategy budget	N	High				
3.4	PARKING SIGNAGE	Investigate signage and wayfinding at Keiraville and Gwynneville town centres to ensure current parking supply is easily identifiable for community and visitors (in context of Access and Movement Strategy).	Medium to Long Term	ISP			Operational and aligned with Access and Movement Strategy budget	N	Low				
3.5	COMMUNITY CENTRE	Continue to promote the Wollongong Senior Citizen's Centre to all community members for a broad range of activities.	Ongoing	LCS			Operational	Y	Long				
	COMMUNITY CAPACITY BUILDING												
4.1	COMMUNITY PRIDE CAMPAIGN	Develop a community pride campaign to encourage residents to support and invest locally, to protect the viability of the range of local shopping opportunities.	Long Term	NF5			Nil	N	Medium				



Planning & Environment

Mr David Green
Land Use Planning Manager
Wollongong City Council
Locked Bag 8821
WOLLONGONG DC NSW 2500

Dear Mr Green

I am writing in response to your request for advice in relation to the Neighbourhood Forum 5 Planning Proposal for amendments to land use controls in the Keiraville/Gwynneville area.

As requested, the Department has used the Urban Feasibility Model (UFM) to test the implications of the proposal. Outcomes from the analysis indicate that the proposal would result in a reduction in overall dwelling potential in the area of 2036 dwellings and a reduction in the amount of feasible capacity of 572 dwellings.

The draft Illawarra Regional Growth and Infrastructure Plan (draft Plan) identifies the broader Wollongong Centre as a 'transformative' place that has the potential to deliver important economic, housing and recreational outcomes for the region. A number of actions under the draft Plan will require the Department to work with Council and other key stakeholders to consider opportunities for urban renewal, more housing, commercial capacity and improved accessibility between key precinct including the commercial core, University, hospital and waterfront.

As previously discussed, I consider it appropriate that a review of land use controls in the Keiraville and Gwynneville area should be considered as a component of the Wollongong Centre work proposed under the draft Plan. The results from the UFM analysis has confirmed to me that any review of controls in the area should be considered within the broader Wollongong Centre context where opportunities for the full range of housing outcomes can be identified taking into account development capacity and feasibility as well as other planning considerations such as accessibility and amenity.

Please feel free to contact me on 4224 9455 should you wish to discuss this matter in more detail.

Yours sincerely

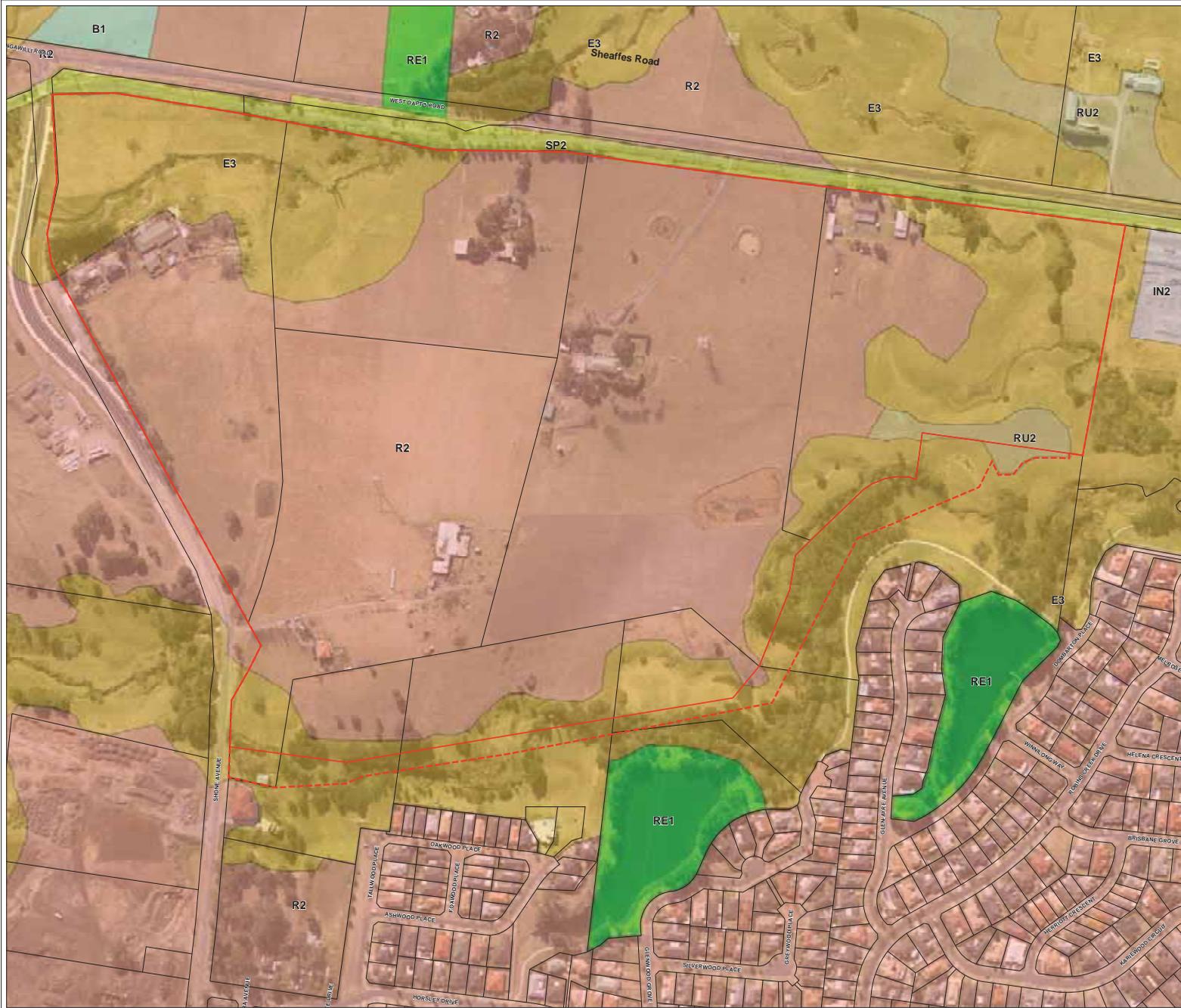
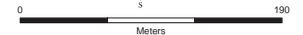
Brett Whitworth
General Manager
Southern Region

20 February 2015

Shone Avenue - West Dapto Road
Neighbourhood Plan
Site Location

Legend

- KFW Boundary
- WCC Neighbourhood Boundary
- Neighbourhood Centre
- Local Centre
- Commercial Core
- Mixed Use
- Enterprise Corridor
- Business Park
- National Parks & Nature Reserves
- Environmental Conservation
- Environmental Management
- Environmental Living
- General Industrial
- Light Industrial
- Heavy Industrial
- Working Waterfront
- General Residential
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Large Lot Residential
- Public Recreation
- Private Recreation
- Primary Production
- Rural Landscape
- Rural Small Holdings
- Special Activities
- Infrastructure
- Tourist
- Natural Waterways
- Recreational Waterways
- Working Waterways



NEIGHBOURHOOD PLAN AMENDMENTS IN RESPONSE TO COUNCIL RESOLUTIONS

	Council Resolution	How Issue was resolved
1	The acoustic building exclusion zone of 25m along the railway line be incorporated into the design of the Neighbourhood Plan based on the Noise report recommendations and be noted clearly for the purpose of identification in the WDCP 2009. Re-design lots 371 to 393 in the Neighbourhood Plan to ensure that there is suitable space for a building envelope outside of the 25m exclusion zone.	Neighbourhood Plan revised to accommodate acoustic building exclusion zone of 25m to reflect Noise Report recommendations. A sound wall and 25 metre exclusion zone are shown on the Neighbourhood Plan. A building envelope of dimensions 10m x 15m is shown to indicate that the lots adjacent the rail corridor have a viable building envelope. Opportunity to comment on the height and visual appearance of the sound wall at the DA stage.
2	A local park be included into the design of the Neighbourhood Plan comprising 2ha of land, 1ha being developable land outside of the 1 in 100 year event and 1ha of non-developable land, that is able to accommodate one playing field.	The Neighbourhood Plan has been revised to include a local park and playing field (north east corner). This proposed location has been supported by the Recreation and Stormwater divisions of Council.
3	Clearly identify on the Neighbourhood Plan that the lot layout and roads can accommodate a 32m wide Asset Protection Zone to the eastern part of the site near Robins Creek and the 15m wide Asset Protection Zone in the north western corner and the south eastern corner on private land or on public roads (i.e. not impacting on any E3 Environmental Management land).	The revised Neighbourhood Plan denotes the required Asset Protection Zones, wholly contained within the road reservation, private land and the playing field. Five (5) larger lots will require a building exclusion zone to ensure dwellings are located outside the APZ – sufficient area for a 15 x 10m building footprint is available on these lots.
4	Detention basins need to be located outside of the 1 in 100 year event.	Detention basins are located outside/ above the 1% AEP flood line.
5	The electricity easements be re-designed into the Neighbourhood Plan as part of larger lots, and not transferred to Council.	Neighbourhood Plan revised to locate transmission easements into larger residential lots – each lot has at least a 15m x 10m building area wholly outside the transmission easement.
6	Further work is required to demonstrate how any proposed cut and fill of flood affected land could be managed within the Neighbourhood Plan area.	Information has been provided in the form of a flood depth change plot, which indicates that the proposed filling does not increase the extent of flooding in the vicinity of the playing field and lots 311-315 (1% AEP event). More detailed flood investigations (extending to neighbouring properties) may be required at the development application stage to more fully understand the impacts of fill both on-site and offsite. A report at DA stage may also require the impacts in the PMF as a result of the filling to be shown.

DO NOT SCALE

LEGEND

- 200* RESIDENTIAL LOTS SUBJECT TO PLANNING PROPOSAL
- DENOTES EXISTING RAILWAY LINE - SINGLE TRACK
- s-s- DENOTES EXISTING SEWER SERVICE (DIAL BEFORE YOU DIG)
- w-w- DENOTES EXISTING WATER SERVICE (DIAL BEFORE YOU DIG)
- G-G- DENOTES EXISTING GAS SERVICE (DIAL BEFORE YOU DIG)
- T-T- DENOTES EXISTING TELSTRA SERVICE (DIAL BEFORE YOU DIG)
- Y-Y- DENOTES EXISTING TELSTRA SERVICE OPTIC FIBRE (DIAL BEFORE YOU DIG)
- E-E- DENOTES EXISTING ELECTRICAL SERVICES (DIAL BEFORE YOU DIG)
- DENOTES ZONE LINE
- 1% DENOTES 1% FLOOD LINE ADDED
- DENOTES TRAFFIC CALMING DEVICE MID-BLOCK
- DENOTES EXISTING MAJOR DRAINAGE CORRIDORS
- DENOTES EXISTING LOTS
- DENOTES EXISTING RAIL CORRIDOR
- DENOTES EXISTING RAIL CORRIDOR NOISE AREA
- DENOTES ACoustic BARRIER
- DENOTES PROPOSED DETENTION POND VOLUME SHOWN @ 1.3m DEEP
- DENOTES PROPOSED 13.5m WIDE ROAD WITH 6.5m CARRIAGEWAY (TYPE 1)
- DENOTES PROPOSED ROAD 14.5m WIDE WITH 7.5m CARRIAGEWAY
- DENOTES PROPOSED ROAD 17.0m WIDE WITH 10.0m CARRIAGEWAY (TYPE2A)
- DENOTES PROPOSED ROAD 20.4m WIDE WITH 12.4m CARRIAGEWAY (TYPE 3)
- DENOTES PROPOSED PARK LAND INCLUDING PLAYING FIELD (120m X 60m)
- DENOTES PROPOSED ROAD PAVEMENT
- E-E- DENOTES EXISTING ELECTRICAL TRANSMISSION EASEMENT
- DENOTES PROPOSED NEIGHBOURHOOD BOUNDARY
- DENOTES PROPOSED CYCLEWAY
- DENOTES FUTURE CYCLEWAY
- DENOTES RAIL NOISE/VIBRATION RESTRICTION (25m FROM TRACKS)
- DENOTES PROPOSED MINOR EARTHWORKS TO BRING LOTS ABOVE 1% AEP FLOOD LEVEL
- DENOTES BUILDING ENVELOPE 10m X 15m
- DENOTES PLAYGROUND 900 m²
- DENOTES APZ MINIMUM DISTANCE 15m FROM BUILDING SET BACK
- DENOTES APZ MINIMUM DISTANCE 32m FROM BUILDING SET BACK
- EXISTING TRANSMISSION TOWER
- DWELLING OUTLOOK



- DETENTION BASIN NOTES:**
1. DETENTION BASINS ARE LOCATED ABOVE THE 1% AEP FLOOD LEVEL
 2. SUBJECT TO DETAIL DESIGN, MAX WATER DEPTH WILL BE 1.3m AND TOTAL DETENTION STORAGE PROVIDED WILL BE UP TO 10,543 m³

- APZ NOTES:**
1. PROPOSED LOT 297-300 AND PROPOSED LOT 82 WILL HAVE BUILDING EXCLUSION ZONE IN ORDER TO MAINTAIN THE APZ IN PRIVATE PROPERTY. EACH LOT HAS A BUILDING 15m X 10m ENVELOPE.
 2. THE 15m APZ TO THE NORTH WEST FRINGE IS WHOLLY WITHIN PROPOSED LOT 19 AND PROPOSED LOT 20 AND WHOLLY WITHIN THE ROAD RESERVATION AND DETENTION BASIN
 3. THE 32m APZ ADJACENT TO ROBINS CREEK IN THE EASTERN FRINGE IS WITHIN THE MANAGED PUBLIC RESERVE/OPEN SPACE AREA
 4. THE 15m APZ ON THE SOUTHERN FRINGE IS GENERALLY CO-INCIDENT WITH THE SOUTHERN EDGE OF THE ROAD RESERVATION IN R2 ZONED LAND

NEIGHBOURHOOD

Neighbourhood Areas				
Property	Area (ha)	R2 Zoning (ha)	E3 Zoning (ha)	RU2 Zoning (ha)
Lot 1 DP607956	7.48	4.56	2.92	-
Lot 2 DP26069	7.82	7.46	0.36	-
Lot 1 DP26069	5.49	3.35	2.14	-
Lot 5 DP26069	11.07	10.71	0.36	-
Lot C DP387366	7.25	2.51	4.29	0.43
Lot 19 DP679647	1.12	0.38	0.73	-
Lot 102 DP117454	1.96	1.51	0.65	-
Lot 1012 DP862178	0.99	0.71	0.28	-
Total (ha)	43.38	30.99	11.73	0.43

TOTAL RESIDENTIAL ZONE NEIGHBOURHOOD AREA: 30.99ha
 TOTAL LOTS: 344
 LOTS PER ha = 11.1 LOTS/ha

OPEN SPACE

FORMAL OPEN SPACE WITH PLAYING FIELD: 1.49ha WITH 32 OFF-ROAD CAR PARKING SPACES

FORMAL PLAY GROUND NORTH WEST: 900m² WITH 10 ON-ROAD CAR PARKING SPACES

FORMAL PLAY GROUND NORTH EAST: 900m² WITH 10 OFF-ROAD CAR PARKING SPACES

FORMAL OPEN SPACE: 0.38 ha

TOTAL OPEN SPACE: 2.05 ha

Revision	Amendment or reason for issue	Issue date	Drawn by	Authorized

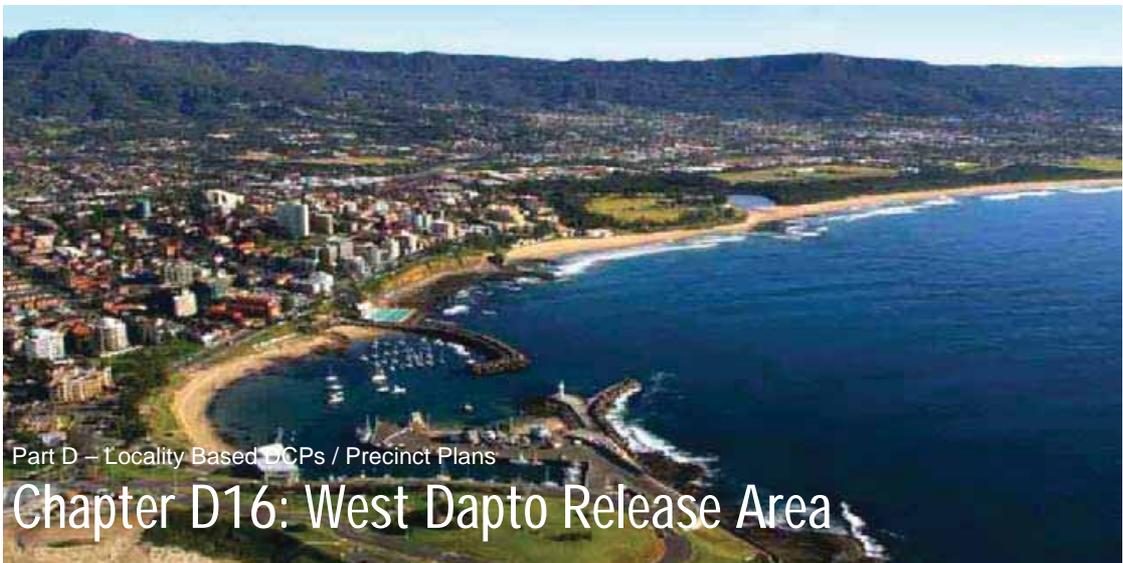


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Surveyor	Date	Drawing Title
Date of Survey	8 JULY 2015	PROPOSED NEIGHBOURHOOD PLAN SHONE AVENUE / WEST DAPTO HORSLEY OVERALL LOT LAYOUT - FINAL
Drawn	B. PURNELL	
Height Datum	Designed W MULLANY	Project No.
Origin	Checked	KF11545
Work Datum	Approved	Drawing No.
Scale 1:2000@ A1 1:4000@ A3	Drawing Status	C01
	ISSUED FOR COUNCIL APPROVAL	Sheet
		Revision
		1 Of 1

Project No.	Sheet	Revision
KF11545	1 Of 1	-



Part D – Locality Based DCPs / Precinct Plans

Chapter D16: West Dapto Release Area

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Document Control			
Document ID: Wollongong DCP 2009 – D16 West Dapto Release Area			
Rev No	Adoption Date	In force date	Revision Details
1	14/12/10	17/12/12	Adopted
2	27/7/11	3/8/11	Incorporate Shone Ave Neighbourhood Plan
3	26/11/12	8/12/12	Update Wongawilli North Neighbourhood Plan
4	27/5/13	1/6/13	Incorporate Sheaffes Rd Neighbourhood Plan
5	9/12/13	14/12/13	Incorporate Reddalls Rd Industrial Neighbourhood Plan
6	24/3/14	2/4/14	Incorporate Darkes Rd South West Neighbourhood Plan and updated road network diagrams
7	3/8/15	12/8/15	Incorporate Avondale Road North, Huntley Neighbourhood Plan
8	24/8/15	XX/8/15	Incorporate Shone Avenue / West Dapto Road Neighbourhood Plan

1 INTRODUCTION

This chapter is intended to implement the development structure of the West Dapto Release Area as outlined in the West Dapto Master Plan (Figure 4.2) and to provide guidance on the future development of the land at West Dapto. It is aimed at achieving the vision for West Dapto which is:

West Dapto will grow over several decades as a series of integrated communities within the spectacular natural landscape of riparian valleys and escarpment backdrop. These communities will be highly accessible and be linked with public transport as well as being designed to encourage walking and cycling. Local places and centres will provide for shopping, services and jobs, and significant new areas will be developed for employment generation for new residents. The natural and cultural heritage of the area will be integrated with new urban development and a long term strategy to oversee the timely implementation of infrastructure will deliver sustainable and high quality suburbs.

Other parts of this DCP continue to apply to the West Dapto Release Area in conjunction with this chapter. In this regard Part A of the DCP contains the Introduction and Part B Land Use Based Planning Controls. Part C provides Specific Land Use Controls and Part E General (City Wide) Controls.

2 LAND TO WHICH CHAPTER APPLIES

This chapter applies to all land within the West Dapto Release Area (Figure 3.1).

3 OBJECTIVES

The controls within this chapter are designed to deliver a development strategy for the West Dapto Release Area which will guide the growth of new suburbs and neighbourhoods, protect the environment and integrate with existing communities.

The objectives of this chapter as follows:

- (a) To enable the development of the West Dapto Release Area for residential, employment, industrial and environmental conservation areas in a manner consistent with the Wollongong LEP (West Dapto) 2010 and the West Dapto Master Plan (Figure 4.2).
- (b) To ensure the development of the West Dapto Release Area is carried out in an environmentally, economically and socially sustainable manner.
- (c) To provide for the retention and enhancement of the environmental qualities of the area whilst allowing for the appropriate development of land to support the economic and social needs of the community.
- (d) To provide for a range of dwellings to increase housing choice and availability in the Illawarra region (Refer to Figure 6.6).
- (e) To ensure that housing is of a high design standard, ecologically sustainable and energy efficient.
- (f) To improve employment opportunities and economic growth in the Illawarra region whilst ensuring that commercial and industrial development is of a high design standard, ecologically sustainable and energy efficient.
- (g) To ensure new development is consistent with the desired future character for the area as stated within the LEP and this chapter.
- (h) To ensure the creation of safe, secure and liveable environments.
- (i) To support the provision of safe and efficient public transport services which link the surrounding areas and release area, for the use of residents and workers within the region.

- (j) To protect, conserve and enhance riparian and environmentally sensitive areas and only allow for development which is compatible with the conservation values of these areas.
- (k) To ensure that development in the Darkes Road and Bong Bong town centres contributes to the creation of retail, business, commercial and community hubs and provides significant local employment opportunities.
- (l) To preserve the environmental, cultural and built heritage of West Dapto.
- (m) To protect development in the area from flooding and the threat of bushfires.
- (n) To protect areas of high scenic value.

4 URBAN STRUCTURE

4.1 West Dapto Master Plan

The West Dapto Master Plan (Figure 4.2) has been prepared to guide the development of the release area over the next thirty to forty years. The Master Plan provides for development of the area.

The future urban structure and master plan for West Dapto is shown in Figures 4.1 and 4.2. It is characterised by a series of residential precincts generating approximately 17,000 dwellings. It may be appropriate for development to occur simultaneously within several separate sites of Stages 1 and 2. The residential precincts will be separated by an extensive system of riparian/open space corridors. The release area will also include protection and integration of heritage landscapes and items into the urban structure.

The approval of the Wollongong LEP (West Dapto) 2010 has released the potential for 6,676 dwellings and 175 hectares of employment land in Stages 1 & 2 of the release area. The release of Stages 3 & 4 and the Yallah-Marshall Mount precinct have been deferred pending further review. Stages 1 & 2 are characterised by:

- Development potential for approximately 6,676 dwellings representing lot supply to cater for the predicted demand of the next 15-20 years.
- The expansion of the Dapto Town Centre to a major regional centre, acting as the primary retail destination within West Dapto to provide higher order goods, regional community facilities, employment opportunities, higher density housing and a transport interchange, serving both the existing and future communities.
- Bong Bong Town Centre to service the southern part of the release area comprising approximately 15,000m² of floor space providing for retail needs, local services, community facilities and the like.
- Darkes Road Town Centre comprising approximately 7,500m² of floor space to provide for a range of shops, to meet local convenience needs, local services, community facilities and the like.
- Integration of Horsley into the overall urban structure for West Dapto by providing direct access from new development to the west through Horsley via Bong Bong Road and providing a new north-south link to the east of Horsley.
- The Kembla Grange employment area, containing 175 hectares of new employment land.

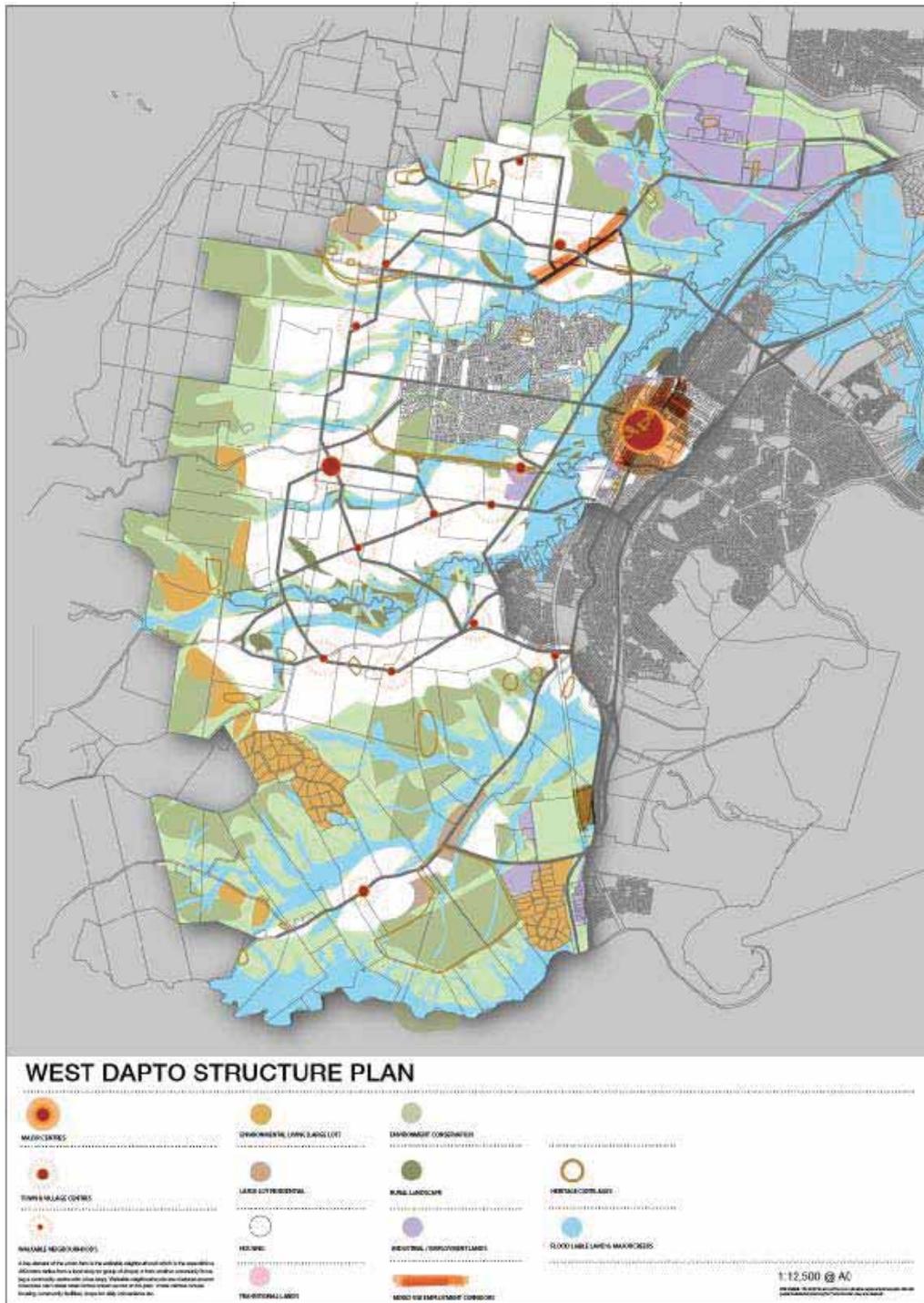
Protection and rehabilitation of conservation areas, including remnant vegetation areas

Stages 3 & 4 which will be the subject of further review and are currently deferred will ultimately include:

- Further development potential for approximately 8,749 new dwellings.

The development potential of the Yallah – Marshall Mount precinct is currently being reviewed and will form a future amendment to the LEP and this DCP.

Figure 4.1 West Dapto Structure Plan



(GCC 2008)

Development of the West Dapto Release Area could potentially take over 40 years to develop, depending on the rate of lot take up. If the take up is slow, this is likely to have major implications in terms of the provision of social and physical infrastructure to service the area. It is critical that development does not occur on multiple fronts as this will result in the early years in a fragmented urban structure and insufficient mass of people in any one area to support the provision of services.

Land will be released according to a logical and progressive land release program which builds upon existing infrastructure and services and which avoids multiple development fronts.

The development front will commence in the north of the release area where existing water and sewer are available without the need for extensive augmentation. Starting from the north will also facilitate the early upgrading of West Dapto Road and consolidation of Kembbla Grange as a major employment precinct.

Stages 1 and 2 of the release will be rezoned initially as this area provides a lot supply that caters for the predicted demand over the next 15-20 years. Later stages of the release will be subject to further review and will be rezoned over time as work is completed and demand requires. The potential staging of the Yallah Marshall Mount precinct in the south of the site will also be reviewed in the light of the Calderwood release within the adjacent Shellharbour LGA. This land may be rezoned to coincide with this release where adequate justification exists.

5 NEIGHBOURHOOD PLANS

A Neighbourhood Plan is an immediate step between the West Dapto Masterplan and a Development Application. The Neighbourhood Plan allows issues to be considered on a neighbourhood/precinct/catchment scale.

A Neighbourhood Plan enables adjoining land owners to jointly consider common constraints and design issues. The Neighbourhood Plan will be exhibited as an amendment to the West Dapto Masterplan and should be in place prior to the determination of the development application.

5.1 Requirement for a Neighbourhood Plan

A Neighbourhood Plan is required:

- To supplement the information prepared by Council to support the rezoning of West Dapto. Council did not have sufficient resources to consider every property in detail and Council's consultants were not granted access to all properties. Copies of the studies undertaken by Council are available on CD (Note the West Dapto Aboriginal Heritage Study is not a public document).
- To consider issues, mitigate impacts or propose solutions on a precinct / neighbourhood / catchment scale, rather than property by property.
- To ensure adjoining land owners consider the proposals, concepts and development timeframes of each other.
- To encourage the integration of development sites, development sequencing and economies of scale.
- To update the West Dapto master plan (Figure 4.2) with more detailed information.
- To avoid problems of other release areas, where development on adjoining lots is not integrated.

After the exhibition and adoption of a Neighbourhood Plan, Development Applications can be lodged by individual landowners (or their consultants), for development in their part of the neighbourhood. A

Development Application can be submitted on behalf of a number of landowners, provided owners consent is obtained. Any proposed variation to the agreed Neighbourhood Plan will require justification, and any variation on or near a property boundary will require agreement of the adjoining owner.

The Neighbourhood Plan process:

1. Discuss site with Council's Land Use Planning Team
2. Prepare draft Neighbourhood Plan
3. Council officers review and report draft Neighbourhood Plan to Council as an amendment to the Wollongong DCP 2009 – Chapter D16 West Dapto Release Area master plan
4. Exhibition
5. Council officers review submissions, consult with landowner / consultant over any amendments and report submissions and revised Neighbourhood Plan to Council
6. Council adopts Neighbourhood Plan as an amendment to the DCP
7. Lodgement of Development Applications

5.2 Matters to be addressed in a Neighbourhood Plan

A Neighbourhood Plan should include:

1. Site location and description
2. Land capability assessment, addressing issues such as:
 - Existing land use.
 - Wollongong LEP (West Dapto) 2010 provisions (including Zoning, Minimum Lot Size, FSR, Building Height, Flooding, Heritage, Acid Sulfate Soils, riparian corridors etc).
 - Any other relevant legislation (eg any SEPPs, Illawarra Regional Strategy).
 - The neighbourhood's setting within West Dapto, eg proximity to commercial centres, main roads, community services.
 - Flooding.
 - Bushfire.
 - Topography, known Geotechnical constraints, known Contamination constraints.
 - Biodiversity (EECs, bushland, significant trees, habitat).
 - Known or likely Heritage sites, including Indigenous Heritage cultural issues.
 - Existing road network.
 - Available utilities & services and existing easements.
 - Need for community and recreation facilities.
 - Visual character.
 - Noise impacts (e.g. from the main roads, industrial areas or public & private railways).
3. A Neighbourhood concept plan, and supporting documentation, showing proposed:

- Residential, retail, employment, recreation and conservation areas.
- Road layout & hierarchy.
- Indicative dwelling density & yield.
- Public transport, bicycle and pedestrian routes.
- Drainage management concepts (water quantity & quality).

Note – where a drainage/water quality solution is developed at a catchment or neighbourhood level, Council will acquire the agreed detention basin site through the West Dapto Section 94 Plan.

- Buffers to heritage items.
- Riparian corridors, buffers and proposed future use.
- Location of schools, community facilities, recreation facilities and parks, including any proposed public land.

5.3 Matters to be addressed in Development Applications

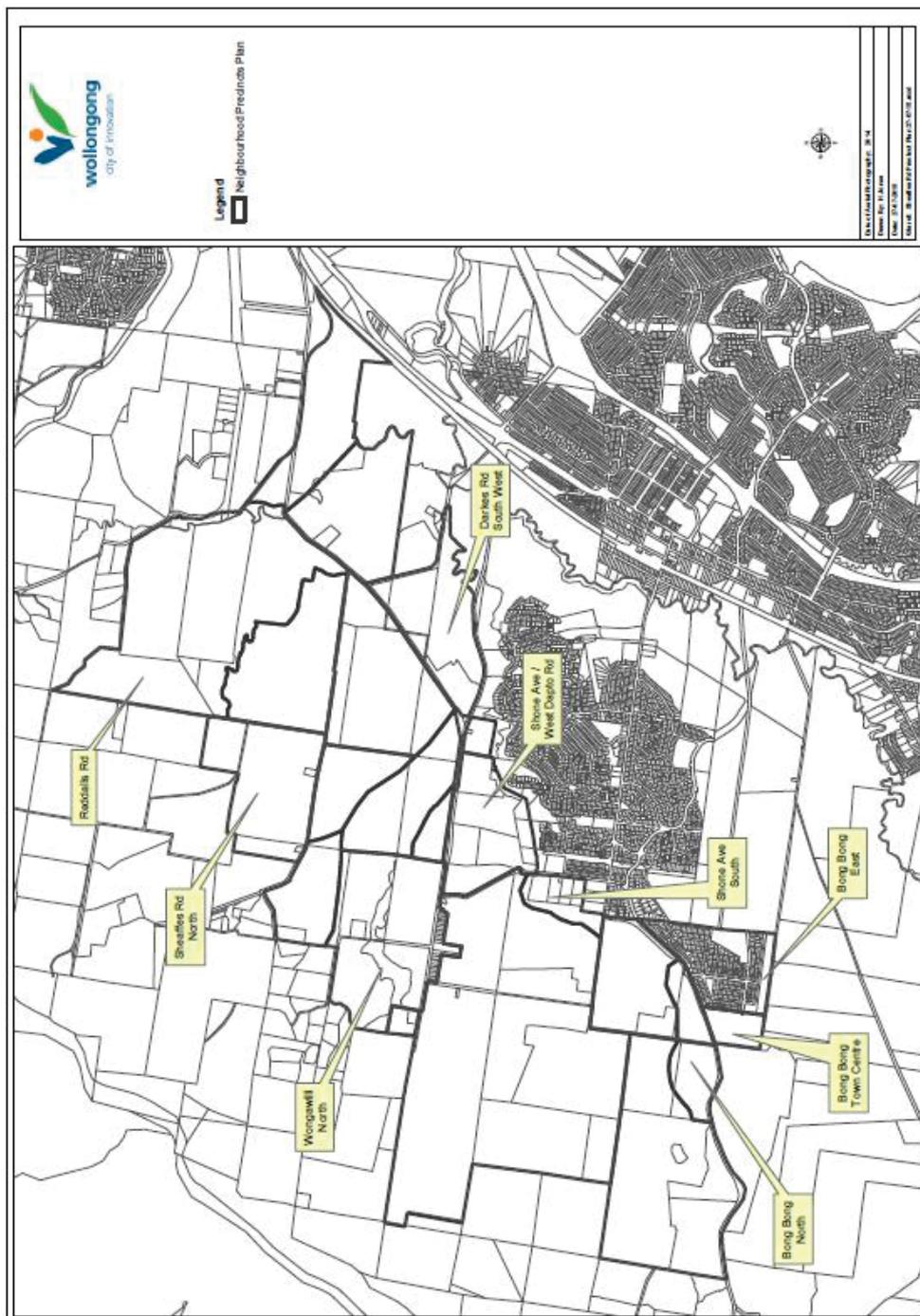
The documentation accompanying the Development Application for subdivision will have to provide more detailed site specific information and specialist reports, addressing issues such as:

- Detailed site survey by a registered surveyor.
- Development plans – lot layout, road design.
- Flora and fauna assessment and future management (Chapters E18, E23).
- Drainage/flooding/water quality modelling (Chapters E13, E14, E22).
- Land contamination assessment (Chapter E20).
- Bushfire management (chapter E16).
- Traffic assessment (Chapter E3).
- Aboriginal heritage assessment (Chapter E10).
- Noise assessment (where relevant) (Chapter E4).
- Pedestrian and bicycle routes, including accessibility for persons with a disability (Chapter E1).
- Crime Prevention through Urban Design (Chapter E2) etc

The documentation accompanying a Development Application for a Dwelling House on a newly subdivided lot should have regard to Part A and B1 (Dwelling Houses) of this DCP and any variations to the generic controls under this chapter (e.g. the standard setbacks in individual neighbourhoods may have been varied).

An application for a Dwelling House can also be undertaken in accordance with the requirements of SEPP Exempt and Complying Development, which can be assessed by Council or a Private Certifier.

Figure 5.1 Defined Neighbourhoods



Adopted Neighbourhood Plans

The following Neighbourhood Plans have been adopted for the purposes of this Part:

Neighbourhood Plan	Submitted by	Adoption Date
5.3.1. Bong Bong East and north	Stockland	14 December 2010
5.3.2. Bong Bong Town Centre (draft – see chapter 6.1.2)	Vinta Group / Bong Bong Town Centre	14 December 2010
5.3.3. Wongawilli north (excluding the village area)	Cardno Forbes Rigby and Jones Flint and Pike.	26 November 2012
5.3.4 Shone Avenue south	KF Williams	26 July 2011
5.3.5 Reddalls Road Industrial	Beadnell	9 December 2013
5.3.6 Sheaffes Road North	SMEC Urban	8 April 2013
5.3.7 Darkes Road South West	Don Fox Planning	24 March 2014
5.3.8 Avondale Road North, Huntley	Urbis	3 August 2015
5.3.9 Shone Avenue / West Dapto Road	KF Williams	24 August 2015

5.3.1 Bong Bong East and North

Figure 5.3.1.1 Neighbourhood Plan 1 - Bong Bong East and North



The following variations to development standards have been accepted:

Chapter B1 Residential Development - Section 4.5 Front setbacks – controls 1 and 2 are replaced with:

1. The following setback requirements apply from the primary street frontage to the front façade of the building:
 - a) Front building line: 4.5 metre minimum setback, except for garages which must be setback at least 5.5 metres from the property boundary on the primary road.
 - b) Articulation zone: An articulation zone up to a maximum of 1.5 metres measured from the foremost edge of the building line may be incorporated within the front setback zone. The following building elements are permitted in the articulation zone:
 - i) an entry feature or portico,
 - ii) a balcony, deck, patio, pergola, terrace or verandah,
 - iii) a window box treatment,
 - iv) a bay window or similar feature,
 - v) an awning or other feature over a window,
 - vi) a sun shading feature.
 - c) A building element must not extend above the eave gutter line, other than a pitched roof to an entry feature or portico that has the same pitch as the roof on the dwelling house.
 - d) The maximum area of all building elements within the articulation zone, other than a building element listed in (v) or (vi) above, must not be more than twenty five percent of the area of the articulation zone, measured through the horizontal plane of the elements.
2. For corner allotments the following setback requirement applies from the secondary street frontage to the façade of the building:
 - a) Secondary building line: 2 metre minimum setback.

Chapter B1 Residential Development - Section 4.6 Side and rear setbacks – controls 1 to 3 are replaced with:

1. A dwelling house and any carport, garage, balcony, deck, patio, pergola, terrace or verandah that is attached to the dwelling house with a building height at any point up to 3.8 metres on an allotment with an area greater than or equal to 450m² must have a setback from a side boundary of at least 900mm. This control does not apply to a secondary street frontage.
2. Any part of a dwelling house that has a building height in excess of 3.8 metres and any carport, garage, balcony, deck, patio, pergola, terrace or verandah that is attached to a dwelling house on an allotment with an area greater than or equal to 450m² must have a setback from a side boundary of at least the sum of 900mm and an amount that is equal to one quarter of the additional building height above 3.8 metres. This control does not apply to a secondary street frontage.

N.B. A two storey dwelling house may have its ground floor component (up to 3.8 metres in height) setback 900mm from the side boundary with the second storey setback further as required by the formula in (2).

A dwelling house that is part two storey and part single storey may have the single storey portion of the dwelling house (up to 3.8 metres) setback 900mm from the side boundary and the two storey portion of the dwelling house setback further as required by the formula in (2).

3. On an allotment with an area less than 450m² and a lot width 10m or less, where an easement for access and maintenance as well as driveway crossing locations (which are located so as not to adversely impact on-street parking capacity) are provided on title, a zero side setback may be applied to one side for the single storey component of the dwelling. The two storey component of

the dwelling is to be setback further as required by the formula in (2). This control does not apply to a secondary street frontage.

The following additional controls to apply:

6. A dwelling house and any carport, garage, balcony, deck, patio, pergola, terrace or verandah that is attached to the dwelling house with a building height at any point up to 3.8 metres must have a setback from the rear boundary of at least 3 metres.
7. A dwelling house with a building height of more than 3.8 metres and any carport, garage, balcony, deck, patio, pergola, terrace or verandah that is attached to the dwelling house must have a setback from the rear boundary of at least 3 metres, plus an amount that is equal to three times the additional building height above 3.8 metres up to a maximum setback of 8 metres.
8. Despite (6) and (7), an allotment that has a rear boundary with a laneway may have a building line that abuts that boundary for up to 50 per cent of the length of that boundary.

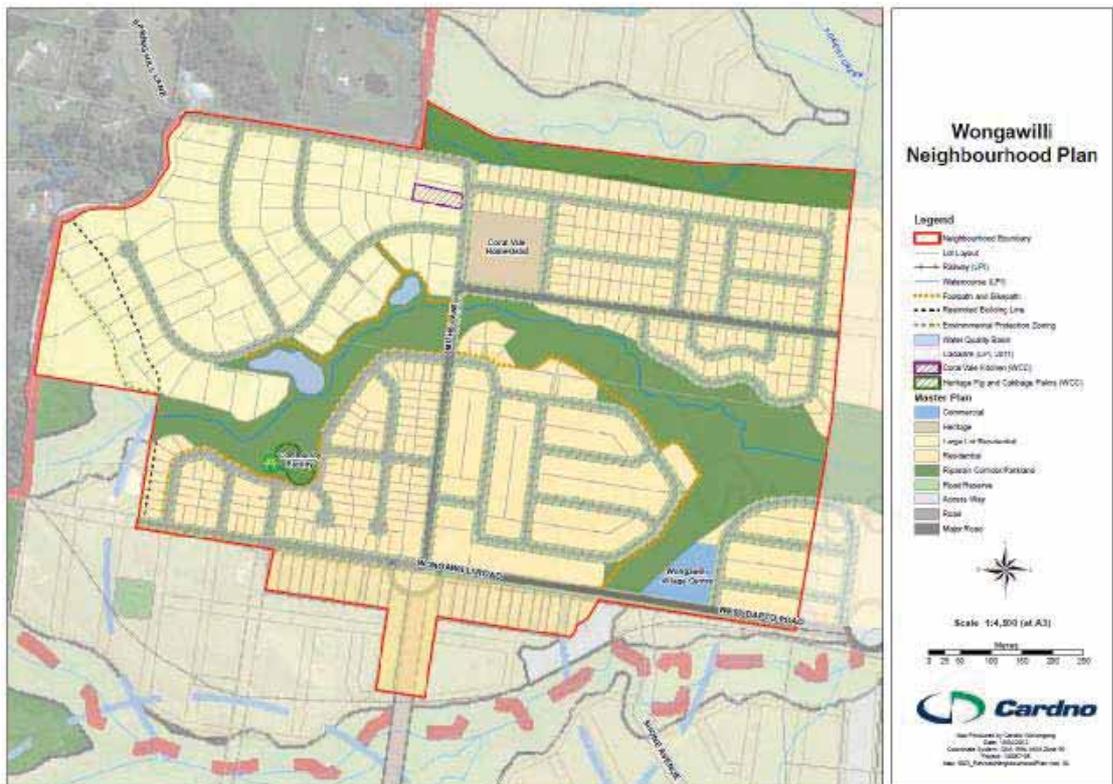
Chapter B2 Residential Subdivision – Section 13 Cut and Fill land reshaping works – does not apply to master planning of land and precinct subdivision applications.

5.3.2 Bong Bong Town Centre

Refer to Section 6.1.3.

5.3.3 Wongawilli - north

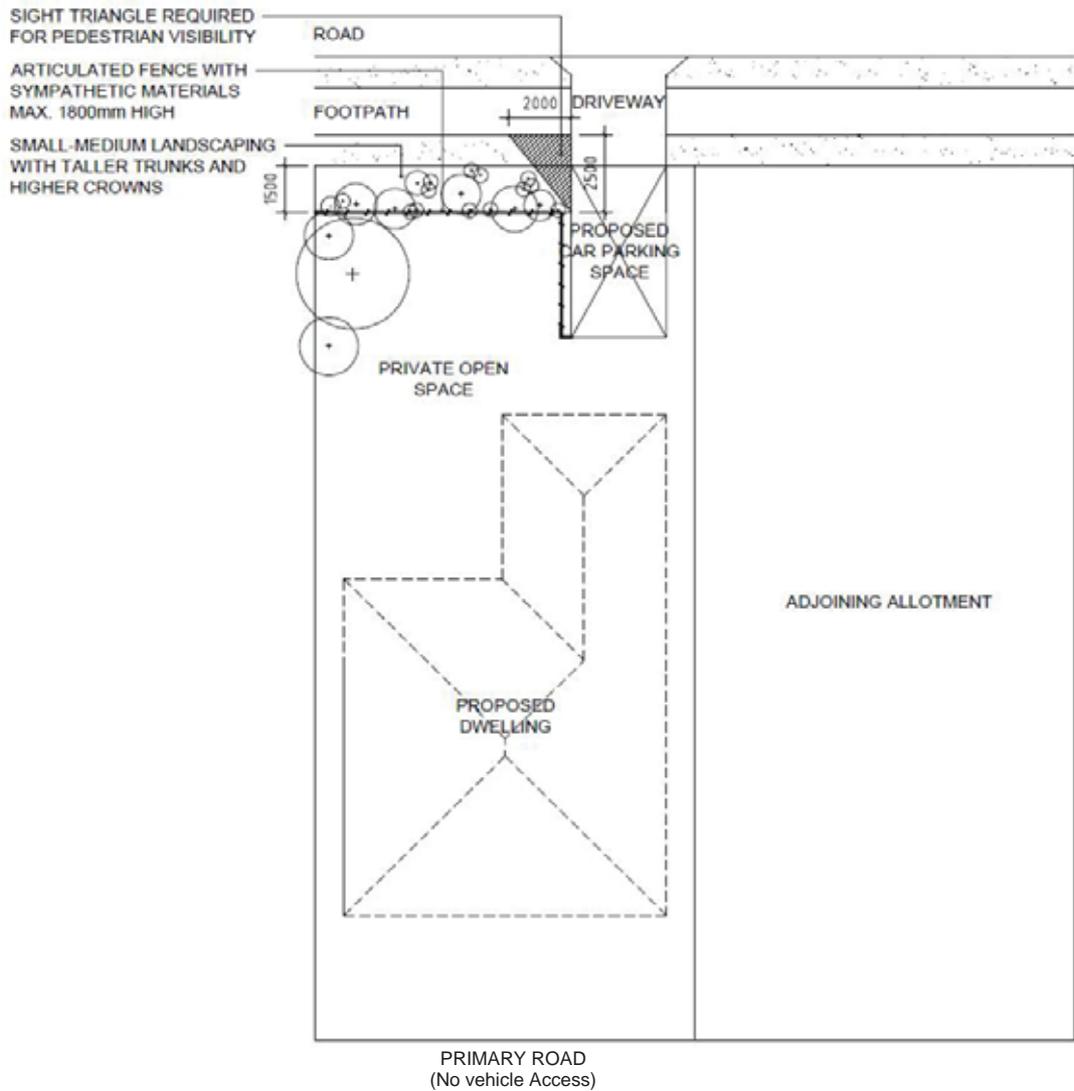
Figure 5.3.3.1 Wongawilli north Neighbourhood Plan



The following modified and additional controls to apply:

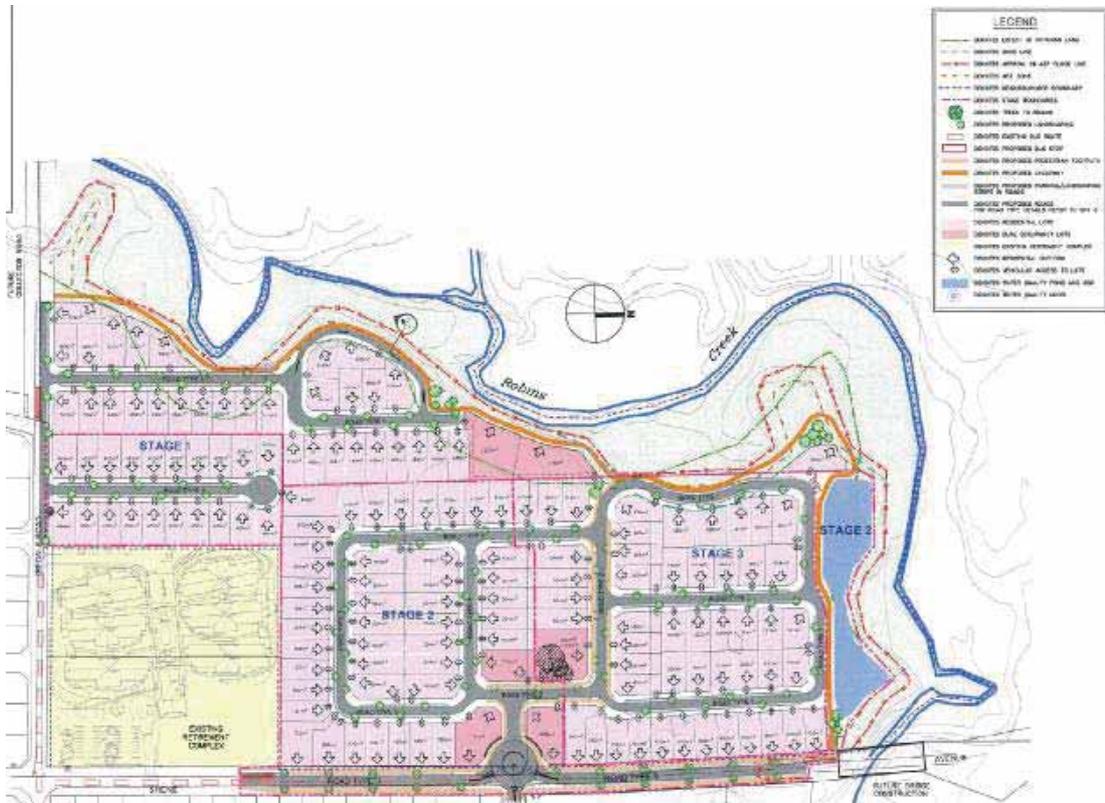
1. Minimum Lot width fronting Wongawilli Road and Smiths Lane of 15m;
2. Minimum front building line setback of 4.5m for all lots fronting Wongawilli Road and Smiths Lane;
3. The maximum length of cul-de-sacs that provide access to lots fronting Wongawilli Road Should not exceed 130m;
4. For Lots with a dual road frontage:
 - a. Wongawilli Road and Smiths Lane is considered to be the primary road frontage and the internal unnamed road is considered to be the secondary road frontage and the rear of the lots;
 - b. All dwellings must face, address and activate the primary road frontage of Wongawilli Road and Smiths Lane;
 - c. Car ports or garages must be located and accessed from the secondary road frontage rear of the lots;
 - d. Minimum rear setbacks are to remain in accordance with Chapter B1, garages and carports are to have a minimum rear setback of 5.5m in accordance with the principles shown in figure 5.3.3.2;
 - e. Fencing and landscaping treatment of the secondary road frontage is in accordance with the principles shown in figure 5.3.3.2. Examples of Articulated fencing include, but are not limited to:
 - i. Masonry to 1.2m high with open type lattice or slates above with masonry elements no wider than 150mm;
 - ii. Timber Lap and Cap;
 - iii. Colourbond solid to 1.2m with Colourbond lattice style top sections.
5. For Lots backing onto or adjoining the Rural Fire Service (RFS) Property:
 - a. Dwelling house, secondary dwelling and any habitable areas must be setback at least 10m from the rear or common property boundary that adjoins the RFS property;
 - b. Outbuildings and garages must be setback at least 5m from the rear of common boundary that adjoins the RFS property.

Figure 5.3.3.2 Dual frontage property secondary frontage treatment



5.3.4 Shone Avenue - south

Figure 5.3.4.1 Shone Avenue south Neighbourhood Plan

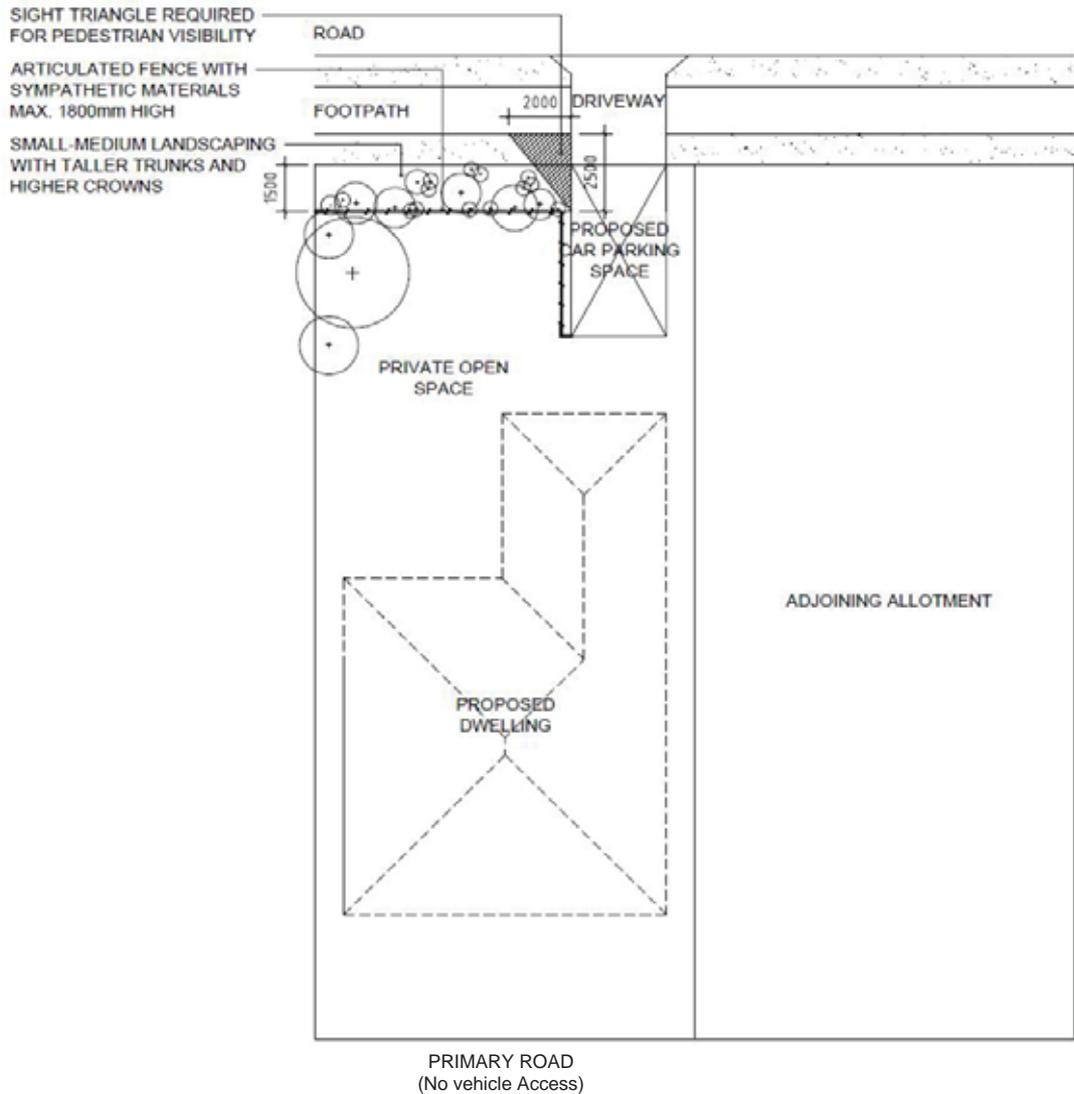


The following modified and additional controls to apply:

1. For Lots with a dual road frontage:
 - a. Shone Avenue and Iredell Road are considered to be the primary road frontage and the internal unnamed road is considered to be the secondary road frontage and the rear of the lots;
 - b. All dwellings must face, address and activate the primary road frontage of Shone Avenue and Iredell Road;
 - c. Car ports or garages must be located and accessed from the secondary road frontage rear of the lots;
 - d. Minimum rear setbacks are to remain in accordance with Chapter B1, garages and carports are to have a minimum rear setback of 5.5m in accordance with the principles shown in figure 5.3.4.2;
 - e. Fencing and landscaping treatment of the secondary road frontage is in accordance with the principles shown in figure 5.3.4.2. Examples of Articulated fencing include, but are not limited to:
 - i. Masonry to 1.2m high with open type lattice or slates above with masonry elements no wider than 150mm;
 - ii. Timber Lap and Cap;

- iii. Colourbond solid to 1.2m with Colourbond lattice style top sections.

Figure 5.3.4.2 Dual frontage property secondary frontage treatment



5.3.5 Reddalls Road Industrial

Figure 5.3.5.1 Reddalls Road Industrial Neighbourhood Plan



The following additional controls to apply:

1. The proposed cycleway must have adequate passive surveillance to ensure safety by design.
2. Indicative future bus stop locations should be identified and shown on road types capable of handling bus routes. A minimum number of stops should be located in a manner to ensure that the majority of lots are within 400 metres of a bus stop.
3. Any proposed development of the neighbourhood will require the applicant upgrading the relevant section of Reddalls Road to a standard that is suitable for the normal range of Heavy vehicles at no cost to Council. These upgrade works would also include any required intersection treatment to Reddalls Road and the new proposed Access Road as well as any necessary road safety works.

5.3.6 Sheaffes Road North

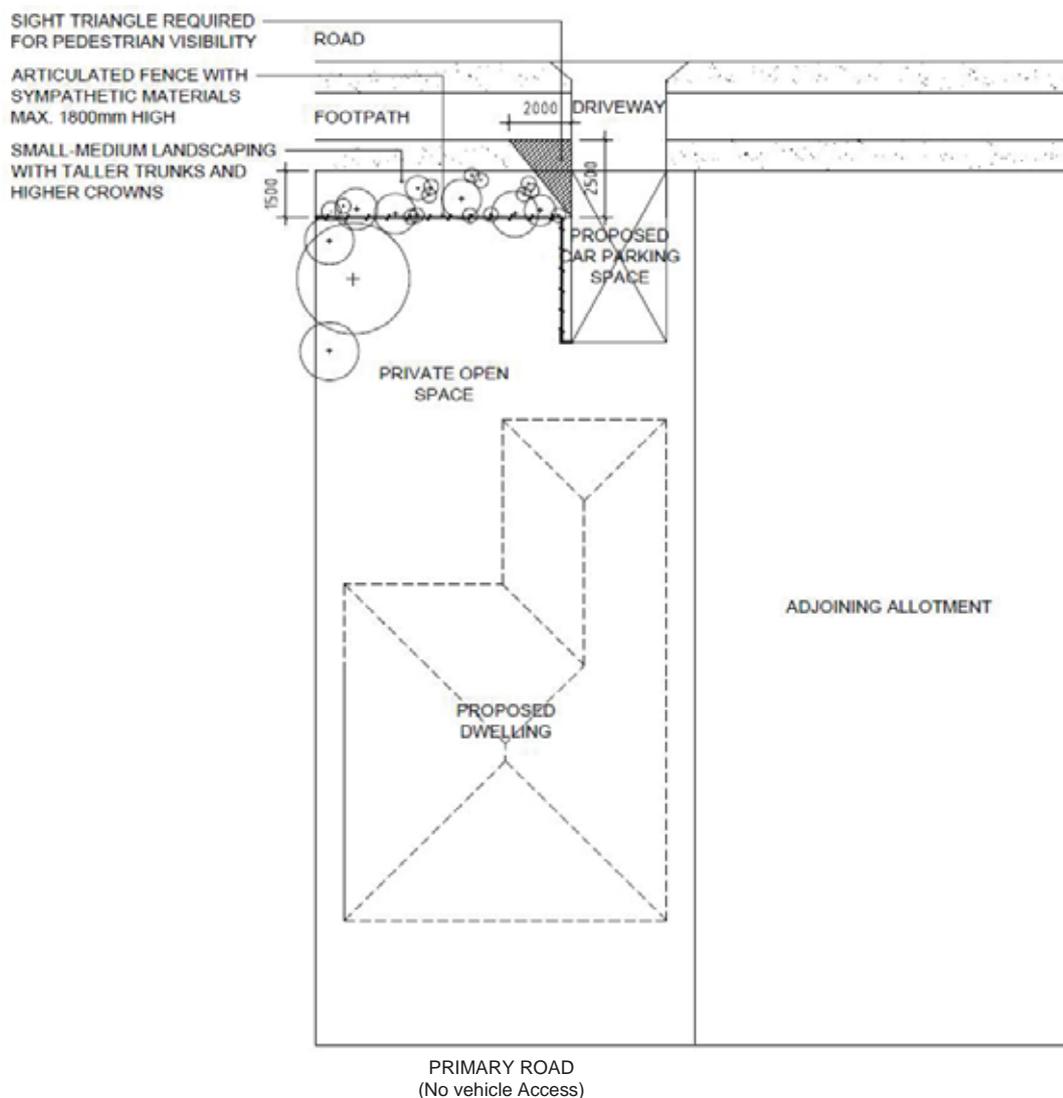
Figure 5.3.6.1 Sheaffes Road North Neighbourhood Plan



The following modified and additional controls to apply:

1. For Lots with a dual road frontage:
 - a. Sheaffes Road and Paynes Road is considered to be the primary road frontage and the internal unnamed road is considered to be the secondary road frontage and the rear of the lots;
 - b. All dwellings must face, address and activate the primary road frontage of Sheaffes Road and Paynes Road;
 - c. Car ports or garages must be located and accessed from the secondary road frontage rear of the lots;
 - d. Minimum rear setbacks are to remain in accordance with Chapter B1, garages and carports are to have a minimum rear setback of 5.5m in accordance with the principles shown in figure 5.3.6.2;
 - e. Fencing and landscaping treatment of the secondary road frontage is in accordance with the principles shown in figure 5.3.6.2. Examples of Articulated fencing include, but are not limited to:
 - iv. Masonry to 1.2m high with open type lattice or slates above with masonry elements no wider than 150mm;
 - v. Timber Lap and Cap;
 - vi. Colourbond solid to 1.2m with Colourbond lattice style top sections.

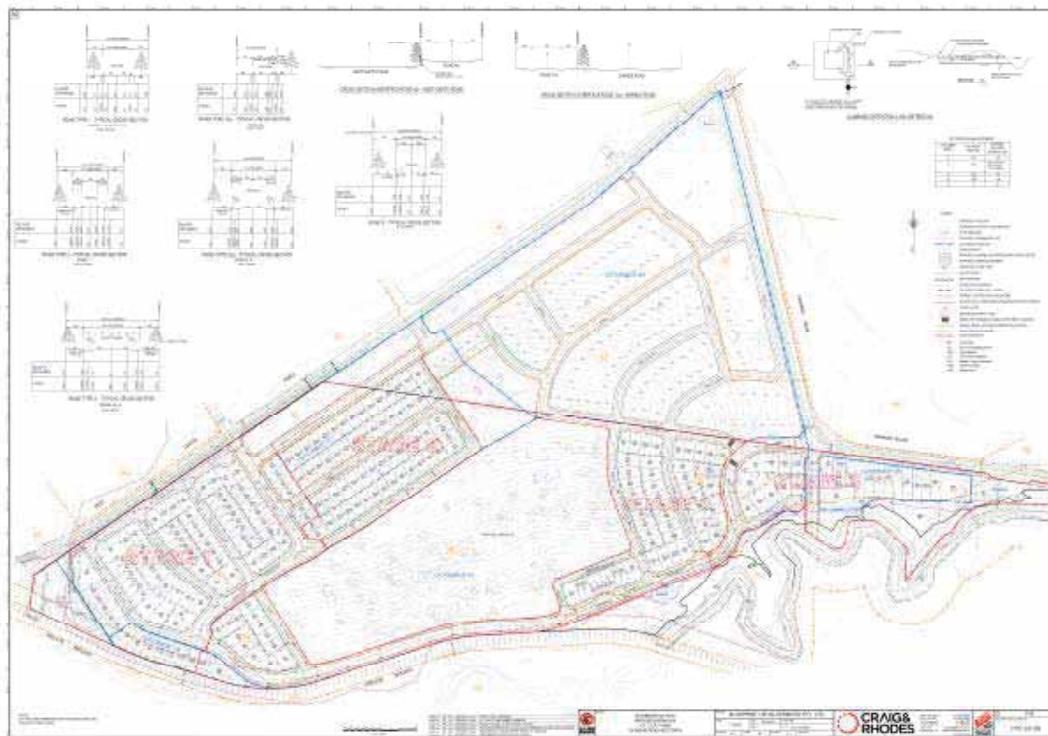
Figure 5.3.6.2 Dual frontage property secondary frontage treatment



5.3.7 Darkes Road South West

(NB: This Section 5.3.7 relies on finalisation of a separate Planning Proposal Process for amendment to minimum lot size and zoning.

Figure 5.3.7.1 Darkes Road South West Neighbourhood Plan

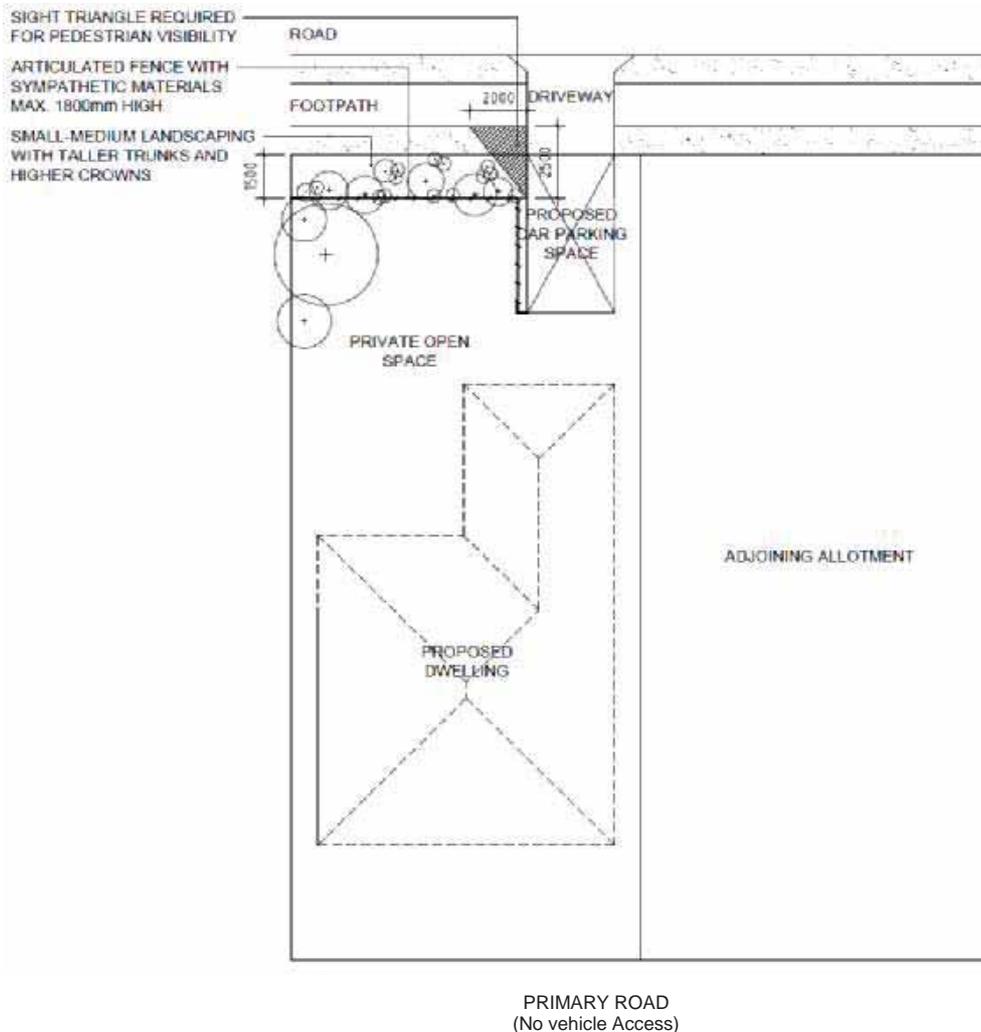


The following modified and additional controls to apply:

1. Lot Width, Depth and Aspect are to be in accordance with Figure 5.3,7.1 above and are not required to comply with Chapter B2 Section 6 Subdivision Lot Layout – Aspect & Solar Access Orientation as well as Section 8 Lot Width & Depth Requirements. The relevant issues have been considered and the lot layout and details shown are considered acceptable. Should the lot layout depart substantially from that shown then compliance with Chapter B2 is required unless variation is sought in accordance with Chapter A1.
2. On an allotment with an area less than 450m² and a lot width 10m or less, where an easement for access and maintenance as well as driveway crossing locations (which are located so as not to adversely impact on-street parking capacity) are provided on title, a zero side setback may be applied to one side for the single storey component of the dwelling. The two storey component of the dwelling is to be setback further as required by the formula in (2). This control does not apply to a secondary street frontage.
3. For Lots with a dual road frontage:
 - a. West Dapto Road and Darkes Road is considered to be the primary road frontage and the internal unnamed road is considered to be the secondary road frontage and the rear of the lots;

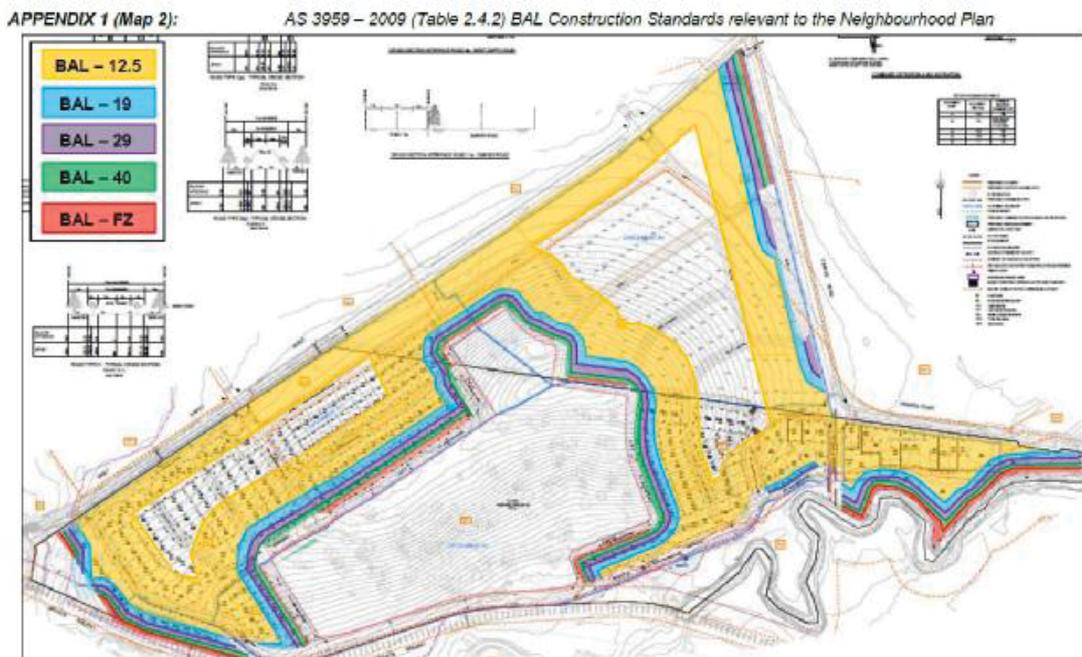
- b. All dwellings must face, address and activate the primary road frontage of West Dapto Road and Darkes Road;
- c. Car ports or garages must be located and accessed from the secondary road frontage rear of the lots;
- d. Minimum rear setbacks are to remain in accordance with Chapter B1, garages and carports are to have a minimum rear setback of 5.5m in accordance with the principles shown in figure 5.3.7.2 below;
- e. Fencing and landscaping treatment of the secondary road frontage is in accordance with the principles shown in figure 5.3.7.2. Examples of Articulated fencing include, but are not limited to:
 - vii. Masonry to 1.2m high with open type lattice or slates above with masonry elements no wider than 150mm;
 - viii. Timber Lap and Cap;
 - ix. Colourbond solid to 1.2m with Colourbond lattice style top sections.

Figure 5.3.7.2 Dual frontage property secondary frontage treatment



4. For all development applications outside of the area denoted as Stage 1:
 - a. An Aboriginal Heritage Assessment is to be undertaken in accordance with the Wollongong Development Control Plan 2009 Chapter E10
 - b. Additional archaeological investigations are required to be undertaken to the previously recorded archaeological sites and three (3) potential archaeological deposits (PADs) identified. This work is required in order to better determine the significance and extents of these areas.
 - c. In-principle support for the intended mitigation or Aboriginal Heritage Impact Permit (AHIP) proposals is to be gained from the NSW Office of Environment and Heritage (OEH) prior to the determination of the associated development application.
 - d. Further consultation with Local Aboriginal Groups is to be undertaken within the assessment of any future Development Applications.
 - e. Consideration of the impacts of the proposal on identified Non-Indigenous Archaeological Deposits located on the site during the preparation of the Heritage reports and which are subject to Section 140 of the NSW Heritage Act 1977.
 - f. Conservation planning related to any retained structures or features on the site (e.g. The Silo and gardens).
 - g. Interpretation planning relating to the history and heritage significance of the development area.
5. Bushfire Matters
 - a. Certain construction standards apply for development on Bushfire Prone Land. The applicable Construction Standards for proposed development are to reflect the Bushfire Attack Level (BAL) as identified at Figure 5.3.7.3 below.
 - b. Given that the site is identified as Bush Fire Prone Land, when a development application for subdivision is made, the development will require a Bush Fire Safety Authority to be issued by the NSW RFS under Section 100B of the Rural Fires Act 1997. The RFS has indicated that it is likely that by condition of the Bush Fire Safety Authority, restriction on the titles of the lots requiring the provision and maintenance of the necessary APZ's will be required.

Figure 5.3.7.3 BAL Construction Standards relevant to the Neighbourhood Plan



6. Access
 - a. An appropriate access track is to be provided to the Detention Basin A1 to facilitate sufficient maintenance access for Council.
 - b. Appropriate access is also to be provided to the Wongawilli Rail Spur Line from the Detention Basin A1 and from Road 01.
 - c. The final form of the access track is to be determined in conjunction with Council Engineering Officers within the assessment of future Development Applications. Hardstand access will be required.
7. There may be scope to amend the current Council Drainage Acquisition Maps to reflect more up to date flood mapping of the area. This is to be further investigated within future Voluntary Planning Agreements (VPAs) and assessment of Development Applications.

5.3.9 Shone Avenue / West Dapto Road

Figure 5.3.9.1 Shone Avenue and West Dapto Road Neighbourhood Plan



The following modified and additional controls apply:

1. For Lots with a dual road frontage:

- a. Shone Avenue is considered to be the primary road frontage and the internal unnamed road is considered to be the secondary road frontage and the rear of the lots;
- b. All dwellings must face, address and activate the primary street frontage of Shone Avenue – this is the main address of the dwelling;
- c. The minimum front setback on Shone Avenue is 4m (being a greenfield site) and the minimum setback from the secondary road is 4m;
- d. No car access to residential lots is permitted from Shone Avenue (ie lots are access denied). Carports or garages must be located and accessed from the secondary road frontage rear of the lots;
- e. Garages and carports must be setback a minimum of 5.5 metres from the property boundary on the secondary road to enable a vehicle to park or stand in front of the garage or carport (ie allow off street parking that does not impede the footpath) and in order to be a non dominant component of the streetscape;
- f. Fencing controls for the primary street frontage of Shone Avenue are outlined in Chapter B1: Residential Development and are designed to complement the objectives of passive surveillance;

g. Fencing and landscaping treatment of the secondary road frontage must ensure that clear lines of sight are maintained for motorists and pedestrians to and from the lot, and ensure the design complements the objectives of passive surveillance. To help soften the visual impact and improve the streetscape appearance of the fence, and allow visual connection between the dwelling and the street, any fence will be required to be well articulated and landscaped with appropriate planting. Articulated fencing should be provided to a maximum height of 1.8 metres. Examples of articulated fencing include, but are not limited to:

- i. Masonry to 1.2m high with open type lattice or slates above with masonry elements no wider than 150mm;
- ii. Timber Lap and Cap;
- iii. Colourbond solid to 1.2m with Colourbond lattice style top sections.

NB. Fences in bush fire prone areas shall be of a metal or masonry construction only.

h. Any gates associated with the secondary street fence should open inwards so as to not obstruct the road reserve

i. Where garage door openings face the secondary road they shall be a maximum of 50% of the width of the dwelling. Refer to Chapter B1: Residential Development for other car parking and access controls.

2. For Lots backing onto West Dapto Road:

a. An acoustic building exclusion zone of 25 metres applies along the length of the rail corridor to reflect Noise Report recommendations;

b. A sound wall is to be erected by the developer along the length of the rail corridor, as indicated in the Neighbourhood Plan.

6 DEVELOPMENT CONTROLS

6.1 Town Centres

6.1.1 Town Centres and Villages

Dapto major regional centre, Bong Bong Road district centre, Darkes Road village centre and the three village centres are key elements in the overall structure of West Dapto, providing focal points and contributing to the “legibility” of the urban framework, particularly as important nodes in the bus network.

A district centre (~15,000m²) is planned within the central western (Bong Bong Road) part of the release area and a village centre (~7,500m²) planned in the northern (Darkes Road) area to service the release area. These are intended to create local retail, business, commercial and community hubs providing significant local employment opportunities. They will complement rather than compete with the higher order major regional centre of Dapto.

The Town Centres will form the most urban parts of West Dapto and have a variety of building typologies with urban characteristics such as increased height, minimal or zero street setbacks and street level awnings and verandahs. The public domain is intended to reflect an urban character, with high quality hard and soft landscape and paved footpaths with advanced planting of shade trees. Parking will be at the rear of blocks and underground as well as good on street provision of kerbside parking – building setbacks to accommodate front parking lots will not be permissible, as these detract from the street qualities sought in these centres.

In addition three small village centres are planned (Wongawilli, Avondale and Yallah) to meet local shopping needs. They are to comprise a few local shops (like the existing Horsley shops), as well as providing opportunities for local business, a bus stop, community facilities such as a primary school and a choice of housing types. These would take on the role of the local centre and be the focus for the new communities at West Dapto in addition to convenience stores to be co-located with service stations if demand requires.

Controls for Neighbourhood Plans must give consideration to the ability to develop adjoining areas including linkages to those areas. New town centres are encouraged to prepare a Workplace Travel Plan and Travel Access Guides.

Objectives:

- (a) To ensure that the residents of West Dapto have access to well designed, attractive town and village centres which act as retail, business, commercial and community hubs consistent with the overall centre hierarchy for West Dapto.

Controls:

1. Development Applications for the development of including town centres are to be consistent with the matters contained in sections 5.1, 5.2, 5.3 and 6 of this chapter in relation to centres.

6.1.2 Design Principles

Town Centres are to be designed to comply with the following principles:

1. Establish streets with at least two storey buildings where possible. Taller buildings of 4-6 stories are encourage in the core of the town centre.
2. Active retail street frontages are encourage. Upper floors can be commercial or residential uses.

3. Create a lively mix of uses within the centres, providing opportunities for employment, commerce, retailing, living, entertainment and community activities
4. Early stages of development are likely to focus on Supermarket and associated small specialty shops, therefore these should be designed as complete compositions which create places within their own right
5. Buildings are to present urban characteristics to the street in relation to setback, form and streetscape/building design.
6. Residential densities in and around the centres are to be increased in line with density requirements at Section 2.3.1 in order to create a choice of housing opportunity within the West Dapto development area at locations with high amenity which are well serviced
7. Parking lots and areas are generally not to be visible from the streets, allowing built form to perform its correct street defining urban function.
8. Establish a high quality, high value public domain with strongly urban characteristics and design.

6.1.3 Bong Bong Town Centre

In the area where Bong Bong Road adjoins the north-south arterial route a new district town centre is to be established, based on a north-south running main street. The Bong Bong Town Centre is to be the primary town centre in the release area being centrally located and at a greater distance to Dapto Town centre than the proposed Darkes Road Town Centre. The Bong Bong Town Centre is to be a supermarket based centre with a range of shops and would accommodate around 15,000m² of retail floor space.

Figure 6.1 Bong Bong Town Centre – Conceptual layout



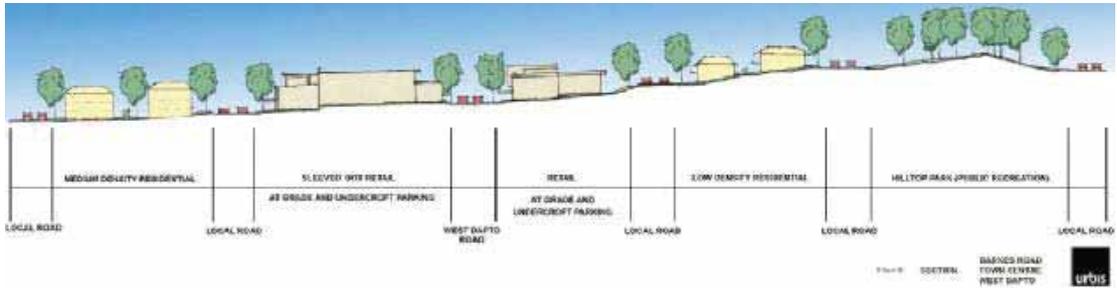
6.1.4 Darkes Road Town Centre

Along West Dapto Road a smaller secondary town centre (large village centre) is to be established based on the east–west route becoming a main street. While activity in terms of residential and business use is expected along the length of the centre, only the core part will contain the primary retail and commercial functions. It is envisaged that this centre would accommodate around 6,000m² of retail floor space to support the employment lands.

Figure 6.2 Darkes Road Town Centre – Conceptual layout



Figure 6.3 Darkes Road Town Centre – Conceptual Cross section



6.1.5 Development Controls

Development in the Town Centres is to comply with the following development controls:

1. Taller buildings of 4-6 stories are encouraged in the core of the town centre. Lower scale buildings up to 3 stories in height should surround and support the in the centre core.
2. The street wall height should have a 2-3 storey building form.
3. Single storey buildings should have a 2 storey front façade.
4. Building setbacks on main streets to be nil (zero) while other streets are generally to have a setback of between 0 – 2.5 m.
5. Side and rear building setbacks are as follows:

Setback	Distance
Side	Zero
Rear	Zero where adjoins allotment zoned B2 Local Centre or 5-6m where adjoins allotment zone R3 Medium Density Residential

6. No requirements for on site open space / landscaping in the 'core' area.
7. Provision of a shared parking facilities area is encouraged with access via laneways of minor streets.

6.2 Village Centres / Local Nodes

Three small villages are proposed totalling ~7,500m² of floor space possibly at Wongawilli, Avondale and Yallah. These, in addition to 2,000m² spread through the release area in convenience stores attached to petrol stations and the like, will cater for local convenience shopping throughout the release area.

Village and local centres are to develop as localised business and higher density residential opportunities at key places / intersections where bus stops, community facilities and local open space come together to create an urban focal point for the local community.

Figure 6.4 Wongawilli Village Centre – Conceptual design



6.2.1 Design Principles

1. Establish a strong urban form that clearly distinguishes the village centre / local node from surrounding areas.
2. Create a lively mix of uses and building types within the village centre / local node that creates the opportunity to meet the daily convenience needs of surrounding communities. Village centres should accommodate a 1,000-1,500m² supermarket and variety shops.
3. Parking lots and areas are generally not to be visible from the streets, allowing built form to perform a clearly street defining urban function.
4. Positive Interface with the street and activation of the street is important.
5. Establish a high quality, high value public domain with strongly urban characteristics and design.
6. Ensure a focus on amenity taking into consideration factors such as prevailing winds, shade and shelter. Ensure positive interface with any adjacent open space or water body as an attractive feature.

6.2.2 Development Controls

1. Building setbacks can be either street aligned (zero) or setback up to 5m to create commercial forecourts or residential courts to the street.
2. Variation of setback is encouraged to create an informal organic character.
3. Building height of up to 2 storeys is encouraged to create an urban village character with upper floor uses including small scale commercial and residential developments.
4. Parking to be provided at the rear of buildings in the form of rear laneways and parking areas accessed from the rear laneways / car courts.
5. All shops should address street and be entered by front from the major street where possible or secondary street.
6. Size of shops is limited to 1500m².

7. Community congregation areas to be north facing and where possible take advantage of escarpment views.
8. Major and Secondary street parking to be maximised.

6.3 General Development Controls

Development controls in this chapter are closely linked with and cross reference other chapters of the Wollongong Comprehensive Development Control Plans.

Development controls applying to development in the West Dapto Urban Release Area should also address the following chapters:

- E1: Access for People with Disability
- E2: Crime Prevention through Environmental Design (CPTED).
- E6: Landscaping
- E16: Bush Fire Management

Variation control – Bushfire Management Activities should not occur in land zoned E2 Environmental Conservation which aim to protect Endangered Ecological Communities or significant bushland. Bushfire Management Activities can occur within the floodplain and riparian land management areas, to maximise residential development in the Residential zones for West Dapto.

- E20: Contamination
- E22: Erosion and Sediment Control

6.3.1 Flora and fauna

Environment Protection Areas

The intrinsic West Dapto environment has formed the basis for the creation of a new urban structure and a backdrop to the creation of new communities. Areas of sensitivity have been included in environmental protection zones and will be subject to stringent development controls with rigorous controls applying in the most sensitive areas.

Areas of highest sensitivity have been, or will be in future stages, zoned Environment Conservation with minimal development allowed in these areas. This includes the main development interfaces with the escarpment on the western edge of the release area and interfaces with the predominantly west-east running creek corridors. Environment Conservation land will form a transitional development edge with lower densities of development adjacent to these areas. Increased opportunity for planting will be accommodated to complement the wooded slopes and riparian corridors.

Areas which have high conservation values and where revegetation and ongoing management is required have been, or will be, zoned Environment Management. Limited compatible development is allowed in these areas.

Areas of lesser environmental significance, but which still require sensitive design and siting have been, or will be, included in the Environmental Living zone. In these areas residential development will be allowed but on large lots and having regard to environmental criteria.

Elsewhere, areas of significant remnant vegetation will be conserved and enhanced and incorporated into the open space network as areas for passive recreation.

1. Refer to Chapter E17: Preservation and Management of Trees and Vegetation, Chapter E18: Threatened Species.

6.3.2 Indigenous and European Heritage

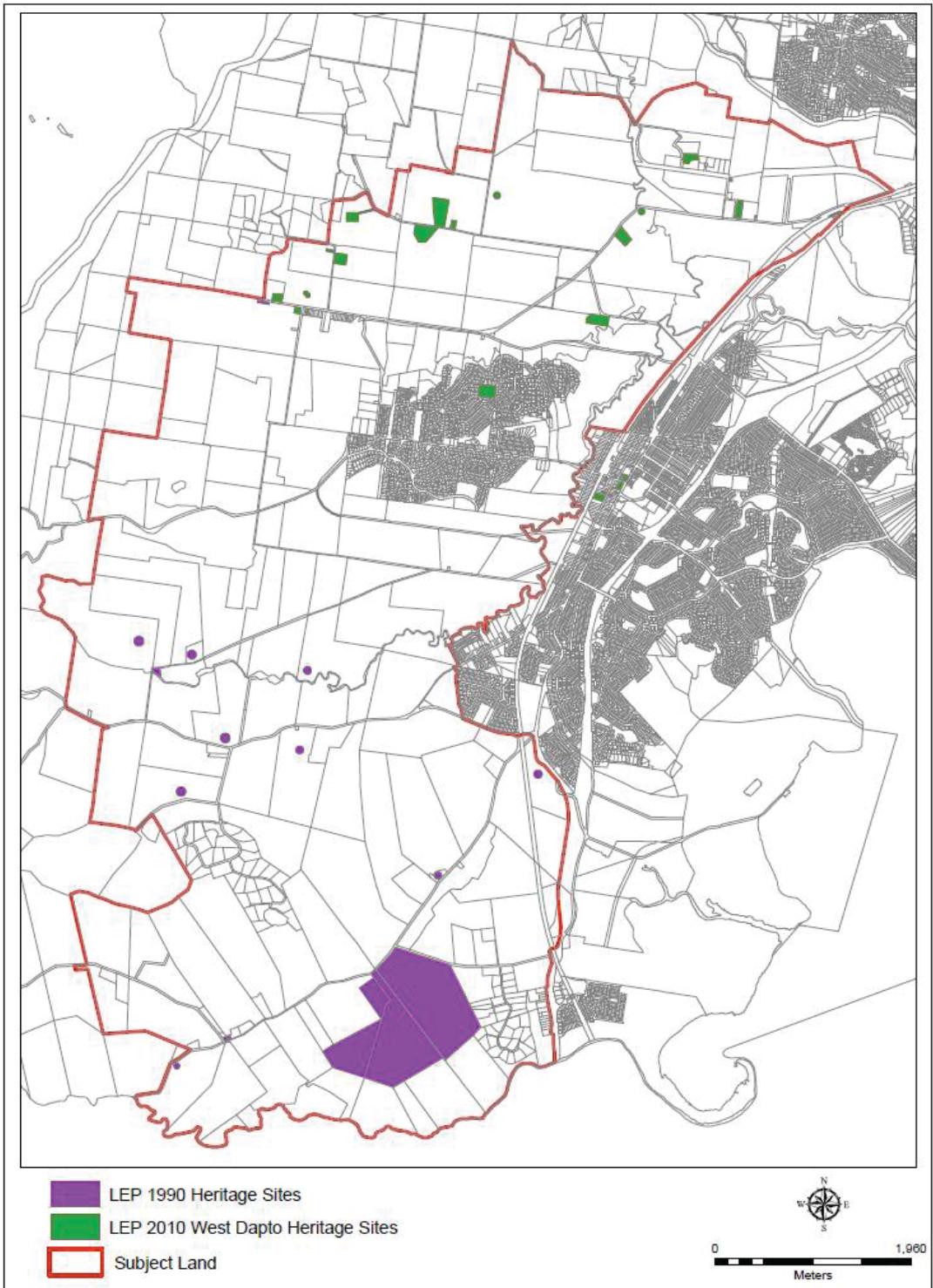
Heritage

The West Dapto area has strong links to the past, both in the recent history of pastoralism and mining, and the prehistoric and post-contact Aboriginal occupation of the coastal hinterland. As well as the presence of known archaeological sites within the study area, the coastal floodplain has been identified as having potential to demonstrate further archaeological evidence of Aboriginal occupation.

This chapter aims to conserve the heritage significance of West Dapto. The identification of heritage items has been factored in to the formulation of the development structure. As a result, a number of heritage items are identified to be retained in the future development of West Dapto and have been identified as items of environmental heritage under West Dapto LEP. These have been selected for their level of significance, physical condition and integrity, contribution to the cultural landscape and character of the area, interpretive value and ability to represent a key historic theme. Figure 4.7 identifies relevant items within the West Dapto Release area. In addition to the statutory controls contained under the LEP this DCP contains requirements in relation to these items.

1. Refer to Chapter E10: Aboriginal Heritage for specific controls relating to Aboriginal Heritage.
2. Refer to Chapter E11: Heritage Conservation, “NSW Heritage Manual” and the heritage provisions of West Dapto LEP.

Figure 6.4 Heritage Map



6.3.3 Views and Vistas

Land within the release area has been assessed for visual quality. Land falls into three categories of visual sensitivity, as indicated on Figure 6.5 and in the following table:

Zone	Objective
Zone A: High Concern for Visual Resource	Development within areas of high scenic quality must be sympathetic to that visual quality as the ability of the area to absorb change is low.
Zone B: Moderate Concern for Visual Resource	Changes to landforms, final contouring and revegetation programs will significantly contribute to reduce the visual impact and therefore must be minimised wherever possible.
Zone C: Low Concern for Visual Resource	Proposed development within this zone should remain visually subordinate to the characteristic existing landscape (note figure 6.5 does not show any land as Zone C)

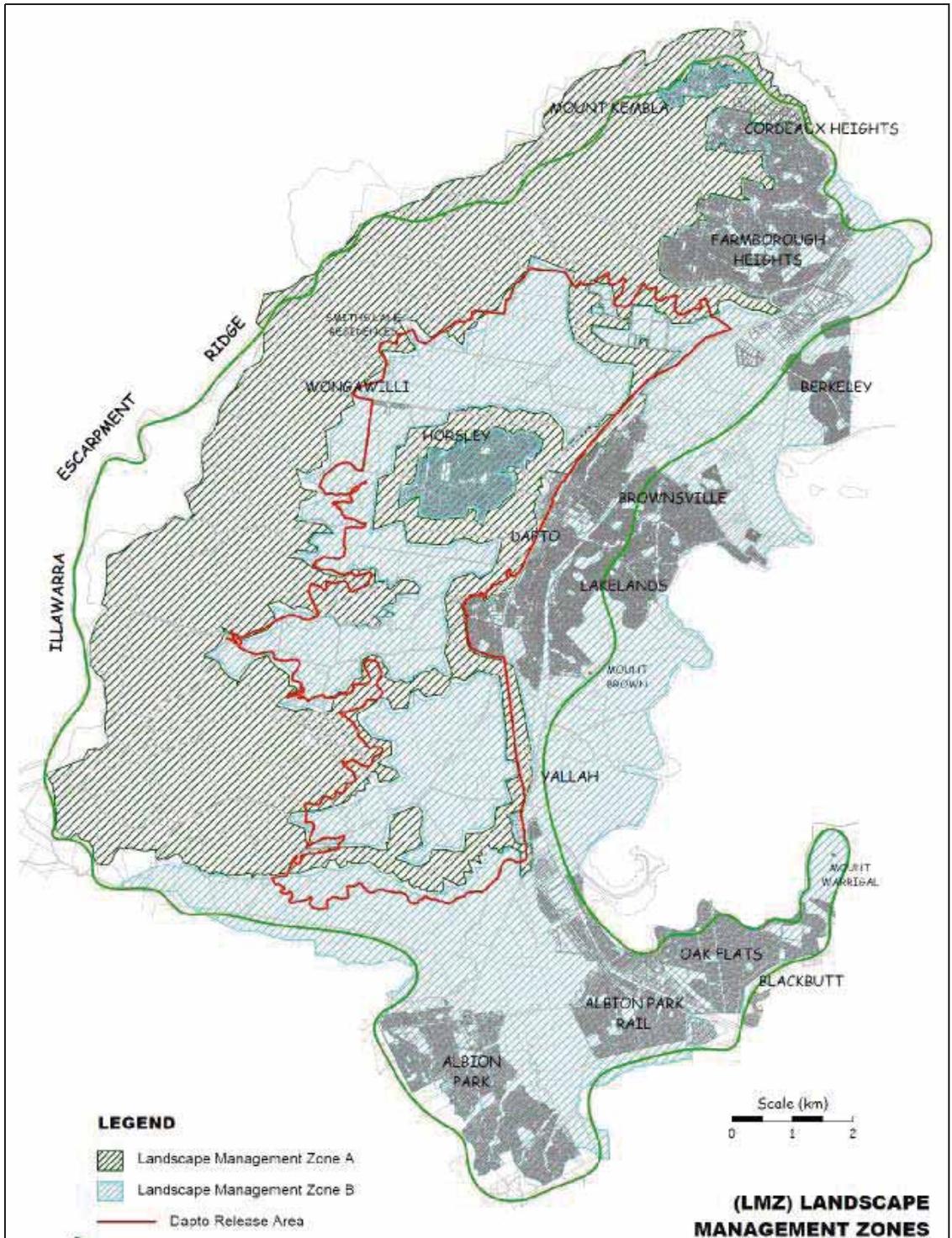
Objectives:

- (a) To minimise the impact of development on the scenic quality of the release area and surrounding visual catchment.
- (b) To ensure development within the visual zones identified above is consistent with the objective for that zone.

Controls:

1. A visual impact assessment is to be prepared by the applicant and submitted with any Development Application. The visual impact assessment is to demonstrate how retention of the visual quality of the area in which development is proposed has been considered in the design of the proposal particularly having regard to the visual zone in which the land is located.
2. Subdivision patterns and road layouts are to have regard to the retention of view corridors and vistas through, and to, areas of high scenic quality.
3. Primary Street planting is to be undertaken and established prior to the commencement of individual lot development or housing construction to minimise the visual impacts of proposed development.
4. In areas of high visual scenic quality (Zone A), development is to have a maximum height of 2 storeys and a maximum site coverage of 50%.

Figure 6.5 Views and Vistas



6.3.4 Water Management

West Dapto is bisected by a series of watercourses that form part of the Mullet Creek and Duck Creek catchments. During heavy rain they can experience intense floods of short duration (rapid rise & fall of the creek levels). The residential areas of West Dapto have been designed to be above the 1% Annual Exceedence Probability (AEP) flood level. Larger flood events could occur which could result in inundation in residential areas.

To manage the increase in runoff due to increased hard surfaces, Stormwater detention is proposed to be managed within Neighbourhood planning precincts which will take into account either individual or multiple Mullet Creek sub catchments to reflect existing conditions. In addition, each neighbourhood plan will need to address water quality requirements which may or may not be a function of the proposed basin. The location of each basin will be determined as part of the Neighbourhood Plan for each precinct.

To support the neighbourhood planning process in achieving an efficient stormwater system and address the potential inequity (that only some not all land owners within a Neighbourhood precinct will lose potential developable land area) Council will provide section 94 contributions funding. This will be equivalent to the land value for approved detention basins constructed in accordance with approved Neighbourhood plans or within individual developments considered sufficiently large enough to warrant their own detention basin. The funding is available provided that the location and design of the individual basin is not done so to the detriment of the applicable Neighbourhood precinct.

To provide for long term drainage management, Council will acquire the watercourses and provide for enhanced storage areas as sites are developed, through the section 94 contributions.

Objectives:

- (a) To create a network of interconnected multi-functional creek corridors within the West Dapto release area which act as creeks, flood ways, flora and fauna habitat, water quality treatment areas, cyclist and pedestrian access, and drainage corridors.
- (b) To conserve and restore remnant native vegetation along creek lines, escarpment vegetation to provide linkages and “stepping stones” for wildlife movement.
- (c) To introduce wildlife corridors and establish riparian vegetation within natural creeklines, providing a functioning habitat for birds, fish and diverse native flora.
- (d) To protect and restore a range of aquatic habitats within the creeks.
- (e) To enhance long-term environmental protection of the receiving waters and Lake Illawarra.
- (f) To facilitate the provision of an integrated approach to Water Management development within West Dapto.
- (g) To ensure the integration of various functions into the multiple use drainage systems of West Dapto to achieve aesthetic, recreational, environmental and economic benefits.
- (h) To provide appropriate landscape treatments that enhance the required functions of the riparian corridors and reduce the impact of utilitarian drainage structures on the amenity of the open space.
- (i) To ensure that development is designed to minimise the risk posed by flooding.
- (j) To protect the environment of Lake Illawarra.

Controls:

1. A water cycle management report is to be submitted with Development Applications for subdivision in accordance with the Water Cycle Management Study (URS, 2004) and the Floodplain Risk Management Study and Plan (Bewsher Consulting, 2006). The report must address water cycle management, water quality management, watercourse and corridor management, conservation and rehabilitation of aquatic habitat, and floodplain management. It must also address the requirements of the NSW Department of Environment, Climate Change and Water (DECCW).
2. Land that remains below the 1% AEP flood level after flood management works, approved by the consent authority, is not suitable for urban development.
3. Subdivision of land is not to create any additional flood affected residential allotments. A flood affect allotment is defined as being wholly or partly below the Flood Planning Level (FPL) (i.e. the 1% AEP flood level plus a freeboard of 500mm).
4. There is to be no net removal of flood plain storage capacity.
5. Residential dwellings are to be located clear of the effect of the FPL with floor levels above the FPL (i.e. the 1% AEP flood level plus a freeboard of 500mm).
6. Subdivisions are to be design according to Water Sensitive Urban Design principles. Development applications are to include a statement indicating how the proposed design complies with these principles. Refer to Chapter E15: Water Sensitive Urban Design.
7. Detention basins are required for each sub-catchment to control the increase in runoff. Consideration will be given to proposals for larger basins that serve multiple sub-catchments or other innovative design. The location of basins needs to be agreed to by adjoining land owners as part the Neighbourhood Plan. Where a basin is on an adjoining property, owners consent and the creation of an easement is required. The design of detention basins shall enable the colonisation by native fish species moving upstream from Mullet and Duck Creeks.
8. Refer to Chapter E13: Floodplain Management and Chapter E14: Stormwater Management for additional controls relating to floodplain and stormwater management.

Note: Flood events may be larger that the Flood Planning Level of 1% AEP which may impact on properties and dwellings.

6.3.5 Riparian Corridors

Open Space and Riparian Corridors

West Dapto is dissected by fast flowing creeks and extensive areas of flood prone land. These areas are not suitable for residential development but instead offer an opportunity for recreation, visual separation and conservation. The corridors will result in significant amounts of open space creating wider landscapes within easy reach of all parts of the new development areas, meaning walking, cycling, recreation and nature will form a part of daily life. These riparian corridors have been, or will be, zoned for Environment Protection with limited development being allowed in these areas.

Adjacent to this land certain land is, or will be, zoned Rural Landscape. The intention of these areas is to provide a buffer to the riparian corridors where the land is either not suitable for residential development or has environmental values. The outdoor recreational facilities will be located outside of the core riparian area to protect the environmental values.

Open space is to be provided throughout the development area in the form of local parks and district parks for primarily passive recreation, larger formal areas for active recreation, environmental reserves of retained bushland habitats, and riparian corridors which link the escarpment to the wide floodplains. These will be combined with avenues of intensive planting and water management running through the urban street pattern to create a connected web of open space. This will encourage walking and create a sense of nature interacting with urbanity.

Existing parks and recreational facilities have been zoned through the LEP and new parks will be designed into new neighbourhoods.

To provide for long term drainage management, Council will acquire the main watercourses as sites are developed, through the section 94 contributions. Land between the watercourse and the 1% Annual Exceedence Probability flood level can either be:

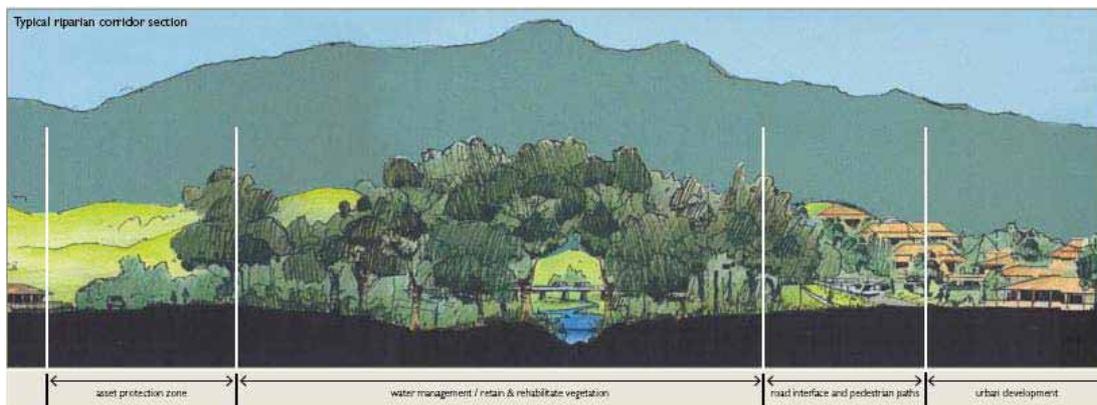
1. Retained in private ownership and used for grazing, recreational activities or other permissible uses, or
2. Dedicated to Council at no cost to Council, for use as bushland, agricultural purposes or recreational purposes. There is no Section 94 off-set for the dedication / transfer of this land.

Objectives:

- (a) To conserve and rehabilitate riparian corridors within the West Dapto release area having regard to the significant environmental and other values of this land.
- (b) To ensure that revegetation of riparian corridors is consistent with the Flooding Strategy.

Controls:

1. Development Applications shall identify the proposed land use and ownership of the riparian land.
2. Revegetation of riparian corridors shall not increase the flood risk to surrounding residential land.
3. Refer to Chapter E23: Riparian Land Management for controls relating to riparian lands.
4. The extent of riparian management activities is limited to the width of the 1% AEP flood level, which has been typically mapped as the boundary of the E3 Environmental Management and R2 Low Density Residential zone.
5. The Riparian Land Management Area can include land used for bushfire mitigation activities.



6.3.6 Open Space and Recreation

Objectives:

- (a) To ensure the future residents of West Dapto have access to a range of high quality, functional areas for passive and active recreation.

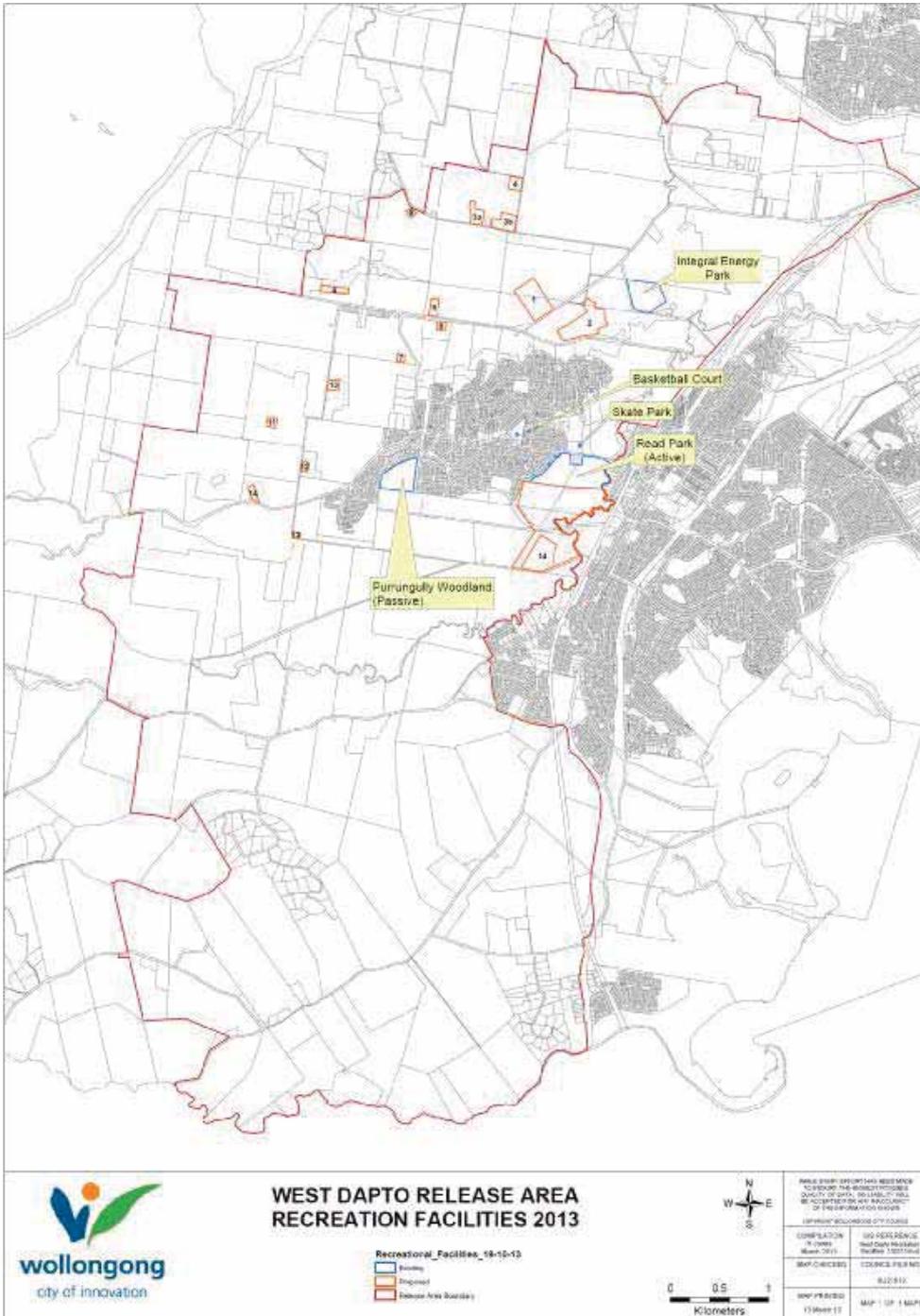
Controls:

1. Development Applications must include facilities and open space areas that are unique, either in design or characteristic, and which fit into the overall hierarchy of the West Dapto release area.
2. Playing fields should be located to take advantage of reasonably level land that may intersect with riverine corridors (maybe partially flood liable or filled) environment land (e.g. tree stands), senior schools or village nodes.
3. District Parks of 1-2 ha are to be provided within reasonable walking distance of all residents.

4. District Parks are to provide for active and passive recreational opportunities with areas for informal sports, walking, picnic / barbeque area, retained / established vegetation and where size permits leash free dog exercise areas.
5. Local parks are to be generally located within 200m of all residential uses (i.e. parks located with a 200m radius) and be generally 0.5ha or larger in area. Local parks should preferably incorporate stands of trees or environmental features to create a strong landscape character. They should also provide children's play areas, pavilions and kick around areas.

Figure 6.5.1 Recreation Facilities 2013

NB: Refer to West Dapto Section West Dapto Section 94 Plan – “Figure 4.2.1 Existing and proposed open space facilities” for details of each proposed facility



6.3.7 Acid Sulfate Soils

Certain land in West Dapto is subject to Acid Sulfate Soils (refer to the maps in the Wollongong LEP (West Dapto) 2010). If not correctly managed, the soils can adversely impact on the environment and development.

Objectives:

- (a) To ensure that development is designed, constructed and maintained to minimise and contain the risk posed by acid sulfate soils.
- (b) To protect downstream receiving waters and Lake Illawarra.

Controls:

1. Land which is subject to Acid Sulfate Soils shall be accompanied by an Acid Sulfate Soils Management Plan which demonstrates that the subject land is suitable for the proposed purpose, or will be suitable following remediation.

6.3.8 Services

Objectives:

- (a) To ensure adequate services are provided to facilitate new development.
- (b) To minimise the visual impact of services on neighbourhoods and land requirements for the provision of essential services.

Controls:

1. All services, including telecommunications, cable television, and the National Broadband Network (where appropriate) are to be provided underground.
2. Common trenching of services is encouraged, and consideration must be given to the location of underground services and landscape planting.

6.3.9 Subdivision Layout

Residential Density Distribution

The urban structure is predicated on providing for varying housing densities. In particular, medium density housing is proposed around the regional, district and village centres. Medium residential densities are essential to make the provision of efficient public transport viable and to provide support for viable and vibrant centres.

Housing areas will enable the provision of a range of housing products, including 3-4 storey apartments, 2-3 storey townhouses and single storey villas and courtyard homes. A range of housing types are to be provided to ensure that the housing needs of all household types are met. A diverse demographic profile will help ensure a sustainable and vibrant community in the long term.

In the early stages of the release the areas of lower residential density (R2 Low Density Residential zone), should provide an average of 13 dwellings per hectare and then in later stages, 15 dwellings. In the more sensitive areas, the structure plan proposes around 5 to 10 dwellings per hectare to enable protection of environmental values and minimize visual impact.

The areas of medium residential density (R3 Medium Density Residential zone) should provide an average of 20 to 25 dwellings per hectare.

Walking and Cycling Networks

The urban structure has been designed around the notion of walkable villages, with a series of town centres, village centres, and local nodes providing bus stops, local shops and amenities, community

facilities and schools, denser housing types and mixed use job opportunities. By locating facilities close to people and by co-locating them the aim is to reduce vehicle kilometres travelled (VKT) and to increase the proportion of local trips made on foot or by bicycle. This is a traditional approach to 'townmaking' which resulted in a series of places of character, as opposed to the placelessness of urban sprawl.

The riparian corridors are to be designed to promote walking and cycling through extensive pathway systems, and will clearly link to key destinations such as schools to promote walkability. The walkways and cycleways should be located outside of the 'core' riparian areas.

To promote cycling, key routes have been identified for on-road and on-footpath cycle provision. These link key places and destinations, and will connect with the east-west running cycle routes running along the riparian corridors (Figure 4.6). This will create a web of cycling opportunities to encourage a sustainable and healthy approach to local travel.

Objectives:

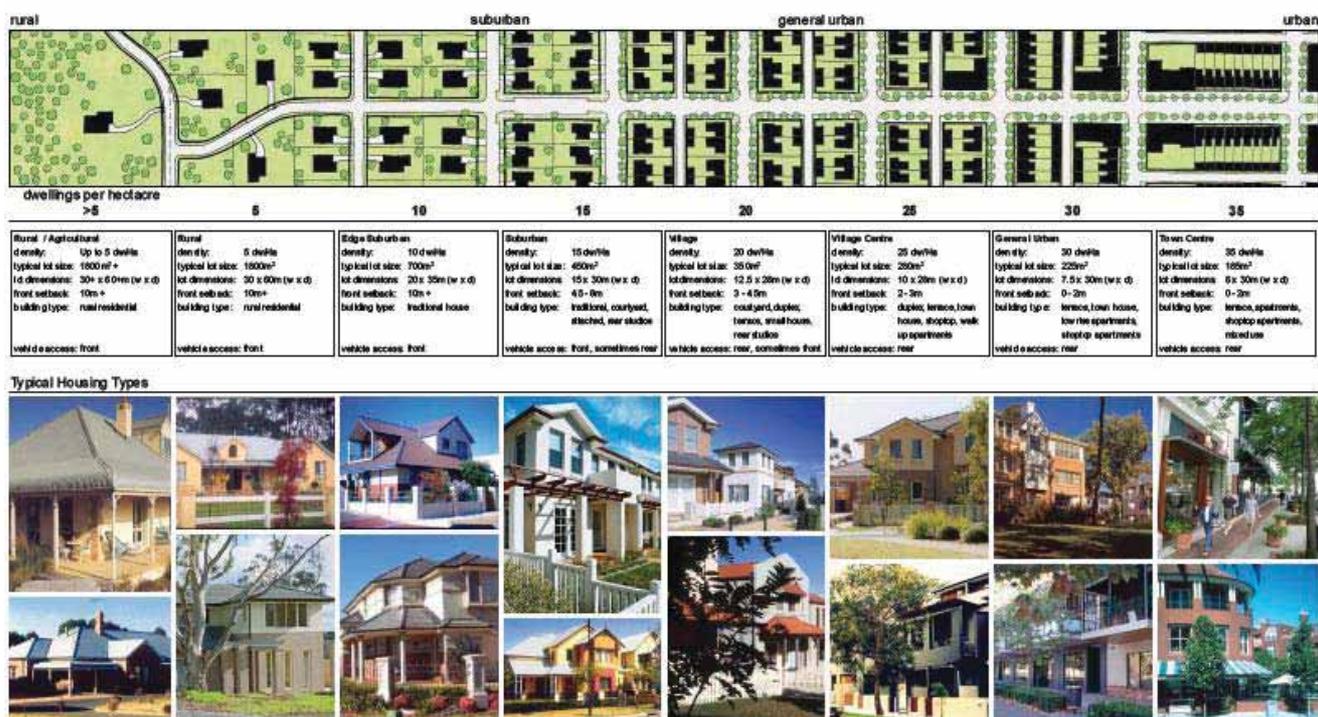
- (a) To achieve a superior design of development.
- (b) To maximise solar access and microclimatic benefits to residential lots.
- (c) To have regard to topographical features, site characteristics and constraints, and special features within a sector.
- (d) To meet a range of housing needs and provide housing diversity and choice.
- (e) To facilitate surveillance of public open spaces.
- (f) To encourage non-motorised modes of transport and accessibility within the development.
- (g) To develop and maintain an ecologically sustainable environment, reduce use of fossil fuels and encourage use of renewable energy.

Controls:

- 1. Lot size and layout must respond to the physical characteristics of the land, such as slope and existing significant vegetation, and site constraints including bushfire risk.
- 2. A variety of lot sizes and dimensions must be provided to achieve the density requirements for residential development (Refer to Figure 6.6).
- 3. The subdivision layout is to incorporate adequate pedestrian, cycle and vehicle links to the road network, public transport nodes, pedestrian/cyclist network, and public open space areas. The street and subdivision layout should minimise fuel use by reducing travel distances and maximising public transport effectiveness. Connectivity within neighbourhoods is essential to ensure the majority of dwellings are within 400 metres walking distance to bus stops.
- 4. Lot design is to facilitate housing fronting onto creek line corridors and other areas of public open space, to incorporate these spaces into the living environment, facilitate surveillance, and prevent isolation and degradation of these spaces.
- 5. The subdivision layout provides for a neighbourhood in which a range of basic retail services are within easy walking distance of a large proportion of residents.
- 6. The majority of lots should achieve a 5 star rating with the remainder achieving a minimum 4 star rating, as defined by an analysis determined from the Sustainable Energy Development Authority's (SEDA) "Solar Access For Lots" document.
- 7. Lots must have the appropriate area and dimensions for the siting of dwellings, canopy trees and other vegetation, private outdoor open space, rainwater tank, and vehicular access and on-site parking.

8. Lots must be of sufficient size and orientation with the main living room(s) able to receive northern sunlight in winter.

Figure 6.6 Housing choice transect



6.3.10 The Road System

Road Network

West Dapto is to have a strong structure or 'skeleton' to create easy movement routes and to help with way finding. This is called a 'legible' street pattern and provides a clear street hierarchy. The hierarchy of different streets is clearly demonstrated by their design, width as well as a number of other attributes. The future road hierarchy for West Dapto is shown on the master plan (Figure 4.5).

The existing routes of West Dapto Road, Shone Avenue, Bong Bong Road, Cleveland Road, Avondale Road, Huntley Road, Marshall Mount Road and Yallah Road have all been incorporated into the new pattern, both as reminders of the past and as key routes in the future.

The necessary road network will be implemented in stages and will incorporate a package of networks which will provide a timely and affordable response and ensure that there is adequate flood free access to Horsley and the greater release area.

Public Transport

The structure of the West Dapto release area gives primacy to accessibility and in particular accessibility by public transport.

To this end the existing railway station at Dapto will be linked to the developing suburbs by local and feeder bus routes using Bong Bong Road, Fowlers Road, Darkes Road and a new access link running north south to the west of Mullet Creek.

The Kembla Grange Station will continue to serve the employment area and Kembla Grange race track and may also contain a bus interchange and commuter parking facilities.

In order to create a sustainable development outcome for West Dapto an effective bus transport system is one of the keys to reducing the use of private vehicles for all trips. The main road structure has been designed with this in mind, whereby a primary bus loop has been created for express services, linking key centres within the new pattern. Secondary routes link all other centres to this, meaning that the majority of residents will be within a five minute (400m) walk of a local bus stop.

Objectives:

- (a) Sustainable transport and travel to, from, and within West Dapto together with less use of private motor vehicles, fewer motor vehicle kilometres travelled, and improved air quality.
- (b) Safety for all road users, particularly pedestrians, cyclists, children and older people.
- (c) Safe, convenient and direct access by non-motorised means from residences to public transport, employment areas, adjoining sectors, open space, community facilities and other services.
- (d) To encourage travel by pedestrians, cyclists and public transport rather than travel by private motor vehicle.
- (e) To become less car dependent and reduce the private motor vehicle kilometres travelled (vkt).
- (f) To provide a range of traffic and transport routes throughout the area.

Controls:

1. Development Applications must include a traffic analysis and road master plan, prepared by a suitably qualified professional, and demonstrate that the objectives and controls in regard to the roads will be achieved.
2. Streets are to be designed in accordance with the Street Hierarchy identified in the West Dapto Master Plan as amended and shall have regard to function. The road hierarchy is as follows:

- a) Arterial Road – These streets are to be the main structural routes connecting the West Dapto development area together. They also serve to link to the surrounding areas and are the primary public transport routes. Street based uses fronting the road with generous footpaths (on both sides where appropriate) and street trees typify these streets especially in town and village centres.
- b) Collector – Along key connecting streets between local centres and containing bus routes will be the main avenues. These will be attractive tree lined routes for buses, private vehicles and pedestrians to share. They will contain a footpath on one side or both sides where appropriate.
- c) Local Streets – Neighbourhood streets with good landscape/verges and on-street parking to limit speeding. They will contain a footpath on one side or both sides where appropriate.
- d) Edge Streets – Along bushland and open space edged, low key streets which front open space are intended. These help in managing water and fire and give good outlook to houses on the edge. They will contain a footpath on one side or both sides where appropriate.
- e) Rear Lanes – Where denser housing occurs, for instance around local centres, rear access allows good street frontages for attached or smaller dwellings. Lanes and car courts can have garages with studies above for security and housing choice. They will contain a footpath on one side where appropriate.

See Figures 6.9 Road Types Plan and Figure 6.10 Road Sections below, for more detail.

- 3. Land to create road reserve of sufficient width to enable the construction of the typical road cross section is required to be dedicated to Council.
- 4. The street pattern must provide direct, safe, and convenient pedestrian and cyclist access from housing and employment areas to public transport stops.
- 5. Each new neighbourhood is to provide safe and convenient walking and cycling connections to adjoining neighbourhoods, and to adjacent areas of open space, services and other facilities.
- 5. Connectivity within neighbourhoods is required to ensure the majority of dwellings are within 400 metres walking distance to bus stops.
- 6. Construction over or within waterways should have regard to the Fish Passage Guidelines developed by NSW Fisheries.

Figure 6.9 Road Types

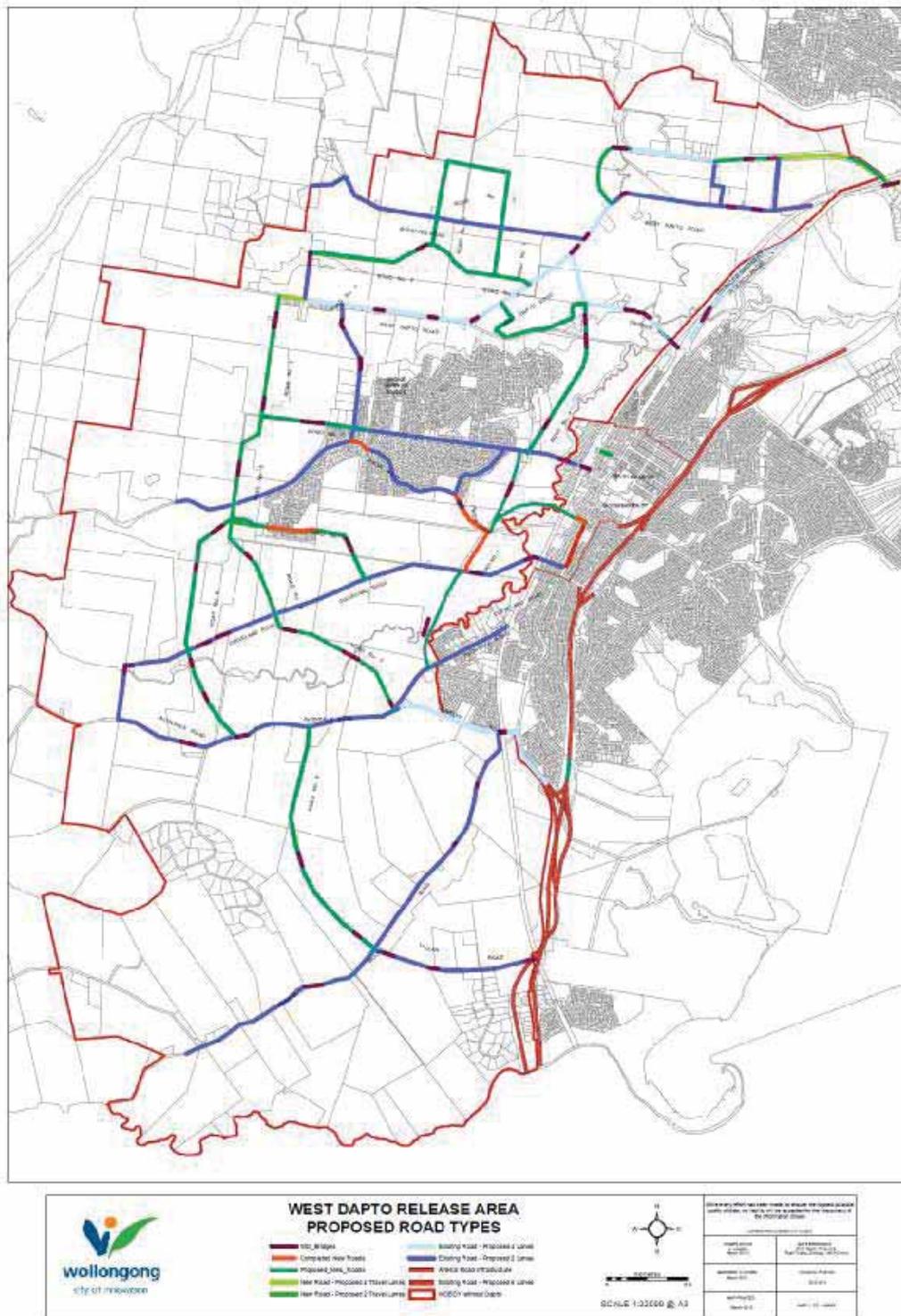
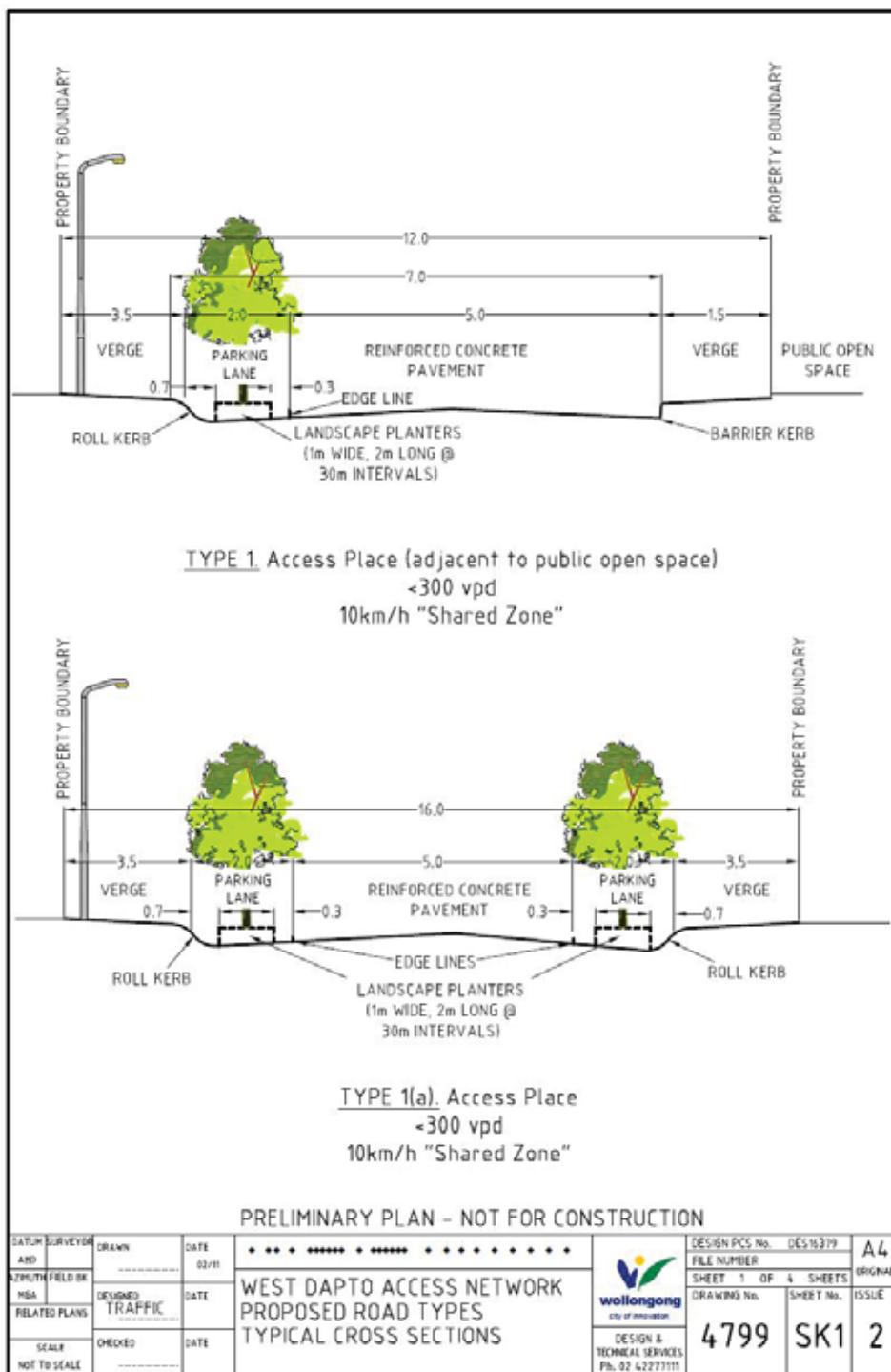
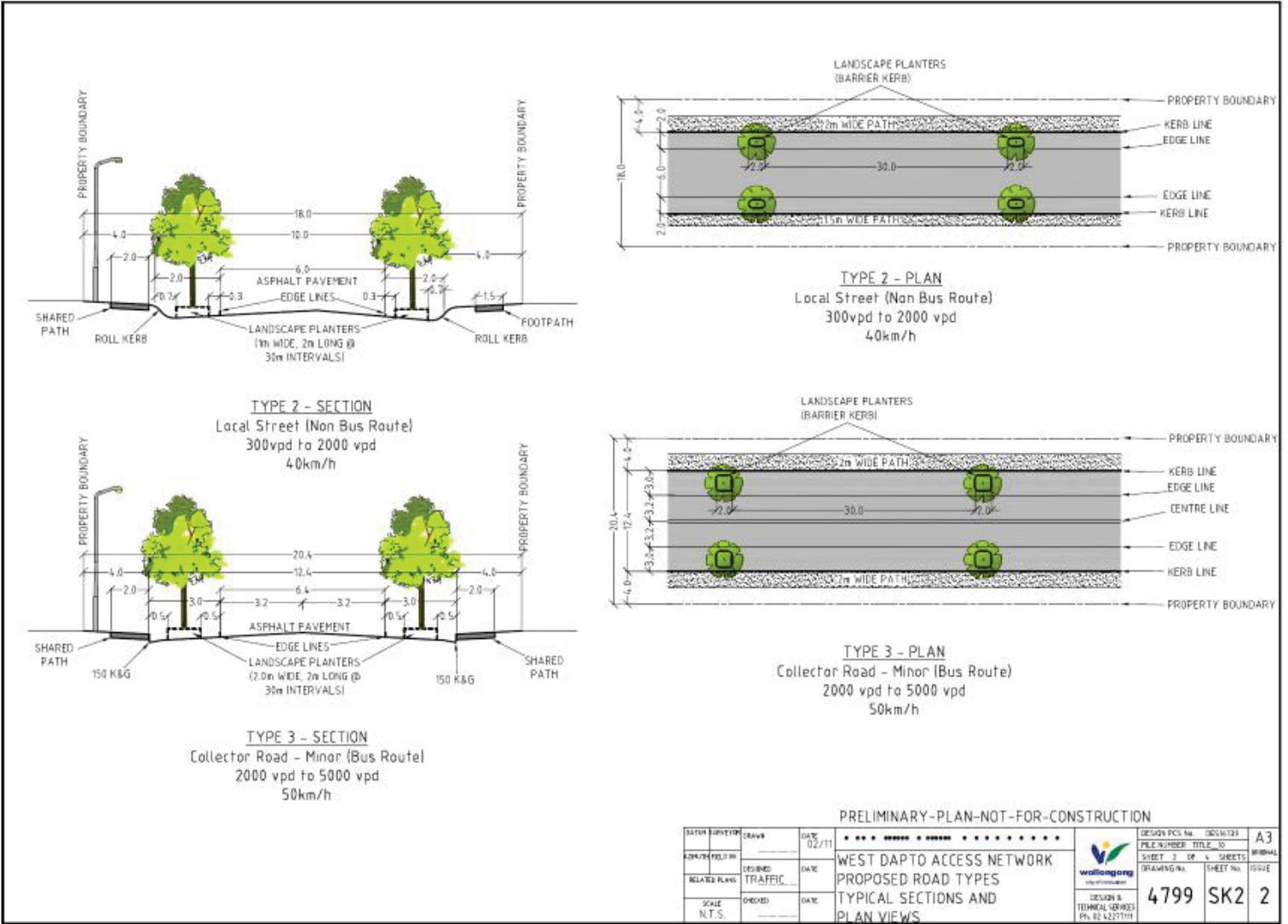


Figure 6.10 Road Cross Sections



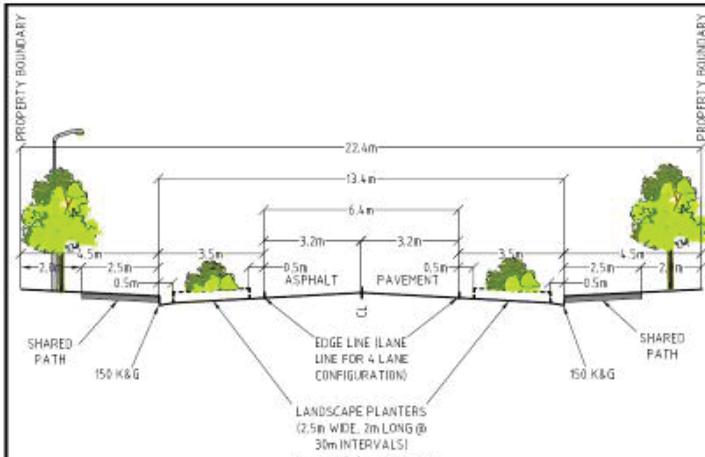


PRELIMINARY-PLAN-NOT-FOR-CONSTRUCTION

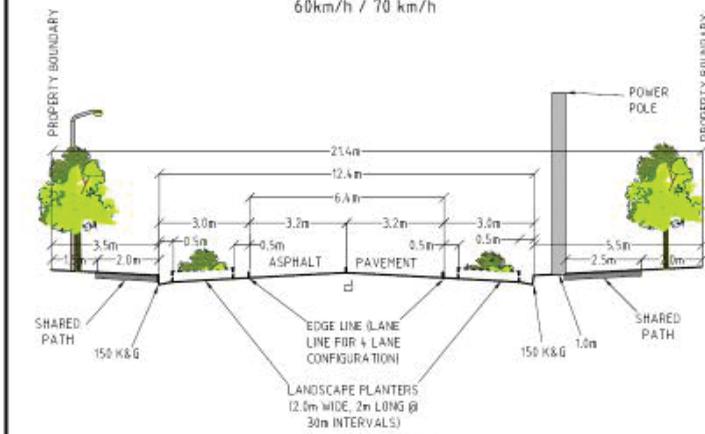
DATE SURVEYED	DRAWN	DATE	02/11	*****	DESIGN PCS No.	0806129	A3
DATE FIELD IN	DESIGNED	DATE			FILE NUMBER	TITLE 30	REVISION
RELATED PLANS	TRAFFIC	DATE			DRAWING No.	SHEET 3 OF 4 SHEETS	ISSUE
SCALE	N.T.S.	DATE			4799	SK2	2

WEST DAPTO ACCESS NETWORK
PROPOSED ROAD TYPES
TYPICAL SECTIONS AND
PLAN VIEWS

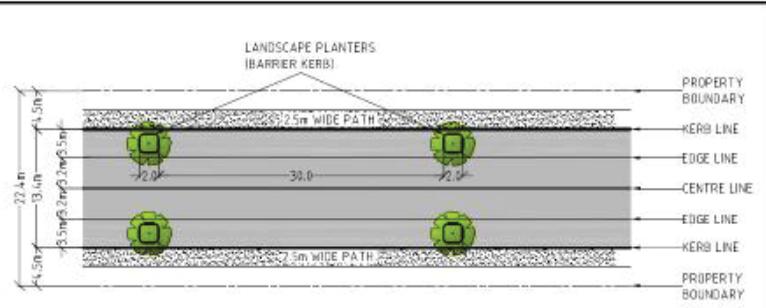

 DESIGN & TECHNICAL SERVICES
Ph: 02 42271111



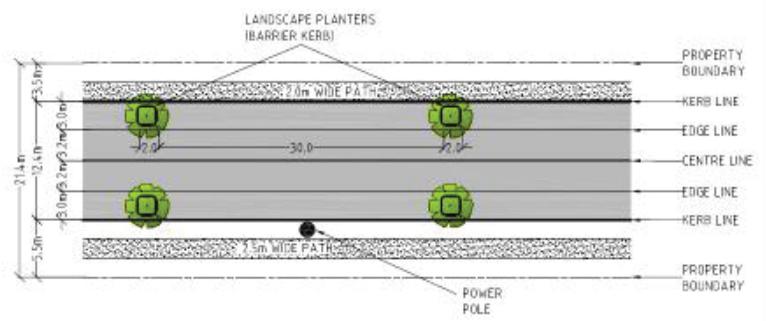
Type 3(a) - Section
 Collector Road - Minor/Major (Bus Route)
 500 vpd to 1500 vpd
 60km/h / 70 km/h



Type 3(b) - Section
 Collector Road - Minor/Major (Bus Route) - Wongawilli
 500 vpd to 1500 vpd.
 60km/h / 70 km/h



Type 3(a) - Plan
 Collector Road - Minor/Major (Bus Route)
 500 vpd to 1500 vpd.
 60km/h / 70 km/h



Type 3(b) - Plan
 Collector Road - Minor/Major (Bus Route) - Wongawilli
 500 vpd to 1500 vpd.
 60km/h / 70 km/h

PRELIMINARY-PLAN-NOT-FOR-CONSTRUCTION

DESIGN SURVEYOR	DATE	02/11	*****	DESIGN PFS No.	SK3/10	A3
LENGTH FIELD NO.	DATE			FILE NUMBER	TITLE	ORIGINAL
RELATED PLANS	DATE			SHEET 3 OF 4	SHEETS	
SCALE	DATE			DRAWING No.	SHEET No.	ISSUE
N.T.S.				4799	SK3	2



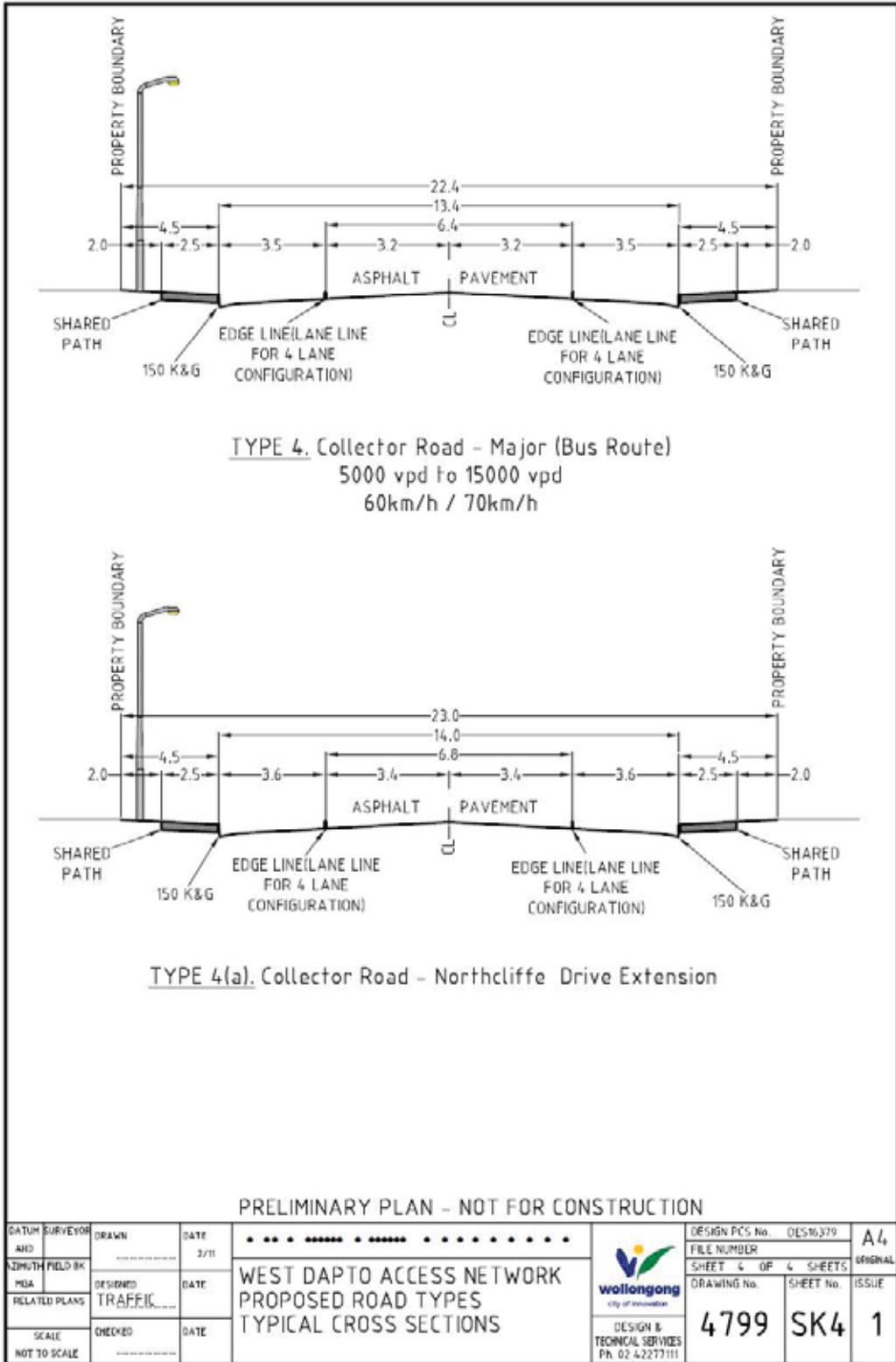


Figure 6.11 Proposed Flood Access Network

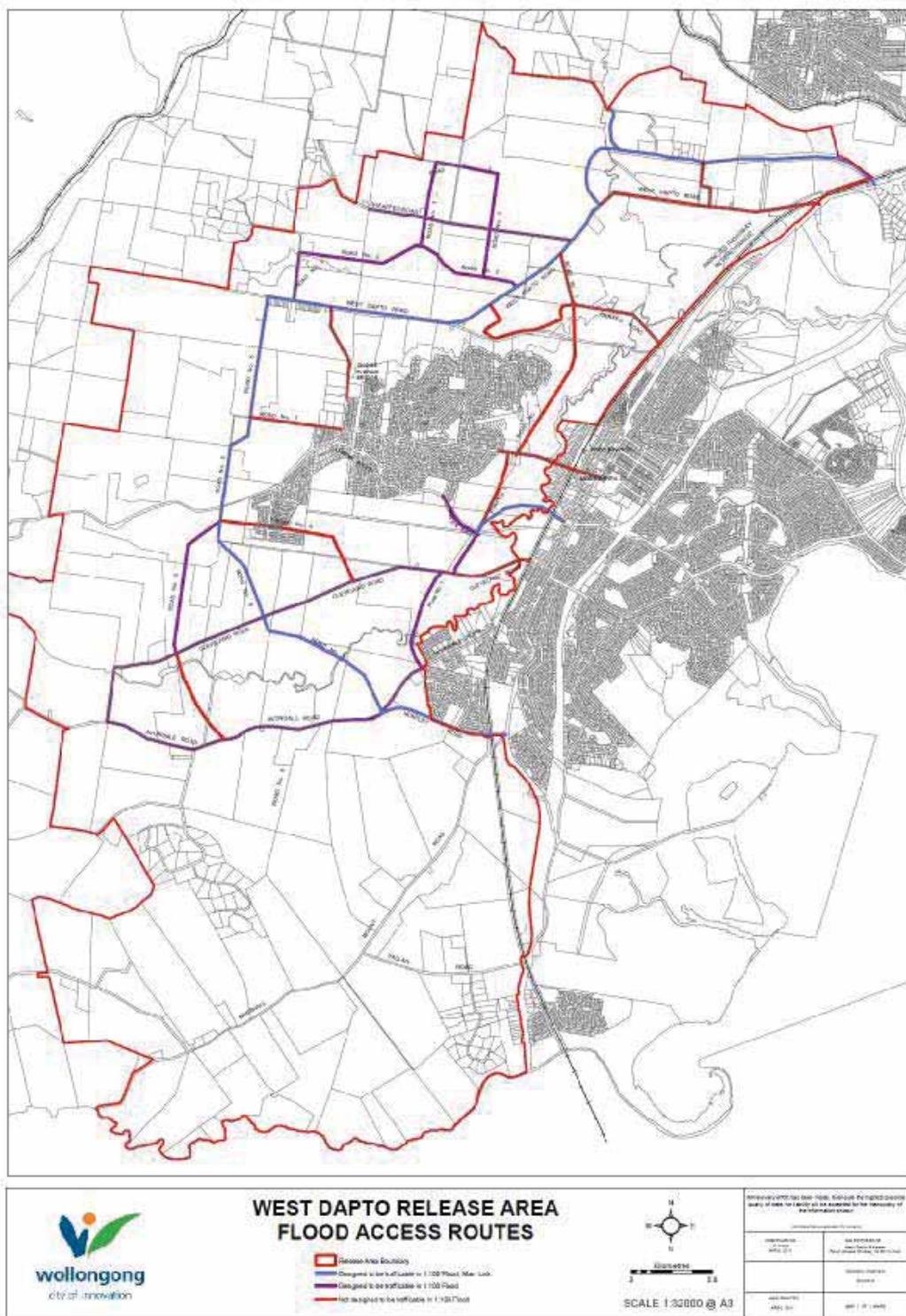
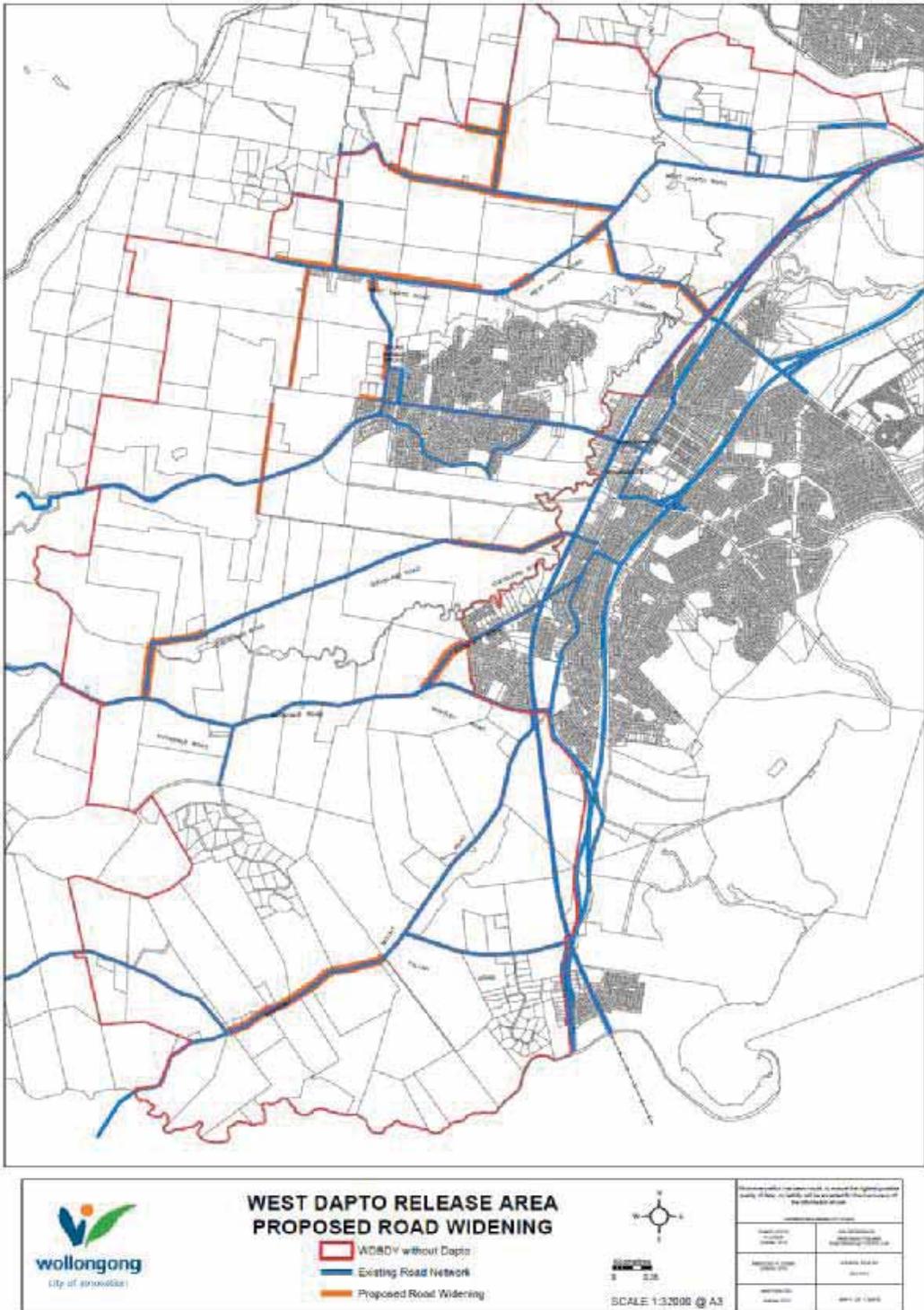


Figure 6.12 Proposed Road Widening



6.3.11 Areas under Easement

Objectives:

- (a) To use land under electrical easement for positive urban purposes.

Controls:

1. A Development Application shall include the proposed use of all land under easement.
2. Water management can be carried out in electrical easements
3. Landscape planting (low rise) can be established in electrical easements while allowing for necessary service access.
4. More significant planting can happen on the edge of electrical easements to create a visual buffer to electrical infrastructure
5. Recreational uses and open space can be established within easements.
6. Easements can be used for roads, pedestrian and cycle routes subject to approval by the easement authority.
7. Consultation with TransGrid is required to ensure that buffers, road levels and access are adequate.

6.3.12 Schools and Community Facilities

Community Facilities

Community facilities such as childcare, halls youth/aged centres and recreation facilities will be co-located with schools in or near centres. These will be provided in efficient floor plan buildings which may be mixed use and be two or three storeys high, with ground level community use. The aim is to create these as 'foreground' buildings which are symbols of community aspirations. Flexible floor plans will enable these facilities to evolve over time and hence respond to the needs of the community as it grows.

Local facilities will be developed for individual neighbourhoods as development progresses.

Educational Facilities

The Department of Education and Training has indicated that West Dapto will require eight primary schools and two secondary schools. Primary Schools require three developable hectares, special needs schools require 2 developable hectares and secondary schools require six developable hectares.

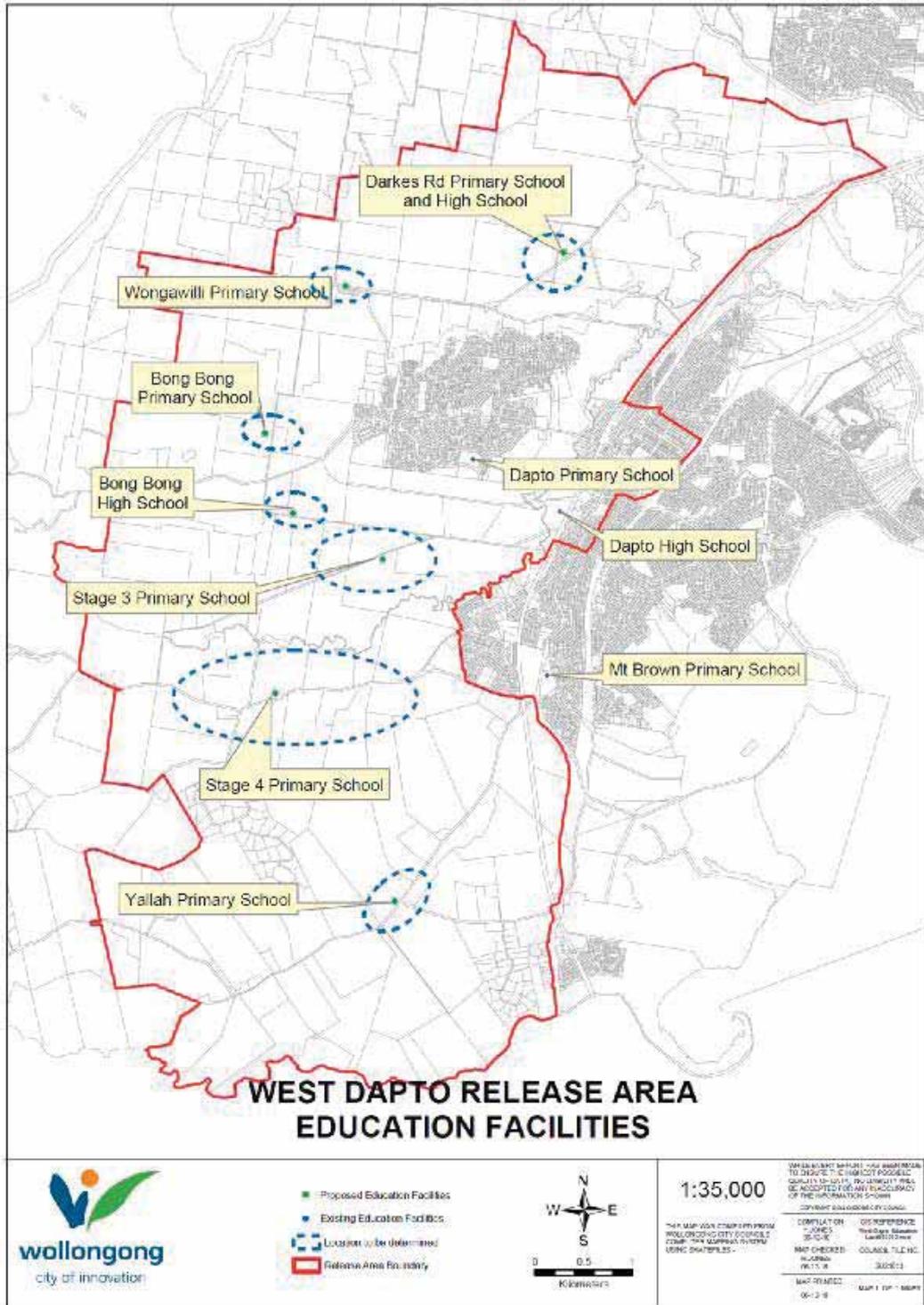
The distribution pattern for the schools ideally would include a secondary school in proximity to Darkes Road Town Centre supported by three primary schools one being the current Dapto Public School plus two new schools in the vicinities of Darkes Road and Wongawilli.

Subject to demand a new secondary school in proximity to Bong Bong Town Centre supported by three primary schools potentially Jersey Farm Robins Creeks, Bong Bong/Cleveland and Avondale/Moorland.

A third secondary school potentially located in Calderwood Urban Release Area (if approved) would service two primary schools in Calderwood and another in the Marshall Mount area.

A special needs school should be either co-located with or separate to a mainstream school.

Figure 6.13 Proposed Schools



Objectives:

- (a) To locate important community facilities to reinforce the role of key places
- (b) To create built form 'foreground' buildings to contrast with residential backdrop.

Controls:

- 1. Primary school and community facility buildings are to be located in or adjacent to local centres
- 2. Built form to be urban in character with upper floors where possible and street aligned buildings with minimal setbacks
- 3. Minimise land take and site area of community / school uses
- 4. Dual use of school open space, school halls and other community facilities is encouraged where wider community benefit can be gained.

6.3.13 Employment Area

The creation of employment opportunities within and near to West Dapto is a key strategy in enabling people to work close to where they live and thereby reduce the overall traffic generated by the development.

The main employment areas are West Kembla Grange and a small expansion of the Yallah industrial area. In addition employment will be provided in the centres and within community and other services generated by the development.

The West Kembla Grange area will continue as a major industrial precinct. The availability of land within this area and its suitability for development is a key opportunity for West Dapto. West Kembla Grange is likely to benefit from infrastructure upgrading in the early stages of the urban development as it is located in close proximity to areas in the north which are likely to be released first.

An enterprise corridor has also been planned to the north and south of Dapto Regional Centre and between the railway and the F6 in the south adjacent to the Yallah Campus of the Illawarra Institute of TAFE, which will provide additional local employment opportunities.

- 1 All development within land zoned for employment purposes shall be in accordance with the principles contained within the Wollongong LGA Employment Lands Strategy (Hill PDA, 2006).
- 2 Sections 4.2, 4.3 and 4.4 of the Strategy contain specific controls in relation to land for general employment uses, land for heavy industrial uses and land for light industrial uses.
- 3 These principles include preserving large parcels and clusters of light and heavy industrial land and ensuring that business parks are not accommodated in light industrial zones.
- 4 Refer to Chapter B5 Industrial Development for controls relating to development on industrial lands.

6.4 Wongawilli Mine spur railline

It is anticipated that the Wongawilli Mine will continue to operate for the next 30 years, or longer. Coal is transported from the mine to Port Kembla via the rail network. Future urban development should be designed to recognise the continued use of the rail spur line and include measure to mitigate noise and other potential impacts. Division 15 of SEPP Infrastructure 2007, applies to development near the spur line.

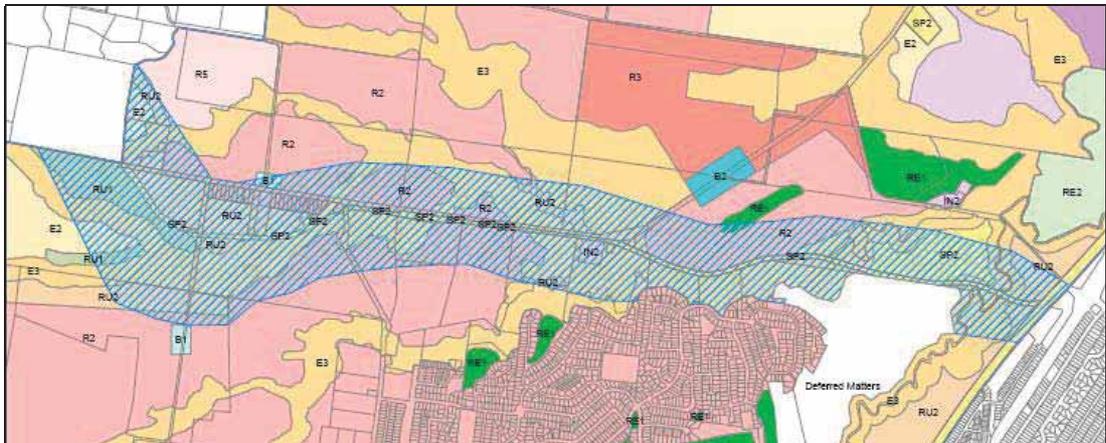
Objectives:

- (a) To facilitate the transport of coal from Wongawilli Mine to Port Kembla by rail transport.
- (b) To minimise rail noise, vibration and other impacts on dwellings near the rail spur line.

Controls:

- 1. Development Applications for subdivision and dwelling houses within the rail buffer area (Refer to Figure 6.13), are to include sound attenuation measures that achieve a maximum of 35dBA within the dwelling.
- 2. Development Applications for subdivision and dwelling houses within the rail buffer area, are to include consider vibration impacts and include mitigation measures.
- 3. The development applications must satisfy the requirements of SEPP Infrastructure Division 15.

Figure 6.14 Wongawilli rail noise area



APPLICATION FROM WIN SPORTS & ENTERTAINMENT CENTRES TO WOLLONGONG CITY COUNCIL

TO FORMALISE THE CURRENT MANAGEMENT OF THE STEWART STREET EAST CAR PARK ON WSEC MAJOR EVENT DAYS

INTRODUCTION/EXECUTIVE SUMMARY

1. Since 1998, the area opposite the WIN Stadium Training Field has been used for event parking for major events held at WIN Stadium and the WIN Entertainment Centres in co-operation with Wollongong City Council.



(Photo - 1998) 1

2. The reality is that neither the WEC or WIN Stadium were constructed with car parking facilities for the patrons attending them and the WSEC has had to plan car parking provision, by liaising with other organisations, to ensure both patron satisfaction with access to events and to minimise disruption to the streets and environs around the two venues.
3. In order for the WSEC to fulfill its goal of bringing elite sport and major entertainment to Wollongong, it needs to ensure that patrons and corporate sponsors of events have their expectations fulfilled in regard to adjacent parking and access to the venues.

4. For the last 10 years, the WSEC has been allowed to manage access into the Stewart Street East Car Park (SSECP) (behind the Chifley Hotel) on event days to maximise efficient and safe usage, provide parking for its patron's event sponsors and VIP's. The need for 'secure' parking was delivered by having a Security Guard on duty during its use covered by the cost to park.
5. Up until this May, this use has been arranged through correspondence with Council (See Appendix 1) and is acknowledged on the current car park sign, which indicates it is available for special event parking, given the fact it says "a parking fee may apply for special event parking".



PROPOSAL

6. The WSEC and Council now wish to formalise this arrangement by WCC granting a licence to WSEC to manage parking, after business hours and at weekends in the SSECP. This would be when major events are being presented at the WSEC venues.

HISTORY

- 7.** Prior to the construction of the SSECP between 1986 and 2003, the then Wollongong Sportsground Trust used the area for event parking. The land was owned then by the Water Board and was also associated with the then Showground Markets – run by the Trust.

- 8.** When the land was purchased by Miltonbrook, for the construction of the City Beach apartments and the Chifley Hotel, part of the land was acquired by Council for the construction of the Stewart Street East (on-grade) Car Park.

- 9.** With a continued need to provide event parking, an arrangement was agreed with Council for the WSEC to manage access and this 'informal' arrangement commenced in 2004 and continued until May 2015. (See Appendix 1)

- 10.** Over the last 11 years, the WSEC has managed access into the Stewart Street East Car Park, on event days (out of business hours) using a WSEC Security Guard. The fee of \$5 per vehicle is administered by the Guard who issues a ticket (receipt). He remains on site to offer some security to vehicles parked there.

- 11.** The WSEC has usually managed the Stewart Street East Car Park on days where more than 3,000 people are attending events at one or both of the venues.

- 12.** In addition, some organisers of major events have required the WSEC to provide parking. Two examples of this are the St. George Illawarra Dragons (corporate/sponsors parking) and Southern Stars (for parking for the 200 teachers involved in the event).

- 13.** Since the closure of the Burelli Street East Car Park (the former Dwyers site), parking near the venues has become more in demand.

14. Over the last 10 years, the WSEC has only managed access into the car park on weekends and after business hours – cognisant of the fact that during working hours, the area is in need for those persons working in the area.

RATIONALE FOR A LICENCE

15. The WSEC requests that it be allowed to continue the management of the Stewart Street East Car Park by entering into a licence agreement with Council.

This request is based on the following relevant matters:

- a) That the WSEC has managed the area, as an event parking facility, since 1998 (prior to the construction of the Stewart Street East Car Park) and, since 2004 until May 2015, the Stewart Street East Car Park (upon its construction with the City Beach development), on WSEC event days (after hours and at weekends).
- b) The Stewart Street East Car Park management forms part of the Transport, Traffic and Parking Plan for WSEC major events and is included in the Major Event Traffic Plans, which are formulated and presented to the WCC Traffic Committee, prior to WSEC Major Events, for approval.

Providing sufficient parking for patrons at major events takes cars off residential streets and prevents disruption, illegal parking and access issues.

- c) The WSEC use of the Stewart Street East Car Park is at a time when the Stewart Street East Car Park is under-utilised, being after-hours and at weekends and this use ensures the asset is being used throughout the week, with the provision of this facility for car parking being publicised by the WSEC.
- d) The provision of car parking facilities is often an important factor in attracting major events to Wollongong.

Many major event organisers make it a proviso of bringing their events to Wollongong, that the WSEC can arrange car parking for patrons, VIP's, participants or their corporate/sponsor guests. If this provision cannot be guaranteed, there is a strong likelihood that the number of major events attracted to this city will diminish. (See Appendix 2)

Council is reminded that, through its hosting of events, the WSEC provides over **\$27 million of regional economic benefits and sustains 271 FTE jobs** (*IRIS Research*).

The biggest factors in these economic benefits come from Dragons games, major concerts and conferences, which are attracted to Wollongong. These happen to be the events that are most reliant on event parking.

- e) The provision of a Security Guard, throughout the event, is a factor in reducing incidents and insurance claims and provides a safer environment for patrons visiting WSEC events and leaving their cars in the car park.
- f) The WSEC has commitments to current promoters that would be best fulfilled – to prevent promoter dissatisfaction with this city, including the need of the Dragons to provide Corporate Parking facilities, for its sponsors, in the Stewart Street East Car Park.

Major event organisers (such as the Dragons), rely on the revenue raised from their sponsors and corporate guests to assist with funding their events and teams. A basic attraction for this sponsorship is the provision of easily accessible car parking.

If the WSEC is unable to provide the 200 spaces required by the Dragons, the venue would potentially be in breach of its contract. It may serve as a reason not to bring their remaining games to Wollongong or to select games that have a smaller attendance.

This would mean only ‘unattractive’ games would be played here and the regional economic returns would be less, with fewer people attending games.

16. For information, the types of major events, in the near future, that would benefit from the use of Stewart Street East Car Park are:

Event	Date	Expected Attendance
Dragons v Cowboys	Saturday 4 th July	12,000
Mary Poppins	Saturday 11 July (2 shows)	4,000
Dragons v Panthers	Thursday 20 August	12,000
Southern Stars	Friday 28 August (evening)	4,000 (Plus 2,500 in the show)
Southern Stars	Saturday 29 August (2 shows)	8,000 (Plus 2,500 in the show)

17. The WSEC looks forward to the time that it can support Council in the construction of a multi-storey car park on the site, which would go a long way to ensuring the ongoing viability of the WSEC venues and the visitor potential for the City Beach precinct.

CURRENT USAGE

18. The current usage of Stewart Street East Car Park for parking at different styles of WSEC events is:

Event Type	Average number of cars parked per event
Concerts (Major and Other)	81
Family Events (e.g. Wiggles, Disney on Ice etc.)	119
WEC Sport, Conferences/ exhibitions etc.	124
Hawks	58
Dragons/A League	113

THE STANDARD OPERATING PROCEDURES

19. The WSEC manages access into the Stewart Street East Car Park on event days under a Standard Operating Procedure, that allows for the WSEC Security Guard to not only take the \$5 fee (that is charged to cover the costs of this staffing) but also to maintain vigilance, during the event.
20. The current Standard Operating Procedure, that could form the basis of the licence conditions for the management of the Stewart Street East Car Park on event days, is:
- a) Secure Parking will be implemented for WEC and WIN Stadium events, when expected demand warrants (usually 3000 pax+).

- b) Secure Parking will not operate during usual 'Pay and Display' Hours (8.30am to 4.30pm -Monday to Friday).
- c) The usual process will be for parking to be secured 2 hours prior to the event start (however this may vary from event-to-event)
- d) The WSEC may charge a Parking Fee (currently \$5) to cover labour and other costs of the process.
- e) The area will be secured by a WSEC Security Guard, wearing uniform and 'high-vis' clothing, who will collect the Fees, and who will remain on site until the majority of the event-patrons have left the car park.
- f) Clear signage informing patrons of the 'Event parking' status of the area that day, will be erected.
- g) The Collection Point will be located at such a point as to allow queuing for payment in the drive way and, as much as possible, off the street.
- h) The pedestrian walkways in the SSECP, will not be obstructed by the Collection Point.
- i) Drivers will be encouraged to park within the lines and designated areas only and the car park will be closed, when all of these areas are full.
- j) Drivers will all be issued with a numbered WSEC parking receipt for display and retention by the patron and the stubs used to assist with auditing the collection process and statistical analysis of the car park use.
- k) WSEC management of the Car Park is to be covered under the WSEC Public Liability Policy (\$20 million) with the Treasury Managed Fund.

THE OFFER

- 21. The WSEC offers Council's a share in the revenue created from this Licence Agreement, as follows:
 - a) When the WSEC charges a Parking Fee (currently \$5 per car) the WSEC will retain monies from the fees collected, to cover the wages and on-costs of employing a Security Guard, to be on duty throughout the event.

- b) This cost of the staffing will vary, according to the day of the week and time of the event, with the NSW Security Award having different Monday – Friday (Day), evening, Saturday and Sunday hourly rates.
- c) WSEC will also retain an additional 10% of the fees paid, each quarter, to cover other costs involved in providing staff, administration of the process and production of signage and tickets.
- d) The WSEC offers WCC 50% of the revenue parking fees collected, after the above costs are deducted.
- e) The WSEC will settle with WCC (with full details of times of use, staff costs, cars parked etc., on a quarterly basis (in arrears).

NOTICE OF USE

- 22. The WSEC agrees to apply to WCC for use of the SSECP, on a quarterly basis (one month prior) to the start of each January, April, July and October quarters.
- 23. Cognisant that the WSEC diary is flexible and events are acquired sometimes with little lead-in time, WCC acknowledges that other events may be added (at late notice) to these quarterly applications.
- 24. The WSEC and WCC will consider ways in which to advise the public (eg on the WSEC and WCC web-sites, when the car park is expected to be in use for event parking in the forthcoming quarter.

CONCLUSION & RECOMMENDATION

- 25. The WSEC seeks Council's approval to enter into a Licence Agreement with Wollongong City Council, in regard to the WIN Sports and Entertainment Centres being allowed to manage the Stewart Street East Car Park, on major event days and during 'out of usual business hours'.

Stuart Barnes
General Manager – WSEC
30 June 2015

**Appendix 1. Correspondence to WCC regarding WSEC parking in SSECP
(2003 – 2009)**

1. Mr Chris Hamersley – WCC – 14th January 2003
2. Ms Julie Petersen – WCC – 20th September 2005
3. Mr David Farmer – WCC – 30th January 2008
4. Mr Wayne Douglass – WCC 24th March 2009

COPY



14 January 2003

Mr Chris Hamersley
Wollongong City Council
Locked Bag 8821
SOUTH COAST MAIL CENTRE NSW 2521

Re: Car Parking at WIN Entertainment Centre

Dear Chris

I refer to your letter dated 10 January 2003 in regard to Parking for events at the WIN Entertainment Centre.

We have now been open over 4 years and in that time we have presented events at the WEC with crowds of up to 5900 per event. In the four years we have presented over 400 events.

Having been here at the WEC most of these days, my personal observation (and that of many of our staff who have been asked to monitor the situation) has been generally favourable.

Even at the Major Concerts, which often have capacity concert houses of over 5000, patrons seem to find a parking spot in one of the nearby facilities or on the street and following the events, the traffic dissipates very quickly.

As you are also aware the Trust works closely with hirers of WIN Stadium and the Council, Police and RTA to manage parking and transport at WIN Stadium events through the implementation of Major Event Traffic Plans. These events create crowds of up to 20,000 and yet the parking situation in the vicinity of the WSEC venues copes adequately.

I attach a copy of flyer we now give to promoters and function organisers indicating the available parking nearby that includes the area at the southern end of WIN Stadium that we manage. These areas create over 980 parking spaces in close proximity to the WEC.

COPY

2.

Certainly the creation of a car park near our venues is of great interest to the Trust. At the moment we are discussing the Bank Street Car Park development option with Council officers and are also at the first stages of considering a Car Park at the southern end of WIN Stadium.

I hope this information is of use to you and assure you that we remain committed to either providing for parking or informing our patrons as far as possible of parking options in our precinct.

I am available to discuss this matter should you wish and can be contacted on Tel: 4220 2800.

Yours sincerely

STUART BARNES
GENERAL MANAGER

Attach: Parking Flyer

COPY



20 September 2005

Ms Julie Petersen
Wollongong City Council
Locked Bag 8821
SOUTH COAST MAIL CENTRE NSW 2521

Re: Stewart Street Car Park

Dear Julie

I refer to your letter dated 29 August 2005 and received today (20 September 2005) in regard to a License you propose to offer for part of the Stewart Street Car Park for use by construction vehicles involved in the City Beach Stage 3 development.

As you are aware the WSEC utilises the Stewart Street Car Park for parking for events at WIN Stadium and the WIN Entertainment Centre, under an agreement with Council.

This provision is particularly necessary when we have major events at the venues, with this car park being the closest available for patrons at our venues and there being a desperate need for parking for WSEC events.

Notwithstanding the fact that the proposed license is obviously necessary to allow the exciting development of the hotel and apartments, I would appreciate advice in regard to how the Licensee will be allowed to utilise the space (times, area etc) and what area will be left for our use, especially in the evenings and at weekends.

This information will be used to plan for and communicate our limited parking options for events and to work with event organisers who are bringing their events to Wollongong.

I am available to discuss this matter should you wish and can be contacted on Tel: 4220 2800 or by email to stuart.barnes@wec.org.au.

Yours sincerely

A handwritten signature in black ink, appearing to read "Stuart Barnes". The signature is written in a cursive, flowing style.

STUART BARNES
GENERAL MANAGER

30 January 2008

Mr David Farmer
Chief Executive Officer,
Wollongong City Council
Locked Mail Bag 8821
South Coast Mail Centre

COPY

ATT: Wayne Douglass

REF: Use of the Stewart Street Car Park – Event Parking

Dear David,

This letter confirm the ongoing interest of the Wollongong Sportsground Trust in being able to provide Secure Parking at the Stewart Street (on-grade) car park on event days of the WIN Sports & Entertainment Centres.

Since 2004 the Trust has organised a WSEC Security Guard to oversee the parking for patrons in this car park. For this service, a small fee of \$5 per car has been charged. The money raised covers the cost of the Security Guard and associated facilities etc and has been very well received by those patrons willing to pay for this type of facility and who appreciate some "peace of mind" in the parking of their vehicle.

Security at the Car Park is usually implemented at 5pm for an evening event and from 2 hours prior to Gates Open on a weekend event. We do not implement Security Parking during normal working hours of Monday to Friday (9am – 5pm).

As you are aware, the Trust has had to face the perception by many members of the public in regard to the lack of parking near our venues and this facility is an important part of our current Parking Strategy, which also includes publicising public parking stations, the Cathedral facilities (when available) and adjacent street parking.

The Trust looks forward to continuing this arrangement until a more extensive parking solution can be facilitated in proximity to our venues.

Yours sincerely,



STUART BARNES
GENERAL MANAGER

COPY



24 March 2009

Mr Wayne Douglass
Property Department
Wollongong City Council
Locked Bag 8821
SOUTH COAST MAIL CENTRE NSW 2521

BY Email

REF: EVENT CAR PARKING

Dear Wayne,

I refer to your request to detail our use of the Bank Street Car Park (the on-grade car park – behind the City Beach Apartment blocks) for Event Parking.

As you are aware the WSEC has an arrangement with Council that it can provide secure car parking (using a WSEC Security Guard) on WIN Entertainment Centre or WIN Stadium event days.

The Bank Street Car Park is supervised by our guard on event nights (eg after 5pm) or weekends, when events are held at one of the WSEC venues. A fee of \$5 is still charged and that fee covers the cost of the guard and other associated costs of supervision.

This is still valued as it provides for an effective use of the space and ensures that we can maximise available parking – whilst providing a safe and secure environment for event patrons. It is well used on event nights and at weekends and it is our very strong wish that this arrangement continues.

The use of the Bank Street Car Park is a part of the usual WSEC event car parking that is offered for WSEC patrons and that also includes:

1. The WCC Stewart Street Multi-Storey Car Park
2. St Francis Xavier School Grounds (when available) managed by the St Francis Xavier Parish and School.
3. The Market Street Multi-Storey Car Park
4. Quilkey Place
5. Surrounding streets

The Trust still has a hope that the Bank Street Car Park will be developed into a multi-storey car park at some point in the future, to supplement these facilities.

As you may be aware, following the situation around last year's Wiggles concert, when a large number of patrons were booked by Council rangers, for parking illegally, we met with the WCC General Manager and other officers, to discuss parking at WSEC weekday events.

The meeting decided to consider use of other areas on these days, including WIN Stadium Number 2 Ground and parts of Lang Park. We are waiting to receive and then consider a Draft Strategy from Peter Crystal, to move this strategy forward.

I trust this information assists you in your deliberations.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Stuart Barnes".

Stuart Barnes
General Manager

Appendix 2. Event Organisers Letters – (Dragons, Clubs NSW and Southern Stars)

1. Mr Stuart Barnes – WSEC – 30th January 2001
2. Mr David Farmer – WCC – 17th June 2015
3. Mr David Farmer – WCC – 25th June 2015



CLUBS NSW

30 January, 2001

Stuart Barnes
General Manager
WIN Sports & Entertainment Centres
PO Box 3100
Wollongong NSW 2520

Dear Stuart

RE: 2003/4 ClubsNSW Annual Conference & Trade Expo

Further to your Expression of Interest of 11 December 2001 and our committee's site inspection on 3 December, this is to advise that unfortunately on this occasion, the Wollongong Entertainment Centre has not been successful in it's bid for the above conference.

Whilst the venue and it's surrounding facilities were of the highest standard and very suitable to our requirements, further investigation into the available accommodation in the local area unfortunately proved to be insufficient. As the majority of our delegates and exhibitors also come from the Sydney Metropolitan area, and therefore would be driving to the conference, we were also concerned with the limited parking facilities around the general location of the Centre and felt that this may lead to a large problem on the day. We expect this would have been in the vicinity of approximately 800 – 1,000 cars and all would have wanted to park within a very short walking distance.

We sincerely thank you for the time spent in putting the submission together and in your hospitality when showing us around this truly wonderful venue. We hope that in the future, should the accommodation and parking arrangements increase, that we would once again be able to consider the Wollongong Entertainment Centre as a candidate for our annual event.

Kind regards



Kerrie Napier
Events Manager

cc Linda Marquis – Illawarra Tourism

17 June 2015

David Framer
General Manager:
Wollongong City Council
41 Burelli Street
WOLLONGONG NSW 2500

I write to formalize my support for the provision and appropriate management of event car parking for 'Southern Stars'.

'Southern Stars' is held annually at the WIN Entertainment Centre and attracts audiences of over 12,000 over 4 performances. This is in addition to the 3000 students who perform and the 250 teachers who co-ordinate the event. It is the largest event staged at the WEC and has immense logistical challenges. If these challenges cannot be met, then the continuation of this important event is in jeopardy!

Currently Southern Stars has been able to use the Stewart Street East Car Park for the duration of the show, as part of the use of WIN Entertainment Centre and under the WSEC agreement with WCC to manage that space.

This car park is used for the staff of Southern Stars, sponsors and patrons to the event. The staff members who use this carpark are working in excess of 12-hour days, with most days starting at 7.00 am and finishing at 11.30 pm.

By providing secure parking close to the venue this enables our staff to arrive on time, know that their car is safe and know that they will not incur parking fines for parking illegally for the duration of the time that are required to supervise their students at the WIN Entertainment Centre. Once a staff member has signed on in the morning, there are no breaks in the schedule.

Traffic Management planning is an important component of ensuring the safety of the students, staff and patrons involved in 'Southern Stars'. Each year we strategise and streamline the Traffic Management Plan, in association with the WSEC and in collaboration with the WCC Traffic Committee.



Southern Stars -
The Arena Spectacular 2015

beyond the frame

2.

With the decrease in parking in the eastern area of Wollongong, this is proving to be an ever increasing problem and one I hope that Wollongong City Council will be able to address, in the near future.

I write in support of ensuring that the Stewart Street East Carpark remains available to hirers using the WIN Entertainment Centre, for their patrons, sponsors and staff (where necessary) and also to lend my support for the suggestion of improved parking in and around the WIN Entertainment Centre.

Yours sincerely,



Sharon Buikstra
Southern Stars Operations Manager



Southern Stars -
The Arena Spectacular 2015

beyond the frame



25 June 2015

David Farmer
General Manager:
Wollongong City Council
41 Burelli Street
WOLLONGONG NSW 2500

Dear David

The WIN Sports and Entertainment Centres (WSEC) have advised the St. George Illawarra Dragons, that Council now requires the WSEC to formalise the arrangement allowing them to manage the access and parking in the Stewart Street East Car Park (SSECP) on WSEC Major Event Days.

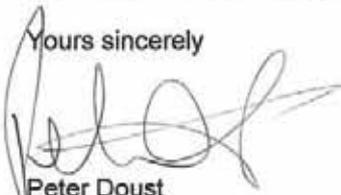
The ability for the Dragons to have access to the SSECP, on their game days, is very important, allowing Dragons sponsors, corporate guests and VIP's the chance to park as near as possible to WIN Stadium. The Dragons rely on their sponsors and corporate supporters to maintain the Club and to attract the sponsors; the Club must offer benefits – with parking on game day being an important one.

In addition, Dragons game days bring thousands of spectators into Wollongong and the ability to manage transport and parking, in an effective and efficient way, is an essential factor in delivering patron satisfaction, whilst minimising any negative impact on the residents and businesses in the Wollongong City Centre from the many visitors travelling there.

The Dragons rely very heavily on the WSEC providing and managing transport and parking planning, implementation and facilities – to enable the Dragons to continue to use WIN Stadium for NRL home games.

It is the Dragons' hope that the arrangement, that has been in place since 2002, will continue into the future and the Dragons would strongly encourage the WSEC and the WCC to come to a mutually agreeable arrangement to maximise the available parking opportunities at WIN Stadium for hirers, stakeholders and patrons.

Yours sincerely



Peter Doust
Executive Director/CEO

St George Illawarra Rugby League Football Club Pty Ltd ABN 74 085 008 340
Sydney Locked Bag 1500, Ramsgate NSW 2217 124 Princes Hwy, Kogarah NSW 2217 P 02 9587 1966 F 02 9588 9039
Wollongong PO Box 900, Wollongong NSW 2520 1 Burelli St, Wollongong NSW 2500 P 02 4225 8299 F 02 4227 3575

www.dragons.com.au f StGeorgeIllawarraDragons t NRL_Dragons



MAJOR PARTNER OF THE
ST GEORGE ILLAWARRA DRAGONS



SPONSOR PARTNERS



ICON PARTNERS



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BACKGROUND

This policy has been developed in order to complement public consultation and contribution to the decision making of Council to enhance the quality of Council's decisions. Public Access Forums are therefore encouraged and facilitated by this policy.

OBJECTIVE

The main objectives of this policy are to provide members of the community with the opportunity to address Councillors on matters falling within the jurisdiction and Charter of Council as outlined in the Local Government Act 1993, with the exception of development applications which are undetermined, or have been the subject of official consultation forums.

The Public Access Forum seeks to –

- improve communication between Council and its residents;
- assist Council in its decision making processes;
- provide an opportunity for members of the community to raise relevant issues with Council in a formal meeting environment; and
- assist in portraying Council as an open and accessible organisation.

POLICY STATEMENT

Requests to address Council and the conduct of public addresses are to be submitted to Council in accordance with the terms contained in the accompanying Statement of Procedures.

[Public Access Forums are to be conducted with reference to Council's Codes of Conduct.](#)

STATEMENT OF PROCEDURES

Applications to address Council –

- must be made in writing on the application form attached to this policy and forwarded to Council, no later than 12 noon on the working day prior to the day of the meeting;
- wherever possible, a person or group who supports an opposite view to the applicant must be notified and given the opportunity to speak;
- applications shall state the name and address of the applicant, contact telephone number and the issue to be raised;
- any documentation to be provided to Councillors shall either accompany the application or be available for distribution to Councillors prior to the meeting – no written material is able to be circulated during the presentation;
- an application must relate to a matter that falls within the jurisdiction and Charter of Council as outlined in the Local Government Act, 1993 or a report which is currently before Council for determination.

However, **this policy excludes the following** –

- all issues relating to development applications which are in the process of being assessed and are undetermined, have been considered at an Independent Hearing and Assessment Panel meeting or are listed on the Council meeting agenda for determination. Further information in relation to forums for development applications can be accessed through the Development Assessment and Compliance Notification Policy and the Independent Hearing and Assessment Panel Policy;
- all matters where there have been opportunities, through Council run engagement activities, for community members to publicly address a formal Council or Agency hearing and have views recorded for public record. These opportunities would include but not be limited to public meetings, public hearings and meetings of the Independent Hearing and Assessment Panel;
- all Notices of Rescission and agenda and business paper items 'laid on the table';
- all representations in respect of formal tenders and/or quotations;
- all matters where legal action has been commenced involving Council and where Council is in receipt of or has served:
 - a Statement of Claim
 - a Summons for Information or
 - a Subpoena to attend Court
- all staff related matters.

The following **should also be noted** –

- applicants seeking to address Council or a Committee of Council must meet one of the following eligibility criteria:
 - a resident or owner of land within the City of Wollongong Local Government Area;
 - a person or entity entitled to vote in the City of Wollongong under the Local Government Act, or where that voter is not a natural person, the nominee of the entity with its written authority;
 - the nominee of an entity owning land, conducting a business or providing a service in the Wollongong Local Government Area;
 - a duly appointed person including the legal, financial or town planning representative of any person or entity listed above with a matter before Council (written authority must be provided);
 - any person or nominee of an organisation invited to speak by resolution of Council or by approval of the Lord Mayor;
 - any representative of a State or Federal Government Agency with a matter before Council;
- addresses will be received at ordinary and extraordinary meetings of Council;
- applications in respect of current meeting agenda items will be given priority;

- applicants who have previously addressed Council on a particular issue, cannot address another meeting on the same matter;
- the General Manager will:
 - consider and determine all applications received;
 - have the discretion to approve additional applications in the event of there being more than the maximum number of applicants wishing to speak to current agenda and business paper items;
 - have the discretion to vary the maximum number of speakers on a particular agenda and business paper item should the item be addressing an issue of significant community interest.
- Councillors will be informed of those applications not included for presentation;
- a list of applicants speaking under the Public Access Forum, together with information on the subject of the briefing, is to be made available to Councillors at the meeting.

Public Address

- the public forum shall be limited to a period of thirty (30) minutes, unless extended by Council;
- each address shall be limited to five (5) minutes, ie maximum of six (6) addresses per meeting. The Chairperson will notify speakers when there is 30 seconds remaining;
- due to time constraints, speakers cannot use technology, however, can distribute hard copies of information prior to the commencement of the meeting. The Minute Clerk can assist with the distribution of such information;
- there shall be a maximum of two (2) speakers in favour and two (2) speakers against a particular issue and groups are required to nominate a representative to speak on their behalf;
- speakers must only speak in relation to the subject stated on their application;
- speakers shall not debate the issue with Councillors and staff;
- Councillors are able to ask questions of the speaker on a point of clarification;
- all speakers are advised that they do not enjoy any special protection from defamation arising from comments made during the presentation before Council and should therefore refrain from voicing defamatory remarks or personal defamatory statements against any individual;
- the Chairperson can order a person to cease speaking if he/she considers that the speaker is making inappropriate or offensive comments, is abusive, is making comments that are considered not in the public interest or is not complying with the rules of meeting procedure as outlined in Council's Code of Meeting Practice.
- [NOTE: As a guide for applicants, most people speak at a rate of approximately 125 to 150 words per minute.](#)

Minutes

- minutes must include a brief synopsis of the presentation/s;
- wherever possible, speakers should provide the Minute Clerk with a written summary of their presentation, prior to commencement of the meeting.

Response

- if the address relates to an agenda item the issue raised by the speaker shall be dealt with when the particular agenda item is considered by Council;
- no formal response will be provided to the applicant.

Webcasting

- all Council meetings, including the Public Access Forum, are broadcast live via the internet. By attending a meeting, speakers and other persons consent to the possibility that their image may also be broadcast to the public;
- any personal and health information voluntarily disclosed by any person at Council meetings may be broadcast live, held by Council and made available to the public for later viewing.

PUBLIC ACCESS FORUM – APPLICATION FORM

(Applicants must [meet one of the following Eligibility Criteria](#) and read the Public Access Forum Policy prior to completing this form)

Note: Applications must be received by Council by 12 noon on the working day prior to the Council meeting

ELIGIBILITY CRITERIA

<input type="checkbox"/>	A resident or owner of land within the City of Wollongong Local Government Area.
<input type="checkbox"/>	A person or entity entitled to vote in the City of Wollongong under the Local Government Act, or where that voter is not a natural person, the nominee of the entity with its written authority.
<input type="checkbox"/>	The nominee of an entity owning land, conducting a business or providing a service in the Wollongong Local Government Area.
<input type="checkbox"/>	A duly appointed person including the legal, financial or town planning representative of any person or entity listed above with a matter before council (written authority must be provided).
<input type="checkbox"/>	Any person or nominee of an organisation invited to speak by resolution of Council or by approval of the Lord Mayor .
<input type="checkbox"/>	Any representative of a State or Federal Government Agency with a matter before Council

In submitting this application, I understand and agree to abide by the conditions of the Public Access Forum Policy of Wollongong City Council. I also note that Council meetings are broadcast live via the internet and I consent to my image and address being broadcast to the public and any personal or health information I disclose during my address will be broadcast as part of the Council Meeting, with the broadcast stored and made available to the public for later viewing.

Council Meeting Date _____

Name of Applicant _____

Address _____

Email _____

Name of Speaker _____

Today's Date _____

Organisation (if applicable) _____

CHOOSE FROM 1 OR 2 BELOW –

1 Address of a general nature (not a Business Paper Agenda Item): (Please specify) _____

OR

2 Business Paper Item to be addressed: Council Agenda Item No: _____ Subject: _____

I am for the recommendation in the report I am against the recommendation in the report

This form can be lodged -

1 Via email to publicaccessforum@wollongong.nsw.gov.au

2 Faxed to 4227 7277, or

3 Dropped off at the Customer Service Desk, Ground Floor, Administration Building, 41 Burelli Street, Wollongong.

If you are not lodging your application via email, you will need to sign the form (below) before faxing or lodging it with Council's Customer Service Desk on the Ground Floor, Administration Building, 41 Burelli Street, Wollongong. You can also post the form to Locked Bag 8821, Wollongong DC NSW 2500. If posting, you need to allow sufficient time for your application to be received by Council, before the close off time of 12 noon on the working day prior to the Council meeting.

Signature of Applicant

Signature not required when emailing document

Privacy Notification (Privacy and Personal Information Protection Act 1998 – Section 10)

The personal information that Council is collecting from you on this application form is personal information for the purposes of the Privacy and Personal Information Protection Act 1998 ('the Act'). The intended recipients of the personal information are officers within the Council and any person wishing to inspect the application in accordance with the Local Government Act 1993. The supply of the information by you is not voluntary and if you cannot provide or do not wish to provide the information sought, the Council will be unable to process your application. You may make application for access or amendment to information held by Council. You may also make a request that Council suppress your personal information from a public register. Council will consider any such application in accordance with the Act. Council is to be regarded as the agency that holds the information. Enquiries concerning this matter can be addressed to Council by telephoning 4227 7111.

OFFICE USE ONLY

Has the application been the subject of an official public consultative forum?	
Recommendation to General Manager –	

Determination by **General Manager** Yes No

Date: _____ Signature _____

Return to Team Leader, Corporate Support, following determination by General Manager

Applicant advised by Fax Phone Email

Time: _____ Date _____

Signature _____

Refer to Public Officer in case of any dispute/anomaly. Public Officer to hear dispute/liaise with applicant and list comments below:

SUMMARY SHEET

Responsible Division	Governance and Information
Date adopted by Council	[To be inserted by Corporate Governance]
Date of previous adoptions	11 November 2013, 26 March 2012, 24 May 2011, 28 October 2008
Date of next review (Review schedule same as Code of Meeting Practice)	September 2017
Prepared by	General Counsel
Authorised by	Manager Governance and Information

DRAFT

BACKGROUND

As part of its Charter, Council is to involve Councillors, Council staff, members of the public and others in the development, improvement and coordination of local government. The way in which meetings are conducted is an important part of achieving this goal.

OBJECTIVE

The objectives of this Code of Meeting Practice are:

- to ensure that all meetings of Council and its Committees are conducted in an orderly and proper manner;
- to ensure that all meetings of Council and its Committees are conducted according to the principles of procedural fairness and due process;
- to assist with the conduct of discussion and debate during Council and Committee meetings;
- to increase Council's professionalism, transparency and accountability to the community;
- to ensure that all Councillors understand their rights and obligations during Council and Committee meetings;
- to ensure that all Councillors have an equal opportunity to participate fully in the meeting;
- to ensure that Councillors participate in meetings that engender a positive meeting environment that is without malice and avoids insulting, improper or defamatory statements; and
- to be an effective aid to good governance.

POLICY STATEMENT

Council and Committee meetings comprising of Councillors only are to be conducted in accordance with this Code of Meeting Practice.

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DEFINITIONS

Act	means the Local Government Act 1993.
Amendment	in relation to an original motion, means a motion moving an amendment to that motion.
Chairperson	means: a) for a meeting of the Council – the Lord Mayor; b) for a meeting of a Committee of the Council – the person presiding at the meeting as provided by Clause 6.8 of this Code.
Committee	in relation to the Council, means a Committee appointed or elected by the Council in accordance with Clause 6.2 of the Code or the Council when it has resolved itself into a Committee of the Whole.
OLG Circular 10-10	Office of Local Government Circular 10 – 21 May 2010
OLG Prac Note 16/2009	Office of Local Government Meetings Practice Note No 16 – August 2009
OLG C of C 2013	Office of Local Government Model Code of Conduct – March 2013
OLG C of C 2008 Guidelines	Office of Local Government Model Code of Conduct Guidelines – June 2008
DMB	Dunhill Madden Butler Guideline Series – Council Meeting Guidelines Aug 1999
Foreshadowed Amendment	a proposed amendment foreshadowed by a Councillor during debate on the first amendment.
Foreshadowed Motion	a motion foreshadowed by a Councillor during discussion on an original motion that is predominately the opposite to that proposed in the motion or where it is proposed to alter the motion more drastically than that permissible in an amendment.
LGA	means the Local Government Act 1993.
Motion	a proposal put forward by a Councillor or a Committee member calling for a specific action to be taken or a decision to be made on a particular matter before the meeting.
Record	means a document (including any written or printed material) or object (including a sound recording, coded storage device, magnetic tape or disc, microfilm, photograph, film, map, plan or model or a painting or other pictorial or graphic work) that is or has been made or received in the course of official duties by an Administrator or an employee of the Council and, in particular, includes the minutes of meetings of the Council or of a Committee of the Council.
Reg	Local Government (General) Regulation 2005
Relative	relative, in relation to a person, means any of the following; (a) the parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child of the person or the person's spouse or de facto partner; (b) the spouse or de facto partner of the person or of a person referred to in paragraph (a).
Variation to a Motion	is where a Councillor seeks to vary a motion by obtaining the consent of the mover of the motion and the consent of Council to have the proposed variation included in the motion.

APPLICATION OF THE CODE

Conduct of Meetings of Council and Committees

- 1 The Regulations of the Local Government Act may make provisions with respect to the conduct of meetings of Councils and Committees of Councils of which all members are Councillors.
- 2 A Council may adopt a Code of Meeting Practice which incorporates the Regulations made for the purpose of this section and supplement those Regulations with provisions that are not inconsistent with them.
- 3 A Council and a Committee of the Council of which all the members are Councillors must conduct its meetings in accordance with the Code of Meeting Practice adopted by it.

LGA Sec 360

Preparation, Public Notice and Exhibition of Draft Code

- 1 Before adopting a Code of Meeting Practice, a Council must prepare a draft Code.
- 2 The Council must give public notice of the draft Code after it is prepared.
- 3 The period of public exhibition must not be less than 28 days.
- 4 The public notice must also specify a period of not less than 42 days after the date on which the draft Code is placed on public exhibition during which submissions may be made by the public.
- 5 The Council must publicly exhibit the draft Code in accordance with its notice.

LGA Sec 361

Adoption of the Code

- 1 After considering all submissions received by it concerning the draft Code, the Council may decide:
 - a to amend those provisions of its draft Code that supplement the Regulations made for the purposes of this section of the Code; or
 - b to adopt the draft Code as its Code of Meeting Practice.
- 2 If the Council decides to amend its draft Code, it may publicly exhibit the amended draft in accordance with this section of the Code or, if the Council is of the opinion that the amendments (arising from the public submissions only) are not substantial, it may adopt the amended draft Code, without public exhibition, as its Code of Meeting Practice.

LGA Sec 362

Amendment of the Code

A Council may amend a Code adopted under this section by means only of a Code so adopted.

NOTE – Council may only amend its Code of Meeting Practice by preparing a new draft Code and complying with the public consultation procedure set out in this section of the Code.

The only exception is when an amendment is triggered by a change in the Local Government Act or the Local Government (General) Regulation 2005. In such cases the legislation effectively amends a Code of Meeting Practice.

DLG Circular 10-10

Public Availability of the Code

- 1 The Code of Meeting Practice adopted under this section by a Council must be available for public inspection free of charge at the office of the Council during ordinary office hours.
- 2 Copies of the Code will be available free of charge.

LGA Sec 364

NOTE – The Code is published on Council's website.

PART 1 – NOTICE OF MEETINGS

1.1 Frequency of Meetings

- 1 Council is required to meet at least 10 times each year, each time in a different month. *LGA Sec 365*
- 2 Council and Committee meetings may be held in different locations from time to time if circumstances deem it necessary provided that the venue:
 - a is accessible for people with disabilities;
 - b is adequate in size;
 - c has adequate facilities for the convenience and comfort of Councillors, staff and members of the public, and; and
 - d has suitable acoustic properties. *DLG Prac Note 16/2009 – Pg 1*
- 3 The date and time for Extraordinary Meetings of Council will be determined as and when required. Extraordinary Meetings are additional meetings to those in the adopted Council meeting cycle and include those called in an emergency. *Council Protocol*

1.2 Notice to Councillors for Ordinary Meetings

- 1 Notice of Meetings – the General Manager must send to each Councillor, at least seven days before each meeting of the Council (or Committee), a notice specifying the time and place at which and the date on which the meeting is to be held and the business to be transacted at the meeting. *Council Protocol*
- 2 Form of Notice – a notice under this section and the agenda and business paper for the meeting may be given to Councillors in electronic form, but only if all Councillors have facilities to access the notice, agenda and business paper in that form. *LGA Sec 367 (3)*

1.3 Notice to Councillors for Extraordinary Meetings

- 1 If the Lord Mayor receives a request in writing signed by at least 2 Councillors (the Lord Mayor can be one of the two Councillors), the Lord Mayor must call an Extraordinary Meeting of the Council to be held as soon as practicable but in any event within 14 days after receipt of the request. *LGA Sec 366*

If the Lord Mayor refuses or delays to call an Extraordinary Meeting of Council after receiving a request under Clause 1.3 (2) of this Code, those Councillors may, in writing, request the General Manager to call the Extraordinary Meeting of Council. The General Manager shall call the meeting as soon as it is practicable. *DMB Pg 2*

The General Manager, in consultation with the Lord Mayor, may call an Extraordinary Meeting of Council if considered necessary and appropriate. *Council Protocol*

- 2 Notice of less than seven days may be given of an Extraordinary Meeting called in an emergency. *LGA Sec 367 (2)*

1.4 Public Notice

- 1 Council must give notice to the public of the times and places of meetings of Council and Committees of which all members are Councillors. *LGA Sec 9 (1)*
- 2 A notice of a meeting of Council or a Committee must be published in a newspaper circulating in the Wollongong local government area before the meeting takes place.

NOTE – An advertisement indicating Council and Committee meetings schedule will be included on Council's website at www.wollongong.nsw.gov.au and on Council's page in the Wollongong Advertiser. *Reg 232 (2)-(5)*

Council Protocol

PART 2 – QUORUM AND ATTENDANCE

2.1 Quorum for a Meeting

The quorum for a meeting of Council is a majority of the Councillors who hold office for the time being and are not suspended from office.

LGA Sec 368

2.2 Participation in Council Meetings

A Councillor cannot participate in a meeting of Council unless personally present at the meeting.

Reg 235

2.3 Quorum Not Present

- 1 A meeting of Council must be adjourned if a quorum is not present:
 - a within half an hour after the time designated for the holding of the meeting; or
 - b at any time during the meeting.
- 2 In either case, the meeting must be adjourned to a time, date and place fixed;
 - a by the Chairperson; or
 - b in his or her absence – by the majority of the Councillors present; or
 - c failing that, by the General Manager.
- 3 The General Manager must record in the Council minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of Council, together with the names of the Councillors present.

Reg 233

Where a quorum is not present Councillors are able to discuss the agenda and make notes on the discussion however it is not able to make recommendations.

Council Protocol

2.4 Attendance at Council Meetings

A civic office becomes vacant if the holder (Councillor):

- 1 is absent from three (3) consequent ordinary meetings of Council (unless the holder is absent because he or she has been suspended from civic office under section 482) without:
 - a prior leave of Council; or
 - b leave granted by Council at any of the meetings concerned.

LGA Sec 234 (1) (d)

NOTE: Tendering an apology does not constitute a formal leave of absence.

2.5 Application for Leave of Absence

- 1 A Councillor's application for leave of absence from Council meetings should, where practicable, be made in writing, including by electronic means, and identify (by date) the meetings from which the Councillor intends to be absent and the reason the absence is sought. This application is to be lodged with the General Manager and submitted to the next meeting of Council for determination
- 2 For the purposes of Clause 2.4 of this Code, a Councillor applying for a leave of absence from a meeting of Council does not need to make the application in person and the Council may grant such leave in the absence of that Councillor.

Reg 235A (1) and Council Protocol

LGA Sec 234 (2)

2.6 Meeting Attendance Whilst on Leave of Absence

- 1 If the holder of a civic office attends a Council meeting (whether or not an ordinary meeting) despite having been granted leave of absence, the leave of absence is taken to have been rescinded as regards to any future Council meeting.

- 2 Subsection (1) above does not prevent Council from granting further leave of absence in respect of any future Council meeting.

LGA Sec 234 (3)-(4)

- 3 A Councillor who intends to attend a Council meeting despite having been granted leave of absence should, if practicable, give the General Manager at least two (2) days' notice of his or her intention to attend.

Reg 235A (2)

2.7 Who is Entitled to Attend Council or Committee Meetings

- 1 Except as provided elsewhere in this Code:
 - a everyone is entitled to attend a meeting of the Council and those of its Committees of which all the members are Councillors; and
 - b a Council must ensure that all meetings of the Council and of such Committees are open to the public.
- 2 A person (whether a Councillor or another person) is not entitled to be present at a meeting of the Council or of a Committee if expelled from the meeting:
 - a by a resolution of the meeting; or
 - b by the person presiding at the meeting if the Council has, by resolution, authorised the person presiding to exercise the power of expulsion.
- 3 A person may be expelled from a meeting only on the grounds specified in, or in the circumstances prescribed by the Regulations – refer Part 8 of this Code.

LGA Sec 10

2.8 Attendance of General Manager

- 1 The General Manager is entitled to attend, but not vote at, a meeting of the Council or at a meeting of a Committee of the Council of which all the members are Councillors.
- 2 The General Manager is entitled to attend a meeting of any other Committee of the Council and may, if a member of the Committee, exercise a vote.
- 3 However, the General Manager may be excluded from a meeting of the Council or a Committee while the Council or Committee deals with a matter relating to the standard of performance of the General Manager or the terms of the employment of the General Manager.

LGA Sec 376

PART 3 – PRESIDING OVER MEETINGS OF COUNCIL

3.1 Who Presides at Meetings of Council

- 1 The Lord Mayor or, at the request of or in the absence of the Lord Mayor, the Deputy Lord Mayor presides at meetings of the Council.
- 2 If the Lord Mayor or Deputy Lord Mayor are absent, a Councillor elected to chair the meeting by the Councillors present presides at a meeting of the Council.

LGA Sec 369

3.2 Councillors to Preside at Council Meetings

- 1 If no Chairperson is present at a meeting of the Council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a Chairperson to preside at the meeting.
- 2 The election must be conducted:
 - a by the General Manager or, in their absence, the Public Officer to conduct the election; or
 - b if neither of them is present at the meeting or there is no General Manager or Public Officer – by the person who called the meeting or a person acting on their behalf.

- 3 If, at an election of a Chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the Chairperson is to be the candidate whose name is chosen by lot.
- 4 For the purposes of subclause (b), the person conducting the election must:
 - a arrange for the names of the candidates who have equal numbers of votes to be written on similar slips; and
 - b then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.
- 5 The candidate whose name is on the drawn slip is the candidate who is to be the Chairperson.

Reg 236

3.3 Chairperson to have Precedence

When the Chairperson rises during a meeting of the Council:

- 1 any Councillor then speaking or seeking to speak must, if standing, immediately resume his or her seat, and;
- 2 every Councillor present must be silent to enable the Chairperson to be heard without interruption.

Reg 237

3.4 Chairperson's Duty with Respect to Motions

- 1 It is the duty of the Chairperson at a meeting of the Council to receive and put to the meeting any lawful motion that is brought before the meeting.
- 2 The Chairperson must rule out of order any motion that is unlawful or the implementation of which, would be unlawful.
- 3 Any motion, amendment or other matter that the Chairperson has ruled out of order is taken to have been rejected.
- 4 The Chairperson is to ensure that motions and amendments are clearly stated for the benefit of all present and may request a Councillor to repeat the motion or amendment if unclear or inaudible.

*Reg 238**Council Protocol*

3.5 Mode of Address

To facilitate debate, Councillors, with the exception of the Chairperson, are to stand in their place when speaking at a meeting of Council, unless prevented from doing so by disability or injury. This procedure does not need to be followed at Committee meetings or in circumstances where the Chairperson rules that standing is not required.

In addressing Council, Councillors and other persons addressing the Council will use the appropriate mode of address to the Lord Mayor (being My Lord Mayor or Mr or Madam Chair), Deputy Lord Mayor, fellow Councillors, Council employees and members of the public in attendance.

Councillors shall at all times conduct themselves in accordance with the general conduct obligations contained with Council's adopted Code of Conduct. Councillors shall respect the right of their fellow Councillors to speak without interruption, shall only speak when called upon by the Chairperson and should speak through the Chairperson.

Council Protocol

PART 4 – MEETING AGENDA AND BUSINESS PAPER

4.1 Agenda and Business Paper for Ordinary Meeting

- 1 The General Manager must cause the agenda for a meeting of the Council or a Committee of the Council to be prepared as soon as practicable before the meeting.
- 2 The General Manager must ensure that the agenda for a meeting of the Council states –
 - a all matters to be dealt with arising out of the proceedings of former meetings of the Council;

- b if the Lord Mayor is the Chairperson – any matter or topic that the Chairperson proposes, at the time when the agenda is prepared, to put to the meeting; and
 - c subject to subclause (3), any business of which due notice has been given.
- 3 The General Manager must not include in the agenda for a meeting of the Council any business of which due notice has been given if, in the opinion of the General Manager, the business is (or the implementation of the business would be) unlawful. The General Manager must report (without giving details of the item of business) any such exclusion to the next meeting of the Council.
- 4 The General Manager must ensure that the details of any item of business to which section 9 (2A) of the LGA applies are included in a business paper agenda for the meeting concerned – ie items considered in Closed Council.
- 5 Nothing in this Clause limits the powers of the Chairperson under Clause 4.8 of this Code.
- 6 Confidential items on both Council and Committee Business Paper Agenda's for open meetings are to be listed after all non-confidential items.

*Reg 240**Council Protocol*

4.2 Agenda and Business Paper for Closed Session of Council

- 1 In the case of a meeting whose agenda includes the receipt of information or discussion of other matters that, in the opinion of the General Manager, is likely to take place when the meeting is closed to the public:
- a the agenda for the meeting must indicate that the relevant item of business is of such a nature (but must not give details of that item); and
 - b the agenda for the meeting must also indicate the reason the item will be dealt with in the closed session of Council which must be one of the following –
 - i personal matters concerning particular individuals (other than Councillors);
 - ii the personal hardship of any resident or ratepayer;
 - iii information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business;
 - iv commercial information of a confidential nature that would, if disclosed –
 - prejudice the commercial position of the person who supplied it; or
 - confer a commercial advantage on a competitor of the Council; or
 - reveal a trade secret;
 - v information that would, if disclosed, prejudice the maintenance of law;
 - vi matters affecting the security of the Council, Councillors, Council staff or Council property;
 - vii advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege;
 - viii information concerning the nature and location of a place or an item of Aboriginal significance on community land;
 - ix alleged contraventions of any Code of Conduct requirements applicable under section 440.
- c the requirements of Clause 4.3 (1) with respect to the availability of business papers does not apply to the business papers for any item of business referred to in Clause 4.2 of this Code.

*LGA Sec 9 (2A) and Sec 10A (2)**LGA Sec 9 (2A)**Council Protocol*

4.3 Distribution of Agenda and Business Paper

- 1 A Council and each such Committee of which all members are Councillors must have available for the public at its offices and at each meeting copies (for inspection or taking away by any person) of the agenda and the associated business paper (such as correspondence and reports) for the meeting.
- 2 The copies are to be available to the public as nearly as possible to the time they are available to Councillors.
- 3 The copies are to be available free of charge.
- 4 A notice given under this section or a copy of an agenda or of a business paper made available under this section may in addition be given or made available in electronic form.

LGA Sec 9 (2)-(5)

Note – Four copies of the agenda and business paper will be provided at Council and Committee meetings.

Council's agenda and business paper are available on the Council website at www.wollongong.nsw.gov.au.

Council's agenda and business paper or individual reports may be obtained from Council's Customer Service Centre or the Libraries free of charge.

4.4 Removal of Items from the Agenda and Business Paper

- 1 Once the agenda for a meeting has been sent to Councillors, an item of business on the agenda cannot be removed from the agenda prior to the meeting.
- 2 If it is proposed that an item of business which is on the agenda not be dealt with at the meeting, Council should resolve to defer that business to another meeting or resolve not to consider the matter, as the case may be.

DLG Prac Note 16/2009 – Pg 8

4.5 Order of Business

- 1 The Order of Business at Ordinary Meetings of Council, other than Extraordinary Meetings, where required shall be –
 - Acknowledgement of Traditional Owners
 - Civic Prayer
 - Apologies
 - Disclosures of Pecuniary Interest
 - Petitions and Presentations
 - Confirmation of Minutes of Ordinary Council Meeting
 - Confirmation of Minutes of Extraordinary Council Meeting
 - Confirmation of Minutes of Council Committee Meeting
 - Public Access Forum
 - Call of the Agenda
 - Lord Mayoral Minute
 - Urgent Items
 - Notice of Motion(s)
 - Notice of Rescission
 - Items Laid on the Table
 - Agenda Items
 - Confidential Business

Note – All Questions Without Notice and tabling of letters are to be submitted by way of the Councillor Request Process.

- 2 The order of business fixed under subclause (1) may be altered if a motion to that effect is passed. Such a motion can be moved without notice.
- 3 Despite Clause 7.4 only the mover of a motion referred to in subclause (2) may speak to the motion before it is put.

Reg 239

- 4 Where a Council meeting has not concluded by 10.00pm, the Lord Mayor will move a Procedural Motion that the meeting be either extended or adjourned. In accordance with Clause 7.1 (3) of this Code this Procedural Motion does not require a seconder. If the motion is to adjourn, debate will take place as to a date and time for the meeting to reconvene to consider all business not transacted at the adjourned meeting.

Council Protocol

Council does not need to issue a new agenda and business paper for the adjourned meeting and business not already on the agenda could be dealt with only if the urgency procedure in Clause 4.7 of this Code.

If the meeting is adjourned to a different date, time or place, each Councillor and the public (where practicable) should to be notified of the new date, time or place.

DLG Prac Note 16/2009 – Pg 31

- 5 A Councillor may move a Procedural Motion that an Item 'lie on the table'. If the motion is successful no further debate can be undertaken until there is a Procedural Motion for the Item to be 'taken off the table'. Such a motion is not debatable and there can be no amendments or right of reply. This motion can be moved only once during the discussion of any substantive motion and if the motion is carried while an amendment is before the Chair, both the amendment and the original motion are laid on the table.

At the end of the Council meeting at which the Item was 'laid on the table' the Chairperson will remind Councillors that there are matter/s 'on the table' which Council may now wish to consider. Otherwise the matter/s will appear on the agenda and business paper for the next ordinary Council meeting.

If and when the Item is 'taken off the table' debate resumes where it left off, with Councillors who have already spoken (other than the mover in reply) having no further right to speak.

Council Protocol

4.6 Giving Notice of Business

- 1 Council must not transact business at a meeting of the Council:
- a unless a Councillor has given notice of the business in writing no later than 5.00 pm on the Tuesday 13 calendar days prior to the Ordinary Council meeting in accordance with the Council meeting schedule or five (5) calendar days in the case of Extraordinary Council meetings; and
 - b unless notice of the business has been sent to the Councillors in accordance with Clause 1.2 of this Code.
- 2 Subclause (1) does not apply to the consideration of business at a meeting if the business:
- a is already before, or directly relates to a matter that is already before the Council; or
 - b is the election of a Chairperson to preside at the meeting as provided by Clause 3.2 of this Code; or
 - c is a matter or topic put to the meeting by the Chairperson in accordance with Clause 4.7 of this Code; or
 - d is a motion for the adoption of recommendations of a committee of the Council.

Reg 241 (1)-(2)

4.7 Dealing with Matters Without Notice at an Ordinary Meeting

- 1 Despite Clause 4.6 (1) business may be transacted at a meeting of Council even though due notice of the business has not been given to the Councillors. However this can happen only if:
- a a motion is passed to have the business transacted at the meeting; and
 - b the business proposed to be brought forward is ruled by the Chairperson to be of great urgency.

Such a motion can be moved without notice.

Reg 241 (3)

Note – If, after the Councillor has addressed the Council, the Chairperson has ruled the matter is of great urgency, then the motion is moved, seconded, debated and voted on.

If the Chairperson rules the motion is not urgent, no further debate on the matter is permitted.

If the Chairperson rules the motion is not urgent, a Councillor may move a motion of dissent.

Council Protocol

- 2 Despite Clauses 6.5 and 7.4 (2) of this Code only the mover of a motion referred to in subclause (1) above can speak to the motion before it is put.

Reg 241 (4)

4.8 Lord Mayoral Minute

- 1 If the Lord Mayor is the Chairperson at a Council meeting, the Chairperson, is by minute signed by the Chairperson, entitled to put to the meeting without notice any matter or topic that is within the jurisdiction of Council or of which the Council has official knowledge. *Reg 243*
- 2 Lord Mayoral Minutes should not be used to introduce, without notice¹, matters that are routine, not urgent, or need research or a lot of consideration by the Councillors before coming to a decision. These types of matters are better placed on the Agenda with the usual period of notice given to the Councillors. *DLG Prac Note 16/2009 – Pg 14*
- 3 Such a minute, when put to the meeting, takes precedence over all business on the Council agenda/business paper for the meeting. The Chairperson (but only if the Chairperson is the Lord Mayor) may move adoption of the minute without the motion being seconded.
- 4 A recommendation made in a minute of the Chairperson (being the Lord Mayor) or in a report by a Council employee is, so far as adopted by Council, a resolution of Council. *Reg 243*
- 5 A Late Business Lord Mayoral Minute prepared prior to the Council meeting will be added to the business paper agenda in accordance with the Order of Business as stated in Clause 4.5 of this Code. *Council Protocol*

4.9 Agenda and Business Paper for Extraordinary Meeting

The General Manager must ensure that the agenda for an extraordinary meeting of Council deals with only with the matters stated in the notice of meeting.

Reg 242(1)

4.10 Dealing with Matters without Notice at an Extraordinary Meeting

- 1 Despite Clause 4.9, business may be transacted at an extraordinary meeting of Council even though due notice of the business has not been given to the Councillors. However this can only happen if:
 - a a motion is passed to have the business transacted at the meeting; and
 - b the business proposed to be brought forward is ruled by the Chairperson to be of great urgency.

Such a motion can be moved without notice but only after the business notified in the agenda for the meeting has been disposed of.
- 2 Despite Clauses 6.5 and 7.4 (2), only the mover of a motion referred to in subclause (1) above can speak to the motion before it is put.

Reg 242 (2)-(3)

4.11 Public Access Forum – Members of the Public Addressing Council

Members of the public shall be permitted to address Council or a Committee of Council on matters falling within the jurisdiction and Charter of Council as outlined in the Local Government Act 1993.

All addresses must comply with Council's Public Access Forum Policy.

Council Policy

4.12 Questions to Councillors and Employees

- 1 A Councillor:
 - a may, through the Chairperson, put a question to another Councillor; and
 - b may, through the General Manager, put a question to a Council employee.

¹ "without notice" meaning the matter is not included on the Agenda.

- 2 A Councillor or Council employee to whom a question is put is entitled to be given reasonable notice of the question and in particular, sufficient notice to enable reference to be made to other persons or to documents.
- 3 The Councillor must put every such question directly, succinctly and without argument.
- 4 The Chairperson must not permit discussion on any reply or refusal to reply to a question put to a Councillor or Council employee under this Clause.

Reg 249

PART 5 – DECLARATIONS OF CONFLICTS OF INTEREST

A conflict of interest exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your public duty.

If you are unsure as to whether or not you have a conflict of interests in relation to a matter, you should consider these six points:

- Do you have a personal interest in a matter you are officially involved with?
- Is it likely you could be influenced by a personal interest in carrying out your public duty?
- Would a reasonable person believe you could be so influenced?
- What would be the public perception of whether or not you have a conflict of interest?
- Do your personal interests conflict with your official role?
- What steps do you need to take and that a reasonable person would expect you to take to appropriately manage any conflict of interests?

You must avoid or appropriately manage any conflict of interests. The onus is on each Councillor to identify conflicts of interest and take the appropriate action to manage the conflict in favour of their public duty.

Any conflict of interest must be managed to uphold the probity of Council decision-making. When considering whether or not you have a conflict of interest, it is always important to think about how others would view your situation.

Private interests can be of two types: pecuniary or non-pecuniary.

DLG C of C 2013 – Part 4.

5.1 What is a Pecuniary Interest

- 1 For the purposes of this Part, a pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person.
- 2 A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter or if the interest is of a kind specified in Clause 5.7 of this Code.

LGA Sec 442

5.2 Who has a Pecuniary Interest

- 1 For the purposes of this Part, a person has a pecuniary interest in a matter if the pecuniary interest is the interest of:
 - a the person; or
 - b the person's spouse or de facto partner or a relative of the person, or a partner or employer of the person; or
 - c a company or other body of which the person, or a nominee, partner or employer of the person, is a member.
- 2 However, a person is not taken to have a pecuniary interest in a matter as referred to in subclause 5.2 (1) (b) or (c) of this Code:
 - a if the person is unaware of the relevant pecuniary interest of the spouse, de facto partner, relative, partner, employer or company or other body; or

- b just because the person is a member of, or is employed by a Council or a statutory body or is employed by the crown; or
- c just because the person is a member of, or a delegate of a Council to, a company or other body that has a pecuniary interest in the matter, so long as the person has no beneficial interest in any shares or the company or body.

LGA Sec 443

5.3 Disclosure of Pecuniary Interests and Attendance at Meetings

- 1 A Councillor or a member of a Council Committee who has a pecuniary interest in any matter with which the Council is concerned and who is present at a meeting of the Council or Committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable.
- 2 The Councillor or member must not be present at, or in sight of, the meeting of the Council or Committee:
 - a at any time during which the matter is being considered or discussed by the Council or Committee; or
 - b at any time during which the Council or Committee is voting on any question in relation to the matter.
- 3 For the removal of doubt, a Councillor or a member of a Council Committee is not prevented by this Clause from being present at and taking part in a meeting at which a matter is being considered, or from voting on the matter, merely because the Councillor or member has an interest in the matter of a kind referred to in Clause 5.7 of this Code – matters that don't have to be disclosed.
- 4 Subsections (1) and (2) do not apply to a Councillor who has a pecuniary interest in a matter that is being considered at a meeting, if:
 - a the matter is a proposal relating to:
 - i the making of a principal environmental planning instrument applying to the whole or a significant part of the Council's area; or
 - ii the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant part of the council's area; and
 - b the Councillor made a special disclosure under this section in relation to the interest before the commencement of the meeting.
- 5 The special disclosure of the pecuniary interest must, as soon as practicable after the disclosure is made, be laid on the table at a meeting of the Council and must:
 - a be in the form prescribed by the regulations; and
 - b contain the information required by the regulations.

LGA Sec 451

5.4 What is a Non-Pecuniary Interest

- 1 Non-pecuniary interests are private or personal interests the Council Official has that do not amount to a pecuniary interest as defined in Clause 5.1 of this Code.
- 2 Non-pecuniary interests can be an actual or perceived interest where a reasonable and informed person would perceive a conflict exists. These commonly arise out of family, or personal relationships, or involvement in sporting, social or other cultural groups and associations and may include an interest of a financial nature.
- 3 The matter of a report to Council from the Conduct Review Committee/reviewer relates to the public duty of a Councillor or the General Manager. Therefore, there is no requirement for Councillors or the General Manager to disclose a conflict of interest in such a matter.
- 4 The political views of a Councillor do not constitute a private interest.

DLG C of C 2013 – Part 4 page 9

5.5 Types of Non-Pecuniary Interests

There are three types of non-pecuniary conflicts of interest:

- 1 **Significant** – as a general rule a non-pecuniary conflict of interest will be significant where a matter does not raise a pecuniary interest but it involves:
 - a a relationship between a Council Official and another person that is particularly close, for example, parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child of the person or of the person's spouse, current or former spouse or partner, de facto or other person living in the same household;
 - b other relationships that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship; or
 - c an affiliation between the council official and an organisation, sporting body, club, corporation or association that is particularly strong.
- 2 **Less than significant** – matters not involving the issues identified in Clause 5.5 (1) of this Code.
- 3 **Political donations** – Councillors should take all reasonable steps to ascertain the source of any political contributions that directly benefit their election campaigns.

A Councillor must declare a non-pecuniary conflict of interest where the Councillor or the Councillor's 'official agent' has received 'political contributions' or 'political donations', as the case may be, within the meaning of the Election Funding Act 1981 exceeding \$1,000 which directly benefit their campaign:

 - a from a political or campaign donor or related entity in the previous four years; and
 - b where the political or campaign donor or related entity has a matter before Council.

DLG C of C 2013 – Part 4 pages 9-10

5.6 Disclosure of Non-Pecuniary Interests and Attendance at Meetings

- 1 A Councillor or a member of a Council Committee who has disclosed a **significant** non-pecuniary conflict of interest in accordance with Clause 5.5 of this Code in any matter with which the Council is concerned and who is present at a meeting of the Council or Committee at which the matter is being considered is required to disclose the nature of the interest to the meeting as soon as practicable.

The Councillor or member must not be present at, or in sight of, the meeting of the Council or Committee:

 - a at any time during which the matter is being considered or discussed by the Council or Committee; or
 - b at any time during which the Council or Committee is voting on any question in relation to the matter.
- 2 A Councillor or a member of a Council Committee who has disclosed a **less than significant** non-pecuniary conflict of interest in accordance with Clause 5.5 of this Code in any matter with which the Council is concerned may determine that it does not require further action, and if so, must provide an explanation of why it is considered that the conflict does not require further action in the circumstances.
- 3 A Councillor or a member of a Council Committee who has disclosed that he/she or their official agents have received, in the previous four years, a political donation **exceeding \$1,000** that has directly benefited their campaign, from a donor who has a matter before Council, must disclose this fact to the meeting as soon as practicable.

The Councillor or member must not be present at, or in sight of, the meeting of the Council or Committee:

 - a at any time during which the matter is being considered or discussed by the Council or Committee; or
 - b at any time during which the Council or Committee is voting on any question in relation to the matter.

This applies to all Councillors, regardless of whether they are independent Councillors or a member of a political group or party.
- 4 Where a Councillor or a member of a Council Committee or their official agents have received, in the previous four years, a political donation **under \$1,000** that has directly benefited their campaign, from a donor who has a matter before Council, it may give rise to a non-pecuniary conflict of interest. In such cases Councillors should consider the perceptions of influence that might be created and consider the six points at the commencement of Part 5 of this Code.

If the Councillor or a member of a Council Committee determines that a non-pecuniary conflict of interest may exist, they need to consider whether or not the conflict of interest is significant as defined in Clause 5.5 (1) of this Code.

- a If the conflict of interest is deemed significant the Councillor or member must not be present at, or in sight of, the meeting of the Council or Committee:
 - i at any time during which the matter is being considered or discussed by the Council or Committee; or
 - ii at any time during which the Council or Committee is voting on any question in relation to the matter.
- b If the conflict of interest is deemed less than significant it remains open for the Councillor or member to take additional steps to manage any perception of a conflict of interest.

This applies to all Councillors, regardless of whether they are independent Councillors or a member of a political group or party.

DLG C of C 2008 Guidelines – Pgs 19/22

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Written Declarations of Pecuniary Interest

A Councillor who has a pecuniary interest or non-pecuniary interest in accordance with Clauses 5.3 (1), 5.6 (1) and (3) of this Code, in a matter being considered at a Council or Committee meeting must disclose the existence of the interest and also the nature of that interest.

Councillors are requested to make such a disclosure in writing and provide the written disclosure to the General Manager by 12 noon on the day of the meeting. A Councillor, having disclosed a pecuniary interest, must not be present at the meeting when the matter is being considered, discussed or voted on.

This requirement does not prevent a Councillor from disclosing a pecuniary interest at a Council or Committee meeting at which the matter is being considered.

Council Protocol

A Councillor with a pecuniary interest, and not capable of voting on the business before the Council, is regarded as being absent from the meeting for the purpose of determining whether or not a quorum is present.

DLG Prac Note 16/2009 – Pg 29

Example 1: Club Membership

A Councillor is a member of a club in a small community. The Councillor is very active in the running of the club. While not an office holder, he is well known to all club members.

The club has recently submitted a development application to the Council for a major extension of its facilities.

In this instance, there may be a public perception that the Councillor's activities with the club would make it difficult for the Councillor to view the matter before the Council as a representative of residents and ratepayers generally. This may meet the definition of a significant non-pecuniary conflict of interests.

If so, the Councillor should disclose his conflict of interest in the matter when it comes up for consideration. The Councillor must then refrain from participating in Council's discussion and voting on the matter. The Councillor must leave the room when the vote is being taken to ensure that the vote is not recorded in the negative.

DLG C of C 2008 Guidelines – Pg 23

Example 2: Club Membership

A Councillor is a member of a local registered club. However, she is not active in the club or involved with the management of the club. In this situation, the Councillor merely enjoys the facilities of the club as a privilege of membership.

In this example, should a matter relating to the club arise at Council, it is appropriate that the Councillor informs the Council of her membership (ie declares a non-pecuniary conflict of interest that is less than significant). However, it is unlikely that her interest as a club member would influence her role as a Councillor representing the view of residents and ratepayers generally. Therefore, she could participate in the decision-making process.

In both situations, the Councillors have two different interests in the matters. The first is their interest as a Councillor representing residents and ratepayers generally; the second is as club members who are keen to see the club prosper and provide better facilities for its members. There is nothing wrong with a Councillor having community as well as civic interests, though there are times when these interests may be perceived as a significant conflict of interests.

The distinguishing features of examples 1 and 2 are that:

- The Councillor's interests as a club member in example 1 are likely to influence his role as a representative of residents and ratepayers generally. This would make it difficult for him to be impartial; and
- The public perception of a lack of impartiality would be stronger in the first example particularly given the size of the community and the visibility of the councillor in the club's activities.

If a Councillor is an office holder in a club or other organisation, the interest may constitute a pecuniary interest.

DLG C of C 2008 Guidelines – Pg 23

Example 3: Political Support

A local ratepayer has made a campaign donation to a group of local Councillors through their official agent in the last two (2) years. The ratepayer lodges a development application with Council to build a block of units on the land she owns. The development is controversial and receives a lot of media attention.

A potential conflict of interest could arise for a Councillor, or group of Councillors, when a campaign donor, who contributes financially to their election campaign, has a matter before the Council for determination. The conflict of interest arises even when a donation is made through the official agent.

Where the donation exceeds \$1,000 and has been donated within the last four (4) years, the Councillors must declare a non-pecuniary conflict of interest, disclose the nature of the interest and have no further involvement in the matter by absenting themselves and not taking part in any debate or voting on the matter in accordance with section 451(2) of the Act.

In the circumstances where a donation is less than \$1,000 or the donation is made over four (4) years ago, then the Councillors would still need to consider whether or not a reasonable and informed person could perceive that a conflict of interest exists and take the appropriate action.

The Councillors would also need to consider whether such a political donation gives rise to a reasonable perception of influence in relation to their vote.

If there is a conflict of interests then the Councillors would need to determine whether or not it is significant. If the Councillors had a close relationship with the donor, then it may be a significant non-pecuniary conflict of interests.

If the Councillors consider that there is a non-pecuniary conflict of interest, but it is minimal, then the Councillors would need to disclose the interest and its nature and provide an explanation of why further action is not required.

DLG C of C 2008 Guidelines – Pg 22

5.7 Interests That Do Not Require Disclosure

The following interests do not have to be disclosed for the purposes of Chapter 14 of the Local Government Act:

- a an interest as an elector;
- b an interest as a ratepayer or person liable to pay a charge;
- c an interest in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to the public generally, or to a section of the public that includes persons who are not subject to this Part;
- d an interest in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to a relative of the person by the Council in the same manner and subject to the same conditions as apply to persons who are not subject to this Part;
- e an interest as a member of a club or other organisation or association, unless the interest is as the holder of an office in the club or organisation (whether remunerated or not);
- f an interest of a member of a Council Committee as a person chosen to represent the community or as a member of a non-profit organisation or other community or special interest group if the committee member has been appointed to represent the organisation or group on the committee;
- g an interest in a proposal relating to the making, amending, altering or repeal of an environmental planning instrument other than an instrument that effects a change of the permissible uses of:
 - i land in which the person or a person, company or body referred to in Clause 5.2 (1)(b) or (c) of this Code has a proprietary interest (which, for the purposes of this paragraph, includes any entitlement to the land at law or in equity and any other interest or potential interest in the land arising out of any mortgage, lease, trust, option or contract, or otherwise); or
 - ii land adjoining, adjacent to or in proximity to land referred to in subparagraph (i);
 if the person or person, company or body referred to in Clause 5.2 (1)(b) or (c) of this Code would by reason of the proprietary interest have a pecuniary interest in the proposal;
- h an interest relating to a contract, proposed contract or other matter if the interest arises only because of a beneficial interest in shares in a Company that does not exceed ten per cent of the voting rights in the company;

- i an interest of a person arising from the proposed making by the Council of an agreement between the Council and a Corporation, Association or Partnership, being a Corporation, Association or Partnership that has more than 25 members, if the interest arises because a relative of the person is a shareholder (but not a Director) of the Corporation or is a member (but not a member of the Committee) of the Association or is a partner of the Partnership;
- j an interest of a person arising from the making by the Council of a contract or agreement with a relative of the person for or in relation to any of the following, but only if the proposed contract or agreement is similar in terms and conditions to such contracts and agreements as have been made, or as are proposed to be made, by the Council in respect of similar matters with other residents of the area:
 - i the performance by the council at the expense of the relative of any work or service in connection with roads or sanitation;
 - ii security for damage to footpaths or roads;
 - iii any other service to be rendered, or act to be done, by the Council by or under any Act conferring functions on the Council or by or under any contract;
- k an interest relating to the payment of fees to Councillors (including the Lord Mayor and Deputy Lord Mayor);
- l an interest relating to the payment of expenses and the provision of facilities to Councillors (including the Lord Mayor and Deputy Lord Mayor) in accordance with a policy under section 252 of the Local Government Act;
- m an interest relating to an election to the office of Lord Mayor arising from the fact that a fee for the following twelve (12) months has been determined for the Office of Lord Mayor;
- n an interest of a person arising from the passing for payment of a regular account for wages or salary of an employee who is a relative of the person;
- o an interest arising from being covered by, or a proposal to be covered by, indemnity insurance as a Councillor or member of a Council Committee;
- p an interest arising from appointment of a Councillor to a body as representative or delegate of the Council, whether or not a fee or other recompense is payable to the representative or delegate.

LGA Sec 448

5.8 General Disclosure

A general notice given to the General Manager in writing by a Councillor or a member of a Council Committee to the effect that the Councillor or member, or the Councillor's or member's spouse, de facto partner or relative, is:

- a a member, or in the employment, of a specified company or other body; or
- b a partner, or in the employment, of a specified person;

is, unless and until the notice is withdrawn, sufficient disclosure of the Councillor's or member's interest in a matter relating to the specified company, body or person that may be the subject of consideration by the Council or Council Committee after the date of the notice.

LGA Sec 454

5.9 Disclosure by Advisor

- 1 A person who, at the request or with the consent of Council or a Council Committee, gives advice on any matter at any meeting of the Council or Council Committee must disclose the nature of any pecuniary interest the person has in a matter to the meeting at the time the advice is given.
- 2 The person is not required to disclose the person's interest as an advisor.

LGA Sec 456

5.10 Circumstances Where Disclosure Rules are Not Breached

A person does not breach Clauses 5.3 and 5.9 of this Code if the person did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

LGA Sec 457

5.11 Disclosure to be Recorded in the Minutes

A disclosure made at a meeting of Council or a Council Committee must be recorded in the minutes of the meeting.

LGA Sec 453

PART 6 – MOTIONS**6.1 Lodgement of Notices of Motion**

A Councillor may lodge a Notice of Motion for inclusion on the agenda/business paper for a forthcoming ordinary or extraordinary meeting of the Council:

- a A Notice of Motion for an ordinary Council meeting must be submitted in writing and be received by the General Manager no later than 5.00 pm thirteen (13) calendar days prior to the scheduled Ordinary Council meeting date.
- b A Notice of Motion for an Extraordinary Council meeting must be submitted in writing and be received by the General Manager no later than 5.00 pm five (5) calendar days prior to the proposed meeting day. In the event that the business is of an urgent nature, as determined by the Lord Mayor or General Manager, no notice is required.
- c The Notice of Motion must be signed by at least one (1) Councillor. A Councillor submitting a Notice of Motion may include in the Notice of Motion the names of other Councillors who have indicated support for the Notice of Motion. This will serve to indicate that an item has broader approval and support to allow debate to occur. It does not bind any Councillor to voting in favour of the motion.
- d If requested by the Councillor who has lodged a Notice of Motion, the General Manager may provide factual information on the Notice of Motion to assist in discussion of the motion.

Council Protocol

DLG Circular 10-10

6.2 Notice of Motion – Absence of Mover

In the absence of a Councillor who has placed a Notice of Motion on the agenda for a meeting of Council:

- a any other Councillor may move the motion at the meeting; or
- b the Chairperson may defer the motion until the next Council meeting at which such motion can be considered.

Reg 245

6.3 Formulation of Motions

- 1 A motion is a proposal put forward by a Councillor or member of a Committee calling for a specific action to be taken or a decision to be made on a particular matter before the meeting.
- 2 A motion should be simple, easy to understand and very specific in its intention.
- 3 Motions should be well structured and if it involves a number of different aspects, there should be different parts to the motion.
- 4 If a motion is complex in its wording and intent, the motion is to be submitted in writing and made available to other Councillors, the General Manager and Minute taker.
- 5 In submitting a Notice of Motion, Councillors must balance their civic responsibility for representing the interests of their community with their obligation to use Council's resources effectively and efficiently.

DMB Pg 13 and Council Protocol

DLG Prac Note 16/2009 – Pg 33

6.4 Motions to be Seconded

A motion or an amendment cannot be debated unless or until it has been seconded. This Clause is subject to Clauses 4.8 (2) and 7.4 (2) of this Code where seconding is not required:

- a in the case of a Lord Mayoral Minute, put to the meeting without notice, where the adoption of the minute is moved by the Lord Mayor (as Chairperson) under Clause 4.8 of this Code; nor
- b in the case of a 'Closure Motion' moved under Clause 7.4 of this Code.

Reg 246 and DMB Pg 14

6.5 Speaking to Motions

- 1 A Councillor, who during a debate at a meeting of Council moves an original motion, has the right of general reply to all observations that are made by another Councillor during the debate in relation to the motion and to any amendment to it, as well as the right to speak on any such amendment. Remarks in reply must be limited to discussion of issues raised in debate and no new material may be introduced.

Council Resolution – Min 373 of 27/10/03

- 2 A Councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.

Reg 250 (1)-(2)

- 3 A Councillor who moves an original motion may exercise his or her right to speak to the motion at any point in the debate, prior to the right of reply.

Council Resolution – Min 7 of 25/2/02

- 4 A Councillor must not, without the consent of Council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time. However, the Chairperson may permit a Councillor who claims to have been misrepresented or misunderstood to speak more than once on that specific motion or amendment to enable the Councillor to make a statement limited to explaining the misrepresentation or misunderstanding.

Reg 250 (3)

Such statements or explanations will be limited to no longer than three (3) minutes unless Council's consent is given for a specified extension of time.

Council Resolution – Min 8 of 28/1/14

The Chair may accept a motion that an additional time of up to five (5) minutes be given to the speaker to continue debate, with the number of minutes specified by the Councillor moving the motion. The Chair may accept a further Motion for an additional extension of time, limited to one (1) minute only, to permit the Councillor to conclude their debate on an item.

Council Protocol

6.6 Varying a Motion

- 1 A Councillor may seek to vary a motion by:
 - a obtaining the consent of the mover and seconder of the motion; or
 - b proposing an amendment to the motion.
- 2 If a Councillor proposes a variation to a motion, the Chairperson shall seek the consent of the mover and seconder of the motion to have the variation included in the motion. If there is no objection, the proposed variation is adopted into the motion and the minutes will include the name of the Councillor proposing the variation.
- 3 If there is an objection, the proposed variation must be dealt with as an amendment and seconded and voted on accordingly.
- 4 If the variation is proposed by the seconder to the original motion, but not accepted by the mover of the motion, then a new seconder should be sought for the original motion. This is consistent with the common law rule that a seconder to a motion cannot move an amendment but enables a seconder to move a variation.

Council Protocol

6.7 Amendments to Motions

- 1 An amendment may propose that some words be omitted from the motion or added to the motion but it should not contradict the motion.
- 2 Amendments that create a direct negative are not permissible. The proper means of opposing a motion is to vote against it.
- 3 Amendments cannot be moved until the original motion has been seconded.
- 4 Amendments must be moved and seconded.
- 5 The amendment must be moved before debate on the motion has been concluded and the right of reply of the mover of the motion has been exercised.
- 6 It is not in order to propose an amendment which is, in effect, the same as one already rejected or which reserves the intention of one already adopted.

- 7 Not more than one (1) motion and one (1) amendment can be before Council at any one time.
- 8 Once an amendment has been moved and seconded, it cannot be withdrawn without the consent of the meeting.

DMB Pgs 14-15

6.8 Subsequent Amendments to Motions

If an amendment has been rejected, a further amendment can be moved to the motion to which the rejected amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before Council at any one time.

Reg 247

6.9 Foreshadowed Motions and Foreshadowed Amendments

- 1 a Foreshadowed Amendments – once an amendment has been moved and seconded and during debate a Councillor or Committee member may 'foreshadow' an amendment, without a seconder, proposed to be moved following consideration of the first amendment.

There is no limit to the number of foreshadowed amendments before Council at any time. However, no discussion on foreshadowed amendments can take place until the previous amendment has been dealt with.

- b Foreshadowed Motions – a foreshadowed motion can be proposed by a Councillor or Committee member, without a seconder, during debate on the original motion. The foreshadowed motion will only be considered if the original motion is lost or withdrawn and once moved and seconded. If the original motion is carried, the foreshadowed motion lapses.
- 2 Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they were notified however foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.
- 3 Foreshadowed motions and foreshadowed amendments are required to be moved and seconded before debate can commence.

DMB Pg 15 and Council Protocol

6.10 Splitting Motions for Debate

Where Council is considering a report of a complex nature or contains multiple recommendations a Councillor may move a Procedural Motion that the motions before the meeting be split and determined either in groups or individually. In this instance Council will record the names of the Councillors supporting and those opposing each of the split motions however only one Minute number for the report will be included in the Council Minutes.

Council Protocol

PART 7 – PROCEDURAL MOTIONS

7.1 General Procedure

- 1 A procedural motion is a motion that refers to the conduct of a meeting.
- 2 Procedural motions are not subject to the Notice of Motion requirements referred to in Clause 6.1.
- 3 A procedural motion requires a seconder unless stated otherwise in this Code.
- 4 There is no debate on a procedural motion unless stated otherwise in this Code.
- 5 A procedural motion has precedence over substantive motions and must be put to the meeting for a decision in accordance with this Clause.

Council Protocol

7.2 Point of Order

- 1 A Councillor may draw the attention of the Chairperson to some irregularity in the meeting proceedings.
- 2 The Councillor does this by raising a 'point of order'.
- 3 A point of order does not require a seconder and must be raised immediately and the speaker at the time may be interrupted.

- 4 The Chairperson must suspend business before the meeting to allow the Councillor raising the point of order to state the meeting procedure/s he/she believes have been infringed.
- 5 The Chairperson will subsequently either uphold the point of order or overrule it and the business before the meeting can then continue.

DMB Pgs 16 & 53 and Council Protocol

7.3 Motions of Dissent

- 1 A Councillor can, without notice, move to dissent from the ruling of the Chairperson on a point of order. If that happens, the Chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 2 If a motion of dissent is passed, the Chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been discharged as out of order, the Chairperson must restore the motion or business to the agenda and proceed with it in due course.
- 3 Despite Clause 6.5 of this Code, only the mover of a motion of dissent and the Chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

Reg 248

A Motion of Dissent does not require a seconder.

Council Protocol

7.4 Limitation as to Number of Speeches

- 1 Despite Clause 6.5 (1) and (2) of this Code, a Councillor may move that a motion or an amendment be 'now put':
 - a if the mover of the motion or amendment has spoken in favour of it and no Councillor expresses an intention to speak against it; or
 - b if at least two (2) Councillors have spoken in favour of the motion or amendment and at least two (2) Councillors have spoken against it.
- 2 The Chairperson must immediately put to the vote, without debate, a motion moved under subclause (1). A seconder is not required for such a motion.
- 3 If a motion that the original motion or an amendment be now put is passed, the Chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised his or her right of reply under Clause 6.5 (1) of this Code.
- 4 If a motion that the original motion or amendment be now put is rejected, the Chairperson must allow the debate on the original motion or the amendment to be resumed.

Reg 250 (4) – (7)

PART 8 – ORDER AT MEETINGS

8.1 Need for Order

- 1 The Chairperson, whose authority is derived from the meeting itself, is ordinarily responsible for preserving order at the meeting. In doing so the Chairperson must be impartial and consistent.
- 2 The rationale for the need for order to be preserved is to give all persons entitled a reasonable opportunity of participating in the discussion and voting on matters before the meeting.
- 3 It is the role of the Chairperson to ensure that the proceedings are conducted in a proper manner and that the 'sense of the meeting' is properly ascertained with regard to any question which is properly before the meeting.

DMB Pgs 36-37

- 4 Councillors, Council staff and other persons attending the meeting are required to observe the Code of Meeting Practice and Code of Conduct at all times.
- 5 Members of the public gallery are:
 - a not permitted to interrupt meeting procedures or to engage in any disorderly conduct;
 - b not permitted to address or approach Councillors during the meeting, unless addressing Council via the Public Access Forum;

- c not permitted to bring any items which are deemed to potentially cause discomfort or a safety risk to Councillors, Council staff or other members of the gallery;
- d required to switch all mobile phones to 'off' or 'silent' during the course of the meeting;
- e not permitted to take any food or drink into the Council Chambers.

Council Protocol

8.2 Questions of Order

- 1 The Chairperson, without the intervention of any other Councillor, may call any Councillor to order whenever, in the opinion of the Chairperson, it is necessary to do so.
- 2 A Councillor, who claims that another Councillor has committed an act of disorder, or is out of order, may call the attention of the Chairperson to the matter.
- 3 The Chairperson must rule on a question of order immediately after it is raised but before doing so may invite the opinion of the Council.
- 4 The Chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

Reg 255

8.3 Acts of Disorder

- 1 A Councillor commits an act of disorder if the Councillor, at a meeting of the Council or a Committee of the Council:
 - a contravenes the Act or any regulation in force under the Act; or
 - b assaults or threatens to assault another Councillor or person present at the meeting; or
 - c moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the Council or Committee, or addresses or attempts to address the Council or Committee on such a motion, amendment or matter; or
 - d insults or makes personal reflections on or imputes improper motives to any other Councillor; or
 - e says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the Council or Committee into contempt.
- 2 The Chairperson may require a Councillor:
 - a to apologise without reservation for an act of disorder referred to in subclause (1) (a) or (b); or
 - b to withdraw a motion or an amendment referred to in subclause (1) (c) and, where appropriate, to apologise without reservation; or
 - c to retract and apologise without reservation for an act of disorder referred to in subclauses (1) (d) or (e).
- 3 A Councillor may, as provided by section 10 (2) (a) or (b) of the Local Government Act, be expelled from a meeting of a Council by the Chairperson for having failed to comply with a requirement under subclause (2). The expulsion of a Councillor from the meeting for that reason does not prevent any other action from being taken against the Councillor for the act of disorder concerned.

Reg 256

- 4 The Chairperson may conclude that a Councillor commits an 'act of disorder' pursuant to this Clause if, for example, the Councillor:
 - a insults or makes personal reflections on or imputes improper motives to any member of staff or a member of the public; or
 - b repeatedly ignores a request by the Chairperson to resume his or her seat; or
 - c brings up matters which are irrelevant or extraneous to the matter being discussed or are of a superfluous nature; or
 - d engages in tedious repetition; or
 - e converses aloud, repeatedly interjects or makes any noise or other disturbance whilst any other Councillor is speaking, or
 - f shows deliberate disrespect towards the Chair; or

- g refuses or fails, in any case, to withdraw and apologise, without reservation, for an 'act of disorder' when required to do so by the Chairperson.

DMB Pgs 38-39

8.4 Disorder at Meetings – Adjournment/Expulsion

- 1 If disorder occurs at a meeting of the Council, the Chairperson may adjourn the meeting for a period of not more than 15 minutes and leave the Chair. The Council, on reassembling, must on a question put from the chair, decide without debate whether the business is to be proceeded with or not. This Clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of Councillors.
- 2 A member of the public may, as provided by section 10 (2) (a) or (b) of the Local Government Act, be expelled from a meeting of a Council for engaging in or having engaged in disorderly conduct at the meeting.

Reg 257

8.5 Effect of Expulsion

A person (whether a Councillor or another person) is not entitled to be present at a meeting of the Council or a Committee of the Council if expelled from the meeting:

- a by resolution of the meeting; or
- b by the person presiding at the meeting, if the Council has, by resolution, authorised the person presiding to exercise the power of expulsion.

*LGA Sec 10 (2)
DMB Pg 40*

8.6 Warning to Councillors

If the Chairperson is of the view that the ongoing behaviour of a Councillor is disruptive to the good order of the meeting, the Chairperson:

- a shall warn the Councillor that he/she could face a motion to authorise removal from the meeting if he/she continues to breach the Code of Meeting Practice; and
- b if a further breach occurs, seek the views of the meeting as to the removal of the Councillor.

Council Protocol

The Regulations do not specifically refer to the need for a 'warning', although it is clear that the power of expulsion may only be exercised after the Councillor in question has been given an opportunity of apologising without reservation and has failed to do so. In that sense, a 'warning' is still required.

DMB Pg 40

8.7 Power to Remove Persons from Council Meeting

If a Councillor or member of the public fails to leave the place where a meeting of a Council is being held:

- a immediately after the Council has passed a resolution expelling the Councillor or member of the public from the meeting; or
- b where the Council has authorised a person presiding at the meeting to exercise the power of expulsion - immediately after being directed by the person presiding to leave the meeting;

a police officer or any person authorised for the purpose by the Council or person presiding, may by using such force as is necessary remove the Councillor or member from that place and, if necessary, restrain the Councillor or member from re-entering that place.

Reg 258

8.8 Defamatory Statements

The NSW Ombudsman publication Better Service and Communication for Councils provides information about defamation. It states:

"A statement may be defamatory of a person if it is likely to cause an ordinary reasonable member of the community to think less of a person or to shun or avoid the person."

Councillors acting within their official capacity at meetings of Council or Council Committees may have a defence of 'qualified privilege' to actions in defamation. This recognises that you may need to speak freely and publicly in carrying out your duties.

However qualified privilege needs to be treated with great caution. It only covers statements made at a Council or Committee meeting when you are carrying out your duties and on business relevant to the Council. Statements also need to be made with good intentions, not malice.

Council Protocol

A statement made outside a Council or Committee meeting will not be protected by qualified privilege, but may be protected under the Defamation Act 2005.

Councillors need to be guided by their own legal advice on defamation issues.

DLG Prac Note 16/2009 – Pgs 19/20

PART 9 – ADJOURNMENT OF MEETINGS

9.1 Motion to Adjourn Meeting

- 1 An adjournment of a meeting means a postponement of a meeting. No meeting can be postponed without first being held. Thus in order to postpone a meeting, the meeting must first be held and then adjourned.
- 2 A Councillor may move a procedural motion 'that the meeting be adjourned'.
- 3 This has the effect of stopping further debate for the time being.
- 4 The motion and any subsequent amendment must be seconded before being put to the vote.
- 5 Discussion can take place in order.
- 6 The mover of the motion must wait until the speaker/s has finished before speaking to the motion.
- 7 No further debate on the motion is permitted.

DMB Pgs 21 & 52

9.2 Amendment to Adjourn Meeting Motion

Amendments to the motion are permitted, but only to the extent that they relate to the time, place and date of the adjourned meeting.

DMB Pg 52

9.3 Reconvening an Adjourned Meeting

- 1 The notice of meeting provisions do not apply to a reconvened meeting. However as a matter of practicality it is desirable to give notice of the date, time and place of the adjourned meeting.
- 2 Once a date and time have been fixed and notice of the adjourned meeting has been given, there is no power to refix the date and time of the adjourned meeting.
- 3 An adjourned meeting is not a new meeting but, when it is resumed, simply a continuation of the original meeting.
- 4 Only business already on the Agenda for the adjourned meeting can be dealt with at a reconvened meeting except for business of great urgency raised in accordance with Clause 4.7 (1) of this Code.

DMB Pgs 21-22

DLG Prac Note 16/2009 – Pg 31

PART 10 – CLOSED MEETINGS

10.1 Motion to Close Part of a Meeting

A Council, or a Committee of Council of which all the members are Councillors, may close to the public so much of the meeting as comprises:

- a the discussion of any of the matters listed in Clause 10.2 of this Code; or
- b the receipt or discussion of any of the information so listed.

LGA Sec 10A (1)

10.2 Grounds to Close a Meeting or Part of a Meeting

- 1 The matters and information referred to in Clause 10.1 of this Code are the following:
 - a personal matters concerning particular individuals (other than Councillors);
 - b the personal hardship of any resident or ratepayer;
 - c information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business;
 - d commercial information of a confidential nature that would, if disclosed:
 - prejudice the commercial position of the person who supplied it; or
 - confer a commercial advantage on a competitor of the Council; or
 - reveal a trade secret;
 - e information that would, if disclosed, prejudice the maintenance of law;
 - f matters affecting the security of the Council, Councillors, Council staff or Council property;
 - g advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege;
 - h information concerning the nature and location of a place or an item of Aboriginal significance on community land; and
 - i alleged contraventions of any Code of Conduct requirements applicable under section 440.
- 2 Council, or a Committee of the Council of which all the members are Councillors, may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.
LGA Sec 10A (2)-(3)

10.3 Limitations to Closing Meetings

A meeting is not to remain closed during the discussion of anything referred to in Clause 10.2 (1):

- a except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security; and
- b if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the Council or Committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

LGA Sec 10B (1)

10.4 Discussion of Legal Matters

A meeting is not to be closed during the receipt and consideration of information or advice referred to in Clause 10.2 (1) (g) of this Code unless the advice concerns legal matters that:

- a are substantial issues relating to a matter in which the Council or Committee is involved; and
- b are clearly identified in the advice; and
- c are fully discussed in that advice.

LGA Sec 10B (2)

10.5 Motion to Close Other Parts of a Meeting

If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in Clause 10.2 (2) of this Code), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting (other than consideration of whether the matter concerned is a matter referred to in Clause 10.2 (1) of this Code).

LGA Sec 10 B (3)

10.6 Matters of Public Interest

For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:

- a a person may misinterpret or misunderstand the discussion; or
- b the discussion of the matter may:

- cause embarrassment to the Council or Committee concerned, or to Councillors or to employees of the Council; or
- cause a loss of confidence in the Council or Committee.

LGA Sec 10B (4)

10.7 Departmental Guidelines

In deciding whether part of a meeting is to be closed to the public, the Council or Committee concerned must have regard to any relevant guidelines issued by the Director General.

LGA Sec 10B (5)

10.8 Notice of Closure Not Required in Urgent Cases

Part of a meeting of Council or of a Committee of the Council of which all the members are Councillors may be closed to the public while the Council or Committee considers a matter that has not been identified in the agenda for the meeting as a matter that is likely to be considered when the meeting is closed, but only if:

- it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in Clause 10.2 (1) of this Code; and
- the Council or Committee, after considering any representations made under Clause 10.9 of this Code, resolves that further discussion of the matter:
 - should not be deferred (because of the urgency of the matter); and
 - should take place in a part of the meeting that is closed to the public.

LGA Sec 10C

10.9 Representations by Members of the Public Before a Meeting is Closed

- A Council, or a Committee of a Council of which all members are Councillors, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

LGA Sec 10A (4)
- A representation at a Council meeting by a member of the public as to whether a part of a meeting should be closed to the public can only be made for a fixed period immediately after the motion to close the part of the meeting is moved and seconded.
- That period is as fixed in Clause 10.9 (4) of this Code. Different periods can be fixed according to the different types of matters to be discussed or received and discussed at closed parts of meetings.

Reg 252
- A maximum period of ten minutes has been allocated by Council, or a Committee of Council, to allow for the verbal receipt of representations as to whether a part of a meeting should be closed to the public, immediately after the motion to close the part of the meeting is moved and seconded. Individual verbal presentations can only be made for a maximum of five (5) minutes.

Council Resolution – Min 94 of 14/4/98

10.10 Minutes to Specify Grounds for Closing Meetings

- The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting.
- The grounds must specify the following:
 - the relevant provision of Clause 10.2 (1) of this Code;
 - the matter that is to be discussed during the closed part of the meeting;
 - the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

LGA Sec 10D

A Motion could look like:

“Moved Councillor X, seconded Councillor Y, that the meeting is closed during the discussion of the matter ‘Item 1: Annual Tenders for Goods and Services’ in accordance with 10.2 (1) (c) of this Code on the basis that:

- the discussion of the matter in an open meeting could prejudice the commercial position of tenderers; and
- on balance, the public interest in preserving the confidentiality of commercial information supplied by tenderers outweighs the public interest in openness and transparency in Council decision-making by discussing the matter in an open meeting.”

DLG Prac Note 16/2009 – Pg 45

10.11 Public Attendance at Closed Council Meeting

- 1 Council is able to invite members of the public to address Closed Council meetings on specific matters where it is necessary for the provision of advice. Invited members would be required to leave the meeting prior to voting being undertaken on the matter.
- 2 In undertaking such action Council needs to be mindful that invitations may affect its appearance of impartiality and improper conduct in a matter.
- 3 All persons invited to a Closed Council meeting in accordance with this Clause are subject to the non-disclosure provisions of section 664 of the LGA.

DLG Prac Note 16/2009 - Pg 47

10.12 Conclusion of Closed Meeting

At the conclusion of business in Closed Council, Council must resolve that the meeting be open to the public.

DLG Prac Note 16/2009 - Pg 47

10.13 Resolutions to be Made Public

If a Council passes a resolution during a meeting, or part of a meeting, that is closed to the public, the Chairperson must make the resolution public as soon as practicable after the meeting or part of the meeting has ended.

Reg 253

10.14 Adoption of Closed Council Resolutions in Open Council

Council is not required to re-make the resolutions made in Closed Council when reverting back to Open Council.

The only matters a Council would adopt are the recommendations made by the Committee of the Whole or recommendations of another Council Committee.

DLG Prac Note 16/2009 - Pg 46

PART 11 – VOTING

11.1 Voting Entitlements of Chairperson and Councillors

- 1 Each Councillor is entitled to one vote.
- 2 However, the person presiding at a meeting of the Council has, in the event of an equality of votes, a second or casting vote.

LGA Sec 370

11.2 Method of Voting at Council Meetings

Voting at a Council meeting, including voting in an election at such a meeting, is to be by open means (such as on the voices, by show of hands or such other electronic means as determined by Council). However, the Council may resolve that the voting in any election by Councillors for Deputy Mayor is to be by secret ballot.

Reg 251 (5)

11.3 Failure to Vote on a Motion

A Councillor who is present at a meeting of a Council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.

Reg 251 (1)

11.4 Record of Voting

- 1 For all motions on the agenda and business paper Council will record the names of those Councillors who supported the motion and those who opposed (or are taken to have opposed) the motion with the exception of Procedural Motions.

- 2 This Clause extends to a meeting or part of a meeting that is closed to the public.
- 3 Council will record all voting in a voting register available on its website at www.wollongong.nsw.gov.au.
Council Protocol and LGA Sec 375A

PART 12 – DECISIONS OF COUNCIL

12.1 What Constitutes a Decision of Council

A decision supported by a majority of the votes at a meeting of the Council at which a quorum is present is a decision of the Council.

LGA Sec 371

12.2 Invalidation of Council and Committee Decisions

Proceedings at a meeting of a Council or a Council Committee are not invalidated because of:

- a a vacancy in a civic office; or
- b a failure to give notice of the meeting to any Councillor or Committee member; or
- c any defect in the election or appointment of a Councillor or Committee member; or
- d a failure of a Councillor or Committee member to disclose a pecuniary interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a Council meeting in accordance with section 451 of the Local Government Act or
- e a failure to comply with the Code of Meeting Practice.

LGA Sec 374

12.3 Rescinding or Altering Council Resolutions

The intention here is that the later resolution replaces the earlier one.

DLG Prac Note 16/2009 – Pg 38

- 1 A resolution passed by a Council may not be altered or rescinded except by a motion to that effect of which notice has been duly given in accordance with regulations made under section 360 of the Local Government Act and Council's Code of Meeting Practice.

Note – The effect of this is that items are not able to be 'recommitted'.

- 2 If Notice of Motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.

Note – Council is not able to 'recommit' an item at the same Council meeting at which the resolution was carried.

The only means of doing this is to lodge a Rescission Motion, signed by three Councillors and for Council to resolve to deal with the Rescission Motion at that meeting.

- 3 If a motion has been negated (*lost*) by a Council, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with Council's Code of Meeting Practice.
- 4 A Notice of Motion to alter or rescind a resolution and a Notice of Motion which has the same effect as a motion which has been negated by the Council, must be signed by three (3) Councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was negated, as the case may be.
- 5 If a motion to alter or rescind a resolution has been negated or if a motion which has the same effect as a previously negated motion is negated, no similar motion may be brought forward within three (3) months. This Clause may not be evaded by substituting a motion differently worded but in principle the same.
- 6 A motion to which this section applies may be moved on the report of a Committee of the Council and any such report must be recorded in the minutes of the meeting of the Council.
- 7 The provisions of this section concerning negated motions do not apply to motions of adjournment.

LGA Sec 372

12.4 Rescinding or Altering Part of a Council Resolution

While not specifically covered in section 372 of the LGA, it would appear that a Council could rescind part of a resolution (without rescinding the whole resolution). This view would be subject to any determination of a Court.

DLG Prac Note 16/2009 - Pg 41

12.5 Dealing with Rescission Motions

Resolutions may be rescinded or altered in accordance with the following guidelines:

- 1 A 'Notice of Motion to Rescind' given at the same Council or Committee meeting at which the original resolution proposed to be rescinded was carried shall be –
 - a In writing addressed to the General Manager and be signed by at least three (3) Councillors.
 - b Handed to the General Manager during the course of the meeting.
 - c Any such 'Notice of Motion to Rescind' shall, when handed to the General Manager, be examined by the General Manager who shall assess whether it is in order having regard to this Clause.
 - d Where any such 'Notice of Motion to Rescind' is considered by the General Manager to be in order in terms of this Clause, the Chairperson shall as soon as practicable during the course of the meeting announce that such Notice of Motion has been received. In doing so, the Chairperson shall invite special attention to the resolution proposed to be rescinded and shall seek the leave of Council or the Committee, as the case may be, to have the full contents of the document read to the meeting by the General Manager.
 - e Consideration shall then be given to and a determination made in respect of the question as to whether the 'Notice of Motion to Rescind' is to be dealt with at the current meeting or the next Council meeting.
- 2 A 'Notice of Motion to Rescind' lodged after the meeting at which the original resolution proposed to be rescinded was carried, will in all instances be considered at the next meeting of Council. In such circumstances no further action to carry the original resolution into effect may be taken (unless already implemented) until the Notice of Rescission has been dealt with.

Council Resolution - Min 178 of 28/6/06

PART 13 – COMMITTEES OF COUNCIL

13.1 Committee of Council

A Council may resolve itself into a Committee to consider any matter before the Council.

LGA Sec 373

This refers to a 'Committee of the Whole' which is a Committee of Council comprised of all Councillors.

13.2 Committee of the Whole

- 1 This Policy applies to the conduct of a meeting of Council when in 'Committee of the Whole', except the provision limiting the number and duration of speeches.
- 2 The General Manager or Public Officer is responsible for reporting to the Council any recommendations from the 'Committee of the Whole'.
- 3 Any recommendations of the Committee must be recorded in the Council's minutes. The Council must move a motion to adopt the report of the Committee.

Reg 259

13.3 Council May Establish Committees

- 1 A Council may by resolution establish such Committees as it considers necessary.
- 2 Such a Committee is to consist of the Lord Mayor and such other Councillors as are elected by the Councillors or appointed by the Council.
- 3 In electing Committee members, a Councillor may be nominated or elected in his or her absence.

DLG Prac Note 16/2009 – Pg 53

- 4 The quorum for a meeting of such a Committee is to be –
 - a such number of members as the Council decides; or
 - b if the Council has not decided a number – a majority of the members of the Committee.

Reg 260
- 5 If a Council Committee consists of Councillors only, the relevant meeting provisions of the Local Government Act, the Regulation and this Code of Meeting Practice govern its procedure.

DLG Prac Note 16/2009 – Pg 54

Note – In almost all cases, reference to Council Committees in the LGA specifically state, ‘a Committee of which all the members are Councillors’. These can be ‘Committees of the Whole’ (that is all Councillors including the Lord Mayor only), or a Committee established under Clause 260 of the Reg (that is the Lord Mayor and some Councillors only).

Sections 355(b) and 376(2) of the LGA refer to Committees whose members include people who are not Councillors.

DLG Prac Note 16/2009 – Pg 53

13.4 Functions of Committees

A Council must specify the functions of each of its Committees when the Committee is established, but may from time to time amend those functions.

Reg 261

Committees of Council comprised of Councillors only may have specific functions delegated to them by Council. Council may also be supported by Liaison and Advisory Committees which comprise Councillor and external membership and act in an advisory capacity.

Council Protocol

13.5 Notice of Committee Meetings to be Given

- 1 The General Manager of the Council must send to each Councillor, at least three (3) days before each meeting of the Committee, a notice specifying:
 - a the time and place at which and the date on which the meeting is to be held; and
 - b the business proposed to be transacted at the meeting.
- 2 However, notice of less than three (3) days may be given of a Committee meeting called in an emergency.

Reg 262

13.6 Non-Members Entitled to Attend Committee Meetings

- 1 A Councillor who is not a member of a Committee of a Council is entitled to attend and speak at a meeting of the Committee.
- 2 However, the Councillor is not entitled:
 - a to give notice of business for inclusion in the agenda for the meeting; or
 - b to move or second a motion at the meeting; or
 - c to vote at the meeting.

Reg 263

13.7 Chairperson and Deputy Chairperson of Committees

- 1 The Chairperson of each Committee of the Council must be:
 - a the Lord Mayor; or
 - b if the Lord Mayor does not wish to be the Chairperson of a Committee – a member of the Committee elected by the Council; or
 - c if the Council does not elect such a member – a member of the Committee elected by the Committee.
- 2 Council may elect a member of a Committee of the Council as Deputy Chairperson of the Committee. If the Council does not elect a Deputy Chairperson of such a Committee, the Committee may elect a Deputy Chairperson.

- 3 If neither the Chairperson nor the Deputy Chairperson of a Committee of the Council is able or willing to preside at a meeting of the Committee, the Committee must elect a member of the Committee to be acting Chairperson of the Committee.
- 4 The Chairperson is to preside at a meeting of a Committee of the Council. If the Chairperson is unable or unwilling to preside, the Deputy Chairperson (if any) is to preside at the meeting, but if neither the Chairperson nor the Deputy Chairperson is able or willing to preside the acting Chairperson is to preside at the meeting.

Reg 267

13.8 Voting Procedure in Committees

- 1 Subject to subclause (3), each Committee of the Council may regulate its own procedure.
- 2 Without limiting subclause (1), a Committee of the Council (consisting of Councillors only) may decide that, whenever the voting on a motion put to a meeting of the Committee is equal, the Chairperson of the Committee is to have a casting vote as well as an original vote. Without such a decision of the Committee, a casting vote cannot be exercised by the Chairperson.
- 3 Voting at a Committee meeting is to be by Open means (such as on the voices, by show of hands or such other electronic means as determined by Council).
- 4 For all motions and recommendations on a Committee agenda and business paper the names of those Councillors who supported the motion and those who opposed (or are taken to have opposed) the motion will be recorded.

Reg 265

This Clause extends to a Committee meeting or part of a Committee meeting that is closed to the public.
Council Protocol and LGA Sec 375A

13.9 Absence from Committee Meetings

- 1 A member (other than the Lord Mayor) ceases to be a member of a Committee if the member:
 - a has been absent from three (3) consecutive meetings of the Committee without having given reasons acceptable to the Committee for the member's absences; or
 - b has been absent from at least half of the meetings of the Committee held during the immediately preceding year (beginning 1 July and ending 30 June) without having given to the Committee acceptable reasons for the member's absences.
- 2 Subclause (1) does not apply if all of the members of the Council are members of the Committee.

Reg 268

13.10 Reports of Committees

- 1 If in a report of a Committee of the Council distinct recommendations are made, the decision of the Council may be made separately on each recommendation.
- 2 The recommendations of a Committee of the Council are, so far as adopted by the Council, resolutions of the Council.
- 3 If a Committee of a Council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting, that is closed to the public, the Chairperson must:
 - a make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended; and
 - b report the resolution or recommendation to the next meeting of Council.

Reg 269

13.11 Disorder in Committee Meetings

The provisions of this Code relating to the maintenance of order in Council meetings apply to meetings of Committees of the Council in the same way as they apply to meetings of the Council.

Reg 270

13.12 Certain Persons May be Expelled from Committee Meetings

- 1 If a meeting or part of a meeting of a Committee of a Council is closed to the public in accordance with Clause 10.1 of this Code, any person who is not a Councillor may be expelled from the meeting as provided by Clause 2.7 (2) of this Code.

- 2 If any such person, after being notified of a resolution or direction expelling him or her from the meeting, fails to leave the place where the meeting is being held, a police officer or any person authorised for the purpose by the Council, Committee or person presiding, may, by using only such force as is necessary, remove the first mentioned person from that place and, if necessary, restrain that person from re-entering that place.

Reg 271

13.13 Committees to Keep Minutes

- 1 Each Committee of a Council must ensure that full and accurate minutes of the proceedings of its meetings are kept. In particular, a Committee must ensure that the following matters are recorded in the Committee's minutes –
 - a details of each motion moved at a meeting and of any amendments moved to it;
 - b the names of the mover and seconder of the motion or amendment;
 - c whether the motion or amendment is passed or lost;
 - d the names of the Councillors who supported the motion and those who opposed (or are taken to have opposed) the motion.

Reg 266

Council Protocol

- 2 As soon as the minutes of an earlier meeting of a Committee of the Council have been confirmed at a later meeting of the Committee, the person presiding at the later meeting must sign the minutes of the earlier meeting.
- 3 There is nothing to stop a Council from considering and adopting the recommendations of a Committee before the Committee's minutes are confirmed.

Reg 266

DLG Prac Note 16/2009 – Pg 56

PART 14 – MINUTES AND ACCESS TO INFORMATION

14.1 Minutes of Council Meetings

- 1 The Council must ensure that full and accurate minutes are kept of the proceedings of a meeting of the Council.
- 2 The minutes must, when they have been confirmed at a subsequent meeting of the Council (being the next ordinary meeting of the Council), be signed by the person presiding at that subsequent meeting.

LGA Sec 375

14.2 Matters to be Included in the Minutes of Council Meetings

The General Manager must ensure that the following matters are recorded in the Council's minutes:

- a details of each motion moved at a Council meeting and of any amendments moved to it;
- b the names of the mover and the seconder of each motion or amendment;
- c whether the motion or amendment is passed or lost;
- d the circumstances and reasons relating to the absence of a quorum together with the names of the councillors present;
- e the dissenting vote of a councillor, if requested;
- f the names of the councillors who supported the motion and those who opposed (or are taken to have opposed) the motion;
- g the grounds for closing part of a meeting to the public;
- h the report of a Council committee leading to a rescission or alteration motion;

Reg 254 (a)-(c)

Reg 233 (3)

Reg 251 (2)

Council Protocol and Reg 251 (4)

LGA Sec10D

LGA Sec 372 (6)

- i the disclosure to a meeting by a councillor of a pecuniary interest; *LGA Sec 453*
- j a report of the proceedings of the committee of the whole, including any recommendations of the committee; *Reg 259 (3)*
- k sufficient detail to indicate the nature of any resolution made in a closed part of a meeting. *DLG Prac Note 16/2009 – Pg 45*

14.3 Recording of Council and Committee Meetings

- 1 A person may record the proceedings of a meeting of the Council or a Committee of the Council only with the authority of the Council or Committee.
- 2 A person may, as provided by Clause 2.7 (2) of this Code, be expelled from a meeting of a Council or a Committee of a Council by the Chairperson for using or having used a tape recorder in contravention of this Clause.
- 3 If any such person, after being notified of a resolution or direction expelling him or her from the meeting, fails to leave the place where the meeting is being held, a police officer or any person authorised for the purpose by the Council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and if necessary restrain that person from re-entering that place.
- 4 In this Clause, recording includes audio or visual recording. *Reg 273*
- 5 Digital audio recordings of Council and Committee meetings may be made by Council staff for the purpose of:
 - a assisting in the preparation of minutes; and
 - b verifying the accuracy of minutes prior to their confirmation.
- 6 Audio recordings will be stored until the minutes from the meeting to which they relate have been confirmed by Council as required by State Records General Authority 39 (GA39).
- 7 Access to the audio recordings will only be provided for the purpose of:
 - a preparing and verifying the accuracy of the minutes of meetings; and
 - b complying with court orders, warrants, subpoenas or legislation where the recordings are still in existence. *Council Protocol*

14.4 Inspection of the Minutes of a Council or Committee Meeting

- 1 An inspection of the minutes of a Council or Committee of a Council is to be carried out under the supervision of the General Manager or an employee of the Council designated by the General Manager to supervise inspections of those minutes.
- 2 The General Manager must ensure that the minutes of the Council and any minutes of a Committee of the Council are kept secure and in safe custody and that no unauthorised person is allowed to interfere with them. *Reg 272*

Note – The Government Information (Public Access) Act 2009 confers a right (restricted in the case of closed parts of meetings) to inspect the minutes of a meeting of Council or Committee of a Council.

The Minutes of a meeting of Council or a Committee of Council (in which all members are Councillors) will be made available on Council's website at www.wollongong.nsw.gov.au as soon as practicable.

14.5 Disclosure and Misuse of Information

- 1 A person must not disclose any information obtained in connection with the administration or execution of the Local Government Act unless that disclosure is made:
 - a with the consent of the person from whom the information was obtained; or
 - b in connection with the administration or execution of the Local Government Act; or
 - c for the purposes of any legal proceedings arising out of the Local Government Act or of any report of any such proceedings; or

- d in accordance with a requirement imposed under the Ombudsman Act, 1974 or the Government Information (Public Access) Act 2009; or
 - e with other lawful excuse.
- LGA Sec 664*
- 2 In particular, if part of a meeting of a Council or a Committee of a Council is closed to the public in accordance with Part 10 of this Code, a person must not, without the authority of the Council or the Committee, disclose (otherwise than to the Council or a Councillor of the Council) information with respect to the discussion at, or the business of, the meeting except where:
- a the report is a report of a Committee of Council which has been presented to the Council; or
 - b any agenda, resolution or recommendation of a meeting that a person is entitled to inspect in accordance with Government Information (Public Access) Act 2009; or
- LGA Sec 664*
- c disclosure is made in circumstances prescribed by the Regulations. This includes any disclosure made with the intention of enabling the Minister or the Director General to properly exercise the functions conferred or imposed on them by or under the Act.
- Reg 412*
- 3 A person acting in the administration or execution of the Local Government Act must not use, either directly or indirectly, information acquired by the person in that capacity, being information that is not generally known, for the purpose of gaining either directly or indirectly a financial advantage for the person, the person's spouse or de facto partner or a relative of the person.
- 4 A person acting in the administration or execution of the Local Government Act, and being in a position to do so, must not, for the purpose of gaining either directly or indirectly an advantage for the person, the person's spouse or de facto partner or a relative of the person, influence:
- a the determination of an application for an approval; or
 - b the giving of an order.
- LGA Sec 664*

PART 15 – CUSTODY AND USE OF COUNCIL SEAL

- 1 The seal of Council must be kept by the Lord Mayor or the General Manager, as the Council determines.
- 2 The seal of a Council may be affixed to a document only in the presence of:
- a the Lord Mayor and the General Manager; or
 - b at least one (1) Councillor (other than the Lord Mayor) and the General Manager; or
 - c the Lord Mayor and at least one (1) other Councillor; or
 - d at least two (2) Councillors other than the Lord Mayor.
- 3 The affixing of a Council seal to a document has no effect unless the persons who were present when the seal was affixed (being persons referred to in subclause (2)) attest by their signatures that the seal was affixed in their presence.
- 4 The seal of a Council must not be affixed to a document unless:
- a the document relates to the business of Council; and
 - b Council has resolved (by resolution specifically referring to the document) that the seal be so affixed.
- 5 A document which is in the nature of a reference or certificate of service for an employee of the Council is a document which does not relate to the business of Council and is not entitled to have the seal of a Council affixed.

Reg 400

SUMMARY SHEET	
Responsible Division	Governance and Information
Date adopted by Council	[To be inserted by Corporate Governance]
Date of previous adoptions	28 January 2014, 28 May 2012, 26 July 2011, 25 March 2008, 26 June 2006, 9 May 2006, 27 October 2003, 25 February 2002, 17 April 2000, 1 September 1999, 28 September 1998, 14 April 1998, 9 February 1998
Date of next review – Must be reviewed within 12 months of a Council Election	September 2017
Prepared by	General Counsel
Authorised by	Manager Governance and Information

DRAFT

BACKGROUND

This Policy confirms Council's commitment to providing timely and accurate information to the community through positive working relationships with media outlets.

OBJECTIVE

The main objectives of this Policy are:

- 1 To ensure that comment made to the public through the media is consistent, well informed, timely and appropriate.
- 2 To provide a coordinated, professional and consistent approach to media liaison.
- 3 To clearly indicate Council's authorised spokespersons.

POLICY STATEMENT

This Policy aims to provide guidance on Councillor and staff rights and responsibilities in relation to media comment.

This Policy applies to all Council officers, committee members and elected officials. It also acknowledges the rights and responsibilities of Councillors as elected representatives as outlined in the Local Government Act 1993.

This Policy shall not be construed to inhibit the right of any individual Councillors to express their own views to the media at any time.

STATEMENT OF PROCEDURES

- 1 The Lord Mayor and the General Manager are the official spokespersons on Council business.
- 2 The Lord Mayor may delegate Councillors to act as spokespersons for Council.
- 3 Councillors may choose to make comment to the media independently, ie not as a delegated spokesperson. In this instance statements should be identified as Councillor opinion and not the position of Council.
- 4 The General Manager may nominate Council Officers to act as spokespersons.
- 5 Council Officers contacted by the media must refer the contact to the Public Relations Office and not provide comment to the media.
- 6 Council staff and Councillors must not discuss staff, confidential legal advice or matters of commercial in-confidence with the media.
- 7 Breaches of this Policy will be dealt with in accordance with Wollongong City Council's Codes of Conduct.

RELATED DOCUMENTS

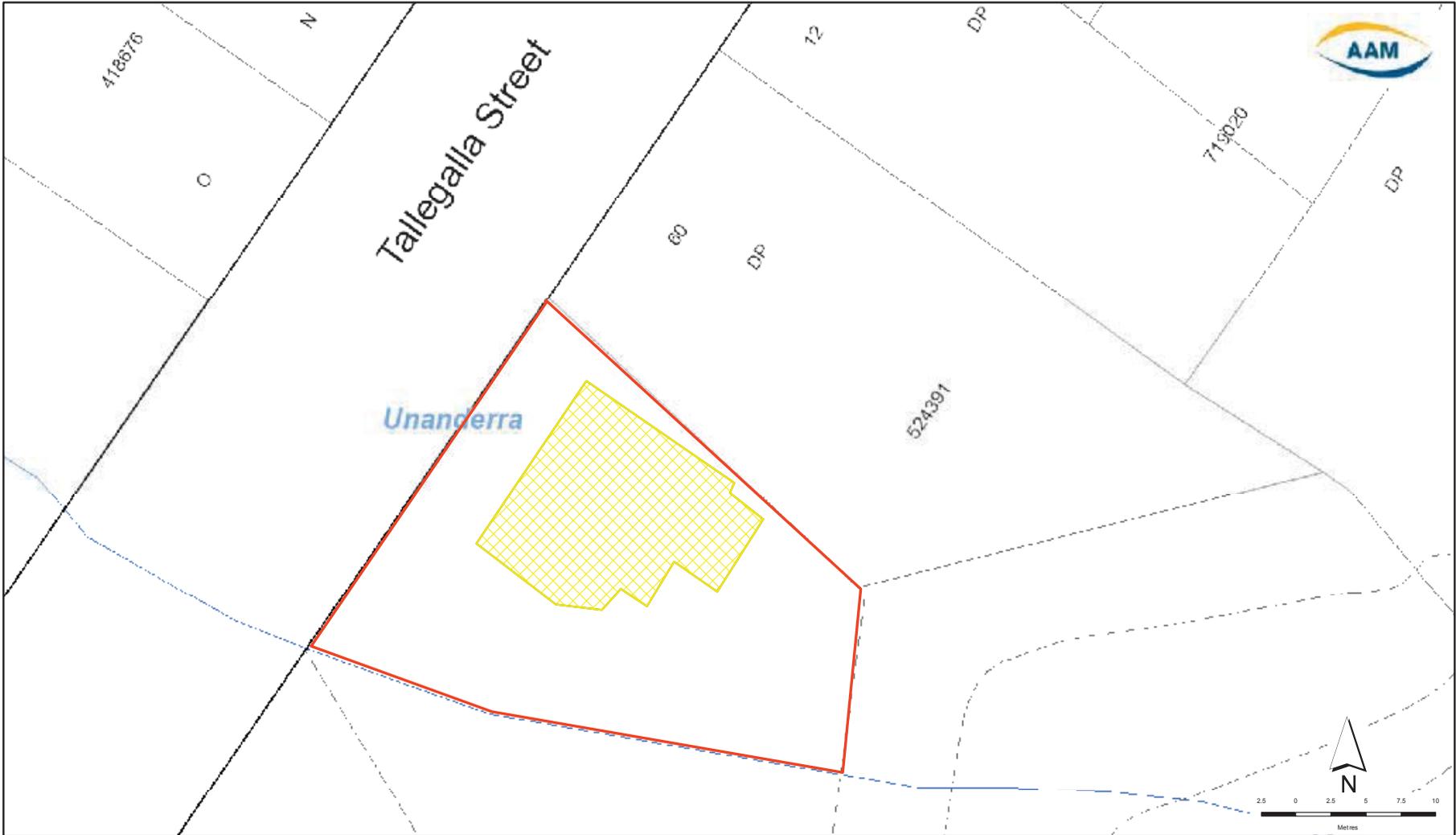
Media Protocol Management Policy

Use of Confidential Information Policy

Council's Codes of Conduct

SUMMARY SHEET	
Responsible Division	Public Relations and Communications
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	Public Relations Manager
Authorised by	Manager Community Cultural and Economic Development

DRAFT





**Thomas Dalton Park Sportsfield Lighting
T15/22**



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COUNCIL RESOLUTION EXTRACT FROM MINUTES 22 JUNE 2015

CALL OF THE AGENDA

- 85** **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Crasnich that the staff recommendations for Items 1, 6, 8, 11, and 14 to 21 inclusive, be adopted as a block.

ITEM 19 - INTEREST PAYABLE - DEFAULT BY LESSEES AND LICENSEES - 2015-2016 FEES AND CHARGES

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 85).

COUNCIL'S RESOLUTION –

- 1 Draft Fees and Charges for 2015 -2016 for Interest Payable – Default by Lessees and Licensees be placed on public exhibition for 28 days.
- 2 A subsequent report be provided to Council which includes comments received during the exhibition period and recommendation regarding the adoption of fees and charges.

ITEM 19

INTEREST PAYABLE - DEFAULT BY LESSEES AND LICENSEES -
2015-2016 FEES AND CHARGES

This report seeks Council's endorsement for the public exhibition of the Draft Fees and Charges for 2015/16 financial year for Interest Payable – Default by Lessees and Licensees fee.

RECOMMENDATION

- 1 Draft Fees and Charges for 2015 -2016 for Interest Payable – Default by Lessees and Licensees be placed on public exhibition for 28 days.
- 2 A subsequent report be provided to Council which includes comments received during the exhibition period and recommendation regarding the adoption of fees and charges.

ATTACHMENTS

There are no attachments for this report.

REPORT AUTHORISATIONS

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

BACKGROUND

Council at its meeting of 27 October 2014 resolved:

- 1 A provision for "Interest Payable – Default by Lessees and Licensees" be included in the draft Fees and Charges for 2015/2016.
- 2 The maximum penalty interest payable under this provision be identical to the penalty rate of interest which Council is empowered under the Local Government Act 1993 to levy on outstanding Council rates and charges.
- 3 Subject to the provision as outlined in Recommendation 1 being adopted by Council in the Fees and Charges for 2015/2016, the Interest Payable – Default by Lessees and Licensees Policy be revoked on 1 July 2015.

This matter was being managed by the former Property Services Manager whose notes indicated in the Council Meeting Task report that "Provision is being made in the draft Fees and Charges for 15/16 as per Recommendation 1". In a clean-up of outstanding tasks the new Property Services Manager found that the provision was not in the draft Fees and Charges. As a result the draft fees and charges for 2015 – 2016 for "Interest Payable – Default by Lessees and Licensees" fee was found to have been omitted from the "Draft Revenue Policy Fees and Charges 2015 – 2016 report" and this report is seeking to amend this administrative error.

PROPOSAL

It is a requirement of the Local Government Act that fees and charges proposed are placed on public exhibition for comment, prior to being formally presented to Council for endorsement and adoption.

It is proposed that the fees and charges outlined in the table below be placed on exhibition for 28 days and at the close of the exhibition period, a further report to Council regarding adoption of the fees and charges be prepared.

All Fees and Charges are set at the maximum and can be adjusted in accordance with Council's discount and waiver policies	Pricing Structure Code	GST Applies (Y/N)	Fees & Charges 2015/2016 (GST Inclusive, if applicable)
The rate of interest is that set by the Council but must not exceed the rate specified for the time being by the Minister by Notice in the Government Gazette	Statutory	Yes	maximum % as per legislation subject to change

CONSULTATION AND COMMUNICATION

Council resolution 27 October 2014.

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 Wollongong 2022 objective 4.4 “Our Local Council has the trust of the Community”, to ensure “Policies and procedures are simplified to ensure transparency and efficiency”. It delivers on core business activities as detailed in the Property Services Service Plan 2014-15.

RISK ASSESSMENT

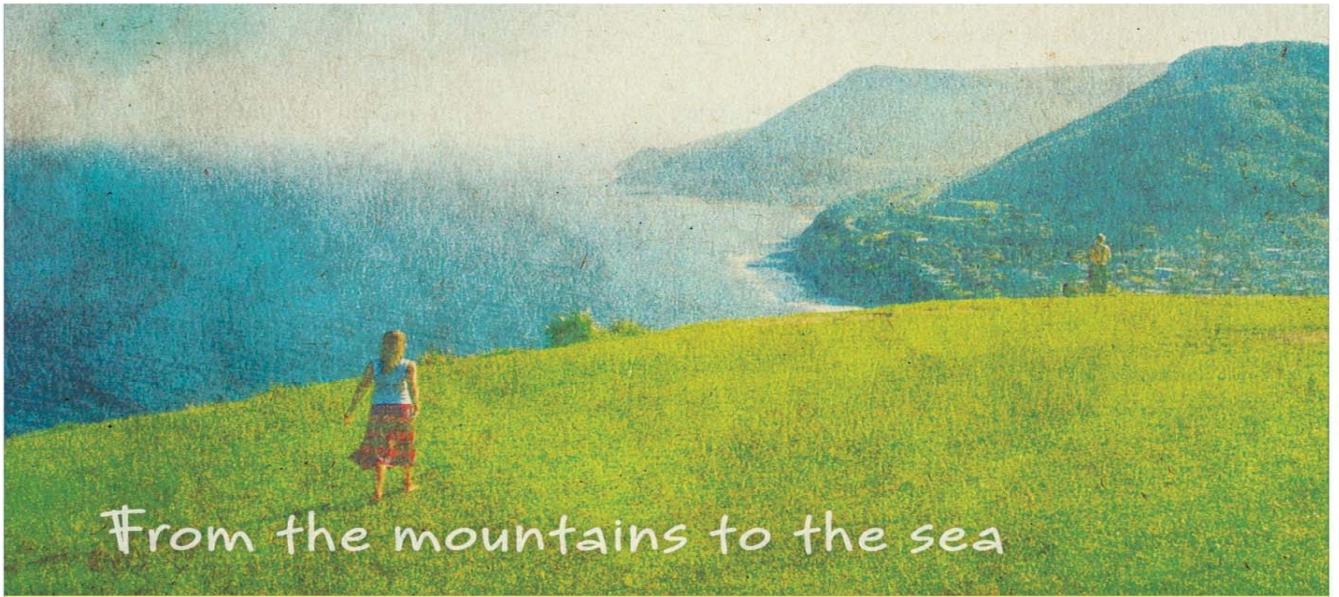
Failure to adopt Fees and Charges for the Interest Payable – Default by Lessees and Licensees would result in a loss of income to Council.

FINANCIAL IMPLICATIONS

The imposition of this fee provides an incentive for lessees and licensees of Council to pay their rent in a timely manner and enable Council to use those funds for other purposes.

CONCLUSION

The draft fees and charges Interest Payable – Default by Lessees and Licensees be placed on public exhibition for a period of 28 days.



WOLLONGONG 2022

DRAFT QUARTERLY REVIEW STATEMENT

June 2015



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WOLLONGONG CITY COUNCIL

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MESSAGE FROM THE GENERAL MANAGER

WOLLONGONG CITY COUNCIL

This draft Quarterly Review Statement reports the period from April to June 2015 and reports on progress towards achieving the five Councillor Strategic Programs from the Delivery Program 2012-17 and the Annual Deliverables from the Annual Plan 2014-15. It also provides preliminary financial results for the quarter and year.

Recognising this is the final Quarterly Review for 2014-15, we have used the opportunity to also reflect on some of our achievements over the year. Highlights and significant progress with key projects from the Annual Plan 2014-15 are reported by the six Community Goals from the Wollongong 2022 Community Strategic Plan.

Highlights from this quarter include:

- 1 Fit for the Future Application submitted.
- 2 Refugee Week 2015 was held from 14 to 20 June.
- 3 Illawarra 200 Calendar was launched.
- 4 The refurbished MacCabe Park Playground was officially reopened.

The organisational performance is also reported by the inclusion on the performance indicators which monitor the status and progress our Council programs, activities, projects, finances, people and process.

This report also includes an overview of how Council is tracking against its budgets and expenditure. It is a concise visual summary of Council's financial situation for the quarter including budget, capital budget and expenditure. The Preliminary End of Year Report 2014-15 is also included in this report.

As part of the "Securing our Future" program we have been targeting reductions in cost and increases in income in order to achieve financial sustainability over a three year period. Progress has been made more quickly than originally planned. As a result we were able to adopt a budget for 2015-16 that was improved by \$1.1 million over the exhibited figures and provided for an additional \$0.5 million in asset maintenance. The final result for the year under review was substantially better than planned, aided by a combination of one off gains as well as repeatable improvements spread across the organisation. This improved financial performance is a credit to the staff of Council, who have responded to the challenge. Consequently, the organisation is positioned well in being able to meet the needs of the community into the future.

I would like to thank all staff and the community for their contributions to the achievements identified in this draft Quarterly Review and Preliminary End of Year Report 2014-15.

David Farmer
General Manager

STRATEGIC PROGRAMS PROGRESS REPORT

WOLLONGONG CITY COUNCIL

Our Councillors have made a commitment to support our organisation and the community in making Wollongong a better place to live, work, visit and play. To focus Council's attention to achieve this, Councillors have agreed to five Strategic Programs. These are outlined in the Delivery Program 2012-17. Progress made in the June 2015 quarter is outlined below:

1 Financial Sustainability

Our Council is committed to improving the standards of community assets over the five-year Council term. This will be achieved by directing 85% of all capital investment into asset renewal, and a strong emphasis of cost effectiveness in service provision.

Project Sponsor: General Manager
Project Manager: Executive Manager Strategy

Strategic Program Progress

- ✓ On Track
- ✗ Moderate risk in achieving the Strategic Program and/or impact on delivery timeframe
- ✗ Significant risk in achieving the Strategic Program

Program Achievements

Council at its meeting 23 June 2014 adopted a revised Budget and Annual Plan that included a special rate variation, efficiency target, minor service adjustments and planned increases in fees and charges. This three year strategy commenced in July and increased income is reflected in the expansion of the capital works program to address asset renewal across the city.

Annual efficiency targets were built into the budget and across Council's service portfolio with the intent that specific improvement opportunities and initiatives would be identified through the year. Specific programs to achieve these savings were confirmed through the September, December and March Quarterly Reviews of \$433K, \$130K and \$269K respectively leaving a remaining target of \$168K for the final quarter. The end of year preliminary result indicates that this target has been achieved and the relevant changes in specific programs will need to be reflected in the 2015-2016 budget.

Program Risks

With the approval of a special rate variation by the Independent Pricing and Regulatory Tribunal (IPART) in June, and the adoption of a multi-faceted strategy, the risk rating for the Financial Sustainability Program has decreased. The focus is now to ensure ongoing business improvements resulting in efficiencies and the delivery of a significant capital works program focusing on renewal.

2 West Dapto Urban Release

Council will work in collaboration with key agencies to provide the infrastructure needed to support growth within the West Dapto Urban Release Area. This will include improving access, infrastructure and local services which are needed to support the additional 17,000 future housing lots within the release area

Project Sponsor: Director Planning and Environment | *Future City and Neighbourhoods*

Project Manager: Manager Project Delivery

Strategic Program Progress



On Track



Moderate risk in achieving the Strategic Program and/or impact on delivery timeframe



Significant risk in achieving the Strategic Program

Program Achievements

Significant progress has been made on the Access Strategy for the West Dapto Urban Release Area, including:

- Shone Avenue Stage 1 Bridge replacement and roadworks – Complete.
- Shone Avenue Stage 2 Bridge replacement and roadworks – Complete.
- Cleveland Road Bridge over Mullet Creek and associated roadworks – Complete.
- Intersection improvements Princes Highway and West Dapto Road Kembla Grange – Complete.
- Road improvements West Dapto Road and Wongawilli Road - Design commenced.
- New road link from Fairwater Drive to Fowlers Road – Design underway.

A comprehensive review of the vision, structure plan and infrastructure plans for West Dapto has commenced and will continue in 2015-2016.

Program Risks

The cost of local infrastructure to support the future community of West Dapto continues to be a significant challenge for Council. Council resolved in June to exhibit the Draft West Dapto Section 94 Development Contributions Plan (2015), following an interim review.

The review highlights a \$210M gap between the ultimate costs of providing local infrastructure in West Dapto and the estimated income from development contributions.

To address this revenue shortfall, Council will be undertaking a more detailed review of the West Dapto local infrastructure plans and making an application to IPART for additional funding sources to deliver the required local infrastructure.

A key project is the design and construction of the new access road between Fowlers Road and Fairwater Drive. Funding of \$22.5M has been allocated by the NSW Government under the Restart NSW Illawarra Infrastructure Fund. A detailed risk assessment for this project identified the following major risks:

- Insufficient funds available for the agreed scope of work.
- Insufficient funds approved to enable commencement of work.
- Large number of site constraints which impact on the cost of the project, the approval process and the duration of the project.
- Delays in delivery of program adversely impact on future development and the servicing of the Release Area.

Council has adopted appropriate risk management strategies to minimise the impact of these program risks and is continuing to move forward with the access strategy.

3 Waste Management

During Council's term we will work to reduce the environmental impact of waste by improving waste management across the city. We will finalise and deploy Council's Waste Strategy, assess the impacts of the carbon tax, and work toward the development of a new landfill cell at Whyte's Gully to increase landfill capacity for the region.

Project Sponsor: Director Infrastructure and Works | *Connectivity Assets + Liveable City*
Project Manager: Manager City Works and Services

Strategic Program Progress

- ✓ On Track
- ✘ Moderate risk in achieving the Strategic Program and/or impact on delivery timeframe
- ✘ Significant risk in achieving the Strategic Program

Program Achievements

The Wollongong Waste and Resource Recovery Strategy 2022 was endorsed by Council on 28 July 2014. The Strategy represents a pathway for Council and the community to work towards sustainable waste management. Actions contained within the Strategy are now being implemented; some highlights of this program are listed below.

Council has been able to use its endorsed Waste and Resource Recovery Strategy to secure contestable grant funding from the EPA to establish a Community Recycling Centre. Sites have been investigated and a location prior to the weighbridge near the Revolve Centre has been identified and a concept design has been completed. Detail design and development approvals are ongoing.

Additionally, in the past year Phases 1 and 2 landfill gas extraction and flaring have become operational at Whytes Gully. The Phases 1 and 2 are primarily aimed at investigating the quality and quantity of legacy waste derived landfill gas presenting on site. The planned Phase 3 utilises the information obtained throughout Phases 1 and 2 to develop an ongoing landfill gas extraction system (through a relevant business proposal process) and includes investigating the viability of power generation and other options. A formal quotation to procure expert support for the Phase 3 process has been completed during the June quarter of 2015.

Other priority waste strategy actions that were commenced during the period include:

- New leachate management system at Whytes Gully
- Environmental rehabilitation of Helensburgh landfill
- Finalisation of the new landfill cell Stage 1 at Whytes Gully

Program Risks

There are a number of risks associated with Helensburgh Waste Landfill Rehabilitation Project and the Whytes Gully New Landfill Cell. The major risks are:

- New landfill cell does not function as designed.
- Excessive delay to obtain operational approval from EPA for Whytes Gully new landfill cell Stage 1B, thereby impacting on Council's continued ability to landfill Wollongong's waste materials.
- Future landfill cells not being constructed in time for Council to continue with the uninterrupted disposal of Wollongong's waste materials at Whytes Gully.
- The landfill liner at Whytes Gully installed incorrectly.
- Capital cost of either or both projects exceeding initial expectations.
- The supply of fill material required for the Helensburgh Rehabilitation project is relatively large, with the potential to cause delays and disruption to the local community if not managed correctly.
- The Helensburgh site has been non-operational for an extended period of time. Returning to the site for rehabilitation construction may adversely affect the local residents relative to the quiet conditions that they have been experiencing since the sites closure as a landfill.

4 City Centre Revitalisation

Council's fourth aspiration in the Delivery Program, is to improve the attractiveness of the Wollongong City Centre to work and visit, reinforcing its role as the region's major hub for investment and jobs growth.

Project Sponsor: Director Corporate and Community Services | *Creative, Engaged and Innovative City*
Project Manager: Manager Project Delivery

Strategic Program Progress

- ✓ On Track
- ✗ Moderate risk in achieving the Strategic Program and/or impact on delivery timeframe
- ✗ Significant risk in achieving the Strategic Program

Program Achievements

Significant activity has been occurring in the city centre via programs such as Thursday Night Eat Street and regular lunch time performances in the Arts Precinct.

The Public Spaces, Public Life Study also continued to gain momentum during 2014-15. Large amounts of data have been collected around the city to determine how the city is performing. The analysis of this data has informed the development of a set of strategies and actions for key areas in the City Centre. These will be shared with the community during the first half of 2015-16.

The two year Facade Rejuvenation Program introduced by Council is nearing completion. Of the 22 projects approved under Round 1 of the Program, 21 have been completed and one did not proceed. Of the 19 projects approved under Round 2, 9 have been completed, 2 are not proceeding, and 7 are very close to completion. These 7 projects which have been impacted by wet weather, construction complications and personal issues will all be fully completed by end of September 2015. This successful Program has resulted in a total investment of \$1.5M - \$900,000 by the private sector and \$600,000 by Council. As well as delivering broad streetscape improvements, positive social outcomes, increased community safety and positive economic outcomes, the Program has also fostered pride in our local heritage and identity. This Program has been entered into the Blue Star Sustainability Awards Cultural Heritage Category, and has been successful in attaining a finalist position. The winner will be announced in September 2015.

Also during the period the 2015 City Centre Retail and Business Awards were launched on 18 February 2015 with the Award presentation night being held on Friday 29 May 2015. The Awards provided the opportunity to acknowledge all the hard work and dedication of all of Wollongong's retailers and businesses.

Further to this a number of Council assets in the City Centre have been rejuvenated. A new playground and toilet facility have been installed in MacCabe Park; traffic lights have been installed and pedestrian access improved in the intersection of Burelli and Auburn streets, and Burelli and Kenny Streets; and bus shelter upgrades have taken place along Burelli Street.

Program Risks

Wet weather continues to be a risk impacting on the delivery program.

5 Connectivity / Walkability

Council's fifth aspiration is to improve the connectivity of the Local Government Area (LGA) through the upgrade of our network of footpaths and cycleways. This focus on our path and cycle network will ensure that necessary works are carried out to achieve an accessible and connected city.

Project Sponsor: Director Infrastructure and Works | *Connectivity Assets + Liveable City*
Project Manager: Manager Infrastructure Strategy and Planning

Strategic Program Progress

- ✓ On Track
- ✗ Moderate risk in achieving the Strategic Program and/or impact on delivery timeframe
- ✗ Significant risk in achieving the Strategic Program

Program Achievements

Development and delivery of strategies supporting this program including implementation of actions identified in the adopted Wollongong Bike Plan (2014), Wollongong CBD Access & Movement Strategy (2013), Grand Pacific Walk Master-plan (2014) and various Town & Village Plans.

Staff have also commenced work on the Wollongong Pedestrian Plan and are working with key stakeholders to plan for future active transport strategies including for Keiraville / Gwynneville, University precinct and West Dapto.

During the June quarter the following capital projects supporting this Strategic Program were delivered –

New footpaths were completed at the following locations:

- O'Briens Road; Jacaranda Avenue to Foy Avenue north side of Figtree
- Murphys Avenue and Paulsgrove Street, Keiraville
- Lakelands Drive; Fowlers Road to Parkside Drive, Dapto
- Dumfries Avenue; McMahon Street to Foothills Road, Mount Ousley
- Meadow Street; crossing to Kendall Street, west side, Tarrawanna
- The Avenue; Cleverdon Crescent to Princes Highway, Figtree
- Sea Foam Avenue; Church Street to Coast Street, Thirroul
- Dumfries Avenue; north side, Strone Avenue to McMahon Street, Mount Ousley
- Huxley Drive; west side, Horsley Drive to Karrarah Park, Horsley
- Guest Park; Fairy Meadow
- Horsley Drive; Huxley Drive to Parkdale Avenue, Horsley
- Paterson Road; outside No. 52, Coalcliff
- Ralph Black Drive; Montague Street to No. 4, North Wollongong
- Completed Footpath - Station Road; Domville Road to end, Otford.

Footpaths were upgraded or reconstructed at the following locations:

- Koonawarra Place; Koonawarra
- Denise Street; Lake Heights
- Market Street to Keira Street; Wollongong
- Balgownie Road; Albert Lane to Foothills Road, Balgownie
- Bangaroo Avenue; laneway adjacent No. 10, Koonawarra
- Culgoa Crescent; laneway adjacent to No. 58 (2.5m width), Koonawarra
- Leeder Park; footpath to rock pool, Coalcliff
- Baker Crescent; Reserve footpath, Figtree
- Kembla Street; Bourke Street to Corrimal Street, east side, Wollongong.

New share paths were constructed at:

- Wollongong Harbour Heritage Walk, Endeavour Drive, Wollongong
- Lakeside Drive; Shared Path, Dapto.

Share paths were upgraded or reconstructed at the following locations:

- Cliff Road Promenade; North Wollongong
- Princes Highway; Old Church site to Gibsons Road, Figtree.

Construction had commenced on a further seven footpaths at the following locations:

- Mt Keira Road; footpath, Yates Avenue to Public School, Mount Keira
- Corrimal Street; Wollongong Shared Path, Wollongong
- Gilmore Street; footpath east side, Reserve Street to Acacia Avenue, Wollongong
- Moore Street; footpath, south side, Fairy Street to Eastern Street, Keiraville
- Point Street; footpath, north side, Blackall Street to Somerville Street, Bulli
- Railway Road; footpath east side, King Street to Redman Avenue, Thirroul
- Redman Avenue; footpath, east side, Railway Road to Henley Road, Thirroul.

Construction had commenced on a further four footpath upgrades at the following locations:

- Market Street; Keira Lane to Young Street, Wollongong
- Burelli Street; Atchison to Keira Streets, Wollongong
- Princes Highway; Guest Avenue to Anama Street west side, Fairy Meadow
- Burelli and Auburn Street intersection, Wollongong.

Construction had commenced on a further four share path upgrades at the following locations:

- Wollongong Harbour Heritage Walk, Endeavour Drive, Wollongong
- Cordeaux Road; Mount Kembla
- Porter Street; Crawford Avenue, International House, North Wollongong
- Grand Pacific Walk; Lawrence Hargrave Drive to Coalcliff Railway Station, Coalcliff

Designs have commenced for the following footpath and share path projects:

- Dimond Bros Park; cycleway, Dapto
- Slade Park; Slope Stability, Austinmer
- Lower Tramway; Sea Wall and share path, Wollongong.

Program Risks

There are a number of sites on the network expansion program with significant geographical, technical, agency approval and community concerns that may impact on the design phase and hence construction time frames. To minimise the impact from this risk, designs for projects further down the delivery program are also being progressed such that construction programs can be re-phased to ensure continued delivery of the improvement program.

ANNUAL PLAN 2014-15

PROGRESS SUMMARY

WOLLONGONG CITY COUNCIL

The following section provides an overview of Council's progress with delivering Wollongong 2022. It provides a summary of progress for 2014-15 annual deliverables [Council's programs, projects and activities] and highlights significant progress with annual projects as outlined in the Wollongong 2022 community goals. This exception based reporting provides an overview of achievements for the June 2015 quarter. The organisations performance is also reported by the key performance indicators, budget summary information and Preliminary End of Year Report 2014-15.

The Annual Plan 2014-15 contains 333 annual deliverables across the 6 community goals. Table 1 below outlines how Council is tracking in the June quarter to achieve the annual deliverables for each community goal.

Table 1: Annual Deliverable Progress by Community Goal

Goal	On track	Not Scheduled to Commence	Delayed	Deferred	Ongoing / Complete
1 We value and protect our natural environment	28%	0%	5%	0%	67%
2 We have an innovative and sustainable economy	27%	2%	4%	2%	66%
3 Wollongong is a creative, vibrant city	19%	0%	5%	0%	76%
4 We are a connected and engaged community	42%	0%	1%	0%	57%
5 We are a healthy community in a liveable city	28%	1%	3%	5%	63%
6 We have sustainable, affordable and accessible transport	67%	0%	21%	0%	13%
Total Annual Deliverable Progress	33%	1%	5%	2%	61%

*Note: Each Goal does not have equal number of Annual Deliverables; therefore the Annual Deliverable progress totals do not necessarily add together.

ANNUAL PLAN 2014-15 PROGRESS SUMMARY

Overall 5% of annual deliverables were reported to be delayed, while 2% were deferred. Table 2 below outlines all annual deliverables that were reported as delayed or deferred at the end of June 2015.

Table 2: Delayed or Deferred Annual Deliverables

Community Goal	Annual Deliverable	Delayed	Deferred	Comment
1 We value and protect our natural environment	Continue to pursue biodiversity certification of the West Dapto Urban Release Area including offsetting provisions	Y		<p>Preliminary calculations to determine the area and credits required for Biocertification, and cost estimates for the proposed levy to support implementation of Biocertification have been completed. Preliminary discussions have been entered into with landowners who have expressed an interest in Biocertification. A number of meetings have been held with NSW Planning and Environment to progress the proposed levy to support implementation of Biocertification.</p> <p>The project cannot proceed until a response is received from NSW Planning and Environment regarding a proposed levy.</p>

Table 2: Delayed or Deferred Annual Deliverables

Community Goal	Annual Deliverable	Delayed	Deferred	Comment
	Commence development of community recycling centre in conjunction with grant funding	Y		<p>Council has been able to use its endorsed Waste and Resource Recovery Strategy to secure contestable grant funding from the EPA to establish a Community Recycling Centre. Once operational, the Community Recycling Centre is intended to be a facility that will accept various recyclables and problem wastes from the community free of charge (where possible). Almost \$200,000 of grant funding was secured for the project in August 2014.</p> <p>Initial site analysis has indicated that the Plan A site at 115 Reddalls Road Kembla Grange (previously used as a Materials Recovery Facility) is not suitable for the Community Recycling Centre facility. Alternatives to the Plan A have been investigated and a new location prior to the weighbridge near the Revolve Centre has been identified and a concept design has been completed. Detail design and development approvals are ongoing.</p>
	Determine a future use for the Bulli Miners Cottage which conserves the heritage values of the building.	Y		<p>Initial building upgrade works are required prior to a Request for Proposals for the future use of the Bulli Miners Cottage. The designs for the proposed initial stabilisation works have been finalised and an application is being prepared. The stabilisation works will occur in 2015-16, following which the Request for Proposals will occur to enable Council to determine a future use and tenant.</p>

Table 2: Delayed or Deferred Annual Deliverables

Community Goal	Annual Deliverable	Delayed	Deferred	Comment
2 We have an innovative and sustainable economy	Establish and deliver an integrated management plan for the City Centre		Y	Major works progressed through 2014-2015 including the Auburn St / Burelli St intersection upgrade, the Kenny St / Burelli St upgrade, Market St footpath renewal and the completion of the Keira St precinct. Design is under way and ongoing with the Crown St West project. Significant work progressed during 2014-15 towards developing Public Places Public Life to provide strategic and visionary direction to the City Centre.
	Resolve options for key services including power and water supply to the Mt Keira summit	Y		The design of a power line to supply electricity to Mt Keira Summit Park has been completed and approvals are being sought from relevant authorities. Council has been working closely with the National Parks & Wildlife Service (NPWS) to resolve outstanding issues to minimise environmental impacts as far as practicable. Consultation with the community will occur as soon as all approvals have been secured. It is anticipated construction can occur in 2016. In relation to water supply to Mt Keira summit, Council has been undertaking an investigation of options to provide potable water and water for fire-fighting to Mt Keira Summit Park. Currently, Council is considering the options to determine the best value approach in the provision of water to the park.

Table 2: Delayed or Deferred Annual Deliverables

Community Goal	Annual Deliverable	Delayed	Deferred	Comment
	Implement the Crown Street Façade Project	Y		<p>This two year Façade Rejuvenation Program is nearing completion. Of the 22 projects approved under Round 1 of the Program, 21 have been completed and one did not proceed. Of the 19 projects approved under Round 2, 9 have been completed, 2 are not proceeding, and 7 are very close to completion. These 7 projects which have been impacted by wet weather, construction complications and personal issues will all be fully completed by end of September 2015.</p> <p>This successful Program has resulted in a total investment of \$1.5M - \$900,000 by the private sector and \$600,000 by Council. As well as delivering broad streetscape improvements, positive social outcomes, increased community safety and positive economic outcomes, the Program has also fostered pride in our local heritage and identity. This Program has been entered into the Blue Star Sustainability Awards Cultural Heritage Category, and has been successful in attaining a finalist position. The winner will be announced in September 2015.</p>

Table 2: Delayed or Deferred Annual Deliverables

Community Goal	Annual Deliverable	Delayed	Deferred	Comment
3 Wollongong is a creative, vibrant city	Seek funding to conduct noise mapping study of the City Centre and suburban evening economy areas to identify areas with higher background noise levels and plan accordingly	Y		Wollongong City Council is partnering with the University of Wollongong to undertake a research project that aims to investigate the role sound plays in Wollongong City Centre. The delay was subject to external resources and funding which is becoming available in this financial year. By undertaking this project we hope to better understand the relationship between sound and how people perceive places in the City Centre, and to understand the thresholds or tolerances of the different noises generated day and night by a lively city.
	Develop a Crown Street Mall Street Activity Policy to encourage and provide guidelines for increased activation of the Crown Street Mall	Y		This is being developed in conjunction with the findings of the Public Space, Public Life Study.
4 We are a connected and engaged community	Deliver and evaluate the Place Management approach to enhance coordination and communication of Council services, plans and projects	Y		The review process is delayed, but continuing and will be complete during the first quarter 2015 – 2016.
5 We are a healthy community in a liveable city	Establish a program to ensure Disability Discrimination Act compliance is integrated with Council asset management plans		Y	Program to be developed as part of Disability Inclusion Action Plan and will be incorporated into future asset management plan reviews. Council's current quality certified design process ensures Disability Discrimination Act compliance requirements are appropriately addressed in all Council designs.

Table 2: Delayed or Deferred Annual Deliverables

Community Goal	Annual Deliverable	Delayed	Deferred	Comment
	Continue implementation of priority recommendations from the Warrawong Town Centre Studies - undertake the Cowper Street Renewal Project, subject to support from RMS (Roads & Maritime Service)		Y	During 2014-15 designs for the Cowper Street Renewal Project were prepared. The project is being reviewed to consider discussions on the location of the Warrawong Community Centre and Library. In the meantime, the opportunity for temporary pilot projects (eg. parklets) for Cowper Street are being investigated.
	Continue to prepare the Housing Study Review incorporating affordable housing issues		Y	During 2014-2015 the Housing Study Review project was put on hold due to the need for resources to progress other priority planning projects and planning proposals. The project will recommence in 2015-2016.
	Establish baseline data for the Wollongong 2022 Community Wellbeing Indicators	Y		A draft baseline report has been prepared including a collation of work previously prepared by University of Technology Sydney (UTS), Centre for Local Government with the IRIS Community Well-being Survey. This project has had a slight delay, and is now expected to be reported to the community in early 2015-2016.

Table 2: Delayed or Deferred Annual Deliverables

Community Goal	Annual Deliverable	Delayed	Deferred	Comment
	Manage the Home Deposit Assistance Program	Y		<p>Since the launch on 24 October 2014, there have been 11 applications and 10 approvals. To date property purchases have not occurred to trigger the placement of security deposits. This is due to the significant increase in prices that has created a lack of properties under the Program cap of \$415,000. While it is envisaged more varied and moderate housing choice may naturally be available in the future, Council has been actively promoting the Program and its value to the housing industry to assist in accelerating this. In addition Council has proposed changes to West Dapto Section 94 Contributions Plan to lower the cost of smaller, multi-dwelling type developments that may assist in making these more attractive to developers and achieving a suitably priced housing stock attainable under the program.</p>
	Undertake a minor review of the Beaton Park and Botanic Garden Plans of Management.		Y	<p>The review of the Beaton Park and Botanic Garden Plans of Management are on hold pending the preparation of informing documentation. A new master plan for Beaton Park is to be developed which will inform the revision of the Beaton Park Plan of Management. The Call for Proposals process for the future use of Gleniffer Brae has occurred and is to be reported to Council in August 2015. This process will inform the Botanic Garden Plan of Management review.</p>

Table 2: Delayed or Deferred Annual Deliverables

Community Goal	Annual Deliverable	Delayed	Deferred	Comment
6 We have sustainable, affordable and accessible transport	Continue to construct Stage 1 of the Grand Pacific Walk	Y		<p>Significant progress has been achieved during the year including:</p> <ul style="list-style-type: none"> - Completion of Stoney Creek shared path bridge at Coalcliff - Completion of the pedestrian refuge and bus bay near Coalcliff Railway Station. <p>Works have also commenced on some missing sections of the path adjacent to the Coalcliff Railway Station and the Tom and Norma Rest Area.</p> <p>Detailed design of the next section of the Grand Pacific Walk Stage 1 between Coalcliff and Stanwell Park is also nearing completion and expected to commence construction during 2015-2016.</p>
	Conduct site investigations, prepare concept and detailed design documentation for the road link	Y		<p>Council worked closely with key stakeholders to establish the preferred option for creating a link between Fowlers Road and Fairwater Drive. The concept design is currently being progressed and the community will be invited to provide feedback when the draft plan has been prepared. The preparation of a cost estimate is currently being undertaken for the proposed works.</p> <p>Council has obtained initial funding of \$22.5M from Restart NSW - Illawarra Infrastructure Fund, \$600,000 from Planning and Environment and a \$15M interest subsidised loan from the NSW government and will continue to investigate additional funding sources.</p>

Table 2: Delayed or Deferred Annual Deliverables

Community Goal	Annual Deliverable	Delayed	Deferred	Comment
	Establish costs and infrastructure requirements for the expansion of the Gong Shuttle	Y		Council is undertaking a feasibility assessment of an additional service for the southern city area to determine the preferred route and infrastructure needs. The feasibility assessment is due to be completed in early 2015/16. A new service rather than an expanded existing service is being assessed as the State Government have previously advised that they will not consider extending the Gong Shuttle. Logistically it is not possible to extend the existing service as service frequencies would be increased and possibly decrease utilisation of the service.
	Advocate for the implementation of a shuttle route for the South of Wollongong City Centre	Y		The feasibility assessment of a southern city centre shuttle bus route to support park & ride is progressing well and due for completion in early 2015-2016.
	Undertake a 'Park n Ride' feasibility study	Y		The "Park and Ride" initiative is identified in the adopted Access & Movement Strategy for Wollongong City Centre and is based on the principle of providing parking locations on the outskirts of the city and providing connecting bus or shuttle services to the CBD. Existing facilities supporting this intent are located at various locations around the Free Gong Shuttle route, for example at Stuart Park and the Innovation Campus in the north. The feasibility assessment of a southern city centre shuttle bus route to support park & ride is progressing and will be completed early in 2015-2016.

GOAL 1: WE VALUE AND PROTECT OUR NATURAL ENVIRONMENT

WOLLONGONG CITY COUNCIL

Implement Council's Floodplain Risk Management Plans

Implementation of the Floodplain Risk Management Plans continues through the capital works and maintenance programs. The preparation of various Flood Studies/Floodplain Risk Management Plans is ongoing, and designs for flood mitigation/stormwater either in progress or completed.

During 2014-15, a new Collins Creek Floodplain Risk Management Study and Plan was adopted by Council along with the review of the Towradgi Creek Flood Study. The Brooks Creek Flood Study review was also commenced.

Two flood affected properties have been demolished and a further one acquired under the Voluntary Purchase Scheme.

The Swan Street Culvert upgrade was completed in mid-December along with finalisation of the swale in Charles Harper Park Helensburgh. Drainage culvert works at Coledale were completed in late December. The realignment of pipe outlet structures in several of council's detention basins was recently completed. The refurbishment of Cedar Park Basin was completed including the construction of a new debris control structure and low flow channel. Upgrade of two drainage structures in Squires Way were undertaken with the new design making maintenance easier.

Coordinate Council's Environmental Programs including: Bushcare, FireReady, Dune Care and Greenplan

Participation in Council's Environmental programs has been maintained through the sustained efforts of staff working with our local community through events, work days and promotion strategies. During the quarter there were a total of 452 regular volunteers contributing to the Bushcare and FireReady programs who worked a total of 4,517 hours maintaining natural areas on community land. During the June quarter Council also launched the Dunecare program for which brochures, web site and other promotional material was produced. Greenplan has also maintained its popularity with 283 local residents attending the Botanic Garden nursery plant sale days to purchase 2,444 plants.

Continue implementation of priority actions from the Dune Management Strategy

During the quarter progress continued on priority actions:

- A draft Detailed Design Report was prepared for the Towradgi Dunes reshaping project. Council endorsed the proposed reshaping works as shown in the Draft Detailed Design Report.
- A consultant was engaged to prepare the Whartons Creek (Bulli Beach) entrance management plan. Monthly beach surveys continued to be undertaken to inform the plan.
- A lifeguard tower was constructed at Wollongong City Beach.

GOAL 1: WE VALUE AND PROTECT OUR NATURAL ENVIRONMENT

Dune vegetation work plans for the next 18 months were prepared for Bulli, Woonona, Corrimal, Towradgi, Fairy Meadow and Wollongong City beaches. These will guide on ground works such as weed control and installation of appropriate plants. A vegetation survey was undertaken at Bellambi Beach to inform a plan for this site.

- The Beach and Dune monitoring program continued, with transects surveyed and photo monitoring conducted.
- Maintenance was undertaken at Port Kembla Beach access path.
- Federal Government Green Army participants continued working at priority beaches to remove litter, weeds and install appropriate species from Council's adopted planting list.



Image: Reshaping of dunes at Towradgi Beach to restore line of sight for lifeguards and lifesavers

Provide access and education programs to the permanent Wollongong Art Gallery collection

A range of education and access programs were delivered in the June quarter including:

- 20 Free guided tours
- 8 Children's art workshops
- 9 ARTsmart programs
- 4 Art enrichment programs
- 3 Access2Art programs
- 3 Junior art trails
- 15 Public programs
- 5 Friends events
- 7 Artist/Curator talks
- 4 Adult art workshops
- 3 Gallery Guides meetings.

A range of exhibitions were held during the period 1 July 2014 to 30 June 2015. 24 new exhibitions including the following Collections exhibitions:

- Sredersas & Johnson Bequest – Collection exhibition.
- New Acquisitions – Collection exhibition.
- Murrumul – Collection Aboriginal Art exhibition.
- The Mann-Tatlow Collection – Asian Collection art exhibition.

GOAL 1: WE VALUE AND PROTECT OUR NATURAL ENVIRONMENT

The Gallery acquired 52 artworks valued at \$375,800 for the Collection in the 2014-15 period with:

- 42 artwork purchases with a combined value \$140,000 – including works by Jan Senberg, Bert Flugelman, William Yang, Jacky Redgate, Alfred Coffey, Stephen Bird
- 10 artwork gifts with a combined value of \$235,800 – including works by Ian Fairweather, George Gittoes, Bobby Nganjnira
- 3 major gifts of Ian Fairweather – Balinese Women and Child, George Gittoes – The Vietnamese Spray Painter and Charles Kerry – 75 x Silver Albumen photographs of Illawarra c. 1880

Visitor attendances from 1 July 2014 to 25 June 2015 were 81,851.

PERFORMANCE MEASURES

- Participation rate in environmental programs: Q4 = 6,159 (Q3 = 18,234)
- Number of volunteers for Environmental Programs – Greenhouse Park: Q4 = 574 (Q3= 624)
- Plants Propogated: Q4 = 15,126 (Q3 = 11,698)
- Plants Distributed: Q4: 18,690 (Q3 = 11,099)
- Tonnes of Rubbish collected from clean-up activities: Q4= 16 (Q3 = 25)
- Number of volunteers worked at Bushcare and FIReady sites: Q4 = 452 (Q3 = 462)

GOAL 2: WE HAVE AN INNOVATIVE AND SUSTAINABLE ECONOMY

WOLLONGONG CITY COUNCIL

Implement the Crown Street Façade Project

This two year Rejuvenation Program is nearing completion. Of the 22 projects approved under Round 1 of the Program, 21 have been completed and one did not proceed. Of the 19 projects approved under Round 2, 9 have been completed, 2 are not proceeding, and 7 are very close to completion. These seven projects which have been impacted by wet weather, construction complications and personal issues will all be fully completed by end of September 2015.

This successful Program has resulted in a total investment of \$1.5M - \$900,000 by the private sector and \$600,000 by Council. As well as delivering broad streetscape improvements, positive social outcomes, increased community safety and positive economic outcomes, the Program has also fostered pride in our local heritage and identity. This Program has been entered into the Blue Star Sustainability Awards Cultural Heritage Category, and has been successful in attaining a finalist position. The winner will be announced in September 2015.

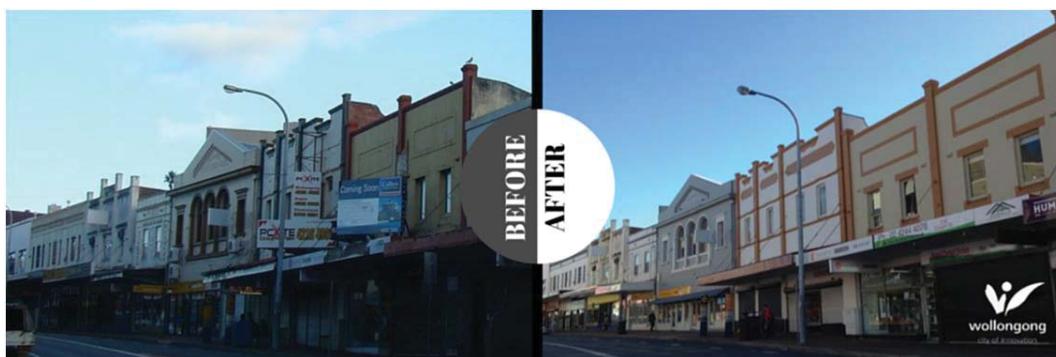


IMAGE: Crown Street Façade Project

Deliver Councils Employment Equity and Diversity program

Council has been successful in its application to the Elsa Dixon Aboriginal Employment Program for a school based trainee. The Employment Equity and Diversity Policy will be reviewed by December 2015. The application of Council's EED program is considered at every stage of the Divisional and Organisational Workforce planning process.

As ancillary to the delivery of EED program in late 2014 employees were asked to voluntarily participate in an Organisational Culture Survey (OCI) to provide insight on how they view the organisation. 60% of employees shared their views by completing the survey. A formal engagement and communication strategy has been developed and is currently being rolled out. A formal action plan will be devised and implemented in first half of 2015-2016.

Work with Destination Wollongong to deliver the City Centre Marketing Plan

Destination Wollongong continues to deliver the City Centre Marketing Plan. Highlights include:

- Wollongong City Centre Retail and Business Awards with presentation night being held on Friday, 29 May 2015.
- 5,000 winter on Crown flyers were printed and distributed to key businesses, restaurants and cafes in the CBD.
- What's for Lunch Promotion: This voucher booklet promoted the CBD food offering and encouraged CBD workers to try new places for lunch.
- Events including the Justice Crew Pop Up Performance, and Tutti in Piazza.

Contribute to the promotion of tourism in Wollongong through the management of Council's three Tourist Parks at Bulli, Corrimal and Windang

The effective management and ongoing development of Council's three Tourist Parks has resulted in an improved financial position. This has been enhanced with the employment of a full-time Operations Manager in the June Quarter. The new role brings extensive experience in building and expanding current and new business initiatives incorporating research and market analysis, brand creation and management, and developing and delivering responsive business development proposals, plans and strategies. A Marketing Officer has been established and will commence in 2015-2016 to further drive the Parks' performances.

GOAL 2: WE HAVE AN INNOVATIVE AND SUSTAINABLE ECONOMY

Continue the review of the City Centre Revitalisation Plan

City Centre Revitalisation highlights included:

- Thursday Night Eat Street continued in Upper Crown St Mall with the activity continuing to see good visitation despite the cooler weather.
- Public Spaces, Public Life Study work continues to progress. Draft city vision and key strategies have been developed which will go out for community consultation during the next quarter.
- Installation of a new unisex toilet facility, including artwork, in MacCabe Park.
- Installation of a new playground in MacCabe Park.
- Successful implementation of the Clear Path of Travel project.
- Continued work on the installation of traffic lights and improved pedestrian access in the intersection of Burelli and Auburn Streets and also Burelli and Kenny Streets.
- Bus shelter upgrades along Burelli Street.
- Introduction of the CellOPark App for paying for on-street parking in Council-managed metered spaces in the city centre.
- 35 lunchtime performances were held in the Arts Precinct between September 2014 and May 2015, with 7,720 people engaged.



IMAGE: Lunch time performance in the Arts Precinct

PERFORMANCE MEASURES

- Number of visitations to the tourism information centres: Q4 = 15,433 (Q3 = 19,340)
- Tourist Park occupancy rate of cabins: Q4 = 35 % (Q3 = 51%)
- Occupancy rates of paid on street parking: Q4 = 71 % (Q3 = 72%)
- Tourist parks occupancy rate of unpowered sites Q4 = 7 % (Q3 = 37%)
- Tourist parks occupancy rate of powered sites Q4 = 27 % (Q3 = 52%)

GOAL 3: WOLLONGONG IS A CREATIVE, VIBRANT CITY

WOLLONGONG CITY COUNCIL

Deliver Community Cultural Development Projects

Community Cultural Development (CCD) projects have provided skill building, social and cultural engagement, built community capacity and created linkages to Viva la Gong. Examples include:

- a ceramic based project in partnership with Multicultural Communities Council Illawarra, working with 25 recently arrived Syrian refugees;
- a partnership project with Vision Australia which culminated in the development of 4 tactile panels that are to be exhibited at Viva la Gong 2015 and will then be on permanent display at Vision Australia premises;
- professional development workshop with the Flame Tree Dance Group bringing a professional dancer/choreographer to work with 9 indigenous dancers from the group to develop a unique dance and increase dance skills.

In partnership with the community support the delivery of Refugee Week and Welcome to Wollongong programs

Refugee Week 2015 was held from 12 – 20 June. Council actively participated in the local Refugee Week committee which guided the development and delivery of a calendar of events with a strong focus on grass roots initiatives. The NSW State Launch of Refugee Week was also held in Wollongong for the first time. Other events included, screening of "Mary meets Mohommad" and "The Good Lie", Boundless Plains 2 a variety concert and the Relief Concert for Adjumani Refugee Camp. Council contributed to the design and printing of the promotional flyer, event management, media and general promotion. Council is also working in partnership with Keira High, Wollongong High School of the Performing Arts and Multicultural Communities Council of the Illawarra (MCCI) to deliver the Refugee Challenge project with year 9 & 10 students. During the last quarter the focus was on project design, peer training, research and resource development. The project will conclude in early August 2015 with a range of school based activities and an open community event.

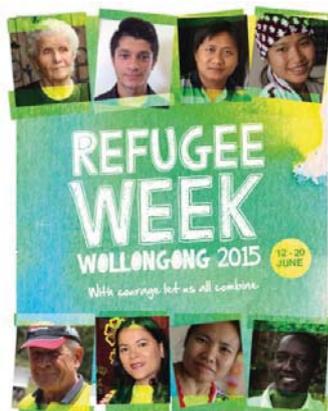


IMAGE: Council actively participated in Refugee Week

GOAL 3: WOLLONGONG IS A CREATIVE, VIBRANT CITY

Deliver the Public Art Program

The following Public Art programs have been developed and delivered over 2014/15:

- Central Business District (CBD) Panel Project
- Art light boxes project in Ethel Hayton Walk
- Digital Art Installation Project in the City Centre Mall
- Youth Centre panel project
- Exeloo Artwork in MacCabe Park
- Illawarra Remembers Panels on Council Administration building
- Pig Alley Mural
- Corrimal Coles Wall Mural



IMAGE: A range of artworks installed in the June quarter

(Artists Top to bottom

Art Light boxes - 8 x artists exhibiting in Ethel Hayton

Walkway,

Trait (left) and Ponchoarmy - Arts Precinct,

Artist Kathryn Orton - Wollongong Gallery - Burelli St)



GOAL 3: WOLLONGONG IS A CREATIVE, VIBRANT CITY

Deliver Reconciliation Week program and support NAIDOC week programs through Small Grants to the Indigenous community

The Flash Mob event for Reconciliation Week was held in the Crown Street Mall. Three local schools, a number of Aboriginal organisations and community members attended the function. The Illawarra Flame Trees dance troupe led the flash mob dance with over 200 people in attendance.

NAIDOC Week small grants were allocated with five community groups receiving grants: Bellambi Neighbourhood Centre, Illawarra Koori Men's group, Korewal Elouera Jerrungarugh, Illawarra Aboriginal Corporation and Noogaleek Children's Centre who shared \$6,000 of funding.



IMAGE: The Illawarra Flame Trees dance troupe led the flash mob dance with over 200 people in attendance. This was part of Reconciliation week.

GOAL 3: WOLLONGONG IS A CREATIVE, VIBRANT CITY

Deliver a program of events to be held in 2015 – 16, in commemoration of 200 years of European settlement in Wollongong

Wollongong Council in partnership with Shellharbour City Council and the Bicentenary Committee has created a program called "Illawarra 200" to commemorate 200 years of European settlement in the Illawarra. Expressions of interest were opened in February 2015 to give community organisations and individuals the opportunity to badge their events as part of the Illawarra 200 calendar. The calendar was launched in May 2015 on the shores of Lake Illawarra. The first event took place during Reconciliation Week in May 2015 to acknowledge the area's Aboriginal history and culture. The program will conclude in December 2016.



IMAGE: Illawarra 200 Calendar Launch

PERFORMANCE MEASURES

- Library visitations: Q4 = 252,903 (Q3 = 354,280)
- Library – total number of loans: Q4 = 351,831 (Q3 = 232, 074)
- Library programs: number of programs: Q4 = 401 (Q3 = 422)
- Library programs: number of participants: Q4 =11,706 (Q3 = 6,206)

GOAL 4: WE ARE A CONNECTED AND ENGAGED COMMUNITY

WOLLONGONG CITY COUNCIL

Deliver the Bushcare Program

The Wollongong City Bushcare program has continued to support the efforts of 400 volunteers (per quarter average) who contributed a total of 16,145 hours of volunteer labour during 2014-15. Staff conducted a total of 15 events/workshops during the year and groups were supported with their safety and action plans with 23 visits from support staff. The Bushcare web page has been updated to include each group's site and action plan details as well as maps and flora and fauna information.

Investigate opportunities for welcome to suburb signs

Council created and adopted a new Style Guide for suburb and park signage to create a streamlined and visually appealing standard for replacing old signage. The new style provides an opportunity to reduce the clutter of directional and regulatory signage that can accumulate over time. Park signage is replaced on a needs basis. Suburb signage will be replaced as need and budget allows. In partnership with the Corrimal Chamber of Commerce, Council installed the first new suburb entry signs in Corrimal in June 2015.



IMAGE: Council installed the first new suburb entry signs in Corrimal in June 2015

Determine Council's response to local government reform proposals and coordinate any resulting change

2014-2015 saw the introduction of "Fit for the Future" – the NSW Government's response to the Local Government Independent Review Panel's recommendations on NSW local government reform. The Fit for the Future program recommends a number of changes to the sector to enable councils to have 'strategic capacity' and be financially sustainable into the future. A number of Council mergers were recommended as part of the reforms, although these did not apply to the Wollongong LGA. Instead a Joint Organisation model is proposed for the Illawarra region, and Wollongong commenced participation in a pilot program with Shellharbour, Kiama and Shoalhaven Councils in the second quarter. In the fourth quarter the Illawarra Pilot Joint Organisation had drafted its Strategic Plan 2015-2018, which included three core functions (set by the State government) and two option functions: regional strategic planning, inter-governmental collaboration, regional leadership and advocacy, enhancing regional strategic capacity, and regional service delivery. The pilot is expected to be completed by December 2015.

The Fit for the Future program also requires Councils to prepare proposals for how they will improve their performance against a set of 7 financial and infrastructure benchmarks. Council was well positioned in preparing their improvement proposal having undertaken the Securing our Future program in 2013-14. Council submitted its Fit for the Future Improvement Plan on 30 June 2015 which reflects a number of our Annual delivery planning actions towards achieving financial sustainability. It is anticipated by 2020, Council will meet 6 of the 7 benchmarks, and is well towards achieving the 7th benchmark. The NSW Independent Pricing and Regulatory Tribunal will assess these proposals in the next quarter and provide recommendations to the Minister for Local Government.

Communicate and implement changes required under Work Health Safety

Significant progress has been achieved in improving in our Safety Culture. The development and implementation of our safety behaviours and the WHS Leadership Training (over 150 supervisors) has contributed to support this cultural change. Training focused on improving WHS knowledge and skills in the application of the management system across all business areas. This involved defining responsibilities and accountabilities and re-enforcing the application of positive safety behaviour. This program will continue to be delivered across all levels of supervisors. The impact on our culture and behaviour can be demonstrated by the 2014 internal survey results whereby 86% of staff ranked the criteria as "moderate to great extent" that supervisors actively lead WHS in the workplace."

This is supported by our injury management services to effectively manage work and non-work related injuries/illnesses to return to employees to work as soon as practicable. The success of the program is evidenced by our reduction in Workers Compensation costs and the results of the 2014 internal survey whereby 88% of staff feel they are supported with illness and injury at work.

The 'Live Well – Lets Work Together' program continued during the year to support our safety and wellness culture. This Wellness Program delivered a number of initiatives to enable our staff to make healthy lifestyle choices. The success of this program is demonstrated by the 2014 internal survey results whereby 72% of staff responded "moderately or to a great extent" that they believed that the Wellness Program provided valuable information and activities to staff.

GOAL 4: WE ARE A CONNECTED AND ENGAGED COMMUNITY

Continue to deliver friendly, courteous and efficient Customer Service through the Customer Service Centre

Over the last 12 months the customer service team have provided a face to face service to 52,922 customers and a phone service to 190,116 customers. In the last 12 months Customer Service has commenced to provide service via web chat, video call and web based requests. Highlights include the fast response to the “storm green clean-up” where the team handled approximately 550 contacts from residents needing assistance after a severe storm (24 April) over a period of a week. It has also been rewarding to assist customers through our community centres via video calls.

In the June quarter, 34,740 phone service calls were received and 14,265 face to face services were delivered.

Provide information updates via quarterly community newsletter and Council’s website

Council delivered newsletters to the community in October and December 2014, and April 2015. Highlighted stories across the year included the opening of the Surf season, the completion of Crown Street Mall works, the launch of the Holborn Skate Plaza, major West Dapto road works and Illawarra 200. The April newsletter was a special edition with three versions being produced, tailored to highlight specific reinvestment works taking place in each ward. There were some common stories in these newsletters for example; a broad overview of the capital works program, the results of the Community Survey and programs such as Comic Gong.

PERFORMANCE MEASURES

- Sick Leave: Q4 = 7.03 Days (Q3 = 6.54 Days)
- Number of Twitter followers for Council : Q4 = 3,240 (Q3= 3,042)
- Carers Leave: Q4 = 0.64 Days (Q3= 0.66)
- Lost Time Injury Frequency Rate: Q4 =18.04 (Q3= 18.04)
- Number of media releases issued: Q4 =40 (Q3=49)
- Number of Council Facebook page ‘likes: Q4 = 8,702 (Q3= 7,336)
- Workers compensation costs as a percentage of payroll: Q4 = 1.40 % (Q3= 1.40%)
- Telephone calls are answered within 30 seconds: Q4 =74 % (Q3= 73%)
- Enquiries made in person are welcomed and attended to within 5 minutes: Q4 = 92 % (Q3= 92%)

GOAL 5: WE ARE A HEALTHY COMMUNITY IN A LIVEABLE CITY

WOLLONGONG CITY COUNCIL

Deliver 85% of Council's capital investment into our asset renewal program

In 2014-15 Council spent \$59.5M on renewal projects as part of its capital works program with revenue made available to capital from operational funds of \$44.3M. This equates to a performance of 134% relative to the target of 85%.

This significant investment in asset renewal and replacement reflects the outcomes from Council's Securing Our Future program, utilising additional funds sourced from operational savings, efficiency gains and the Special Rate Variation on asset renewal. Council's Fit For The Future review project highlighted a continuing distribution of increasing capital funds to renewal into the future.

Accelerate delivery of building renewal and maintenance programs through allocation of additional funds

The additional revenue from the Special Rate Variation and savings programs have been fully allocated in the 2014-15 capital budget (\$6.070M in 2014-15) for the delivery of an accelerated asset renewal program, including increased allocations to building renewal projects.

Construction started in June on North Beach kiosk. The scope of works includes replacement of curved concrete parapet wall above the south façade of the building, a new roof to replace the existing leaking roof, refurbishment of the existing heritage windows and doors and new internal fit out of the kiosk. A temporary kiosk has been in place during the construction period to allow the tenant to continue trading.



IMAGE: North Beach Kiosk Refurbishment

Deliver community development programs for children and young people

A range of community development initiatives were delivered for children, with Paint the Gong ReaD a community partnership project being a key focus. The annual reading day was held in August with 290 children and 170 families participating. The programs mascot "Bright Spark" attended a range of community events including the annual reading day, the launch of the 2nd phase of the Imagination Library, The National Child Protection Week event, Lifeline Book Fair, Viva la Gong and various libraries and child care centres. The reading tent was also part of a range of community events and book boxes were distributed to various doctors surgeries and local businesses. The Paint the Town ReaD national literacy conference was also held in Wollongong in March with 205 delegates from across the country participating. In June "Bright Spark" also celebrated her first birthday with 100 local children.

Wollongong Youth Services delivered a range of projects with young people. Highlights included a partnership with Swell Café which resulted in over 50 young people completing the Master Barista workshop (25 in the June quarter).

Cultural Creations, delivered a series of interactive theatre workshops supporting 270 young Culturally and Linguistically Diverse people to explore mental health and wellness in a supported environment. The group works towards an interactive theatre event which is performed to groups of peers and aimed at increasing awareness of mental health in Culturally and Linguistically Diverse communities and newly arrived Refugee young people.

During the year Youth Services had 31,072 (8,055 in June quarter) participants in its programs.



IMAGE: Wollongong Youth Services partnered with Swell Coffee which resulted in 50 young people completing the Master Barista workshop.

GOAL 5: WE ARE A HEALTHY COMMUNITY IN A LIVEABLE CITY

Increase utilisation of Council's recreation and leisure assets

Utilisation at both leisure centres is slightly up on previous years with over 400,000 people visiting the centres this year. During this time over 4,000 students have attended learn to swim classes and customers have participated in any one of the 126 classes that are on offer each week. A variety of specialised programs have been conducted for people at risk of chronic diseases, lung disease, people with special needs, veterans affairs, and multi-cultural groups which have led to increased attendance.

Develop and implement priority replacement program for below standard play facilities

The 2014-2015 renewal program has rolled out replacement playgrounds at 8 locations. In June Council celebrated the reopening of MacCabe Park Playground in Wollongong following a \$200,000 overhaul. The new playground boasts a climbing frame, mini trampoline and swings – many of the ideas from local pre and primary school students who were consulted during the design of the playground.



IMAGE: The Lord Mayor at the reopening of MacCabe Park Playground

PERFORMANCE MEASURES

- Community Transport trips: Q4 = 32,902 (Q3 = 31,837)
- Direct-Run District Level Community Facilities visitation: Q4 = 56,391 (Q3 = 66,124)
- Utilisation of Direct-Run District Level Community Facilities: Q4 = 9,687 Hours (Q3 = 9,206 Hours)
- Social Support hours of service: Q4 = 9,717 Hours (Q3 = 10,608 Hours)
- Utilisation/visitation at pools: Q4 = 31,363 (Q3 = 98,137)
- Utilisation/visitation at beaches: Q4 = 14,165 (Q3 = 141,617)
- Total Visits commercial heated pools: Dapto: Q4 = 3,525 (Q3 = 7,957)
- Total Visits commercial heated pools: Corrimal: Q4 = 7,752 (Q3 = 9,564)

GOAL 6: WE HAVE SUSTAINABLE, AFFORDABLE AND ACCESSIBLE TRANSPORT

WOLLONGONG CITY COUNCIL

Implement footpath and cycleway improvement programs and the development of city wide pedestrian plan.

Delivery of footpath and cycleway improvement programs is ahead of schedule.

During 2014-15, 52 footpath and shared path projects (new and renew) were completed and a further 15 projects have commenced construction. Two design only projects were completed with another design project commenced.

Footpaths and cycleways constructed in the June quarter include:

- Lakelands Drive, Dapto
- Sea Foam Avenue, Thirroul
- Dumfries Avenue, Mount Ousley
- Princes Highway, Fairy Meadow
- Princes Highway, Bulli
- Springhill Road, Wollongong
- Mt Keira Road, Mt Keira.

The Wollongong Bike Plan was completed in 2014 and a similar project to develop a citywide pedestrian, shared path and footpath plan has commenced. The project has been scoped in consultation with the Active Transport Reference Group ahead of its development during 2015-16. The Pedestrian Plan will further integrate civil construction project planning and confirm developer requirements for pedestrian facilities, particularly in suburban areas.



IMAGE: Construction underway for Wollongong Harbour Heritage Walk

GOAL 6: WE HAVE SUSTAINABLE, AFFORDABLE AND ACCESSIBLE TRANSPORT

Council to work with key agencies and partners to progress the provision of an effective and integrated regional transport network

Council is liaising with a number of key State Government Agencies on a number of regionally significant transport projects. These include: City Centre projects relating to bus operations and facilities, traffic signal installations and operations and sustainable transport projects relating to bicycle and pedestrian facilities. West Dapto transport projects have required liaison with Roads and Maritime Services (RMS), State Rail, and Transport for NSW (TfNSW). Council has worked closely with RMS on the design and staging of the Albion Park Rail Bypass interchanges in Wollongong Council's Local Government Area to ensure that they are integrated with our future transport and land release strategies.

Deliver the asset renewal program for active transport

Council continues to invest strongly in the renewal of assets supporting active transport uses including bicycle and pedestrian facilities. Major projects include:

- Reconstruction of the shared path in Squires Way between Cabbage Tree Creek and Elliotts Road, completed in December 2014. The renewed facility is 4 metres wide and 1.3 km long and provides separate designated areas for cyclists and pedestrians. The facility is an important link within Council's bicycle network and provides a crucial connection between Wollongong Foreshore/City Centre and coastal suburbs to the north. Utilisation of the path has been found to be amongst the highest in the city.
- Completion of the shared path along Cordeaux Road. The increase in width will improve amenity for the range of users who use this busy section of path.

In addition, four other shared path assets were renewed during the financial year including paths at North Wollongong and Figtree; and fifteen footpaths were upgraded or reconstructed, including paths at Koonawarra, Lake Heights, Wollongong, Woonona, Balgownie, Dapto, Coalcliff, Fairy Meadow and Warrawong.

Deliver approximately \$1.1M in road resurfacing & reconstruction for 2014-15

Delivery is ahead of program. The following major roads were reconstructed or resealed in the June quarter:

- Parkes Street Helensburgh
- Berkeley Road, Berkeley
- Resolution Drive, Unanderra
- Princes Highway and Rothery Road, Corrimal
- Princes Highway, McGrath to Cabbage Tree, Fairy Meadow
- Manikato Place and Kensington Town Drive, Kembla Grange
- Jenkins Street, Port Kembla
- Squires Way, North Wollongong.

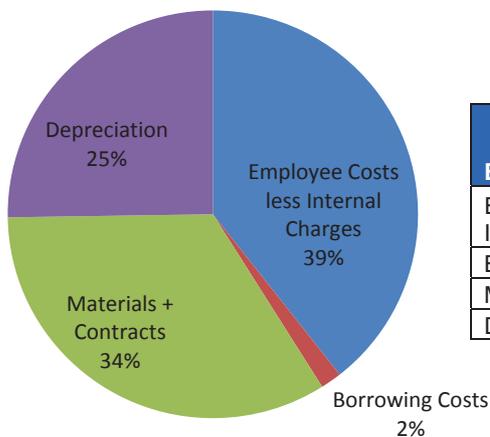
PERFORMANCE MEASURES

- Delivery of Council's Capital Program: Q4 = 101.76% (Q3 = 67%)

HOW WE PERFORMED AGAINST OUR BUDGETS

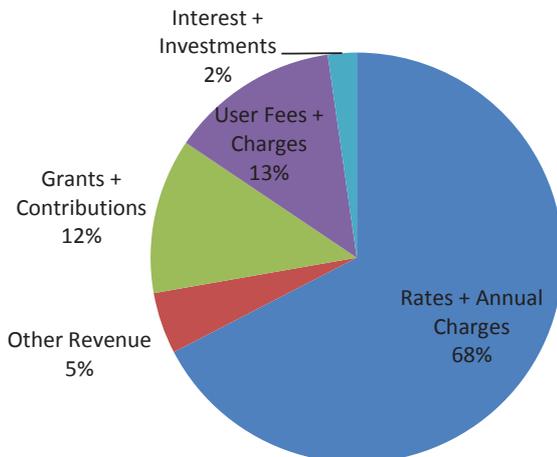
WOLLONGONG CITY COUNCIL

The graph below shows Council's expenses from ordinary activities by expense type for the quarter:



Expense Type (\$'M)	Actual June 2015	2014-15 Budget
Employee Costs less Internal Charges	94.9	97.4
Borrowing Costs	4.0	4.0
Materials + Contracts	81.2	85.9
Depreciation	60.8	60.8
Total	240.9	248.1

The graph below shows Council's revenue from ordinary activities by revenue type for the quarter:



Income Type (\$M)	Actual June 2015	2014-15 Budget
Rates and Annual Charges`	166.9	166.6
Other Revenue	12.0	11.8
Grants + Contributions	30.3	29.8
User Fees + Charges	32.9	32.1
Interest + Investments	5.6	5.6
Profit on Disposal Assets	3.5	4.7
Total	251.2	250.6

PRELIMINARY END OF YEAR REPORT MANAGER FINANCE

WOLLONGONG CITY COUNCIL

The pre audit financial results for 2014-15 show a continuation of incremental improvement across a broad range of Council operations. While improvement was recorded in the March Quarterly Review there was additional recognition at that stage that Council's performance was trending better than budget. In June Council further recognised the continuing trend in improved operating results by adjusting the Final Annual Plan for 2015-16 to recognise the anticipated recurrence for some of this change.

The results presented in this Annual Review are unaudited and as yet do not have financial transactions for the joint venture operations of Westpool and United Independent Pools that are completed externally. The reported Operating Surplus [pre capital] of \$10.4M represents 3.1% improvement on budget, or \$7.8M.

The Total Funds movement (which closely represents the cash movement for the year after transfers to and from Restricted Assets) was a deficit of \$2.1M, a 3% improvement on budget or \$7.9M.

The total value of Capital Works delivered was \$85.8M against a budget of \$84.3M.

These results reflect a substantial positive outcome against budget for the financial year ending 30 June 2015. While beyond current expectations they are consistent with the longer term direction set in the Securing our Future program that adopted minimum targets in efficiency and other revenue opportunities and recognised that there was potential for a further "upside" required to create additional opportunity and improved delivery outcomes.

The following table provides a summary view of the overall financial results for the year.

Table 1

FORECAST POSITION	Original Budget	Revised Budget	YTD Actual	Variation
KEY MOVEMENTS	1-Jul	30-Jun	30-Jun	
Operating Revenue \$M	241.8	250.6	251.2	0.6
Operating Costs \$M	(251.1)	(248.1)	(240.9)	7.2
Operating Result [Pre Capital] \$M	(9.3)	2.5	10.4	7.8
Capital Grants & Contributions \$M	32.6	18.7	22.0	3.3
Operating Result \$M	23.3	21.3	32.4	11.1
Operational Funds Available for Capital \$M	41.8	33.6	41.8	8.2
Capital Works	83.7	84.3	85.8	(1.5)
Contributed Assets	-	1.9	1.9	-
Transfer to Restricted Cash	1.0	24.7	24.6	0.1
Funded from:				
- Operational Funds \$M	41.8	33.6	41.8	8.2
- Other Funding \$M	40.3	67.4	68.4	1.0
Total Funds Surplus/(Deficit) \$M	(2.7)	(9.9)	(2.1)	7.9

PRELIMINARY END OF YEAR REPORT OF MANAGER FINANCE

The pre audit Operating Surplus [pre capital] for year ending 30 June 2015 is \$10.4M (\$7.8M favourable). The Operating Result is a key indicator of long term financial sustainability. Council's Financial Strategy aims to exceed a targeted breakeven result which has now been achieved for the first time ahead of target. The positive result is due to a combination of timing, non-recurrent factors, improvements in income and expenditure trends that were identified during the 2015-16 Annual Plan exhibition period and have been included in future forecasts, and better than expected spending patterns as the organisation realises opportunities for the achievement of efficiency targets. The Operating Result also includes a number of large non cash adjustments associated with employee provisions and asset disposals that offset one another.

The Total Funds Deficit (annual movement in Available Funds) is \$2.1M (\$7.9M favourable). The improvement in the Funds Result provides additional cash that may be used to support additional or unfunded projects in future periods. The 2015-16 Annual Plan included the creation of an internal restriction to hold windfalls or improvements in financial result beyond those planned in the Securing Our Future Program. The intent was that accumulated funds in this restriction could be directed by Council to support a range of future strategic projects, including West Dapto and Warrawong Community Centre and Library.

An overview of improvements in the Funds Result is shown below, more detailed information is provided later in the document.

Overview of Variations Impacting on Funds Result		
	\$000's	\$000's
Timing issues or non recurrent		
Lake Illawarra	188	
Payments for accumulated leave for staff coming from other councils	188	
IT Operational projects	175	
Insurance Contribution not Required	150	
Revenues relating to prior year insurance events	139	
Training schemes	139	
Crown St Façade Rejuvenation	76	
City Centre & Mall reduced cleaning & maintenance during construction	132	
Various projects in progress at end of year	108	
West Dapto Review	110	1405
Improvements included in future forecasts (fully or partially)		
Internal staff charged to capital projects	1224	
Rate adjustments provision for appeals	163	
Development approval income	160	
Cemetery/Crematorium Income	154	
Tourist Park Income	112	
Electricity	332	
Legal Expenditure	110	
Workers Compensation related expenses	346	
Waste Facility operations (EPA Levy)	264	2,865
Expenditure Improvements requiring further analysis		
Vacancy & delayed recruitment	460	
Lower level of penalties & backfill for aquatic services	279	
Non cash component of labour on-costs	477	
Doubtful Debts Provision Decrease	166	
Street lighting	136	
Other improvements broadly spread across Services	2,444	3,962
Capital		
Net over expenditure/funding on capital		(382)
Total Improvement Funds Result		7,850

1 Income & Expense

The primary variations and issues are discussed below with favourable changes identified as (F) and unfavourable (U). A more comprehensive list is provided in Table 7.

- Rates and Annual Charges \$238K (F). Improved result is mainly due to a lower level of valuation appeals than expected.
- User Charges & Fees \$780K (F). The positive variation is mainly attributable to Development Applications (\$160K), Crematorium & Cemeteries (\$154K), Tourist Parks (\$112K), Commercial Tipping (\$109K), Rating Certificates provided (\$75K) and other more minor variations
- Other Revenue \$209K (F). This variation is due to accumulated leave transferred from other councils (\$188K), higher than anticipated net proceeds from the final Oakvale legal settlement (\$105K), insurance recoveries related to prior year events (\$71K) offset by the fair value adjustment for properties (\$162K).
- Grants and Contributions - Operating \$507K (F). This variation is due to the timing of grants from the Rural Fire Service (\$149K), Roads and Maritime (\$127K) and amounts received as part of an event relating to the Australian Local Government Woman's Association (\$76K).
- Grants and Contributions - Capital \$3.3M (F). This variation is due to the timing of developer contributions (\$2.5M), additional grants for the Springhill Rd Shared Path (\$492K) and for the purchase of a flood affected property (\$180K).
- Employee Costs \$1.3M (F). Employee costs have been impacted by two major non cash adjustments that relate to the valuation of provisions. The first is an improvement in the workers compensation provision of \$2.4M that is related to changes in legislation as well as improved work practices. This improvement is partly offset by an increase in the valuation of employee leave entitlements of \$1.3M that is the result of application of revised discount rates. Variations in cash component of employee costs includes additional costs in the Project Delivery area offset by recovery from capital (\$613K) offset partly by lower expenditure in the Property (\$380K) and Finance (\$166K) divisions.
- Borrowing Costs \$46K (U). This variance is due to the timing of the drawdown of LIRS loan funds.
- Contracts, Materials and Other Expenses \$4.8M (F). The larger variances include:
 - Projects and works competed in other expenditure categories and funded projects \$1,643 (F)
 - Range of specific projects that did not utilise full budget \$782K (F)
 - Range of under expenditures that are not individually material, but together result in a saving of \$2,295K
 - Street lighting & electricity \$468K (F)
 - EPA levy \$264 (F).

More detailed information can be found in the Major Variations table in the appendix to this report.

- Internal Charges Labour \$1.2M (F). This favourable variance is due to the increase in the amount of internal labour applied to the capital program for design and project management, which reduces the operating cost of labour.

2 Capital Budget

Council expended \$85.8M on its capital works program compared to a budget of \$84.3M. The additional expenditure on the capital program delivery compared to budget is partially due to the finalisation of purchase of a flood affected property and additional funded works.

The change in timing of expenditure and funding may impact on projections contained in the Adopted Annual Plan and 2012-17 Delivery Program.

3 Cash & Investments

Council's actual cash and investments show an increase of \$20.3M compared to the March Quarter projections that has been impacted by the receipt of developer contributions (\$2.5M), additional operational and capital grants (\$1.3M), timing of supplier payments and debtor receipts (\$8.4M), increase proceeds from property sales (\$0.5M) and operational savings compared to budget (\$7.8M).

PRELIMINARY END OF YEAR REPORT OF MANAGER FINANCE

Table 2

CASH, INVESTMENTS & AVAILABLE FUNDS						
	Actual 2013/14	Original Budget 2014/15	September QR 2014/15	December QR 2014/15	March QR 2014/15	Actual Ytd 30 June 2015
	\$M	\$M	\$M	\$M	\$M	\$M
Total Cash and Investments	118.0	109.5	112.9	129.8	124.4	144.7
Attributed to:						
External Restrictions						
Developer Contributions	14.0	11.7	11.2	12.5	11.7	15.1
Specific Purpose Unexpended Grants	11.6	17.8	20.8	15.5	5.2	5.0
Special Rates Levy City Centre	0.2	0.2	0.1	0.1	0.2	0.2
Unexpended Loans	25.3	16.8	15.7	30.5	30.7	31.3
Domestic Waste Management	8.1	9.5	10.4	10.7	10.0	10.7
Private Subsidies	3.3	2.3	4.3	3.8	4.0	4.8
West Dapto Home Assistance		5.8	5.8	5.8	5.8	5.8
Stormwater Management Charge	0.4	0.4	0.2	0.2	0.2	0.4
Total External Restrictions	63.0	64.6	68.6	79.1	67.8	73.3
Internal Restrictions						
Property Investment Fund	-	-	-	7.8	7.8	7.8
Future Programs	-	-	-	-	6.9	6.9
Community Infrastructure Fund	1.5	3.7	4.2	4.2	4.2	4.1
Strategic Projects	5.2	5.2	5.2	5.2	11.1	11.2
Sports Priority program	0.8	0.8	0.7	0.5	0.5	0.5
Car Parking strategy	0.2	(0.2)	(0.1)	0.1	0.1	0.3
MacCabe Park Development	0.5	0.7	0.7	0.7	0.7	0.7
Darcy Wentworth Park	0.1	0.2	0.2	0.2	0.2	0.2
Garbage Disposal Facility	13.8	16.4	13.1	11.2	11.1	9.5
Telecommunications Revenue	0.1	0.2	0.1	0.1	0.1	0.1
West Dapto additional rates	0.3	-	-	-	-	0.1
Southern Phone	-	-	0.5	0.4	0.5	0.5
Carbon Pricing	4.5	6.6	4.5	4.5	4.4	4.4
Total Internal Restrictions	27.0	33.5	29.2	35.1	47.7	46.3
Available Cash	28.0	11.3	15.2	15.6	8.9	25.0
Net Payable & Receivables	(3.6)	4.5	5.9	6.0	5.7	(2.7)
Current payables	(29.1)	(22.6)	(22.6)	(22.6)	(22.3)	(29.1)
Receivables	18.6	21.2	21.4	21.5	21.0	17.6
Other	1.6	0.9	1.7	1.7	1.7	4.3
Non current Receivables	5.2	5.0	5.4	5.4	5.4	4.5
Available Funds	24.4	15.9	21.1	21.6	14.6	22.3

4 Long Term Financial Projections

The Long Term Forecast for Available Funds has been adjusted to reflect the pre audit result as presented in this report. Other financial indicators have not been adjusted at this stage to reflect any timing issues that may impact on the next year’s operations. It is proposed that any adjustments necessary will be considered as part of the September Quarterly Review for 2015-16.

Available Funds

Available Funds are the uncommitted funds of an organisation that assist in meeting the short term cash requirements, provide contingency for unexpected costs or loss of revenue, and provide flexibility to take advantage of opportunities that may arise from time to time. Council’s Financial Strategy has a target to achieve and maintain an Available Funds position between 3.5% and 5.5% of operational revenue [pre capital].

Based on the 2015-16 Adopted Annual Plan the target range for Available Funds is between \$8.7M and \$11.6M (lower range) and \$13.7M and \$18.3M (upper range) over the life of the Long Term Financial Plan. The preliminary result for the year ended 30 June 2015 indicates an improvement of \$7.9M in Available Funds.

The 2015-16 Annual Plan included the creation of an internal restriction to hold windfalls or improvements in financial result beyond those planned in the Securing Our Future Program. At the March Quarterly Review an amount of \$11.2M was held as an internally restricted asset. The intent was that accumulated funds in this restriction could be directed by Council to support a range of future strategic projects, including West Dapto and Warrawong Community Centre and Library. Direction of the improvements at year end to this restricted asset would increase it to \$19.1M. This would provide Council with an opportunity to review future programs during the 2015-16 and better reflect its intention for Available Funds that are held for the purposes defined above.

The table below reflects the Available Funds prior to any decision to transfer the additional improvements to Strategic Projects Restricted Asset.

Table 3

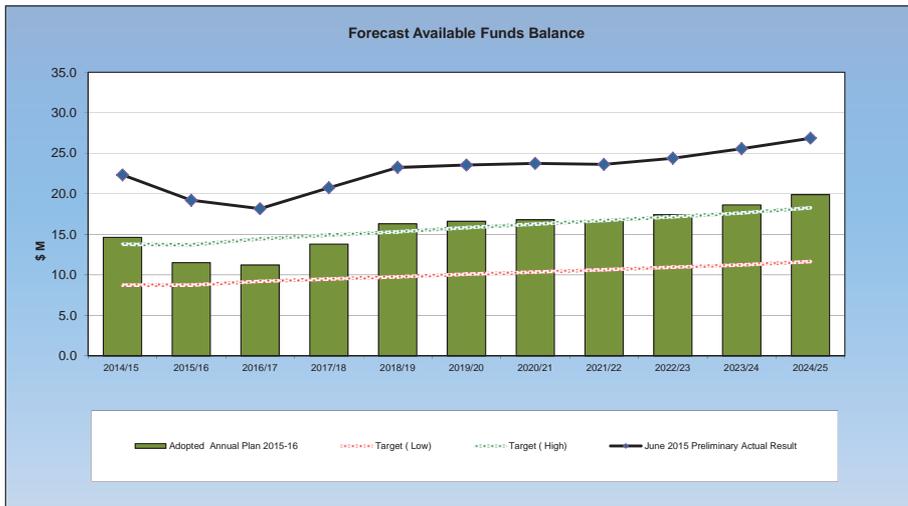


Table 4

WOLLONGONG CITY COUNCIL				
1 July 2014 to 30 June 2015				
	2014/15 Original Budget \$'000	2014/15 Current Budget \$'000	2014/15 Actual YTD \$'000	2014/15 Variance YTD \$'000
Income Statement				
Income From Continuing Operations				
Revenue:				
Rates and Annual Charges	165,699	166,611	166,849	238
User Charges and Fees	32,487	32,071	32,851	780
Interest and Investment Revenues	5,238	5,644	5,689	46
Other Revenues	9,143	11,756	11,965	209
Grants & Contributions provided for Operating Purposes	28,146	29,811	30,318	507
Grants & Contributions provided for Capital Purposes	32,604	18,731	22,033	3,302
Other Income:				
Profit/Loss on Disposal of Assets	1,040	4,736	3,538	(1,198)
Total Income from Continuing Operations	274,357	269,360	273,244	3,884
Expenses From Continuing Operations				
Employee Costs	107,212	108,689	107,413	1,276
Borrowing Costs	3,830	3,991	4,037	(46)
Materials, Contracts & Other Expenses	90,424	87,378	82,599	4,779
Depreciation, Amortisation + Impairment	61,767	60,774	60,763	11
Internal Charges (labour)	(10,606)	(11,309)	(12,515)	1,205
Internal Charges (not labour)	(1,536)	(1,420)	(1,438)	18
Total Expenses From Continuing Operations	251,092	248,103	240,859	7,244
Operating Results From Continuing Operations	23,265	21,257	32,385	11,128
Discontinued Operations				
Net Profit/Loss from Discontinued Operations	0	0	0	0
Net Operating Result for the Year	23,265	21,257	32,385	11,128
Net Operating Result for the Year before Grants & Contributions provided for Capital Purposes	(9,338)	2,526	10,352	7,826
NET SURPLUS (DEFICIT) [Pre capital] %	8.5%	7.9%	11.9%	286.5%
Funding Statement				
Net Operating Result for the Year	23,265	21,257	32,385	11,128
Add back:				
- Non-cash Operating Transactions	78,059	70,944	71,834	890
- Restricted cash used for operations	14,413	16,276	16,231	(46)
- Income transferred to Restricted Cash	(58,334)	(58,364)	(62,202)	(3,839)
- Payment of Accrued Leave Entitlements	(10,145)	(10,895)	(10,934)	(39)
- Payment of Carbon Contributions	(427)	(263)	(264)	(1)
Funds Available from Operations	46,832	38,955	47,049	8,094
Advances (made by) / repaid to Council	(135)	(135)	10	145
Borrowings repaid	(4,914)	(5,236)	(5,244)	(7)
Operational Funds Available for Capital Budget	41,782	33,583	41,816	8,232
CAPITAL BUDGET				
Assets Acquired	(83,693)	(84,306)	(85,789)	(1,483)
Contributed Assets	0	(1,909)	(1,909)	(0)
Transfers to Restricted Cash	(1,040)	(24,699)	(24,579)	120
Funded From :-				
- Operational Funds	41,782	33,583	41,816	8,232
- Sale of Assets	3,263	12,061	12,569	509
- Internally Restricted Cash	5,126	8,258	8,584	326
- Borrowings	0	15,000	15,000	0
- Capital Grants	13,914	12,724	13,713	990
- Developer Contributions (Section 94)	5,858	5,078	5,084	7
- Other Externally Restricted Cash	10,136	10,414	10,368	(46)
- Other Capital Contributions	1,955	3,895	3,091	(804)
TOTAL FUNDS SURPLUS / (DEFICIT)	(2,700)	(9,903)	(2,052)	7,850

PRELIMINARY END OF YEAR REPORT OF MANAGER FINANCE

Table 5

MAJOR VARIATIONS compared to Budget	\$'000s	Offsetting Items for Fund	Surplus	Deficit	Net by type
REVENUES FROM ORDINARY ACTIVITIES					
Rates & Annual Charges					
Rate adjustments provision not required			163		
Other rate income	9		66		238
User Charges & Fees					
Development applications			160		
Tourist Parks			112		
Commercial Tipping Fees			109		
Cemeteries & Crematorium			154		
Rating Certificate Income			75		
Hygiene Inspections & Registrations			69		
Parking income	28				
Various other adjustments			73		780
Interest and Investment Revenue					
Impact of cash holdings & returns			46		46
Other Revenue					
Fair Value adjustment for properties		(162)			
Additional net proceeds for Oakvale settlement		105			
Payment of accumulated leave for employees coming from other council			188		
Insurance proceeds & claimable storm events			139		
Rating legal cost recovery		(74)			
Domestic Waste associated income		(4)			
Other			17		209
Grants & contribution - Operating					
Additional grants during fourth quarter		480	27		507
EXPENSES FROM ORDINARY ACTIVITIES					
Employee Costs					
Revision of Employee Leave Provisions					
Change in leave entitlements - revised discount rates		(1,270)			
Worker's compensation provision		2,379			
Projects and services delivered with other resource categorie		(1,386)			
Funded Projects					
Timing & use of alternate resources to deliver projects		(171)			
Other					
Vacancy, delayed recruitment & other savings			574		
Workers Compensation related expenses			346		
Lower level of penalties & backfill for aquatic services			279		
Training schemes			139		
Projects in progress at end of year			108		
Other		(2)	280		1,276
EXPENSES FROM ORDINARY ACTIVITIES (cont)					
Borrowing Costs					
Timing of LIRS interest payments				(46)	(46)
Materials, Contracts & Other Expenses					
Projects and services delivered with other resource categories					
IT Operational projects		163	175		
Illegal dumping		383		(47)	
Building inspections		111		(9)	
Other		(149)			
Funded Projects - timing & use of alternate resources					
Projects					
Legal		74	110		
Crown St Façade Rejuvenation		45	76		
West Dapto Review		21	110		
Lake Illawarra		20	188		
Return prior year grants		(49)			
Other		54	179		
City Centre & Crown St Mall			132		

PRELIMINARY END OF YEAR REPORT OF MANAGER FINANCE

Table 5 (cont)

Electricity & street lighting		468		
EPA Levy Domestic		264		
City Centre Parking	6	133		
Property Management		102		
Doubtful Debts Provision Decrease		166		
Non commercial buildings	(332)		(490)	
Increase in insurance provision (non cash)	(180)			
Various Other variations <\$100K	452	1,753		
Depreciation				
Revaluation of assets, asset lives & timing of projects	11			11
Internal Charges				
Charges to capital		1,224		
Projects and services delivered with other resource categorie	537			
Funded Projects - timing & use of alternate resources	(538)			1,223
Profit/Loss on Disposal of Assets				
Profit on sale of land, plant & vehicles	857			
Write off residual assets	(2,055)			(1,198)
Operating Variation [pre capital]	213	8,204	(592)	3,047
Capital Grants & Contributions				
Additional grants	772			
S94 income	2,530			3,302
Operating Variation [post capital]	3,515	8,204	(592)	11,128
FUNDING STATEMENT				
Non Cash Expenses				
Non Cash Adjustments				
Revision of employee leave entitlements & workers comp	(1,109)			
Non cash component on costs		477		
Profit on sale of land, plant & vehicles	(857)			
Investment property revaluation	162			
Asset disposal carrying value	2,055			
Insurance provision	180			
Depreciation	(11)			
Interest free loan			(7)	890
Restricted Cash Used for Operations				
Funded project timing	(141)			
Prior year grants returned to funding body	49			
Carbon tax	45			
Other	1			(46)
Payment Accrued Leave entitlements				
Employee leave paid			(39)	(39)
Payment Carbon Contributions				
Carbon tax payment not required until 2014/15			(1)	(1)
Advances(made by)/repaid to Council				
Contribution to insurance pool not required for 2014-15		150		
Other			(5)	145
Borrowings Repaid				
Timing of LIRS			(7)	(7)
Income Transferred to Restricted Cash				
Additional capital income transferred to restricted cash	(3,302)			
Additional operational grants transferred to restricted cash	(379)			
Oakvale Legal Settlement	(105)			
Transfer net proceeds from parking to restricted asset	(28)			
Other	(75)	50		(3,839)
OPERATIONAL FUNDS AVAILABLE FOR CAPITAL	0	8,881	(651)	8,231
CAPITAL BUDGET				
Increase in capital program works & acquisitions			(1,483)	
Increase in funding for works completed		471		
Additional land sales		444		
Increase in proceeds on sale of other assets		66		
Transfers of Land Sale to Community Infrastructure Fund		120		(382)
TOTAL FUNDS SURPLUS/(DEFICIT)	0	9,982	(2,134)	7,850

CAPITAL PROJECT REPORT

as at the period ended 30 June 2015

ASSET CLASS PROGRAMME	\$'000		YTD EXPENDITURE	\$'000
	CURRENT BUDGET			VARIATION
	EXPENDITURE	OTHER FUNDING	EXPENDITURE	EXPENDITURE
Roads And Related Assets				
Traffic Facilities	2,435	(1,294)	2,375	60
Public Transport Facilities	508	(75)	592	(84)
Roadworks	8,294	(1,582)	8,401	(107)
Bridges, Boardwalks and Jetties	3,748	(1,741)	3,582	166
TOTAL Roads And Related Assets	14,984	(4,692)	14,949	35
West Dapto				
West Dapto Infrastructure Expansion	9,087	(9,110)	9,176	(89)
TOTAL West Dapto	9,087	(9,110)	9,176	(89)
Footpaths And Cycleways				
Footpaths	5,832	(4,260)	6,123	(290)
Cycle/Shared Paths	5,783	(3,891)	6,025	(242)
Commercial Centre Upgrades - Footpaths and Cycleway	11,638	(2,715)	11,619	19
TOTAL Footpaths And Cycleways	23,253	(10,866)	23,766	(513)
Carparks				
Carpark Construction/Formalising	577	(245)	645	(69)
Carpark Reconstruction or Upgrading	1,169	(200)	1,087	83
TOTAL Carparks	1,746	(445)	1,732	14
Stormwater And Floodplain Management				
Floodplain Management	993	(500)	1,552	(559)
Stormwater Management	1,631	(891)	1,585	47
Stormwater Treatment Devices	143	(143)	134	9
TOTAL Stormwater And Floodplain Mar	2,767	(1,535)	3,271	(503)
Buildings				
Cultural Centres (IPAC, Gallery, Townhall)	895	0	876	19
Administration Buildings	1,579	0	1,592	(14)
Community Buildings	5,388	(935)	5,152	236
Public Facilities (Shelters, Toilets etc.)	1,101	(113)	1,088	12
TOTAL Buildings	8,962	(1,048)	8,709	254
Commercial Operations				
Tourist Park - Upgrades and Renewal	615	0	997	(382)
Crematorium/Cemetery - Upgrades and Renewal	364	0	352	13
Leisure Centres & RVGC	225	0	227	(2)
TOTAL Commercial Operations	1,204	0	1,576	(371)
Parks Gardens And Sportfields				
Play Facilities	2,393	(404)	2,403	(10)
Recreation Facilities	584	0	593	(9)
Sporting Facilities	1,033	(925)	1,018	15
Lake Illawarra Foreshore	160	0	160	(0)
TOTAL Parks Gardens And Sportfields	4,170	(1,329)	4,175	(5)
Beaches And Pools				
Beach Facilities	454	0	521	(66)
Rock/Tidal Pools	1,277	0	1,283	(6)
Treated Water Pools	1,345	(7)	1,263	81
TOTAL Beaches And Pools	3,076	(7)	3,066	9

CAPITAL PROJECT REPORT

as at the period ended 30 June 2015

ASSET CLASS PROGRAMME	\$'000		YTD EXPENDITURE	\$'000
	CURRENT BUDGET			VARIATION
	EXPENDITURE	OTHER FUNDING		EXPENDITURE
Natural Areas				
Environmental Management Program	24	0	21	4
Natural Area Management and Rehabilitation	154	(26)	158	(4)
TOTAL Natural Areas	179	(26)	179	(0)
Waste Facilities				
Whytes Gully New Cells	6,125	(6,125)	6,507	(382)
Whytes Gully Renewal Works	205	(205)	175	30
Helensburgh Rehabilitation	220	(220)	223	(4)
TOTAL Waste Facilities	6,550	(6,550)	6,905	(355)
Fleet				
Motor Vehicles	1,486	(930)	1,388	98
TOTAL Fleet	1,486	(930)	1,388	98
Plant And Equipment				
Portable Equipment (Mowers etc.)	84	300	239	(155)
Mobile Plant (trucks, backhoes etc.)	2,832	(815)	2,693	139
Fixed Equipment	(0)	0	(0)	0
TOTAL Plant And Equipment	2,916	(515)	2,932	(16)
Information Technology				
Information Technology	820	0	846	(26)
TOTAL Information Technology	820	0	846	(26)
Library Books				
Library Books	1,200	0	1,203	(3)
TOTAL Library Books	1,200	0	1,203	(3)
Public Art				
Public Art Works	282	(22)	293	(11)
Art Gallery Acquisitions	141	(41)	138	3
TOTAL Public Art	423	(63)	431	(8)
Emergency Services				
Emergency Services Plant and Equipment	146	0	149	(3)
TOTAL Emergency Services	146	0	149	(3)
Land Acquisitions				
Land Acquisitions	695	0	625	70
TOTAL Land Acquisitions	695	0	625	70
Non-Project Allocations				
Capital Project Contingency	4	0	0	4
Capital Project Plan	639	(166)	708	(70)
TOTAL Non-Project Allocations	643	(166)	708	(65)
TOTAL	84,306	(37,282)	85,789	(1,482)

Manager Project Delivery Division

Commentary on June 2015 Capital Budget Report

As at 30 June 2015, year to date expenditure was \$85.8M of the final approved capital budget of \$84.3M. This value is \$1.5M above the final approved capital budget for 2014-15. The additional expenditure was supported by the introduction of \$0.5M of additional external funding leaving a balance of \$1.0M funded from general revenue.

The following table summarises the variations between final expenditure for 2014-15 and the final approved budget.

Program	Major Points of change to Capital Budget
Traffic Facilities	Work on traffic signals in Burelli Street at Kenny Street and Auburn Street intersections fell behind planned schedule
Public Transport Facilities	Additional work on renewal of suburban bus shelters was accelerated from 2015-16 program.
Road Works	Roadworks at Carr Parade, Resolution Drive and on the Princes Highway at Woonona, Corrimal and Fairy Meadow were accelerated from the 2015-16 planned program. Work on road reconstruction of The Drive, Stanwell Park fell behind planned schedule.
Bridges, Boardwalks & Jetties	Work on Cordeaux Road bridge west of William James Drive fell behind planned schedule
West Dapto	Cost for design work for extension of Fowlers Rd to Fairwater Drive exceeded planned budget.
Footpaths	Expenditure on renewal/upgrade of footpath works on Burelli Street (from Atchison Street to Keira Street) exceeded budget due to extent of work and major service adjustments.
Cycle/Shared Paths	Construction of new shared path on Springhill Road was completed ahead of schedule. Expenditure on construction of new shared path projects on the Princes Highway at Bulli and Porter Street, North Wollongong exceeded planned budget.
Carpark Construction/ Formalising	Works on Stewart Street Carpark additional spaces exceeded budget due to increased scope of work (ie construction of further additional parking spaces). Expenditure on modifications to parking meters to allow use of mobile phones for payment was brought forward.
Car Park Reconstruction/ Upgrade	Expenditure on resurfacing of Beaton Park Car Park was substantially completed under budget.
Floodplain Management	Purchase of flood affected property in Burringbar Street settled prior to the end of financial year.
Stormwater Management	Drainage works at Bellambi Road and Avonlea Street fell behind planned schedule.
Community Buildings	Projects for refurbishment of North Wollongong Beach Kiosk and Berkeley Community Centre fell behind planned schedule.
Tourist Park – Upgrades and Renewal	Expenditure brought to account for works in kind on Council owned assets completed by leasee at Surf Leisure Resort Towradgi in accordance with lease agreement.
Beach Facilities	Expenditure on Towradgi Beach Dunal Area reshaping project exceeded planned budget due to increases in both contractor design and construction costs.
Treated Water Pools	Beaton Park Pool Air Conditioning fell behind planned schedule.
Whytes Gully New Cells	Whytes Gully New Cell Design progressed ahead of planned schedule.

PRELIMINARY END OF YEAR REPORT OF MANAGER FINANCE

Program	Major Points of change to Capital Budget
Whytes Gully Renewal Works	Whytes Gully Capital Minor Works upgrade fell behind planned schedule.
Motor Vehicles	Number of council vehicles replaced was lower than scheduled.
Portable Equipment (mowers etc)	Expenditure in Portable equipment offset by expenditure in Mobile Plant. Some items of Portable Equipment delivered ahead of planned schedule.
Mobile Plant (trucks backhoes etc)	Expenditure in Mobile Plant offset by Expenditure in Portable Equipment.
Information Technology	Expenditure on Information Technology project for Customer Relationship Management exceeded budget.
Land Acquisitions	Project at Darcey Rd carpark, Pt Kembla fell behind planned schedule.
Capital Project Plan	Expenditure on design for Bald Hill Reserve upgrade brought forward to meet construction staging requirements.

Where projects have proceeded ahead of the planned schedule, allocations in 2015-16 budget will be adjusted as required in the first quarter of 2015-16 financial year.

WOLLONGONG CITY COUNCIL

	Actual 2014/15 \$'000	Actual 2013/14 \$'000
BALANCE SHEET		
	as at 30/06/15	as at 30/06/14
CURRENT ASSETS		
Cash Assets	124,611	89,329
Investment Securities	11,046	7,642
Receivables	17,636	18,572
Inventories	6,040	6,037
Other	4,313	1,646
Assets classified as held for sale	0	1,700
Total Current Assets	163,646	124,926
NON-CURRENT ASSETS		
Non Current Cash Assets	9,000	21,000
Non-Current Receivables	4,472	5,238
	0	0
Property, Plant and Equipment	2,251,351	2,207,842
Investment Properties	2,750	2,750
Westpool Equity Contribution	1,181	1,181
Intangible Assets	1,219	929
Total Non-Current Assets	2,269,973	2,238,940
TOTAL ASSETS	2,433,619	2,363,866
CURRENT LIABILITIES		
Current Payables	29,103	29,098
Current Provisions payable < 12 months	10,621	10,690
Current Provisions payable > 12 months	34,871	32,224
Current Interest Bearing Liabilities	6,369	3,908
Total Current Liabilities	80,964	75,919
NON-CURRENT LIABILITIES		
Non Current Interest Bearing Liabilities	39,758	31,459
Non Current Provisions	48,723	49,217
Total Non-Current Liabilities	88,481	80,676
TOTAL LIABILITIES	169,445	156,595
NET ASSETS	2,264,174	2,207,271
EQUITY		
Accumulated Surplus	1,133,463	1,103,532
Asset Revaluation Reserve	1,011,064	1,013,802
Restricted Assets	119,648	89,937
TOTAL EQUITY	2,264,174	2,207,271

PRELIMINARY END OF YEAR REPORT OF MANAGER FINANCE

WOLLONGONG CITY COUNCIL		
CASH FLOW STATEMENT		
as at 30 June 2015		
	YTD Actual 2014/15 \$ '000	Actual 2013/14 \$ '000
CASH FLOWS FROM OPERATING ACTIVITIES		
Receipts:		
Rates & Annual Charges	166,562	157,362
User Charges & Fees	32,479	33,034
Interest & Interest Received	6,034	5,587
Grants & Contributions	52,810	51,407
Other	14,118	13,774
Payments:		
Employee Benefits & On-costs	(100,813)	(95,572)
Materials & Contracts	(45,909)	(38,702)
Borrowing Costs	(1,313)	(989)
Other	(38,075)	(35,817)
Net Cash provided (or used in) Operating Activities	85,893	90,084
CASH FLOWS FROM INVESTING ACTIVITIES		
Receipts:		
Sale of Infrastructure, Property, Plant & Equipment	12,570	3,245
Deferred Debtors Receipts	3	12
Payments:		
Purchase of Investments	-	-
Purchase of Investment Property	-	-
Purchase of Infrastructure, Property, Plant & Equipment	(81,532)	(91,729)
Purchase of Interests in Joint Ventures & Associates	-	-
Net Cash provided (or used in) Investing Activities	(68,959)	(88,472)
CASH FLOWS FROM FINANCING ACTIVITIES		
Receipts:		
Proceeds from Borrowings & Advances	15,000	4,305
Payments:		
Repayment of Borrowings & Advances	(5,248)	(4,742)
Repayment of Finance Lease Liabilities	-	-
Net Cash Flow provided (used in) Financing Activities	9,752	(437)
Net Increase/(Decrease) in Cash & Cash Equivalents	26,686	1,175
plus: Cash & Cash Equivalents and Investments - beginning of year	117,971	116,796
Cash & Cash Equivalents and Investments - year to date	144,657	117,971

WOLLONGONG CITY COUNCIL		
CASH FLOW STATEMENT		
as at 30 June 2015		
	YTD Actual 2014/15 \$ '000	Actual 2013/14 \$ '000
Total Cash & Cash Equivalents and Investments - year to date	144,657	117,971
Attributable to:		
External Restrictions (refer below)	73,313	63,961
Internal Restrictions (refer below)	46,338	24,384
Unrestricted	25,006	29,626
	144,657	117,971
External Restrictions		
Developer Contributions	15,091	11,758
RMS Contributions	143	238
Specific Purpose Unexpended Grants	4,855	10,910
Special Rates Levy Wollongong Centre Improvement Fund	-	-
Special Rates Levy Wollongong Mall	201	251
Special Rates Levy Wollongong City Centre	4	11
Local Infrastructure Renewal Scheme	24,295	18,791
Unexpended Loans	7,020	12,877
Domestic Waste Management	10,697	6,408
Private Subsidies	4,820	1,883
West Dapto Home Deposit Assistance Program	5,816	-
Stormwater Management Service Charge	371	834
Total External Restrictions	73,313	63,961
Internal Restrictions		
Property Development	4,122	(252)
Property Investment Fund	7,845	-
Strategic Projects	11,208	-
Future Projects	6,941	-
Sports Priority Program	514	850
Car Parking Strategy	253	489
MacCabe Park Development	690	391
Darcy Wentworth Park	165	99
Garbage Disposal Facility	9,533	20,281
Telecommunications Revenue	118	279
West Dapto Development Additional Rates	81	71
Southern Phone Natural Areas	489	-
Carbon Price	4,379	2,176
Total Internal Restrictions	46,338	24,384

PRELIMINARY END OF YEAR REPORT OF MANAGER FINANCE

The following tables provide details of contracts (other than contractors that are on Council's preferred supplier list that have a value equivalent of 1% of estimated income from continuing operations or \$50K, whichever is the lesser) and amounts expended on consultancies and legal fees for financial year. Consultants are defined as a person or organisation that is engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision making by management. Generally, it is the advisory nature of the work that differentiates a consultant from other

Contract Listing						
Budget Review for Quarter ended June 2015						
Contractor	Contract Detail & Purpose	Contract Value \$000's	Commencement Date	Duration of Contract	Budgeted Y/N	
Malsave Pty Ltd	Nicholson Park Woonona Amenities Upgrade	360	9/04/2015	FY 2014/2015	YES	
Select Civil Pty Ltd	Blue Mile Heritage Walk Stage 2 - Promenade	1,359	13/04/2015	FY 2014/2016	YES	
Affective Services Australia Pty Ltd	Refurbishment of Austinmer Sea Pool	658	15/04/2015	FY 2014/2016	YES	
Encat Pty Ltd	Sublime Point Lookout Topping Slab Construction	89	20/04/2015	FY 2014/2015	YES	
CG The GC Group Company Pty Ltd	Grand Pacific Walk Stage 1, Lawrence Hargrave Dr, Coalcliff	354	27/04/2015	FY 2014/2015	YES	
T&C Services Pty Ltd	Austinmer Beach Retaining Wall Construction	52	1/05/2015	FY 2014/2015	YES	
T&C Services Pty Ltd	North Beach Seawall Renewal	80	5/05/2015	FY 2014/2015	YES	
Corrigan Electrics Pty Ltd	Kerry & Burell Streets Traffic Signals	161	8/05/2015	FY 2014/2015	YES	
Project Coordination (Australia) Pty Limited	Berkeley Community Centre Refurbishment	2,409	11/05/2015	FY 2014/2016	YES	
Malsave Pty Ltd	Stanwell Park Children's Centre Works	97	9/06/2015	FY 2014/2016	YES	
Bang The Table	Online Engagement Provider	87	29/06/2015	FY 2014/2018	YES	

Consultancy and Legal Expenses		
Budget Review for Quarter ended June 2015		
Expense	Expenditure YTD \$000's	Budgeted (Y/N)
Consultancies	1,190	YES
Legal Fees	969	YES

Statement of responsible accounting officer

All investments held at the 30 June 2015 were invested in accordance with Council's Investment Policy.

Bank reconciliations have been completed as at 30 June 2015.

Year to date cash and investments are reconciled with funds invested and cash at bank.

Brian Jenkins

Responsible Accounting Officer

Appendix 1: Annual Deliverable Progress by 5 Year Action – Delivery Program 2012-17

5 Year Action	On track	Not Scheduled to Commence	Delayed	Deferred	Ongoing / Complete
1.1.1.1 Implement programs and events which facilitate community participation	0%	0%	0%	0%	100%
1.1.2.1 Impacts from development on the environment are assessed, monitored and mitigated	17%	0%	0%	0%	83%
1.1.2.2 Establish effective urban stormwater management programs	100%	0%	0%	0%	0%
1.1.3.1 Manage vegetation to reduce bushfire risk in Asset Protection Zones on natural areas under Council care and control	33%	0%	0%	0%	67%
1.1.3.2 Implement a coordinated approach to floodplain and stormwater management	33%	0%	0%	0%	67%
1.1.4.1 Implement priority actions from the Illawarra Biodiversity Strategy	33%	0%	33%	0%	33%
1.1.4.2 Implement priority actions from the Illawarra Escarpment Strategic Management Plan	0%	0%	0%	0%	100%
1.2.1.1 Finalise and implement the Coastal Zone Management Plan	50%	0%	0%	0%	50%
1.2.2.1 Assess the impact of day visitors on service levels	0%	0%	0%	0%	100%
1.2.2.2 Coordinate a range of Water Safety Education programs to enhance safe community access to our beaches	0%	0%	0%	0%	100%

Appendix 1: Annual Deliverable Progress by 5 Year Action – Delivery Program 2012-17

5 Year Action	On track	Not Scheduled to Commence	Delayed	Deferred	Ongoing / Complete
1.3.1.1 Develop and implement programs that encourage community participation in reducing Wollongong’s ecological footprint	33%	0%	0%	0%	67%
1.3.2.1 Finalise and deploy Council’s Waste & Resource Recovery Strategy in consultation with industry leaders	100%	0%	0%	0%	0%
1.3.2.2 Implement water and energy saving strategies	0%	0%	0%	0%	100%
1.3.2.3 Emissions are monitored and reduction methods are investigated and utilised	0%	0%	0%	0%	100%
1.3.2.4 Investigate a landfill gas management system for Whytes Gully	100%	0%	0%	0%	0%
1.3.3.1 Develop and implement an Environmental Sustainability Policy and Strategy	50%	0%	50%	0%	0%
1.3.3.2 Seek external funds to support programs for Lake Illawarra, following the closure of the Lake Illawarra Authority	100%	0%	0%	0%	0%
1.3.3.3 Establish and maintain an Estuary Management Committee to protect the health of Lake Illawarra	0%	0%	0%	0%	100%
1.4.1.1 Work in partnership with others to promote a diverse range of heritage education and promotion programs	0%	0%	0%	0%	100%
1.4.1.2 Implement priority actions of the Heritage Strategy	33%	0%	33%	0%	33%

Appendix 1: Annual Deliverable Progress by 5 Year Action – Delivery Program 2012-17

5 Year Action	On track	Not Scheduled to Commence	Delayed	Deferred	Ongoing / Complete
1.4.1.3 Implement community and cultural promotions program	33%	0%	0%	0%	67%
1.4.2.1 Work with the local Aboriginal community in the management of Indigenous heritage	0%	0%	0%	0%	100%
1.5.1.1 Facilitate a range of programs and activities which improve food security and local food production	50%	0%	0%	0%	50%
1.6.1.1 Review planning controls for environmentally sensitive locations	0%	0%	0%	0%	100%
1.6.2.1 Implement the West Dapto Release Area Masterplan	67%	0%	0%	0%	33%
1.6.3.1 Provide high quality development assessment and certification based on QBL principles (note: QBL or the Quadruple Bottom Line takes consideration of environmental, economic, social and governance factors)	0%	0%	0%	0%	100%
1.6.3.2 Maximise sustainability principles in the design and construction of Wollongong's built form	0%	0%	0%	0%	100%
1.6.3.3 Prepare for the introduction and implementation of the NSW State Government Planning Reforms	0%	0%	0%	0%	100%
2.1.1.1 Support regional activities and partnerships that result in increased business investment and jobs growth	67%	0%	0%	0%	33%
2.1.2.1 Ensure that Wollongong is attractive to diverse companies for business expansion, establishment and relocation	50%	0%	50%	0%	0%

Appendix 1: Annual Deliverable Progress by 5 Year Action – Delivery Program 2012-17

5 Year Action	On track	Not Scheduled to Commence	Delayed	Deferred	Ongoing / Complete
2.1.2.2 Progress implementation of the CBD Action Plan	50%	0%	0%	50%	0%
2.1.3.1 Build on partnerships which enable the retention of local talent	25%	0%	0%	0%	75%
2.1.3.2 Establish Wollongong City Council as a employer of choice	60%	0%	0%	0%	40%
2.1.4.1 Develop and maintain partnerships with the business sector to fund and contribute to a broader range of community projects and activities	50%	0%	0%	0%	50%
2.1.5.1 Work with community, government and business partners to support development of local employment opportunity for people who are disadvantaged within the labour market	0%	0%	0%	0%	100%
2.1.6.1 In collaboration with key agencies, facilitate the West Dapto Taskforce to deliver the first stages of the West Dapto Urban Release area	50%	0%	0%	0%	50%
2.2.1.1 Facilitate the delivery of business and tourism information services	50%	25%	25%	0%	0%
2.2.2.1 Support projects that investigate opportunities for the provision of tourism infrastructure	0%	0%	0%	0%	100%
2.2.2.2 Use funds obtained from Restart NSW Illawarra to commence concept designs and planning for the Bald Hill Improvement Program	100%	0%	0%	0%	0%
2.2.3.1 Review the current investment to deliver a more efficient and targeted destination marketing program	0%	0%	0%	0%	100%

Appendix 1: Annual Deliverable Progress by 5 Year Action – Delivery Program 2012-17

5 Year Action	On track	Not Scheduled to Commence	Delayed	Deferred	Ongoing / Complete
2.3.1.1 Undertake major refurbishment works in the City Centre	25%	0%	0%	0%	75%
2.3.1.2 Manage and deliver improved marketing and promotion of the City Centre	0%	0%	0%	0%	100%
2.3.1.3 Provide a diverse range of activities in the City Centre that target and engage a broad community	0%	0%	0%	0%	100%
2.3.1.4 Improve policies and systems to support the revitalisation of the City Centre	0%	0%	0%	0%	100%
2.3.1.5 Deliver the Access and Movement Strategy for the City Centre	0%	0%	0%	0%	100%
2.3.2.1 Review the current investment to deliver a more efficient and targeted destination marketing program	0%	0%	0%	0%	100%
2.3.2.2 Deliver Visitor Information Services to the city and our visitors	0%	0%	0%	0%	100%
2.3.2.3 Pursue initiatives that promote the region as place to holiday to both the domestic and international markets	0%	0%	0%	0%	100%
2.4.1.1 Support the creation & expansion of green industries	0%	0%	0%	0%	100%
2.4.2.1 Ensure that Wollongong is attractive to research & development based companies & organisations	0%	0%	0%	0%	100%

Appendix 1: Annual Deliverable Progress by 5 Year Action – Delivery Program 2012-17

5 Year Action	On track	Not Scheduled to Commence	Delayed	Deferred	Ongoing / Complete
2.5.1.1 Implement a range of programs that incorporates learning and development	0%	0%	0%	0%	100%
3.1.1.1 Promote Made in Wollongong through a variety of locally produced events, productions and programs	0%	0%	0%	0%	100%
3.1.2.1 Provide support to existing and emerging arts workers & their networks	0%	0%	0%	0%	100%
3.1.2.2 Provide opportunities for local artists and performers to exhibit, promote and perform at Council venues and events	33%	0%	0%	0%	67%
3.1.3.1 Successful collaborations with other organisations and agencies are established	0%	0%	0%	0%	100%
3.2.1.1 Seek funding for the promotion of heritage sites and museums to the community and visitors	0%	0%	0%	0%	100%
3.2.2.1 Encourage the integration of urban design & public art	0%	0%	0%	0%	100%
3.2.3.1 Deliver and support a range of projects and programs which build harmony and understanding	0%	0%	0%	0%	100%
3.3.1.1 Implement a coordinated approach to event acquisition & provision in Wollongong via the delivery of the Events Strategy	33%	0%	0%	0%	67%
3.3.1.2 Encourage Sports Associations to conduct regional, state and national events in the city	0%	0%	0%	0%	100%

Appendix 1: Annual Deliverable Progress by 5 Year Action – Delivery Program 2012-17

5 Year Action	On track	Not Scheduled to Commence	Delayed	Deferred	Ongoing / Complete
3.3.1.3 Implement a sustainable program of local events via the Events Strategy	0%	0%	0%	0%	100%
3.3.1.4 Plan for, and host, culturally sensitive events and programs celebrating the Bi-Centenary of European Settlement in Wollongong across 2015-2016	0%	0%	0%	0%	100%
3.3.1.5 Coordinate Council's support and investment in events and festivals	0%	0%	0%	0%	100%
3.3.2.1 Coordinate an integrated approach to infrastructure improvement and service delivery in the Civic Plaza and through the re-establishment of an Arts Precinct in the city	50%	0%	0%	0%	50%
3.4.1.1 Support the coordination of an externally funded delivered calendar of activities across the City	0%	0%	0%	0%	100%
3.4.2.1 Develop a new Cultural Plan	0%	0%	100%	0%	0%
3.4.3.1 Deliver a program of activities in local communities	75%	0%	0%	0%	25%
4.1.1.1 Ensure an effective community engagement framework connects the community to Council decision making	0%	0%	0%	0%	100%
4.1.2.1 Expand Council's use of social media and online options for communication and engagement	40%	0%	0%	0%	60%
4.1.3.1 A coordinated approach to communication is developed and implemented	0%	0%	50%	0%	50%

Appendix 1: Annual Deliverable Progress by 5 Year Action – Delivery Program 2012-17

5 Year Action	On track	Not Scheduled to Commence	Delayed	Deferred	Ongoing / Complete
4.1.3.2 Re-establish Council's commitment to partnering with our local Aboriginal community	100%	0%	0%	0%	0%
4.1.3.4 Continue to provide regular information updates to the community about Council's Financial Sustainability Review	0%	0%	0%	0%	100%
4.2.1.1 Increase opportunities for the community to connect with volunteering organisations	67%	0%	0%	0%	33%
4.2.1.2 Support community participation in non-profit activities	29%	0%	0%	0%	71%
4.2.1.3 Build the capability of community based organisations in managing, developing and sustaining their volunteers	0%	0%	0%	0%	100%
4.2.2.1 Support a range of projects and programs in the city	0%	0%	0%	0%	100%
4.2.3.1 Contribute to activities and programs that enhance civic pride in Wollongong	0%	0%	0%	0%	100%
4.3.1.1 Lobby for the expansion of NBN to all suburbs within the LGA within the next five years	100%	0%	0%	0%	0%
4.3.2.2 Investigate the provision of a district level community and library centre for the southern suburbs	100%	0%	0%	0%	0%
4.3.2.3 Review and implement a revised library service model for Unanderra and surrounding suburbs	100%	0%	0%	0%	0%

Appendix 1: Annual Deliverable Progress by 5 Year Action – Delivery Program 2012-17

5 Year Action	On track	Not Scheduled to Commence	Delayed	Deferred	Ongoing / Complete
4.3.3.1 Continue to participate and contribute to an integrated community service network	0%	0%	0%	0%	100%
4.4.1.1 Improve community understanding and awareness of Council decisions	0%	0%	0%	0%	100%
4.4.1.2 Ensure appropriate strategies and systems are in place, monitored and reviewed	0%	0%	0%	0%	100%
4.4.1.3 Continue to build a professional, customer focussed quality organisation	50%	0%	0%	0%	50%
4.4.1.4 Lead continuous improvement in Council's health and safety culture and behaviour	50%	0%	0%	0%	50%
4.4.2.1 Coordinate a service review program with a focus on business development and improvement	67%	0%	0%	0%	33%
4.4.2.2 Deliver the Asset Management Strategy and Improvement Plan 2012-17	0%	0%	0%	0%	100%
4.4.2.3 Investigate provision of cremation services across the region and determine Council's role in the market	100%	0%	0%	0%	0%
4.4.3.1 Improve systems for recording community & staff ideas	0%	0%	0%	0%	100%
4.4.4.1 Ensure policies and procedures are regularly reviewed, updated and promoted	0%	0%	0%	0%	100%

Appendix 1: Annual Deliverable Progress by 5 Year Action – Delivery Program 2012-17

5 Year Action	On track	Not Scheduled to Commence	Delayed	Deferred	Ongoing / Complete
4.4.4.2 Streamline reporting across the organisation and provide user friendly, plain English reports	50%	0%	0%	0%	50%
4.4.5.1 Effective and transparent financial management systems are in place	40%	0%	0%	0%	60%
4.4.5.1 Carry out Council's Financial Sustainability Program	100%	0%	0%	0%	0%
4.4.5.10 Explore innovative options to increase revenue at Council facilities	100%	0%	0%	0%	0%
4.4.5.11 Improve the efficiency of supply management in order to achieve operational efficiencies	100%	0%	0%	0%	0%
4.4.5.12 Pursue alternative funding options to deliver Council services and facilities	0%	0%	0%	0%	100%
4.4.5.2 Achieve an operational savings as a part of Council's financial sustainability Review with savings to be directed to asset renewal	100%	0%	0%	0%	0%
4.4.5.3 Reduce Council's discretionary spend (excluding assets) by 2.75% with savings to be directed to asset renewal	100%	0%	0%	0%	0%
4.4.5.4 Undertake a review of Council's employment conditions including the consideration of more flexible employment conditions and Enterprise Agreement	100%	0%	0%	0%	0%
4.4.5.5 Continue to pursue alternative funding option to deliver financially sustainable services and facilities	0%	0%	0%	0%	100%

Appendix 1: Annual Deliverable Progress by 5 Year Action – Delivery Program 2012-17

5 Year Action	On track	Not Scheduled to Commence	Delayed	Deferred	Ongoing / Complete
4.4.5.6 Apply for a special rate variation of 6.13% in 2014-15, 6.23% in 2015-16 and 6.24% in 2016-17 with additional funds to be directed to asset renewal	100%	0%	0%	0%	0%
4.4.5.7 Review and increase fees and charges to achieve a minimum of \$500,000 to ensure the financial sustainability of service provision	0%	0%	0%	0%	100%
4.4.5.8 Investigate removing the pensioner and charitable waste exemptions	100%	0%	0%	0%	0%
4.4.5.9 Continue to actively seek grants and contributions to deliver core community infrastructure and services	0%	0%	0%	0%	100%
4.4.6.1 Deliver a consistent and effective integrated frontline customer service centre	0%	0%	0%	0%	100%
5.1.1.1 Partner with community based organisations in the provision of services	0%	0%	0%	0%	100%
5.1.2.1 Actively engage children and young people in planning and design processes	0%	0%	0%	0%	100%
5.1.3.1 Partner with agencies and health authorities to support improvements to the region's medical services	0%	0%	0%	0%	100%
5.1.4.1 Assess the changing profile of the community and reprioritise services appropriately	0%	0%	33%	0%	67%
5.1.4.2 Investigate provision of Leisure Services in the greater Dapto area, taking into account expansion of West Dapto, and determine Council's role in the market	0%	0%	0%	0%	100%

Appendix 1: Annual Deliverable Progress by 5 Year Action – Delivery Program 2012-17

5 Year Action	On track	Not Scheduled to Commence	Delayed	Deferred	Ongoing / Complete
5.1.4.3 Investigate the future provision of Aquatic Services across the local government area and implement improvements	0%	0%	0%	0%	100%
5.1.5.1 Continue to undertake social, land use and environmental planning activities that assists in service planning	33%	0%	0%	0%	67%
5.1.5.2 Carry out commercial business management of Council's operational lands	33%	0%	0%	0%	67%
5.1.5.3 Develop a sustainable financial model and strategy for the maintenance and management in perpetuity for Council cemeteries, in response to the Cemeteries Act and establishment of 'Cemeteries NSW'	100%	0%	0%	0%	0%
5.1.6.1 Review planning controls for priority locations	80%	0%	0%	20%	0%
5.1.6.2 Provide an appropriate and sustainable range of quality passive and active open spaces and facilities	0%	0%	0%	0%	100%
5.1.6.3 Policies and plans are developed, reviewed and implemented to encourage physical activity	0%	0%	0%	0%	100%
5.2.1.1 Prepare a Housing Study and Strategy incorporating Affordable Housing Issues	0%	0%	50%	50%	0%
5.2.2.1 Integrated services are provided to residents in need of urgent shelter	0%	0%	0%	0%	100%
5.3.1.1 Promote and enforce compliance with litter reduction	20%	0%	0%	0%	80%

Appendix 1: Annual Deliverable Progress by 5 Year Action – Delivery Program 2012-17

5 Year Action	On track	Not Scheduled to Commence	Delayed	Deferred	Ongoing / Complete
5.3.2.1 Manage and maintain public facilities	0%	0%	0%	0%	100%
5.3.2.3 Use additional funds achieved through the financial sustainability review for renewal of major building projects as per capital program	0%	0%	0%	0%	100%
5.3.3.1 Manage and maintain community infrastructure portfolio with a focus on asset renewal	40%	20%	0%	0%	40%
5.4.1.1 Facilitate a range of partnerships and networks to develop community safety initiatives	50%	0%	0%	0%	50%
5.4.1.2 Provide lifeguarding services at beaches (in partnership with Surf Life Saving Illawarra) and Council pools	100%	0%	0%	0%	0%
5.4.2.1 Continue to liaise with Local Area Commands on key initiatives and crime reduction strategies.	0%	0%	0%	0%	100%
5.4.2.2 Deliver projects and programs to reduce crime in the Wollongong Local Government Area	50%	0%	0%	0%	50%
5.4.3.1 Safety is considered in the planning and design of any development	0%	0%	0%	0%	100%
5.5.1.1 Maintain and establish corridors and parks that strengthen open space connections and people movement.	0%	0%	0%	0%	100%
5.5.1.2 Coordinate an access improvement program through pre-planning and renewal activities	0%	0%	0%	100%	0%

Appendix 1: Annual Deliverable Progress by 5 Year Action – Delivery Program 2012-17

5 Year Action	On track	Not Scheduled to Commence	Delayed	Deferred	Ongoing / Complete
5.5.2.1 Use data to assess the current community infrastructure available, community demand and develop a strategic framework and policies to either rationalise, enhance or expand to meet hanging community needs	75%	0%	0%	0%	25%
5.5.2.2 Implement Council's Planning, People, Places Strategy	75%	0%	0%	0%	25%
5.5.2.3 Develop a Regional Botanic Garden of Excellence	0%	0%	0%	0%	100%
5.5.2.4 Provide statutory services to appropriately manage and maintain our public spaces	33%	0%	0%	33%	33%
5.5.2.5 Develop a play strategy to support the planning of high quality centralised and integrated park facilities	0%	0%	0%	0%	100%
5.5.2.6 Use additional achieved through the Financial Sustainability Review to replace below standard playground facilities informed by the Play Strategy	0%	0%	0%	0%	100%
5.5.3.1 Deliver a range of programs for older people	0%	0%	0%	0%	100%
5.5.3.2 Deliver a range of recreational pursuits for older people	0%	0%	0%	0%	100%
5.6.1.1 Deliver a diverse suite of projects to the community that foster and enhance community strengths	0%	0%	0%	0%	100%
6.1.1.1 Establish a strategic framework and a plan for cycleways and bicycle facilities within Wollongong	0%	0%	0%	0%	100%

Appendix 1: Annual Deliverable Progress by 5 Year Action – Delivery Program 2012-17

5 Year Action	On track	Not Scheduled to Commence	Delayed	Deferred	Ongoing / Complete
6.1.2.1 Assess the feasibility to expand the Gong Shuttle service to outer suburbs	0%	0%	67%	0%	33%
6.1.3.1 Improve the connectivity of the local government area through the upgrade in our network of footpaths and cycleways	80%	0%	0%	0%	20%
6.1.3.2 Use additional funds achieved through the Financial Sustainability Review to accelerate the footpath renewal program by about \$4M	100%	0%	0%	0%	0%
6.1.3.3 Extend the average lives of footpaths to 80 years to create about \$1M saving in depreciation annually	100%	0%	0%	0%	0%
6.1.3.4 Use funds obtained from Restart NSW Illawarra to design and construct the Grand Pacific Walk - Stage one	0%	0%	100%	0%	0%
6.1.4.1 Work in partnership with key stakeholders to consider the establishment of a 'Park n Ride' commuter bus network	0%	0%	100%	0%	0%
6.2.1.1 Develop an integrated Transport Strategy	100%	0%	0%	0%	0%
6.2.1.2 Deliver sustainable transport asset renewal programs	100%	0%	0%	0%	0%
6.2.1.3 Allocate approximately \$6M of additional funds achieved through the Financial Sustainability Review to road resurfacing and reconstruction	100%	0%	0%	0%	0%
6.2.2.1 In collaboration with agencies deliver the infrastructure required to support the first stage of the West Dapto Release Area	0%	0%	0%	0%	100%

Appendix 1: Annual Deliverable Progress by 5 Year Action – Delivery Program 2012-17

5 Year Action	On track	Not Scheduled to Commence	Delayed	Deferred	Ongoing / Complete
6.2.2.2 Use funds obtained from Restart NSW Illawarra and funds contributed by Council to construct the road link between Fowlers Road Dapto to Fairwater Drive Horsley	0%	0%	100%	0%	0%
6.2.3.1 Work with State and Government agencies and lobby improve rail services and stations across the LGA.	0%	0%	0%	0%	100%
6.2.4.1 Work with State and Government agencies to lobby and promote opportunities for transport to reduce travel time between Sydney and Wollongong	0%	0%	0%	0%	100%
6.2.5.1 Work with key agencies and partners to continue and improve late night transport options	0%	0%	0%	0%	100%
6.3.1.1 Develop an alternative service delivery, governance model and auspice for Community Transport in response to the Federal Governments Aged Care reform legislation	100%	0%	0%	0%	0%
Total Annual Deliverable Progress	29%	1%	5%	2%	64%

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:

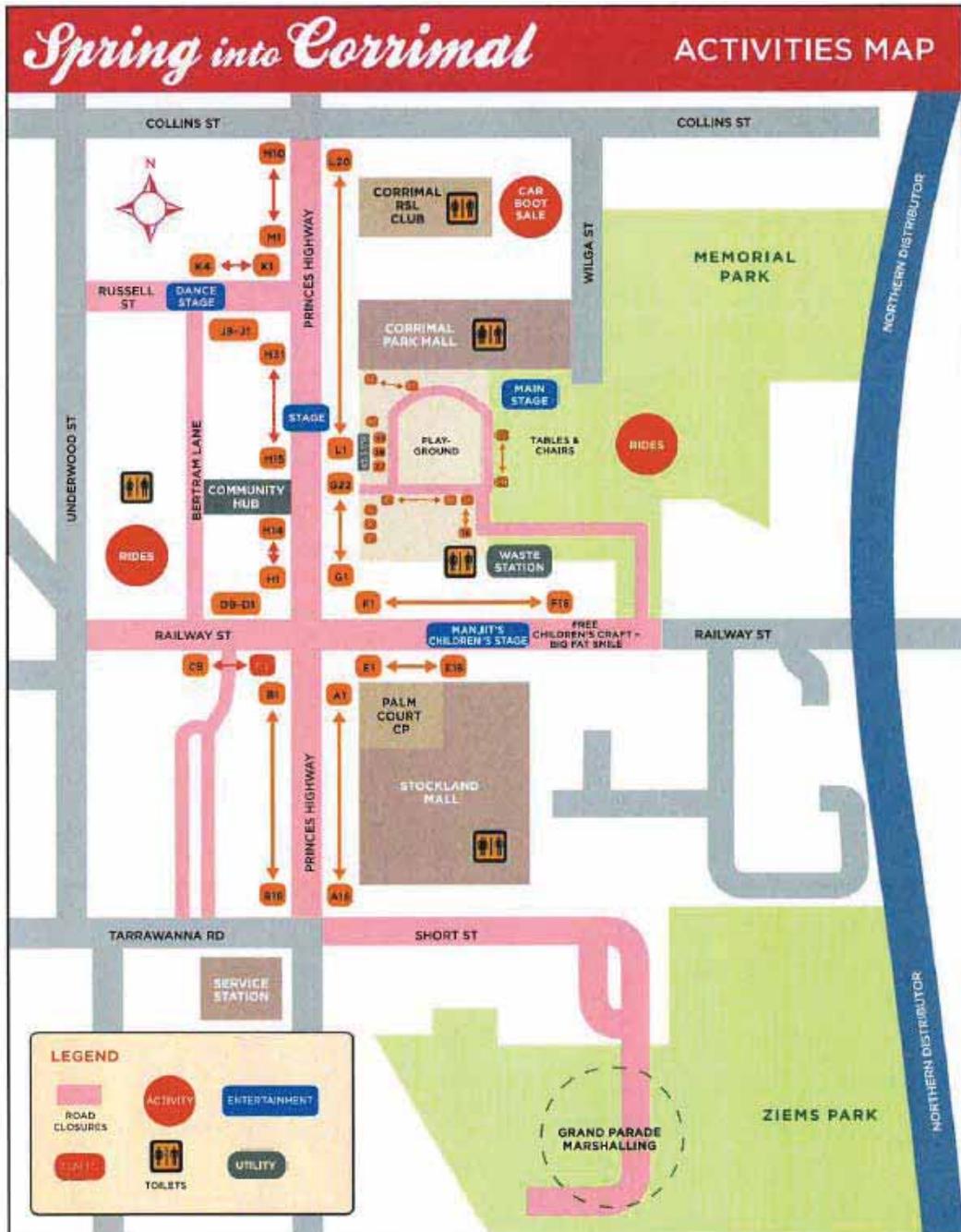
- Completed Council Form:**
'Application to Open and Occupy or Underbore a Roadway or Footpath'.

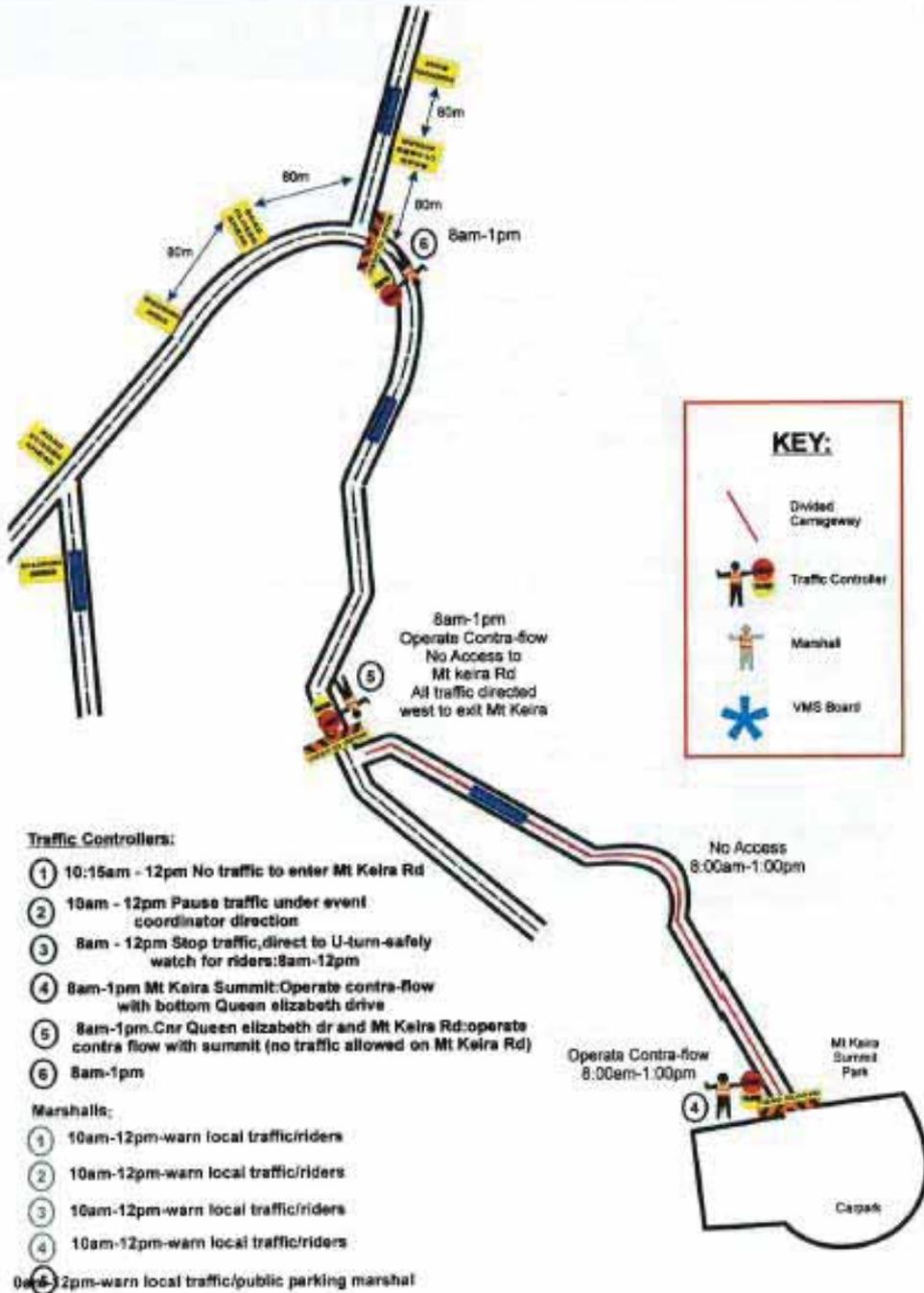
Required information as shown below MUST be attached:

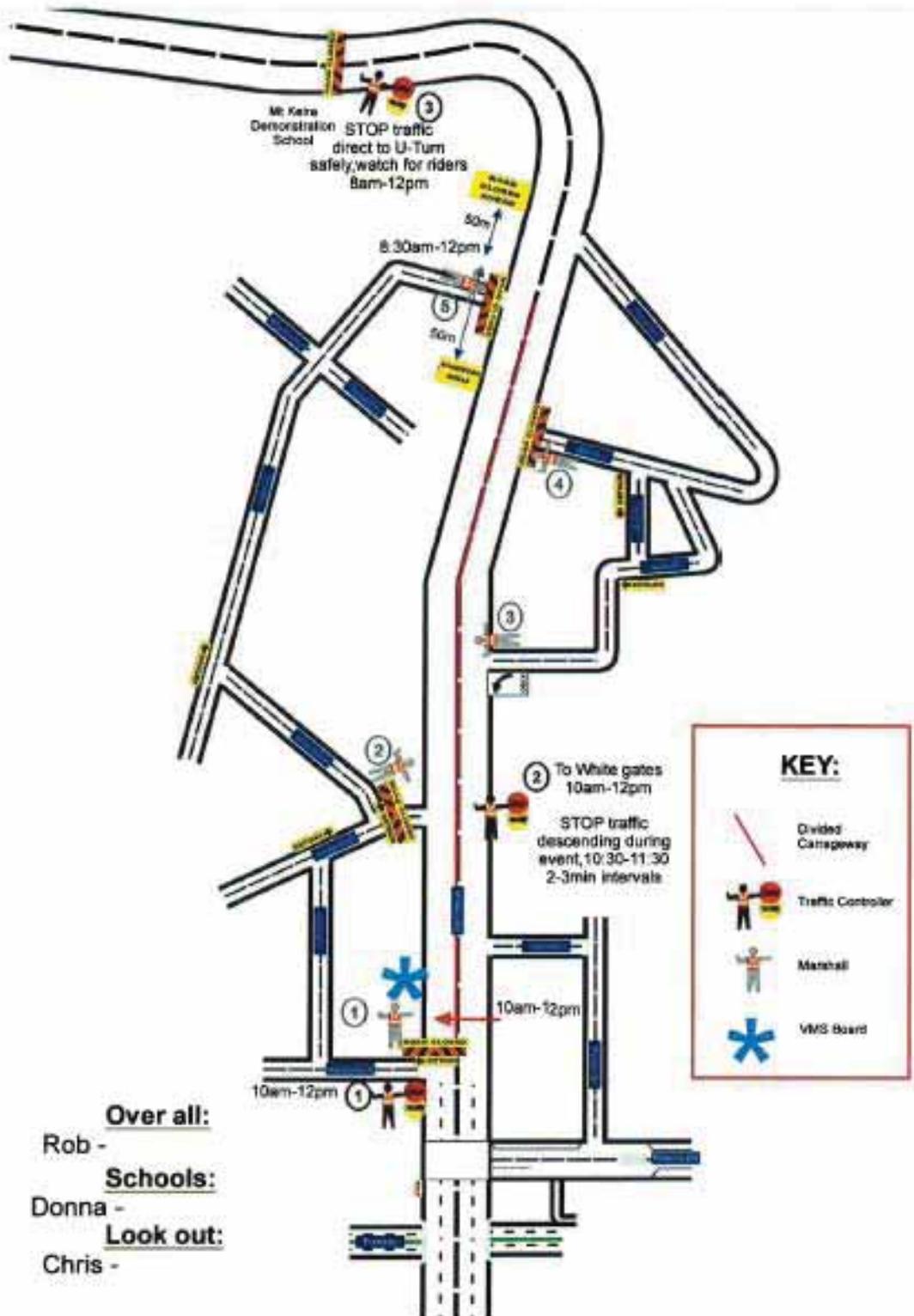
- A copy of the letter from the Traffic Committee authorising the closure
- The Traffic Management Plan (TMP)
- The Road Occupancy Licence (ROL) *if required*
- Written approval from NSW Police
- Public Liability Insurance

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 3 – 'Spring into Corrimal'







Over all:
 Rob -
Schools:
 Donna -
Look out:
 Chris -