



BUSINESS PAPER

ORDINARY MEETING OF COUNCIL

To be held at 6.00 pm on

Monday 20 July 2020

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

Order of Business

- 1 Opening Meeting
- 2 Acknowledgement of Traditional Owners
- 3 Civic Prayer
- 4 Apologies and Applications for Leave of Absence by Councillors
- 5 Confirmation of Minutes of Ordinary Council Meeting
- 6 Confirmation of Minutes of Extraordinary Ordinary Council Meeting
- 7 Conflicts of Interest
- 8 Petitions and Presentations
- 9 Confirmation of Minutes of Council Committee Meeting
- 10 Public Access Forum
- 11 Call of the Agenda
- 12 Lord Mayoral Minute
- 13 Urgent Items
- 14 Reports to Council
- 15 Reports of Committees
- 16 Items Laid on the Table
- 17 Notices of Motions(s)/Questions with Notice
- 18 Notice of Rescission Motion
- 19 Confidential Business
- 20 Conclusion of Meeting

Members

Lord Mayor –
Councillor Gordon Bradbery AM (Chair)
Deputy Lord Mayor –
Councillor Tania Brown
Councillor Ann Martin
Councillor Cameron Walters
Councillor Cath Blakey
Councillor David Brown
Councillor Dom Figliomeni
Councillor Janice Kershaw
Councillor Jenelle Rimmer
Councillor John Dorahy
Councillor Leigh Colacino
Councillor Mithra Cox

QUORUM – 7 MEMBERS TO BE PRESENT

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MINUTES

ORDINARY MEETING OF COUNCIL

at 6:03pm

Monday 29 June 2020

Present

Lord Mayor – Councillor Gordon Bradbery AM (in the Chair)
Deputy Lord Mayor – Councillor Tania Brown
Councillor Ann Martin
Councillor Cameron Walters
Councillor Cath Blakey
Councillor David Brown
Councillor Dom Figliomeni
Councillor Janice Kershaw

Councillor Jenelle Rimmer
Councillor John Dorahy
Councillor Leigh Colacino
Councillor Mithra Cox

In Attendance

General Manager
Director Infrastructure + Works, Connectivity Assets + Liveable City
Director Planning + Environment, Future City + Neighbourhoods
Director Corporate Services, Connected + Engaged City
Director Community Services, Creative + Innovative City
Manager Governance + Customer Service
Chief Financial Officer
Manager City Strategy
Manager City Works (Acting)
Manager Project Delivery
Manager Infrastructure Strategy + Planning (Acting)
Manager Open Space + Environmental Services
Manager Community Cultural + Economic Development
Manager Human Resources (Acting)

Greg Doyle
Andrew Carfield
Linda Davis
Renee Campbell
Kerry Hunt
Todd Hopwood
Brian Jenkins
Chris Stewart
Corey Stoneham
Glenn Whittaker
Andrew Heaven
Joanne Page
Sue Savage
Shaun Martin

Note: Due to current government requirements around social distancing obligations due to the COVID-19 pandemic, all Councillors and staff attended the Meeting of Council via Skype. The Lord Mayor and General Manager were present in the Council Chambers for this meeting.

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CONFLICTS OF INTERESTS

Councillor Cox declared a pecuniary conflict of interest in Item 9, Post-Exhibition – Former Corrimal Coke Works Site – Heritage Planning Proposal, as she lives less than 300m from the site and it has the potential to affect land values. Councillor Cox advised she would not participate in the Public Access Forum presentations on the matter, nor debate and voting on the item.

Councillor T Brown declared a non-pecuniary, non-significant, perceived conflict of interest in both Item 1, Post Exhibition – Delivery Program 2018-2022 and Operational Plan 2020-2021 – Our Wollongong 2028 and Item 5, Public Exhibition – Draft Cycling Strategy 2030 as her employer, the University of Wollongong, and Council, are research collaborators in the Smart City space. Councillor T Brown advised she would remain in the meeting during debate and voting on the item.

Councillor Martin declared a non-pecuniary, significant conflict of interest in Item 1, Post Exhibition – Delivery Program 2018-2022 and Operational Plan 2020-2021 – Our Wollongong 2028, as she is Chairperson of Our Community Project who operate under license the Port Kembla Community Centre which is the subject of a number of submissions in respect to the upgrade of the Kitchen. Councillor Martin advised she would not participate in any debate on this matter however will be present for voting on the item.

At this stage, prior to the Confirmation of Minutes, Councillor Kershaw joined the electronic meeting, the time being 6:05pm.

CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 25 MAY 2020

392 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Kershaw that the Minutes of the Ordinary Meeting of Council held on Monday, 25 May 2020 (a copy having been circulated to Councillors) be taken as read and confirmed.

PUBLIC ACCESS FORUM

ITEM	TITLE	NAME OF SPEAKER
1	Post Exhibition – Delivery Program 2018-2022 and Operational Plan 2020-2021 – Our Wollongong 2028	Claudia Perry-Beltrane Climate Citizen Lobby For Recommendation
4	Public Exhibition – Draft Climate Change Mitigation Plan	Isabella Gould The Illawarra Climate Coalition For Recommendation
5	Public Exhibition – Draft Cycling Strategy 2030	John Armstrong Illawarra Academy of Sport For Recommendation

DEPARTURE OF COUNCILLOR

Due to a disclosed conflict of interest, Councillor Cox did not participate in the Public Access Forum speakers addressing Council in relation to Item 9 from 6:28pm. Councillor Cox re-joined the meeting at 6:44pm.

9	Post Exhibition – Former Corrimal Coke Works Site – Heritage Planning Proposal	Kate Strahorn Illawarra Coke Company Pty Ltd Against Recommendation
9	Post Exhibition – Former Corrimal Coke Works Site – Heritage Planning Proposal	Fiona Reynolds National Trust – Illawarra Shoalhaven Branch For Recommendation
10	Planning Proposal – 3-13 Short Street, 312-324 Princes Highway, Corrimal and 15 Short Street, Corrimal	Patrick Hall Lederer Group For Recommendation

- 393 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Dorahy seconded Councillor Rimmer that all speakers be thanked for their presentation and invited to table their notes.

CALL OF THE AGENDA

- 394 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that the staff recommendations for Items 2, 3, 7 then 11 to 26 be adopted as a block.

ITEM A - LORD MAYORAL MINUTE - RECOGNISING THE ACHIEVEMENTS OF RICHARD TOGNETTI WITH KEYS TO THE CITY

- 395 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Bradbery that Wollongong City Council award the Keys to the City of Wollongong to Richard Leo Tognetti in recognition of his connection to Wollongong and the outstanding contribution he has made to the performing arts especially music, nationally and internationally.

ITEM B - LORD MAYORAL MINUTE - RELEASE OF LIGHTER THAN AIR GAS FILLED BALLOONS

- 396 **COUNCIL'S RESOLUTION** - RESOLVED UNANIMOUSLY on the motion of Councillor Bradbery that -

- 1 Council write to all local Funeral Directors requesting that they inform those arranging funerals and post funeral memorial ceremonies about restrictions regarding the release of 'lighter than air' gas filled balloons. The correspondence should -
 - a Advise that under the Protection of the Environment Operations Act 1997 it is an offense to release 20 or more balloons at or about the same time if the balloons are inflated with a lighter than air gas
 - b Highlight the severe impact that balloons and other single use plastics have on the environment, especially marine wildlife
 - c Encourage those wishing to commemorate the passing of a loved one to explore other environmentally friendly options such as releasing bubbles, lighting candles or scattering flower petals
 - d Advise that under Wollongong City Council's Single Use Plastics Management Policy, organisations or individuals organising events conducted on Council land, including cemeteries, must refrain from balloon use and distribution and comply with litter and environmental legislation.
- 2 Council write to relevant State and Federal Ministers to request a review of regulations on the sale and use of helium and other lighter than air gasses, other than for scientific and non-environmentally detrimental commercial purposes, especially relating to balloons.

ITEM 1 - POST EXHIBITION - DELIVERY PROGRAM 2018-2022 AND OPERATIONAL PLAN 2020-2021 - OUR WOLLONGONG 2028

397 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Cox that -

- 1 Council incorporate the changes recommended in this report for the following documents, and these documents be adopted:
 - a Delivery Program 2018-2022 and Operational Plan 2020-2021;
 - b Operational and Capital Budget 2020-2023;
 - c Revenue Policy, Fees and Charges 2020-2021;
 - d The Port Kembla Community Hall Kitchen and amenities be delivered in 2020-2021.
- 2 Council makes the rates and charges for the period 1 July 2020 to 30 June 2021, outlined in the draft Revenue Policy 2020-2021 as amended in this report, including the general rate increase of 2.6% as determined by the Independent Pricing and Regulatory Tribunal (IPART).
- 3 The General Manager be authorised to make these changes to the endorsed draft Delivery Program 2018-2022 and Operational Plan 2020-2021, including attachments.

Variation The variation moved by Councillor Figliomeni (the addition of point 1d) was accepted by the mover and seconder.

ITEM 2 - POST EXHIBITION - WOLLONGONG LOCAL STRATEGIC PLANNING STATEMENT

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 394)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that the Wollongong Local Strategic Planning Statement be endorsed and loaded on to the NSW Department of Planning, Industry and Environment Planning Portal.

ITEM 3 - PUBLIC EXHIBITION - DRAFT SUSTAINABLE WOLLONGONG 2030: A CLIMATE HEALTHY CITY STRATEGY

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 394)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that -

- 1 The draft Sustainable Wollongong 2030: A Climate Healthy City Strategy be placed on public exhibition for a period of 42 days.
- 2 Following public exhibition, a further report be provided to Council on the submissions received and any amendments proposed.

ITEM 4 - PUBLIC EXHIBITION - DRAFT CLIMATE CHANGE MITIGATION PLAN

398 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Cox seconded Councillor Martin that -

- 1 The draft Climate Change Mitigation Action Plan be placed on public exhibition for a period of 42 days.
- 2 Following public exhibition, a further report be provided to Council on the submissions received and any amendments proposed, seeking adoption of the plan.

A PROCEDURAL MOTION was MOVED by Councillor Martin seconded Councillor Walters that Councillor Colacino be granted an additional three (3) minutes to address the meeting in relation to Item 5.

ITEM 5 - PUBLIC EXHIBITION - DRAFT CYCLING STRATEGY 2030

399 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Cox seconded Councillor Colacino that -

- 1 The draft Cycling Strategy 2030 be placed on public exhibition for a period of 42 days.
- 2 Following public exhibition, a further report be provided to Council on the submissions received and any amendments proposed, seeking adoption of the plan.

ITEM 6 - PUBLIC EXHIBITION - DRAFT DIVERSITY, INCLUSION AND BELONGING POLICY

400 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor T Brown seconded Councillor Rimmer that -

- 1 The draft Diversity, Inclusion and Belonging Policy be placed on public exhibition.
- 2 A further report be provided to Council at the conclusion of the exhibition period.

ITEM 7 - PUBLIC EXHIBITION - DRAFT DISABILITY INCLUSION ACTION PLAN 2020-2025

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 394)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that Council endorse the Draft Disability Inclusion Action Plan 2020-2025 for public exhibition from 1 July to 5 August 2020 inclusive.

ITEM 8 - PUBLIC EXHIBITION - DRAFT FRAMING OUR FUTURE, WOLLONGONG ART GALLERY STRATEGIC PLAN 2020-2025

401 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Colacino seconded Councillor D Brown that -

- 1 Council endorse the draft *Framing Our Future*, Wollongong Art Gallery Strategic Plan 2020-2025 for public exhibition from 2 July to 6 August 2020 inclusive.
- 2 Council note the *Framing Our Future*, Wollongong Art Gallery Strategic Plan 2020-2025 Background Report.

DEPARTURE OF COUNCILLOR

Due to a disclosed conflict of interest, Councillor Cox advised at 8:37pm that she would not participate in the debate nor voting on Item 9. Councillor Cox re-joined the meeting at 8:52pm.

ITEM 9 - POST EXHIBITION - FORMER CORRIMAL COKE WORKS SITE - HERITAGE PLANNING PROPOSAL

402 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Rimmer seconded Councillor Figliomeni that -

- 1 The draft Planning Proposal to list part of the former Corrimal Coke Works site as a local heritage item in the Wollongong Local Environmental Plan 2009 be progressed, by -
 - a Amending Schedule 5 to identify the former Corrimal Coke Works site at 27 Railway Street Corrimal, Lot 1 DP 795791 and Lot 126 DP 598190, and as being of local significance
 - b Amending the Heritage Map to show the site as indicated in Attachment 4, being a reduced area from the area exhibited.
- 2 The draft Planning Proposal be submitted to the NSW Department of Planning, Industry and Environment for review, finalisation and the preparation and approval of an amending Local Environmental Plan.

During debate and prior to voting on Item 10, due to connectivity issues, the electronic meeting was temporarily paused, the time being from 8:58pm to 9:08pm.

ITEM 10 - PLANNING PROPOSAL - 3-13 SHORT STREET, 312-324 PRINCES HIGHWAY, CORRIMAL AND 15 SHORT STREET, CORRIMAL

403 COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Kershaw seconded Councillor Rimmer that a draft Planning Proposal not be prepared for 3-13 Short Street, 312-324 Princes Highway Corrimal and 15 Short Street Corrimal and not be submitted to NSW Department of Planning, Industry and Environment for the following reasons -

- 1 The size and bulk of the proposed development.
- 2 No relationship between the proposal and the surrounding structures.
- 3 The proposal requires substantial work and alteration to the riparian corridor.
- 4 Proximity and overshadowing of a community facility being the Library and Community Centre.
- 5 The site is categorised as a high flood risk.
- 6 Increased traffic in an already congested area.
- 7 Potential contamination on the site.
- 8
 - a The original DA 1995/255 required the provision of carparking therefore the site is zoned SP2 infrastructure (carpark) for that purpose
 - b Moving the required carparking spaces to the shopping centre site would require a multi-level carpark on either Railway Street, Princes Highway or Short Street, Corrimal which will destroy the amenity of that site with non-activity facing one or more of those streets.

ITEM 11 - POST EXHIBITION - FAIRY AND CABBAGE TREE CREEKS FLOOD STUDY 2020

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 394)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that -

- 1 Council adopt the Fairy and Cabbage Tree Creeks Flood Study (2020).
- 2 Persons who made submissions be thanked and advised of Council's decision.

ITEM 12 - PUBLIC EXHIBITION - DRAFT REVISED WASTE AND RESOURCE RECOVERY - FEES AND EXEMPTIONS COUNCIL POLICY

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 394)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that -

- 1 Council exhibit the draft Waste and Resource Recovery – Fees and Exemptions Council Policy for 28 days which includes the changes outlined in Points 2 and 3.
- 2 In relation to Pensioner Concession Cardholder fee exemptions, Council -
 - a Remove current fee exemptions for mixed general and green waste from 1 October 2020
 - b Develop an education program for Pensioner Concession Cardholders to promote the use of the Community Recycling Centre, Enhanced Waste Services and kerbside bulky Collections.
- 3 Council staff to support eligible Local Community Service Organisations through the development and implementation of Individualised Waste Management Plans to assist in waste reduction and increase diversion of material from landfill.

ITEM 13 - DRAFT RISK MANAGEMENT FRAMEWORK AND RISK APPETITE STATEMENT

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 394)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that -

- 1 The Risk Appetite Statement be adopted.
- 2 The Draft Risk Management Framework be placed on public exhibition for a period of 28 days.
- 3 A further report be provided to Council at the conclusion of the exhibition period.

ITEM 14 - POST EXHIBITION - SUSTAINABLE PROCUREMENT POLICY (LOCAL CONTENT)

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 394)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that the updated Sustainable Procurement Policy be adopted.

ITEM 15 - TENDER T19/45 - LEVEL 2 STRUCTURAL CONDITION INSPECTIONS FOR WOLLONGONG CITY COUNCIL'S BRIDGE, BOARDWALK AND JETTY ASSETS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 394)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that -

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of ARRB Group Ltd for Level 2 Structural Condition Inspections, in the sum of \$166,000, 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 16 - TENDER T20/05 - WHYTES GULLY LEACHATE TREATMENT SYSTEM OPERATIONS AND MAINTENANCE SERVICES

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 394)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that -

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of JPG Pty Ltd for Whytes Gully Leachate Treatment System, in the sum of \$167,280 excluding GST.
- 2 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 17 - TENDER T20/12 - REVIEW OF THE FAIRY AND CABBAGE TREE CREEKS FLOODPLAIN RISK MANAGEMENT STUDY AND PLAN

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 394)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that -

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Advisian for the Review of the Fairy and Cabbage Tree Creeks Floodplain Risk Management Study and Plan, in the sum of \$159,925, 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 18 - TENDER T20/16 - TOWRADGI SURF LIFE SAVING CLUB AMENITIES REFURBISHMENT

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 394)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that -

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Project Coordination (Australia) Pty Ltd for the Towradgi Surf Life Saving Club Amenities Refurbishment, in the sum of \$287,090.00, excluding GST.
- 2 Council delegate to the General Manager the authority to finalise and execute the contract and any other documentation required to give effect to this resolution.
- 3 Council grant authority for the use of the Common Seal of Council on the contract and any other documentation, should it be required, to give effect to this resolution.

ITEM 19 - PROPOSED DEDICATION OF BALFOUR ROAD, AUSTINMER

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 394)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that in accordance with Section 16 of the Roads Act 1993, Council approve the dedication of Balfour Road, Austinmer as shown hatched on Attachment 1 as public road, and action be taken to dedicate the road by the placement of a notice in the NSW Government Gazette.

ITEM 20 - PRIVATE LEASES OVER CROWN LAND REQUIRING WRITE OFF OF COUNCIL RATES

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 394)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that -

- 1 Council approves the writing off of land rates and charges totalling \$48,374.73 on Assessment N° 214845-5.
- 2 Council approves the writing off of land rates and charges totalling \$14,891.16 on Assessment N° 76160-6.
- 3 Council approves the writing off of land rates and charges totalling \$2,580.93 on Assessment N° 80231-9.

ITEM 21 - LOCAL GOVERNMENT REMUNERATION TRIBUNAL - ANNUAL FEES PAYABLE TO LORD MAYOR AND COUNCILLORS 1 JULY 2020 TO 30 JUNE 2021

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 394)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that Wollongong City Council -

- 1 Set the annual fees payable for the period 1 July 2020 to 30 June 2021 at:
 - a \$32,040.00 for each Councillor including the Lord Mayor, and
 - b \$99,800.00 additional fee for the Lord Mayor
- 2 Note the annual fees represent no increase from the 2019-2020 year.

ITEM 22 - MAY 2020 FINANCIALS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 394)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that -

- 1 The financials be received and noted.
- 2 Council approves the proposed changes to the Capital Budget.

ITEM 23 - STATEMENT OF INVESTMENT - MAY 2020

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 394)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that Council receive the Statement of Investment for May 2020.

ITEM 24 - BI-MONTHLY RETURNS OF DISCLOSURES OF PECUNIARY INTERESTS AND OTHER MATTERS - JUNE 2020

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 394)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that Council note the tabling of the Returns of Disclosures of Interest as required by Part 4 of the Model Code of Conduct.

ITEM 25 - CITY OF WOLLONGONG TRAFFIC COMMITTEE MINUTES OF MEETING HELD 20 MAY 2020

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 394)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that in accordance with powers delegated to Council, the Minutes and Recommendation related to Regulation of Traffic, of the City of Wollongong Traffic Committee held on 20 May 2020, be adopted.

**ITEM 26 - NOTICE OF MOTION - COUNCILLOR DOM FIGLIOMENI - SYDNEY WATER
PORT KEMBLA SEWAGE TREATMENT PLANT**

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 394)

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor T Brown that the Lord Mayor write to the Chair of Sydney Water, Bruce Morgan, acknowledging the excellent community facilities provided at Hill 60 as part of upgrade to the Port Kembla Sewage Treatment Plant.

THE MEETING CONCLUDED AT 9:11 PM

Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on Monday 20 July 2020.

Chairperson

ITEM 1

GLENIFFER BRAE PLANNING PROPOSAL AND WOLLONGONG BOTANIC GARDEN
PLAN OF MANAGEMENT AND MASTER PLAN

On 3 April 2017 Council considered a report on submissions following the exhibition of the draft Planning Proposal to permit a Function Centre use of Gleniffer Brae site and the draft Plan of Management for the Wollongong Botanic Garden. Council resolved to submit an updated Draft Gleniffer Brae Keiraville Conservation Management Plan to the NSW Heritage Council for endorsement, and defer the finalisation of the draft Planning Proposal and adoption of the Plan of Management for the Wollongong Botanic Garden pending the outcome of the Conservation Management Plan process.

On 23 July 2018 Council resolved to exhibit the draft Wollongong Botanic Garden Master Plan which occurred in August 2018.

The NSW Heritage Branch has not endorsed the revised Gleniffer Brae Keiraville Conservation Management Plan. This has delayed the progression of the draft Planning Proposal, the use of the Gleniffer Brae site for functions, the finalisation of Wollongong Botanic Garden Plan of Management and Wollongong Botanic Garden Master Plan. It is recommended that Council resolve to finalise the draft Planning Proposal, despite the unresolved objection of the Heritage Branch and adopt the Plan of Management.

RECOMMENDATION

- 1 Planning Proposal PP-2015/5 for the proposed Function Centre use of Gleniffer Brae site (Lot 3 DP 252694) be referred to the NSW Department of Planning, Industry and Environment for finalisation and the making of an LEP amendment, with an unresolved objection from the NSW Heritage Branch
- 2 The Wollongong Botanic Garden Plan of Management be adopted and finalised.
- 3 The endorsement of the Gleniffer Brae Conservation Management Plan by Heritage NSW continue to be progressed, to inform the Wollongong Botanic Garden Master Plan.
- 4 The Wollongong Botanic Garden Master Plan be reported to Council for consideration following the endorsement of the Gleniffer Brae Conservation Management Plan by Heritage NSW.

REPORT AUTHORISATIONS

Report of: Chris Stewart, Manager City Strategy

Authorised by: Linda Davis, Director Planning + Environment - Future City + Neighbourhoods

ATTACHMENTS

- 1 Location Plan
- 2 Wollongong Botanic Garden Plan of Management

BACKGROUND

The Wollongong Botanic Garden consists of Lots 1-3 DP 252694, Lot C DP 385943 and Lot F DP 390257 located between Murphys Avenue, Robsons Road and Northfields Avenue, Keiraville and includes heritage listed Gleniffer Brae and the Kooloobong Sporting Oval (Attachment 1). The Botanic Garden has an area of 27 hectares. The area is zoned RE1 Public Recreation under the Wollongong Local Environmental Plan (LEP) 2009. All the land within the Botanic Garden is classified as community land and categorised as an area of cultural significance. A Plan of Management (PoM) for the entire Botanic Garden was adopted in 2006 which replaced an earlier 2002 PoM that was just for Gleniffer Brae.

The Botanic Garden PoM area was once the home of Arthur Sidney Hoskins, one of the founders of the Australian Iron and Steel works at Port Kembla. Hoskins lived on the property between 1939 and 1949.

Hoskins was civic minded and desired that Gleniffer Brae be used for educational purposes and that the surrounding acreage would become a botanical garden once his family no longer used the residence.

The eastern part of the Botanic Garden was transferred to Council in 1951 and the Botanic Garden officially opened in 1971. The western portion, including Gleniffer Brae and Kooloobong Fields, was purchased by the Sydney Church of England Girls Grammar School (SCEGGS) in 1954/55. In 1978 Council acquired the western portion from SCEGGS.

Until 2009 Council ran an events function centre from Gleniffer Brae. This use ceased in 2009 following a service review. The Botanic Garden PoM allowed for the issue of casual short-term licenses for the function centre portion of Gleniffer Brae for a period no longer than 7 days.

Kooloobong Fields (located on Lot 2 DP252694) has been licensed to the University of Wollongong since the early 1990's. On 3 September 2018, Council endorsed a Planning Agreement with the University that includes upgrades to Kooloobong Fields including synthetic turf.

The Wollongong Conservatorium of Music has leased parts of the Gleniffer Brae House and all of the former SCEGGS's school buildings and auditorium since the early 1980's. The current lease expires in 2023. All the Conservatorium leased buildings are located within Lot 3 DP 252694.

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.*

On 24 August 2015, Council considered a report on the Call for Proposal process for the future use of the portions of the historic Gleniffer Brae House and grounds not leased to the Wollongong Conservatorium of Music. Three (3) proposals were received and were reviewed, scored and ranked by the Assessment Panel, based on criteria developed to align with the values of the site and identified through an extensive period of consultation with stakeholders earlier in 2014.

All three future use proposals required amendment of the Wollongong Botanic Garden PoM (2006) and the Wollongong LEP 2009 to implement. Additionally, it was identified that all three proposals would benefit from updated heritage controls to support their day to day management. Council resolved that:

- 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 as a matter of priority.*
- 3 *Council receive an update report before the end of the 2015 calendar year.*
- 4 *The draft Plan of Management and Conservation Management Plan be reported to Council for endorsement prior to exhibition.*
- 5 *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.*
- 6 *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.*

- 7 *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.*

The draft Planning Proposal was referred to the NSW Department of Planning and Environment and a Gateway determination was received on 27 November 2015. Consistent with the Council resolution, the exhibition of the draft Planning Proposal was deferred and occurred with the other documents, from 26 October 2016 to 9 December 2016.

On 10 October 2016, Council considered a report on the draft Wollongong Botanic Garden Plan of Management (2017), draft Gleniffer Brae Conservation Management Plan and the draft Planning Proposal. Council resolved that:

- 1 *The Draft 2016 Amendments to the Plan of Management for the Wollongong Botanic Garden (including Gleniffer Brae and Kooloobong Oval), Keiraville be exhibited for a minimum period of 42 days.*
- 2 *The Gleniffer Brae, Keiraville Conservation Management Plan Review by Architectural Projects Pty Limited August 2016 be exhibited concurrently with the Draft Amendments to the Plan of Management.*
- 3 *The draft Planning Proposal to add 'Function Centre' as a permissible use in the RE1 Public Recreation zone for the Gleniffer Brae site be exhibited concurrently with the draft amendments to the Plan of Management and revised Conservation Management Plan.*
- 4 *A Public Meeting and a Gleniffer Brae Open day be held during the exhibition period.*
- 5 *Following the exhibition period a report on submissions be presented to Council to enable the draft Plan of Management, Conservation Management Plan Review and draft Planning Proposal to be finalised.*

The draft Plans for the Wollongong Botanic Garden were exhibited from 26 October 2016 to 9 December 2016. As a consequence of the exhibition 17 submissions were received. A Public Hearing was held on 22 November 2016.

On 3 April 2017, Council considered a report on the exhibition, public hearing and submissions received. Council resolved that:

- 1 *The issues raised in submissions be noted.*
- 2 *The Draft Gleniffer Brae Keiraville Conservation Management Plan Review as amended (Attachment 5 of the report) be forwarded to the NSW Heritage Council for endorsement.*
- 3 *A further report be submitted to Council seeking to finalise the draft Planning Proposal and adopt the Plan of Management for the Wollongong Botanic Garden once the outcome of the application process to seek NSW Heritage Council endorsement for the Conservation Management Plan for Gleniffer Brae is known.*

On 23 July 2018, Council considered a report on the draft Wollongong Botanic Garden Master Plan. The draft Master Plan takes a 20-year horizon, and has proposed the following Vision:

The Wollongong Botanic Garden is a Regional Botanic Garden of Excellence meeting the diverse visitor experience and expectations of the community at the local level, whilst making a valued contribution at a global level through our work in Horticulture, Plant Conservation and Environmental Education.

The draft Master Plan incorporates the following future projects subject to detailed design, consultation, approvals and funding:

- A major new public entry to the site from Northfields Avenue, incorporating a remodeled operational and administration area to enrich the visitor arrival and orientation experience whilst also providing an active interface with the multiple activities of Botanic Garden (visitor services, administration, depot and nursery, education, The Friends)

- New Café and toilet facility near the Duck Pond
- Café restaurant in refurbished Cratloe Cottage (Discovery Centre educational service to be relocated)
- Options for increased parking and vehicular circulation along the Paulsgrove Street boundary
- Upgraded entry at Murphy's Avenue carpark
- Refurbished Sir Joseph Banks Glasshouse facility as a 50 year anniversary project in 2021
- Completion of Stages 2 and 3 of the Rainforest Walk (Stage 1 completed 2018)
- Gleniffer Brae Functions and parking upgrade

Council resolved that:

- 1 *The draft Wollongong Botanic Garden Masterplan be exhibited for a minimum 28 day period.*
- 2 *Following a review of submissions received and the need for any amendments, the draft Wollongong Botanic Garden Masterplan be reported back to Council.*
- 3 *Key stakeholders be formally thanked for their initial input into the draft document, and advised of the public exhibition period.*
- 4 *Upon final adoption of the Masterplan a Councillor Briefing Session be held to consider any consequential amendments to Section 10.7 Certificates on surrounding properties and potential boundary adjustments and property acquisitions.*

The draft Master Plan was exhibited from 6 August to 3 September 2018 and 564 submissions were received. On 29 July 2019 a Councillor briefing occurred on the issues raised in submissions.

Gleniffer Brae Conservation Management Plan review:

To inform the review of the Wollongong Botanic Garden Plan of Management, Architectural Projects Pty Ltd prepared an updated Conservation Management Plan titled "Gleniffer Brae, Keiraville Conservation Management Plan Review August 2016".

A Conservation Management Plan (CMP) ensures best practice in managing a heritage place from routine maintenance through to proposing changes by clearly guiding maintenance and conservation priorities.

The Architectural Projects review of the existing 2001 Conservation Management Plan confirms and updates the cultural heritage significance assessment and adds additional historical information and new conservation policies to protect the cultural heritage significance of the place. The review includes additional historical information gained from a 2002 Oral History with the Hoskins children and details the more recent history relating to Council's search for appropriate uses to activate more areas of the site. The review also includes an updated 10 year maintenance schedule for Gleniffer Brae House, the Doll's House, Gardener's Shed and significant landscape elements.

On 2 December 2016, the Heritage Division of the Office of Environment and Heritage (OEH) recommended that the amended CMP be submitted for endorsement by the NSW Heritage Council prior to Council finalising the draft Planning Proposal or PoM.

On 7 January 2017 a letter was sent to the Heritage NSW requesting that they re-consider their objection to the draft Planning Proposal, whilst at the same time indicating Council's willingness to progress the endorsement of the CMP.

In light of submissions received during the 2016 exhibition, minor changes to the CMP were made and endorsed by Council on 3 April 2017. On 3 May 2017, the amended CMP was submitted to the NSW Heritage Council for endorsement.

Since 2017 there has been on-going assessment of the draft CMP by Heritage NSW and a number of revisions and amendments have been made to the draft document to enable its approval by the NSW Heritage Council.

It appears that Heritage NSW supports the proposed Function Centre use of Gleniffer Brae site, however continues to object to the Planning Proposal until the CMP is endorsed.

The endorsement of the CMP is still required as it will guide any future Development Application of the use of Gleniffer Brae House and its curtilage, will be required for the section 60 application, will include approval exemptions for minor works, and will enable Council to pursue State Government funding opportunities.

The lack of endorsement of the CMP by the NSW Heritage Council has delayed the finalisation of the draft Planning Proposal for a Function Centre use, Wollongong Botanic Garden PoM and Wollongong Botanic Garden Master Plan. As there does not appear to be concern with the use of Gleniffer Brae for functions, Council officers propose that the Planning Proposal and PoM be progressed regardless of the objection from Heritage NSW. The NSW Department of Planning, Industry and Environment will assess the objection as part of their review and plan-making process.

PROPOSAL

The delay in obtaining the NSW Heritage Council's approval of the Gleniffer Brae Conservation Management Plan has left the Council managed rooms within Gleniffer Brae unused, delayed the finalisation of the draft Planning Proposal, delayed the finalisation of the Wollongong Botanic Garden PoM and delayed the finalisation and implementation of the Wollongong Botanic Garden Master Plan.

It is proposed that the draft Planning Proposal and draft PoM be finalised. It is proposed that the draft Master Plan be finalised after the endorsement of the CMP by NSW Heritage Council.

Draft Planning Proposal

The draft Planning Proposal seeks to insert the following clause into Schedule 1 Additional Permitted Uses of the Wollongong Local Environmental Plan 2009:

24 Use of certain land at Murphys Avenue Keiraville

- (1) *This clause applies to land at Murphys Avenue, Keiraville, being Lot 3, DP 252694.*
- (2) *Development for the purposes of a function centre is permitted with development consent.*

There are no proposed map amendments to Wollongong Local Environmental Plan 2009 as a result of this draft Planning Proposal.

In 2016 Council exhibited a draft Planning Proposal for the proposed use of Gleniffer Brae as a function centre, reinstating a use that previously existed. No community submissions objected to the proposed function centre use at Gleniffer Brae, however there were concerns expressed at wanting to have specific details determined, noise levels, parking requirements, building attributes which were not present in either the draft PoM or draft CMP.

The proposals to better link the Botanic Garden with Gleniffer Brae were generally supported. There were concerns about lack of detail regarding specific ways to increase the public's access to the parts of Gleniffer Brae with the highest heritage value and questions regarding the need for financial viability versus community benefit.

On 3 April 2017, Council considered a report on the submissions received during the exhibition of the draft Planning Proposal, and resolved (in part) that:

- 3 *A further report be submitted to Council seeking to finalise the draft Planning Proposal and adopt the Plan of Management for the Wollongong Botanic Garden once the outcome of the application process to seek NSW Heritage Council endorsement for the Conservation Management Plan for Gleniffer Brae is known.*

It is recommended that Council request the NSW Department of Planning, Industry and Environment to finalise the Planning Proposal for the Function Centre use, noting the unresolved objection from the Heritage NSW.

Wollongong Botanic Garden Plan of Management

A Plan of Management is required for community land in accordance with the *Local Government Act 1993* and should be reviewed and updated on a regular basis to meet the needs of the community. The

draft Wollongong Botanic Garden PoM (2017) proposed to update the original 2006 Plan in the following manner:

1. Values relating to plant conservation and future uses of Gleniffer Brae were added.
2. The Action Plan was updated to include the development of a future Botanic Garden Masterplan that better incorporates and links Gleniffer Brae as part of Wollongong Botanic Garden displays and services and locates significant future improvements with the community's involvement. The future Botanic Garden Masterplan would provide an opportunity to engage in long term goal setting with the community and would be subject to future Council endorsement.
3. The amendments identify the improvements made at the Botanic Gardens since the making of the 2006 PoM and made slight PoM Area Zone Map changes including:
 - The installation of the all abilities playground, the Towri Centre, the Rose Garden' Rotunda and the Palmetum are included in the PoM.
 - Reducing the six PoM area zones, to four zones. Zone 5 was a specific designated location for building a new Music Conservatorium Auditorium and has been removed. If included in a future Botanic Gardens Masterplan, an auditorium could still be built, but there is no longer a requirement to site it in a specific location. Zone 6 was for the Weed Crew area and has been incorporated into Zone 1 because it now includes the Palmetum. The Depot or Nursery PoM area is now located in Zone 4 instead of Zone 1. Zone 1 is now the Botanic Garden's Garden area.
4. The PoM permissible uses and developments table was updated to allow a function centre use to Gleniffer Brae for more than a short term, casual use. The Plan provides for the long term possibility that the areas occupied by buildings built in the 1970s surrounding the Manor House and Sorensen Gardens may be demolished, so that the heritage values of the Manor House and Sorensen Gardens can be enhanced and better incorporated into the rest of the Botanic Garden. Demolition could also better suit the needs of the Conservatorium of Music or other suitable future uses in line with PoM values and the CMP review by Architectural Projects.
5. Allow for the adaptive reuse of Gleniffer Brae that upholds the heritage values of the Manor House and provides for its activation.
6. Enables Council to grant casual, short, medium or long-term licenses or leases up to the legislated maximum of 30 years for all permissible uses and developments.

The majority of submissions received during 2016 commented on the draft PoM. One submission objected to the possibility, that the SCEGGS school buildings could be demolished. Another submission asked for detailed building assessment to be undertaken by Council prior to any consideration of demolishing the school buildings and another requested onsite acknowledgement of the role of the school and its buildings, if demolition were to occur. It is noted that demolition of the SCEGGS buildings is not currently proposed and further work would need to be undertaken prior to this being considered. The PoM allows for this as a possibility in the future.

In 2017 the draft PoM was amended in response to submissions. The changes made in the PoM and highlighted in yellow (Attachment 2) with minor clarifications to address public access and community benefit. Only minor administration amendments have been made since 2017, such as updating the date and references to legislation.

It is recommended that the Wollongong Botanic Garden Plan of Management be adopted.

Wollongong Botanic Garden Master Plan

On 23 July 2018, Council resolved to exhibit the draft Master Plan which occurred from 6 August to 3 September 2018. 25 persons attended the on-site information session. 564 submissions were received during the exhibition period, which included 494 online responses, 66 emails, one letter and three feedback forms.

On 12 June 2019, a Councillor briefing was held on issues raised during the exhibition of the draft Botanic Garden Masterplan.

A number of amendments are proposed to be made to the draft Master Plan as a consequence of issues raised in submissions and the estimated cost of Plan implementation. As the draft Master Plan is linked to the CMP, it is proposed that the Master Plan be finalised following the endorsement of the CMP by Heritage NSW.

CONSULTATION AND COMMUNICATION

The draft Planning Proposal, Gleniffer Brae Conservation Management Plan and Wollongong Botanic Garden Plan of Management were exhibited from 26 October 2016 to 9 December 2016. As a consequence of the exhibition period 17 submissions were received.

The draft Wollongong Botanic Garden Master Plan was exhibited from 6 August to 3 September 2018 and 564 submissions were received.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2028 Goal “We are a Healthy Community in a Liveable City”. It specifically delivers on the following:

Community Strategic Plan	Delivery Program 2018-2022	Operational Plan 2020-21
Strategy	4 Year Action	Operational Plan Actions
5.5.2 A variety of quality public spaces and opportunities for sport, leisure, recreation, learning and cultural activities in the community	5.5.2.3 Develop a Regional Botanic Garden of Excellence 5.5.2.4 Provide statutory services to appropriately manage and maintain our public spaces	Facilitate the future uses of Gleniffer Brae Complete the minor review of the Botanic Garden Plan of Management

FINANCIAL IMPLICATIONS

The preparation of the Gleniffer Brae CMP and draft Wollongong Botanic Garden Master Plan has cost \$174,000. The review of the PoM and draft Planning Proposal was undertaken using in-house resources.

CONCLUSION

The draft Planning Proposal to permit Function Centre Use within Gleniffer Brae site and the draft Wollongong Botanic Garden Plan of Management were exhibited from 26 October 2016 to 9 December 2016. The draft Wollongong Botanic Garden Master Plan was exhibited from 6 August to 3 September 2018. The documents have been unable to be progressed and finalised due to delays Heritage NSW endorsing the Gleniffer Brae Conservation Management Plan.

Council has made reasonable steps to address the issues raised by Heritage NSW over a number of years. It is considered appropriate not to delay the Planning Proposal and Plan of Management any longer.

It is recommended that Council resolve to finalise the draft Planning Proposal, despite the unresolved objection of the Heritage Branch and adopt the Wollongong Botanic Garden Plan of Management.



Plan of Management Area (POM)
attachment 1

Subject site





PLAN OF MANAGEMENT

FOR

THE WOLLONGONG BOTANIC
GARDEN (including Gleniffer Brae and
Kooloobong Oval), Keiraville

July 2020

Plan of Management for Wollongong Botanic Garden

Document Control			
Document ID: Wollongong Botanic Garden Plan of Management			
Rev No	Adoption Date	In force date	Revision Details
	4/12/2006		Adopted
1			2017 review and update. Minor additional amendments in 2020

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Plan of Management for Wollongong Botanic Garden

1 INTRODUCTION

Council adopted a Plan of Management for ~~Gleniffer Brae Wollongong Botanic Garden (including Gleniffer Brae and Kooloobong Oval)~~ on ~~16 December 2002~~ 4 December 2006 which has now been superseded by this Plan of Management (POM). ~~for the Wollongong Botanic Garden.~~ This POM covers Gleniffer Brae, Kooloobong Oval and the Botanic Garden.

The common link between these areas is Arthur Sidney Hoskins, who played a prominent role in pioneering the steel industry in the Illawarra. The land covered by this plan of management was all owned by AS Hoskins and used by him for his family home between the years of 1939 and 1949. Hoskins was civic minded and desired that Gleniffer Brae be used for educational purposes and that the surrounding acreage would become a botanical garden once his family no longer used the residence. Over a number of years that is what happened over this land.

Gleniffer Brae

The Gleniffer Brae Manor House was built in 1939 for Arthur Sidney Hoskins. Gleniffer Brae was acquired by Wollongong City Council in 1979 and since this time has been a major focus for music education in the City of Wollongong, due to its lease to the Conservatorium of Music. The Manor House has ~~also previously~~ operated as a function centre for many years, ~~but this use ceased during 2009.~~ There is a Conservation Management Plan for Gleniffer Brae. ~~which is in the appendix and forms part of this POM.~~

The Wollongong Botanic Garden

The Wollongong Botanic Garden is situated in Keiraville and is bounded by Murphys Avenue, Robsons Road and Northfields Avenue and was officially opened to the public on 2 January 1971 and had 6,000 visitors that year. The Garden's Designer, University of NSW Professor Peter Spooner said "*The Garden should be educational, recreational, scientific as well as aesthetic*"

The Garden has lived up to its purpose and more. Over ~~200,000~~ 450,000 people visit annually. Some visitors stroll or picnic among the beautiful array of plant specimens, from both tropical and temperate regions, some attend community festivals and concerts, and some take part in environmental education workshops. In fact, many couples start their married life together by having their wedding in the ~~gardens or at Gleniffer Brae Garden.~~

Generally

Wollongong City Council has prepared a Plan of Management 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 and environmental conservation significance of the site and retaining the general amenity of the area. Future development and management of Gleniffer Brae will be guided by the ~~draft~~ Conservation Management Plan (~~Tropman and Tropman 2004 Architectural Projects 2020~~46) for Gleniffer Brae ~~or the CMP as endorsed by the Heritage Council.~~ It is also important to demonstrate a respect for the history and purpose of the Botanic Garden in guiding future development.

The Plan of Management for this area of Community Land has been prepared in accordance with the provisions of the Local Government Act 1993 with the aim of providing a framework to guide the future management of the site. The management strategies of the plan are based on

Plan of Management for Wollongong Botanic Garden

analysis and assessment of the site's physical, cultural, environmental, historical, recreational and economic values in relation to current and future uses.

2 WHAT IS A PLAN OF MANAGEMENT?

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 revision of the 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.

3 AIMS OF THIS PLAN OF MANAGEMENT

- Identify the significant values of the planning area;
- Identify the issues associated with these values, and the associated usage demands;
- Establish management objectives to address the identified issues and then develop appropriate management strategies to ensure the maintenance and enhancement of the values of the planning area;
- Provide a comprehensive management plan which will guide the future use of the site through the achievement of the defined outcomes;
- Ensure that the use of the planning area is compatible with the surrounding environment and the historical value of the site and will not detract from the existing qualities of Gleniffer Brae and the Wollongong Botanic Garden.

4 THE PLAN OF MANAGEMENT PROCESS

The preparation of this plan of management has been undertaken following an identified process.

Collection of Information and Definition of Issues

- Analysis of the site and the determination of the site's opportunities and constraints
- Assessment of relevant legislation, previous studies and relevant documents
- The establishment of management objectives for the plan of management area

Plan of Management for Wollongong Botanic Garden

- Definition of relevant issues and the existing situation

Development of the Preferred Management Approach and the Preparation of the Plan

- The establishment of desired outcomes to satisfy the aims and objectives of the plan and the needs of the community and stakeholder groups
- Establishment of detailed strategies and supporting actions
- Preparation of the draft plan of management document.

Exhibition and Making of the Plan

- Exhibition of the draft plan of management document ~~and referral to the Minister for National Parks and Wildlife~~
- Consideration of public comment and subsequent amendment (as warranted)
- Adoption of the plan of management by Wollongong City Council
- Periodic review and amendment of the plan.

5 THE STUDY AREA

Location

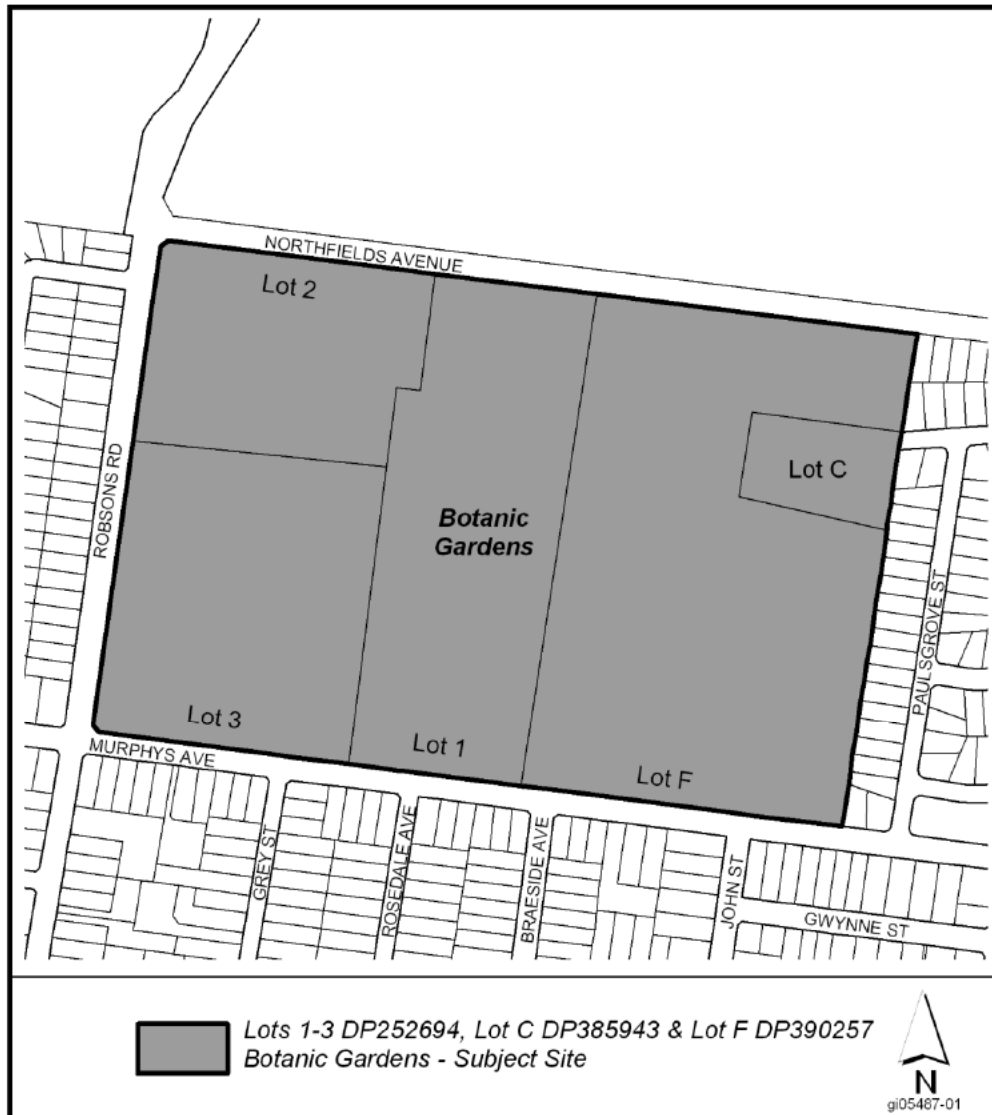
Wollongong Botanic Garden is located in the suburb of Keiraville, on the foothills of Mount Keira and includes Gleniffer Brae ~~and Kooloobong Oval~~. The site fronts Robsons Road to the west, Murphys Ave to the south, and Northfields Avenue to the north. The site is owned by Wollongong City Council

The Area Covered by the Plan of Management

The area covered by the Plan of Management for Wollongong Botanic Garden includes Lot 1, lot 2 & lot 3 DP 252694, as well as Lot F DP 390257 and Lot C DP 385493. The area is shown as Figure 1.

Plan of Management for Wollongong Botanic Garden

Figure 1. Botanic Garden Plan of Management Area



Lots 2 & 3 subject to the Heritage Council of NSW Listing see the Appendix Figure 5A.

Plan of Management for Wollongong Botanic Garden

6 HISTORY OF GLENIFFER BRAE AND THE WOLLONGONG BOTANIC GARDEN

Gleniffer Brae

The site of Gleniffer Brae was originally part of a Crown grant of 1000 acres to Robert and Charles Campbell in 1841. The land went through a number of different ownerships until 1928 when 75 acres was purchased by Arthur Sidney Hoskins, a founder of the Australian Iron and Steel works at Port Kembla.

Arthur Sidney Hoskins was born in 1892 and joined his family's steel business firm in 1907. He became joint managing director with his elder brother, Charles in 1924 and was directly involved with the move of the company to Port Kembla and the erection of the new works.

Building of the Tudor style manor house began in 1937 and was completed in 1939. Mr Hoskins commissioned his brother-in-law, Geoffrey Loveridge, to design Gleniffer Brae Manor House and had the gardens designed by Paul Sorensen. The name was derived from a small village in Scotland, the birthplace of Mrs Hoskins' grandfather.

With the death of Sidney, part of the property was donated for use as a Botanic Garden while the house and remaining grounds were sold to the Sydney Church of England Girls Grammar School in 1954. The church operated the girl's school known as SCEGGS, until The Illawarra Grammar School began co-ed classes on the grounds in the 1970's ~~nineteen-seventies~~. The school grounds were acquired by Wollongong City Council in 1979.

Since 1980, part of the manor house, the school buildings and auditorium have been occupied by the Conservatorium of Music under lease from Wollongong City Council. The remainder of the manor house and surrounding gardens ~~have had~~ operated as a function venue by Wollongong City Council ~~but this use ceased from June 2009~~.

Gleniffer Brae has been listed as a heritage item under the:

- State Heritage Register (SHR Listing No. 00557)
- ~~Illawarra Regional Environment Plan (No. 1) (reason- the REP has been repealed)~~
- Wollongong City Council Local Environment Plan 2009 (Listing No. 5940);
- National Trust of Australia Register;
- ~~Register of the National Estate; and (deletion is proposed because it no longer has legal status)~~
- Royal Australian Institute of Architects Register of Significant Buildings.

The Heritage Council of New South Wales found Gleniffer Brae to meet the following criteria of the State Heritage Register in determining the level of significance of the site:

- a. Historical Significance – Gleniffer Brae is intimately associated with that period of the Illawarra's history which saw the beginning of major economic development. Sidney Hoskins, for whom the house was built, was instrumental in the establishment of the Illawarra steel industry and made a significance contribution to the community life of Wollongong.

Plan of Management for Wollongong Botanic Garden

- b. Aesthetic Significance – Gleniffer Brae exhibits a high quality of craftsmanship in the fabric of the original buildings with the detailing representing the finest in Australian building skills of the inter-war period and this is enhanced by the fact that its original fabric is more or less intact. The open space and grounds around the house contribute to the full appreciation of the scale and design of the house and add to its attractiveness.
- c. Rarity – There is nothing else in the City of Wollongong comparable to this house, particularly from the 1930's.

Conservation Management Plan 2001 for Gleniffer Brae and 2016 Review

A conservation management plan (CMP) for the Gleniffer Brae Manor House was ~~has been~~ prepared by Tropman and Tropman Architects for Wollongong City Council in 2001. The conservation management plan provides a detailed history of Gleniffer Brae as well as an architectural assessment of the manor house and gardens and their historical significance. It also provides recommendations for the future uses and conservation management procedures for the manor house and gardens ~~and is listed in the appendix as part of this POM.~~ In 2016 Architectural Projects reviewed and updated the 2001 Tropman and Tropman CMP to include historical updates from a 2002 Oral History from the Hoskins children, updated fabric condition analysis and updated conservation management strategies. The resulting CMP by Architectural Projects will guide Council's future management of the heritage values of Gleniffer Brae. The Architectural Projects CMP is titled "Gleniffer Brae, Keiraville Conservation Management Plan Review August 2016" and will be submitted to the NSW Heritage Council for endorsement in 2017. As of June 2020 requested additional information has been included in the draft CMP, but the endorsement by the Heritage Council is still pending. An endorsed A draft or endorsed CMP will guide Council's future management of the heritage values of Gleniffer Brae.

The Botanic Garden

The Wollongong Botanic Garden owes its existence to the civic mindedness of Mr. Hoskins, the determination of Council Staff and the dedication of volunteers. A detailed history can be found by reading "Wollongong Botanic Garden- A Story of Beauty and Diversity" by Dena Leighton (2002).

In 1954, the Sydney Anglican Diocese bought the Gleniffer Brae grounds for the purposes of a girls grammar school and a memorandum of agreement was finalised with Council for approximately 32 acres of land extending from Murphys Avenue to Northfields Avenue for the purposes of a Botanic Garden. It would take many years to see the dream of Mr. Hoskins become a reality; the Botanic Garden did not open to the public on a regular basis until 2 January 1971.

Mr. Hoskins had a reliable and loyal gardener for Gleniffer Brae, named Eric Winter. Mr. Hoskins gave his gardener 2.5 acres of land on the eastern boundary of his property that included a house built in 1921 named Cratloe, which stands today as the Botanic Garden Discovery Centre. Council purchased the land in 1966, from the owner that bought it off Mr. Winter.

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In 1976, a financial crisis forced The Sydney Church of England Girls Grammar School (SCEGGS) to sell nearly 15.5 acres to Council, and in 1978, the remaining grounds, including Gleniffer Brae were acquired by Council. ~~passed into Council's possession via a notice of resumption.~~

So Council owned all the land that now comprises Gleniffer Brae, the University Soccer Fields (Kooloobong Oval), and the Botanic Garden by 1978.

Development and Purpose of the Wollongong Botanic Garden

On 10 December 1959, Mr. R.H. Anderson, Chief Botanist and Director of the Royal Botanic Garden, Sydney, visited the Keiraville site and declared that the site was a good one and recommended that expert advice would be needed to prepare a design for the garden. Ultimately, the expert was Professor Peter Spooner of the University of New South Wales.

Spooner came up with the idea of a geographically based **zonal** garden layout; this was unusual. Plants were grouped according to their country of origin rather than the more usual botanic family groups. The 8 countries that were part of Spooner's layout were:

- Australasia
- Indonesia and Malaysia
- Pacific Islands
- Europe
- India
- Africa
- China and Korea
- The Americas

Later when the Botanic Garden lands were expanded and Council had hired Deane Miller as Parks and Gardens Controller and Director of Wollongong Botanic Garden it was determined that the geographical based garden concept was not working well and that a habitat planting system would better suit the expanded site.

Habitat planting is regarded as the most natural system. The needs of the different species complement each other; they take up different portions of nutrients; their roots reach different levels; some need sun and other grow in the shade. In the Garden, it was possible to develop microclimates- from the exposed dryland of the highest hill, to stone-filled gullies and open grassland. The habitat planting system was incorporated over the existing geographical base, where needed some areas were totally reconstructed and some remained untouched.

In 2020, the Botanic Garden continues to display some of the original zonal collections, and many of the later habitat collections as well as significant taxonomic collections – collections based on Plant families. Like many Botanic Garden across the world, Wollongong's contemporary plant collection focus is evolving toward collections with a specific conservation focus, where plants under threat in natural habitat are held in botanic garden collections essentially as insurance against the extinction in the wild. Recent examples are the Towri Bushucker Garden constructed in 2012 representing local native plants that were traditionally used by the Aboriginal people for food, medicine and shelter, and the Palmetum or palm garden completed in 2015 and containing more than 1000 individual specimens, many of which are

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under critical threat in the wild. In addition, there is a new entry on Robsons Road to a new Rain Forest walk completed in 2018. Today, the Botanic Garden includes a wide variety of gardens which are shown in Figure 4A at the end of this document.

Aboriginal Heritage

The site of the Botanic Garden has not been identified as an Aboriginal Heritage Site. Sensitive in the draft Aboriginal Development Control Plan. Although this is the case, the potential for the site to be of Aboriginal significance cannot be ruled out and protocols under the National Parks and Wildlife Act 1977 should be followed with respect to any items of Aboriginal significance being located on the site. Wollongong City Council has certain procedures for consultation with the local Aboriginal community regarding Aboriginal heritage and these procedures will need to be followed should any sites of significance be identified.

7 STATUTORY REQUIREMENTS

The Local Government Act 1993

The Local Government Act 1993 provides Council with statutory requirements with respect to the classification, categorisation, and management of Community Land. The Act provides that Council owned land, classified Community, can only be used in accordance with -:

- a) The Plan of Management applying to the land;
- b) Any law permitting the use of the land for a specified purpose or otherwise regulating the use of the land; and
- c) The provisions of Part 2, Division 2 of the Local Government Act 1993.

Category of Community Land

Pursuant to Chapter 6 Division 2 Section 36(4) of the Local Government Act 1993, the area of Council land included in this plan of management is categorised as “culturally significant”.

The Core Objectives of Community land categorised “culturally significant” are -:

1. To retain and enhance the cultural significance of the area (namely its Aboriginal, aesthetic, archaeological, historical, technical or research or social significance) for past, present or future generations by the active use of conservation methods.
2. Those conservation methods may include any or all of the following methods:
 - a) The continuous protective care and maintenance of the physical material of the land or of the context and setting of the area of cultural significance,
 - b) The restoration of the land, that is, the returning of the existing physical material of the land to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material,

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- c) The reconstruction of the land, that is, the returning of the land as nearly as possible to a known earlier state,
- d) The adaptive reuse of the land, that is, the enhancement or reinforcement of the cultural significance of the land by the introduction of sympathetic alterations or additions to allow compatible uses (that is, uses that involve no changes to the cultural significance of the physical material of the area, or uses that involve changes that are substantially reversible or changes that require a minimum impact),
- e) The preservation of the land, that is, the maintenance of the physical material of the land in its existing state and the retardation of deterioration of the land.

The area covered in this plan of management is deemed culturally significant due to its historical ties to Arthur Hoskins, **The State Heritage Listing of Gleniffer Brae** and its use as a significant regional Botanical Garden.

Environmental Planning and Assessment Act 1979

The Environmental Planning and Assessment Act 1979 (EP&A Act) forms the framework for planning within NSW. The EP&A Act sets up environmental planning instruments which provide a basis for development control at a state wide (State Environmental Planning Policy-SEPP), regional (Regional **Environmental Plans such as the Illawarra Shoalhaven Regional Plan -REP**) and local level (Local Environmental Plans-LEP and Development Control Plans- DCP).

While this plan of management determines the permitted uses for this area of community land, any development that is to take place on this site still requires assessment under Part 4 of the EP&A Act as part of the development application process, **unless exempted under SEPP provisions**. Consent granted by Council must be in accordance with the planning instruments gazetted for the area.

Heritage Act 1977

The NSW Government introduced the Heritage Act in 1977 to identify and conserve heritage in the state. The act was amended ~~in~~ with the *Heritage Amendment Act 1998*. Among other things, the amendment created the State Heritage Register.

Gleniffer Brae is listed as a heritage item of State significance by its inclusion on the State Heritage Register (**SHR Listing No 00557**). It is therefore subject to the provisions of the Act which specifically apply to listed items. Any development proposed within the listing boundary of Gleniffer Brae must therefore have the consent of the NSW Heritage Office, the administrator of the Act.

8 EXISTING FACILITIES/USES AND CURRENT LEASES/LICENCES

Generally, the grounds of the Botanic Garden are used for cultivating plants, passive recreational activities and the hosting of private and public events/social functions such as, but not limited to, weddings, community festivals or theatre through the granting of short term casual licences*.

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Walking and bus tours of the Botanic Garden are available, run by either Botanic Garden staff or volunteers from the Friends of the Botanic Garden.

Existing development includes pathways and park furniture/amenities to facilitate public enjoyment the area. Existing longer term Leases or Licences are listed below by the relevant building/feature.

Gardens

Rose garden, lawns, azalea bank, Flowering Trees and Shrubs, succulent, dryland, Australian Open Forests, endangered species, bog and moraine, Middle Creek, woodland, open forest, East Coast Australian ~~Hawarra~~ Rainforest, wet sclerophyll, dry sclerophyll, exotic rainforest, herb, conifer collection, Temple Garden, Bush Tucker Garden and Palmetum. Visitors stroll through these gardens for enjoyment and education. The fig lawn is also used for community events such as Cinema.

Botanic Garden Built Structures

Japanese bridge and pavilion, Woodland gazebo, duck pond, Sir Joseph Banks Plant House, IMB Rotunda, Mercury Fountain, Rose Garden gazebo, BBQ facilities, All Abilities Playground and Rainforest amphitheatre.

The amphitheatre is used for the holding of public and private performances/productions through the granting of a short term casual licence. The use of the amphitheatre is restricted to the existing stage and surrounding embankment. The amphitheatre is a wood stage structure covering around 100 square metres.

The Sir Joseph Banks Plant House provides a controlled environment and currently displays a collection of cacti and tropical plants.

Administration Building and Library

Located off Northfields Ave, this one storey building is the administration centre for Botanic Garden staff and provides visitor information services. It has a tea room, toilet and 5 offices. ~~The library adjoins the Administration Building and is an open plan room with area to conduct courses and meetings.~~ There is a 8 6 (includes 1 disabled space) car space sealed parking area to service the administration building, use is restricted to authorised persons only.

Towri Centre

Located off Northfields Ave, the Towri Centre was constructed in 2012 as a purpose built volunteer training facility, and has accessible ramps and amenities, kitchen, and meeting space for 15 – 30 people with an additional covered deck space that can hold up to 60 people. The Towri centre is used by the Friends of the Botanic Garden for meetings, by Bushcare volunteers for training, as a place to learn about Aboriginal cultural use of plants and is also booked as a venue for Children's Birthday Parties.

Seed Store

The seed store is a demountable building which houses a collection of seeds and data on that collection. It is located between the depot and the administration car park.

Discovery Centre

This building is off the Madoline Street entrance and was originally the residence of the gardener for the Gleniffer Brae Manor House. The house was originally named Cratloe. It ~~was renovated over 20 years ago~~ has been renovated and is now used as an environmental education centre ~~for~~

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~~the Friends of the Botanic Garden and visitors~~ for students and the general community. The Friends of the Botanic Garden ~~hold monthly meetings~~ have an office at the Centre and school groups visit the Centre on a regular basis. There is a ~~unsealed~~ sealed car park off Madoline Street which can accommodate up to 25 cars, that is used most heavily when the Discovery Centre is in use.

Botanic Garden Depot and Nursery

The Depot is located off Northfields Ave and is used by staff for storage of plant and materials for the Garden and as a work area. It consists of soil bins, soil loader, various plant and tool cages. Attached to the depot is the staff lunch room, mower and fertiliser shed and also the nursery. The nursery consists of two glasshouses, a shade house and nursery work area used to cultivate plants.

Greenplan Hut/Green Plan Area

The Greenplan hut is used on Greenplan days as office space and a storage area. The Greenplan parking area is unmarked and has the capacity to hold 47 cars (includes 1 disabled space). It is located near the depot/nursery and includes the parking area next to the Kooloobong Oval.

Weed Crew Building

~~This building is used as the lunch room and amenities for the weed crew. It is located near the Madoline Street entrance to the Garden and also functions as a store area for green waste. This building is within the weed crew area which is currently fenced and not used by the general public. (the area has been returned to the Botanic Garden as a display area – Palmetum)~~

Toilets

There are public facilities located south east of the Northfields Avenue entrance and just inside the Murphys Avenue entrance available for use by staff and visitors.

Kooloobong Oval and Amenities Building

These two playing fields are located in the north west corner of the property and are currently licenced to the University of Wollongong for formalised sporting activities. There is a temporary grandstand, amenities block and carpark on site. The carpark is also used by customers to Council's Greenplan program.

Parking to Visit Botanic Garden

Formal access to the Botanic Garden is off Murphys Avenue where there is an unmarked asphalt sealed carpark which accommodates 35 30 cars, including 2 disabled carparking spaces. There is also overflow parking available along Murphys Avenue. There is unmarked parking at the Madoline Street Entrance for 20 cars (1 additional disabled space is line marked). These spaces are for authorised groups/persons usually related to events at the Discovery Centre. There is also some dedicated bicycle parking available at the Murphys Avenue carpark.

Gleniffer Brae Buildings

Manor House and Courtyard

The house is a single story English Tudor style residence with a flat over the garage. It is used for the teaching, studying and performing of music in those areas shown as hatched in figure 2 It is also was previously used for the holding of public and private functions and exhibitions,

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and as classrooms, offices and dormitories during the SCEGGS occupancy in those areas shown as unhatched in figure 2 and the courtyard.

Manor House Garage

This garage is shown as room 20 of the Manor House in Figure 2. It provides for storage of function equipment and maintenance equipment by Council.

Gardens and lawns surrounding Manor House

There are original stone and brick walls and terraces, a fountain, sandstone driveway, gate pillars and a dolls house. These gardens and lawns are available for public access in conjunction with other functions and exhibitions at the Manor House at all times during Botanic Garden opening hours.

Garden Shed

This is a timber shed with tile roof that was built as part of the original estate. It is used for the storage of equipment used for the maintenance of Gleniffer Brae and the Botanical Gardens.

Music Recording Laboratory (Old Soils Testing Laboratory)

This building is currently leased by the Conservatory of Music (the Con) for the purposes of teaching, studying, and performing music. It is a split level brick building first built as part of the girls school then used by Council as a soils testing laboratory.

Double Storey School Building and Single Storey School Building

These brick, multi room structures were built during the time Gleniffer Brae served as a private girl's school. They are currently leased out by the Con for the purposes of teaching, studying and performing music.

Auditorium

This is a 1970's brick building was the former school library consisting of one large room around 13 x 12 metres with two small auxiliary rooms. It is currently leased by the Con for the purposes of teaching, studying and performing music.

Old Caretaker's Residence

The old caretaker's residence was originally brought from Mangerton and placed on site as the residence for the headmistress of the girl's school around 1960. After the closure of the school, the house was occupied by Council's caretaker until 1992. It was previously leased by Council as a private residence on a six monthly lease basis in the recent past and has been vacant since approximately 2005.

Gleniffer Brae Car Parking

The car parking available at Gleniffer Brae consist of asphalt car parking marked for 35 cars with overflow parking of reinforced concrete grassed over for approximately 25 cars, providing a total number of parking spaces of 54 (4 of these are disabled spaces). There is a small Conservatorium Staff car park off Robsons Road that can accommodate 10- 9 cars, that currently does not meet public safety requirements and has been closed since 2015. It does not form part of the area leased to the Conservatorium, despite the past use by staff. It is planned to consider the future of this area as part of an overall masterplan for the Botanic Garden.

***Short Term Casual Licences** are those permitted by the Local Government (General) Regulation 2005. In relation to this plan of management, Council may grant a short term casual licence for the following:

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- (a) the playing of a musical instrument, or singing, for fee or reward,
- (b) engaging in a trade or business,
- (c) the playing of a lawful game or sport,
- (d) the delivery of a public address,
- (e) commercial photographic sessions,
- (f) picnics and private celebrations such as weddings and family gatherings,
- (g) filming sessions

9 BASIS FOR MANAGEMENT

Key Values of Wollongong Botanic Garden Plan of Management Area

These key values for the POM area have been derived in consultation with key stakeholders, including the Friends of the Botanic Garden and from the draft 2020 Gleniffer Brae Draft Conservation Management Plan (~~Tropman and Tropman, 2004~~). The values are also reflective of the values incorporated in the Future Uses of Gleniffer Brae reports to Council on 24 August 2015 and 8 September 2014. In addition, the values express Council's commitment to the purposes of a regional Botanic Garden of Excellence.

Future Uses of Gleniffer Brae Manor House Community Values

- Uses of part or all of Gleniffer Brae Manor House and the lawns that are new after the making of this plan should:
 - maintain or enhance its heritage values
 - be financially viable
 - provide community access to Gleniffer Brae
 - enhance the tourism potential of Gleniffer Brae
 - be compatible with existing users/tenants
 - improve the security of Gleniffer Brae and the Botanic Garden
 - link to and integrate with the Botanic Garden

Environmental and Conservation Values

- The Botanic Garden's primary purpose is to display and conserve living collections of plants.
- Plant collections reflect the history of the garden including original plantings, through to current day collections developed in response to contemporary global challenges including climate change response and loss of natural habitat.

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- The Botanic Garden is underpinned by ecological sustainability principles, and promotes the use of local flora within the region via the Greenplan program, and aims to conserve regionally threatened flora through ex-situ (out of natural habitat) collections management.
- The garden is recognised regionally as a site of Horticultural excellence.
- The Botanic Garden has a lead role in educating the community about plant conservation, and sustainability principles.

Historical Values

- Gleniffer Brae and the Wollongong Botanic Garden is associated with the Hoskins family, pioneers of the steel industry and responsible for its creation and development at Port Kembla.
- Gleniffer Brae is associated with architect Geoffrey D. Loveridge, who received recognition for his work.
- Gleniffer Brae and its gardens are associated with the development of secondary, tertiary and music education in the Illawarra.
- Gleniffer Brae's garden was designed by prominent landscape designer Paul Sorensen.
- The estate forms the basis of a large scale municipal botanic garden.

Aesthetic Values

- Gleniffer Brae was a well-designed residential estate which was selected for its topographical setting. Even though the garden, designed by Paul Sorensen - a landscape designer who has received recognition for his works, was confined to four acres immediately surrounding the house, the ~~Sorensen-garden setting~~ extends beyond to the area now known as the Botanic Garden.
- Gleniffer Brae, the house, landscape and associated items constitutes an attractive element of the University/Botanic Garden precinct.
- Gleniffer Brae constitutes a fine example of Inter-War Period and English Tudor or Elizabethan Revival style of architecture, influenced by English Architecture and has a very distinctive character.
- Gleniffer Brae constitutes an example of outstanding craftsmanship.
- The gardens constitute an integral part of the design and setting of Gleniffer Brae. These were designed by Paul Sorenson, a landscape designer who has received recognition for his works.

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- Views from Gleniffer Brae span across Wollongong City to the Ocean. **The Escarpment forms the backdrop to the Wollongong Botanic Garden.**
- The Botanic Garden is a nationally recognised garden composed of various terrestrial gardens, landscape settings and abundant floral and fauna life with linked pathways for visitors to pursue education and recreation.

Social Values

- The Botanic Garden is a key Regional community and tourist facility supporting a range of visitor experiences to local, regional, and international visitors.
- Wollongong Botanic Garden, including Gleniffer Brae, has been associated with Arthur Sidney Hoskins who was prominent in pioneering the steel industry in the area.
- Gleniffer Brae has been associated with the life of the community and the area, **ie as evidenced by later and current educational and past function uses.**
- The Botanic Garden is still held in high esteem by the local community who have a demonstrated ongoing interest in its conservation and management. The Friends of Wollongong Botanic Garden, formed in 1981, are an interested group of **citizens volunteers** who assist in the promotion and development of the Garden.
- ~~The Botanic Garden, including Gleniffer Brae, is a key community and tourist asset.~~

Management Objectives

- To ensure the conservation of plant species faced with the threat of extinction within the South East Region of NSW.
- To be a leading agency in educating and promoting the importance of plants and wider sustainability initiatives to the community
- To protect and enhance the heritage values of the site.
- To establish and promote a unique public space which makes provision for a range of activities which are appropriate to the **environmental and conservation**, historical, social and aesthetic values of the site and are complementary to each other.
- To encourage community understanding and appreciation of the historical and cultural significance of Gleniffer Brae
- Develop, expand and promote the Botanic Garden as a key community and tourist asset.
- To continue the sporting activities at Kooloobong Oval until the Botanic Garden is developed to such a stage as the land is needed for Botanic Garden purposes

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Management Outcomes

- The protection, enhancement and interpretation of the historical qualities of the site.
- The establishment of a public space that caters for a wide range of activities appropriate to the site.
- Gleniffer Brae and the Wollongong Botanic Garden are managed as one significant community and tourist asset with outstanding heritage value.

9 IMPLEMENTATION AND MONITORING

Permissible Use/Development and Lease/Licence Table

(see figure 6- Botanic Garden Plan of Management Area for zones at the end of this document)

Building or Structure and Area Of BG and GB	Permissible Use or Development or Lease/Licence	Scale and Intensity
Future Friends of Botanic Garden Facility (Zone 1)	<ul style="list-style-type: none"> • To construct a new building within zone 1 in a location and of a design that is approved by Council. The visitor information facility will provide a place for the Friends of the Botanic Garden to meet and greet botanic garden visitors, display/store items of interest and to allow them to run a small ancillary gift shop retail-operation to generate income for Friends related projects. • The Future Friends Facility may be combined with a kiosk/café and/or public toilets 	In accordance with a future design process. Approximately 60m2
Administration Building and Library (Zone 1 or 4)	<ul style="list-style-type: none"> • General Administration, provides visitor information • Storage of books and information relating to the BG, place for public and private meetings and courses • Demolition and redevelopment or Refurbishment and maintenance of building to suit permissible uses 	Demolition and redevelopment in accordance with a future design process or Refurbishment within building footprint
Seed store (Zone 4)	<ul style="list-style-type: none"> • Store and study collection of seeds and data information • Development of regional Seed store and seed processing laboratory • Refurbishment and maintenance of building to suit existing and permitted use. • Construction of new facility. 	Approx 50m2 for seed storage facility

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Building or Structure and Area Of BG and GB	Permissible Use or Development or Lease/Licence	Scale and Intensity
Depot (Zone 4)	<ul style="list-style-type: none"> Storage of plant and materials and used as a work area by Council Storage of function equipment and maintenance equipment by Council. Lunch room for council staff Refurbishment and maintenance of buildings to suit existing and permitted use. Extension of the main depot structure Installation of washdown facility using recycled water Installation of fuel bowser Demolition and redevelopment or Refurbishment and maintenance of building to suit permissible uses Installation of temporary structures as an interim measure to meet operational needs of the Botanic Garden 	Existing Main Depot Structure may extend to 3,500m ² or Permanent Redevelopment structure in accordance with a future design process
Nursery (Zone 4)	<ul style="list-style-type: none"> Houses and cultivates plants Nursery work area Installation of water recycling facility Expansion of plant standing areas Refurbishment and maintenance of building to suit use 	4,000m ² for nursery areas/structures
Towri Centre (Zone 1)	<ul style="list-style-type: none"> Use as a volunteer training and meeting facility Use for hire for private bookings Use for hosting education programs 	Maintenance, refurbishment within existing building footprint
Green plan hut (Zone 4)	<ul style="list-style-type: none"> Office space and storage area Sale of Botanic Garden items Refurbishment and/or redevelopment and maintenance related to permitted use 	Refurbishment within building footprint or redevelopment in accordance with a future design process.
Sir Joseph Banks Glasshouse (Zone 1)	<ul style="list-style-type: none"> Display collections of plants requiring glasshouse environment Refurbishment and maintenance of building 	Refurbishment within building footprint
Northfields Avenue (Zone 1) and Murphy Avenue Toilets (Zone 1)	<ul style="list-style-type: none"> Refurbishment and maintenance of building including disabled access improvements Demolition if new toilets are to be built as part of the redevelopment of the area subject to demolition 	Refurbishment within building footprint Replacement of demolished toilets according to future Botanic Garden

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Building or Structure and Area Of BG and GB	Permissible Use or Development or Lease/Licence	Scale and Intensity
		Masterplan
Weed Crew Building and Fenced Area (zone 6)	<ul style="list-style-type: none"> • Lunch room and amenities for BG staff, especially the weed crew • Conversion to a toilet/amenities block • Storage Area • Future Parking Area for Botanic Gardens 	Improvements only within currently fenced in area (the area known as zone 6)
Garden and Lawn Sections of BG, including Duck Pond (Zone 1)	<ul style="list-style-type: none"> • Cultivating plants and leisure area • Passive Recreation • Environmental, Heritage and Cultural Education Programs such as, but not limited to, plant conservation techniques, appreciation for Aboriginal Cultural use of plants and the importance of the Hoskins family to Wollongong • Weddings, picnics, social functions, tours • Development to enhance the exhibits/plants/open areas for enjoyment by the public (for example, the installation of boardwalks in the Rainforest Section, installation of accessible children's garden play area, improvement of shelters, pathways, etc) • Granting of short term casual licences for private or public functions or events consistent with Botanic Garden values • Starlit- Outdoor cinema 	Suitable to the environment of the Botanic Garden
Discovery Centre (Zone 1)	<ul style="list-style-type: none"> • Environmental education programs, meeting and activity area • Café/restaurant use • Maintenance of the building, Refurbishment, including sympathetic expansion of building and/or outside covered area to suit use as education centre and/or café restaurant. The Education Centre and/or Restaurant/Café may include a small shop facility. • Granting of a lease or licence for café/restaurant use 	Refurbishment in accordance with a Botanic Garden masterplan. including expansion not to exceed 30% of existing footprint. Any shop/retail operation would be ancillary to the education centre or restaurant/café and would not exceed 15% of the area of the facility.
Future Newly Constructed Botanic Garden Restaurant/Café (Zone 1)	<ul style="list-style-type: none"> • New Construction of a restaurant/café facility with ancillary retail shop relating to Botanic Garden visitors. • The granting of a lease or license for a café/restaurant • The granting of a license for a Botanic Garden related retail facility 	The new restaurant/café in accordance with a future design process. cannot exceed 500 square metres in area. Any retail portion could not exceed 15% of the total area of the building.

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Building or Structure and Area Of BG and GB	Permissible Use or Development or Lease/Licence	Scale and Intensity
Amphitheatre (zone 1)	<ul style="list-style-type: none"> Events/Educational Activities The holding of public and private performances/productions and events or education activities and the granting of short term casual licence for those purposes Refurbishment and maintenance of structure, including the installation of electricity and composting toilets 	Capacity to hold 1,500 people
Kooloobong Oval, Amenities Building (zone 2) and the parking area that is across both (zone 2) and (zone 4)	<ul style="list-style-type: none"> The playing of formalised sporting activities and use of associated amenities building to support that purpose The granting of a licence or licences for formalised sporting activities The granting of a licence for parking within zone 1 and zone 2 Development of regional herbarium and laboratory facility Expansion of existing BG Depot/Nursery operations Expansion of Botanic Garden Living Collections Granting of a licence for the regional herbarium and laboratory 	<p>Regional herbarium facility up to 1,100m²</p> <p>Expansion of BG Depot/Nursery operations to a maximum of 70% of zone area</p> <p>Use of Sporting fields, and amenity block to remain at current scale and intensity (ie 2 playing fields and associated uses) with acknowledgment there is scope to allow more community sport use of the existing two fields through careful operational field management.</p> <p>Parking to a scale that allows for the use in Zone 2 as a sporting fields and/or the development of the herbarium facility. Parking could also expand into zone 4 from zone 2 as long as the provision of the nursery and depot functions were able to continue.</p>
BG Car parks – Murphys Avenue (zone 1),	Murphys Avenue and Madoline Street car parks provide parking for park visitors. Madoline Street Car park could be used for Bus parking after redevelopment.	<p>Murphys Ave—up to 50 car parking spaces</p> <p>Madoline Street—up to</p>

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Building or Structure and Area Of BG and GB	Permissible Use or Development or Lease/Licence	Scale and Intensity
<p>Northfields Ave (zone 1),</p> <p>Madoline Street (zone 1)</p> <p>Kooloobong Oval/Green Plan (zone 2)</p>	<p>Northfields Avenue car park provides parking BG staff and other authorised persons</p> <p>It is permissible to improve, maintain or expand the general parking for the Botanic Garden in these areas</p>	<p>30 car parking spaces</p> <p>Northfields Ave — 8 car parking spaces</p> <p>Within these parking areas there are a total of 107 spaces in 2016, an increase in car parking spaces would be in accordance with a future Masterplan Process.</p>
Robsons Road Cottage (zone 3)	<p>Environmental education programs, meeting room and activities area (Relocation of Discovery Centre to this cottage)</p> <p>Administrative function/offices for BG/GB activities management or to support an adaptive reuse of the Manor House or to support better integration as an area within the Wollongong Botanic Garden</p> <p>The granting of a lease or licence for the purpose of a educational/administration facility or supportive adaptive reuse of the Manor House or to support better integration as an area within the Wollongong Botanic Garden</p> <p>Demolition and redevelopment of area for a permissible use or refurbishment, maintenance and construction of the building to suit its permitted uses. Construction is for the expansion of the existing building for non residential purposes only. The area can also be used for open space.</p> <p>To lease the cottage as a private residence</p>	<p>Redevelopment, Refurbishment, maintenance and expansion up to double the size of existing footprint in accordance with a Council Endorsed Botanic Garden Master Plan</p> <p>Residential lease for a 12 month period or less</p>
Gleniffer Brae Manor House and Courtyard (zone 3)	<p>The teaching, studying and performing of music and the granting of a lease/licence for those purposes in that part of the manor house shown hatched in figure 2 for a maximum period of 21 30 years.</p> <p>The holding of public and private functions and / or other uses consistent with the values of Gleniffer Brae exhibitions in those areas unhatched in figure 2 and the</p>	<p>Those rooms shown as hatched in figure 2 are to be used for teaching/studying and performing music</p> <p>Those areas unhatched in figure 2 and the courtyard</p>

Plan of Management for Wollongong Botanic Garden

Building or Structure and Area Of BG and GB	Permissible Use or Development or Lease/Licence	Scale and Intensity
	<p>courtyard. The granting of a short term casual licence, or longer term licence or lease for those purposes for a duration of no longer than 7 days. 30 years as a maximum. Longer lease or license terms require public benefit and/or significant private investment. Lease or license terms longer than 21 years require Minister's consent in accordance with section 47 (5)(b) of the Local Government Act 1993.</p> <p>The only Permitted development is the maintenance, and refurbishment, and adaptive reuse of the building in accordance with the Conservation Management Plan and the NSW Heritage Council (Tropman and Tropman, 2004)</p> <p>A function is defined as "any ceremonious public or social gathering or occasion"</p> <p>Adaptive Reuse is one that will uphold the heritage values of the Manor House and provide for its activation and is one that is approved by the NSW Heritage Council. Granting a lease or license for an adaptive reuse is permissible for a short, casual, medium or long term use not to exceed 30 years. Longer lease or license terms require public benefit and/or significant private investment. Lease or license terms longer than 21 years require Minister's consent in accordance with section 47 (5)(b) of the Local Government Act 1993.</p>	<p>are to be used for public and private functions/exhibitions</p> <p>Suitable to the heritage and future use values of Gleniffer Brae and in accordance with the Conservation Management Plan, with general public access to areas of highest heritage value to occur up to ten times a year, along with appropriate heritage value education provided.</p>
Manor House Garage (zone 3)	<p>Storage of Function equipment and maintenance equipment by Wollongong City Council</p> <p>The only Permitted development is the maintenance, and refurbishment and adaptive reuse of the building in accordance with the draft draft 2020 Conservation Management Plan and the NSW Heritage Council (Tropman and Tropman, 2004)</p>	That area shown as room 20 of the Manor House in Figure 2
Gardens and Lawns Surrounding the Manor House (zone 3)	Use of Gardens and lawns for public and private functions and / or other uses consistent with the values of Gleniffer Brae and exhibitions and the granting of short term casual licence, or longer term licence or lease for those purposes for a duration of no longer than 7 days. —30 years as a maximum. Longer lease or license terms require public benefit and/or significant private	All gardens and lawns are available for public access in conjunction with other functions and exhibitions during Botanic Garden opening hours.

Plan of Management for Wollongong Botanic Garden

Building or Structure and Area Of BG and GB	Permissible Use or Development or Lease/Licence	Scale and Intensity
	<p>investment. Lease or license terms longer than 21 years require Minister's consent in accordance with section 47 (5)(b) of the Local Government Act 1993.</p> <p>The only Permitted development is maintenance of the gardens and lawns to conserve their heritage and aesthetic value and development to support adaptive reuse of the Manor House in accordance with the draft 2020 Conservation Management Plan and the NSW Heritage Council.</p> <p>Also permitted are the creation of better links to the other areas of the Botanic Garden through items such as, but not limited to, signage and public pathways that do not harm the heritage values of the Manor House and Sorensen Gardens.</p>	<p>Linkages with the other areas of the Botanic Garden to be in accordance with a Council endorsed Botanic Garden Masterplan</p>
Garden Shed (zone 3)	The storage of equipment used for the maintenance of Gleniffer Brae and the Botanic Garden. The only permitted development is the maintenance of the building to conserve its heritage value and adaptive reuse in accordance with the draft draft 2020 Conservation Management Plan and the NSW Heritage Council.	This use is restricted to within the footprint of the existing building
<p>Old Soils Testing Laboratory</p> <p>And</p> <p>Single Story School Building</p> <p>And</p> <p>The double Story School Building</p> <p>And</p> <p>Existing Auditorium (zone 3)</p>	<p>The teaching, studying and performing of music and the granting of a lease/licence or licences for those purposes or for other purposes suitable to future adaptive reuse of Gleniffer Brae and/or other social, community or educational purposes.</p> <p>Refurbishment and maintenance of the buildings to suit purposes of teaching, studying and performing of music</p> <p>Demolition of any former SCEGGS buildings if they are no longer leased and return area to garden and lawn, and/or development of new appropriate building(s) to ensure future adaptive reuse of Gleniffer Brae Manor House and the granting of a lease/licence or licences for those purposes. On site acknowledgement of the role of the SCEGGS buildings is required if demolished</p>	<p>This use is restricted to within the footprints of the existing buildings:</p> <p>Redevelopment to be in accordance with a Council endorsed Botanic Garden Masterplan. The aim of a future redevelopment would be quality purpose built building(s) of a lesser scale than the existing buildings with parking (if necessary) newly sited to benefit the heritage values of the Manor House and with substantially increased green space.</p>
Possible New Auditorium	A new auditorium can be built in Zone 5 if the design of the auditorium can meet NSW Heritage Office	The new structure could not exceed 1½ times the

Plan of Management for Wollongong Botanic Garden

Building or Structure and Area Of BG and GB	Permissible Use or Development or Lease/Licence	Scale and Intensity
(Zone 5)	Requirements and obtain the approval of both Council and the NSW Heritage Office. The existing auditorium must be demolished if a new one is built. Additionally, Council must approve of any new auditorium's concept and design.	area of the existing auditorium.
Gleniffer Brae Car parks – Murphy's Road (Main Car park) And Robsons Road Car park (zone 3)	Vehicle parking to accommodate the use of the facilities at the Botanic Garden and Gleniffer Brae. Maintenance and redevelopment of these areas for car parking purposes or purposes to support adaptive reuse of the Manor House in accordance with the draft 2020 Conservation Management Plan and the NSW Heritage Council or support the purposes of the Botanic Garden.	This use is restricted to the parking of no more than 150 vehicles for both car parks. Current vehicle capacity is 63 parked cars. (9 of these spaces are in the Robson Road car park which is not in use – because of condition) Limited capacity exists for increasing parking if part of a Council endorsed Botanic Garden Masterplan.

Plan of Management for Wollongong Botanic Garden

10 ACTION PLAN

Management Issue	Objectives and Performance Targets	Means of Achievement	Manner of Assessment
Recreation Services in Botanic Garden (BG)	<p>Enhance the recreation experience of visitors</p> <p>Increase the number of visitors to the Botanic Garden by 20% 10 % in the next 5 year period from 2016 level of 450,000</p>	<p>Provide more unique event opportunities in the Garden park</p> <p>Provide more amenities such as, but not limited to, new educational facility, playground equipment, and café and restaurant, better public toilets, an information kiosk and infrastructure to facilitate events</p>	<p>Tracking of visitor numbers and use of Customer Satisfaction Surveys</p> <p>Progress towards the development of the new amenities at the Gardens by securing Council and Non Council funds for those purposes</p> <p>Rate of progress on construction of those amenities</p>
Education s Services in Botanic Garden	<p>Raise awareness and knowledge of environmental issues through educational programs at the BG</p> <p>Increase the number of participants in the educational programs at the BG</p> <p>Increase the</p>	<p>Improve the Discovery Centre Facilities</p> <p>Include environmental education in the BG signage and interpretation</p> <p>Increase the number of education programs/tours provided by BG staff</p>	<p>Tracking of visitor numbers and use of Customer Satisfaction Surveys</p> <p>Rate of progress towards development of improved Discover Centre</p>

Plan of Management for Wollongong Botanic Garden

Management Issue	Objectives and Performance Targets	Means of Achievement	Manner of Assessment
	number of persons using BG services such as the Horticultural Advisory Service or those attending tours and seminars		Progress towards linking the use of the Discovery Centre with the Amphitheatre to enhance the learning experience
Conservation Services in the Botanic Garden	<p>Have the BG play a pivotal role in the conservation and enhancement of Wollongong's environment and biodiversity</p> <p>Increase the ongoing greenplan, seed collection, contract growing, and bushcare activities of BG</p> <p>Increasing Ex-Situ conservation activities for threatened species within SE NSW Bioregion</p>	Continuation and expansion of conservation services in the Botanic Garden	<p>Tracking the number or amount of seed collected, trees/plants provided to community members</p> <p>Number of bushcare services provided annually by BG staff</p> <p>Progress towards the funding and building of the regional herbarium</p> <p>Tracking number of threatened species under management actions</p>
Asset Management	To have safe, attractive buildings, features, and	Refurbishment/Maintenance in accordance with the Draft Conservation Management Plan 2004 for Gleniffer Brae	Amount of work completed in accordance

Plan of Management for Wollongong Botanic Garden

Management Issue	Objectives and Performance Targets	Means of Achievement	Manner of Assessment
	artworks that are appropriate for their use and that reflect their history throughout the Botanic Garden and Gleniffer Brae	Ongoing improvements to the Gardens assets Completion of the Botanic Garden Masterplan	with the 2001 CMP . Number of physical improvements in the Gardens
Inappropriate uses of Gleniffer Brae and surrounding gardens	To ensure that permitted uses of the site are compatible and consistent with the heritage values of the site. To ensure that no inappropriate use is permitted Views from the Manor House are more consistent with era of Hoskins	Ensure that the leases/licences are specifically conditioned Ensure use of the site is consistent with the lease/licence conditions and also complies with the terms of development consent where applicable Consider expanding the NSW Heritage Conservation Order and/or amending the local listing under the LEP to part of Lot 1 DP 252694 to enable better management of views from the Manor House. The existing NSW Heritage Council Listing is in the Appendix as Figure 5A.	Undertaking of regular inspections of the site to ensure that all activities are authorised. Regular liaison with lessee Reporting of activities quarterly as part of the Council's Corporate Review Undertake the LEP review or make formal request to NSW Heritage Council
Ensuring the remaining grounds and buildings of Gleniffer Brae are maintained	To ensure that an appropriate maintenance program is developed To ensure the amenity of the area and integrity of the buildings is	Implementation of the recommendations of the Conservation Management Plan (Tropman and Tropman 2001). Ensure resources are committed to a programmed maintenance schedule for the site Ensure use of the site is consistent with lease/licence conditions and	Review the amount of unscheduled maintenance and ensure that any maintenance of the site is undertaken in accordance with the

Plan of Management for Wollongong Botanic Garden

Management Issue	Objectives and Performance Targets	Means of Achievement	Manner of Assessment
	maintained.	this plan.	Conservation Management Plan (Tropman and Tropman 2004).
The historical significance of Gleniffer Brae is promoted	Educate visitors to the site and the general community of the historical significance of the site To ensure that visitors have an understanding of the historical significance of the site	To provide interpretive devices/displays within the curtilage of the site Provide appropriate material to visitors and the community promoting the site	The degree of interest in the historical significance of the site On site interpretation Visitor surveys, number of hits on BG website Track sales/promote of Dena Leighton book about Botanic Gardens
Appropriate use of amphitheatre	The use of the amphitheatre is undertaken in a manner that does not cause undue disturbance to local residents To ensure that use of the amphitheatre is appropriate for the site and compatible with surrounding uses and residents	Ensure that appropriate facilities are provided to cater for open air performances/productions/seminars	Number of complaints received regarding operating the amphitheatre

Plan of Management for Wollongong Botanic Garden

Management Issue	Objectives and Performance Targets	Means of Achievement	Manner of Assessment
Better integration between Gleniffer Brae and the rest of the Botanic Garden now and into the future as uses may change	<p>The community no longer sees a distinction between Gleniffer Brae and the Wollongong Botanic Garden, they are managed as one significant community and tourist asset with outstanding heritage values</p> <p>To establish and promote a unique public space which makes provision for a range of activities which are appropriate to the historical, social and aesthetic values of the site and are complementary to each other. New commercial activities and developments would be financially viable and appropriately sited in line with PoM values</p>	<p>Developing better linkages between Gleniffer Brae and the existing Garden areas operationally and through capital improvements.</p> <p>Promotion of the Sorensen Gardens as a Botanic Garden public display</p> <p>Development of Masterplan for entire Botanic Garden area with new linkages, quality amenity, buildings, plant collections and food offerings to support visitors to the Gardens.</p>	<p>Council endorsement of a Botanic Garden Masterplan that was developed with the community through extensive community engagement. Capital Improvements within the Botanic Garden are ongoing in accordance with the PoM and the future Masterplan.</p>
Aboriginal Heritage Values	Define and	Prepare a preliminary Aboriginal	Completion of

Plan of Management for Wollongong Botanic Garden

Management Issue	Objectives and Performance Targets	Means of Achievement	Manner of Assessment
	Interpret Aboriginal Heritage Values to increase community awareness	Cultural Heritage Assessment to inform future master planning, development and site interpretation	preliminary Aboriginal Cultural Heritage Assessment report. (An Aboriginal Archaeological Survey was undertaken by AMBS Ecology and Heritage in 2019 as Attachment C to the draft 2020 CMP)

Performance Assessment and Review

As required under the Local Government Act 1993, it is necessary for Council to monitor and evaluate the success of this plan of management. This will ensure that the implementation of the plan is achieving the plan's specified objectives and strategies. The performance of this policy is measured against the degree to which it meets objectives/targets as set out in the Action Plan.

This plan of management is also subject to periodical review to ensure that changes which may affect the management of the area are taken into consideration in the plan.

Plan of Management for Wollongong Botanic Garden

11 REFERENCES

Dena Leighton (2004) Wollongong Botanic Garden – A Story of Beauty & Diversity

Tropman and Tropman Architects (2001), Draft Gleniffer Brae Manor House Conservation Management Plan, Sydney, NSW.

Friends of Wollongong Botanic Garden (1986) Wollongong Botanic Garden, A History. Wollongong City Council

Architectural Projects Pty Limited. “Gleniffer Brae, Keiraville Draft Conservation Management Plan Review June 2020”

Future Uses of Gleniffer Brae Council Reports 8 September 2014 and 24 August 2015

12 APPENDIX

MAPS AND OTHER DOCUMENTS RELATING TO BOTANIC GARDEN AND GLENIFFER BRAE

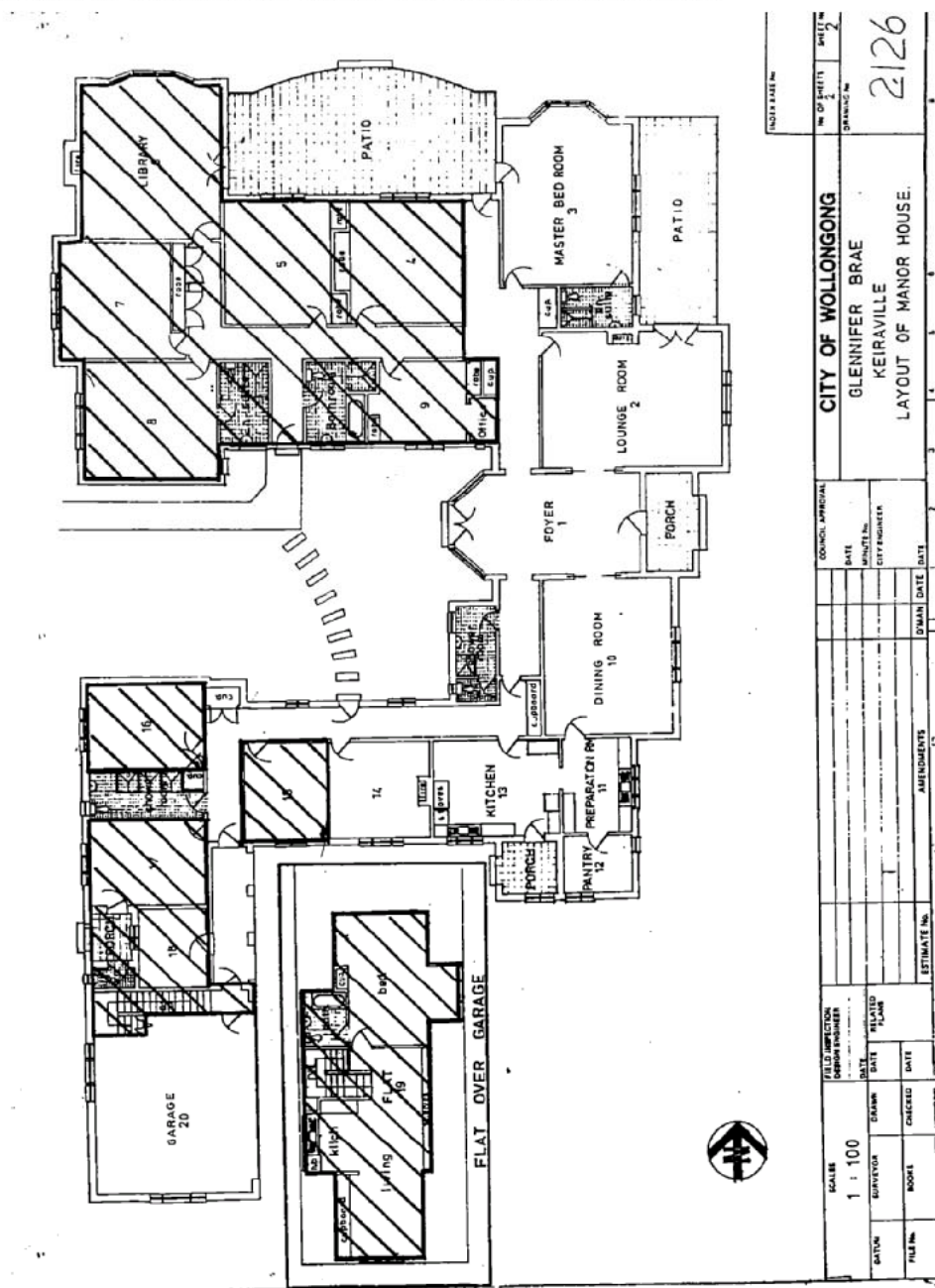


Figure 2. Plan of Gleniffer Brae Manor House. Hatched area shows rooms occupied by Conservatorium of Music under lease from Wollongong City Council.

Plan of Management for Wollongong Botanic Garden



Figure 3 – Gleniffer Brae Buildings and Grounds

Plan of Management for Wollongong Botanic Garden

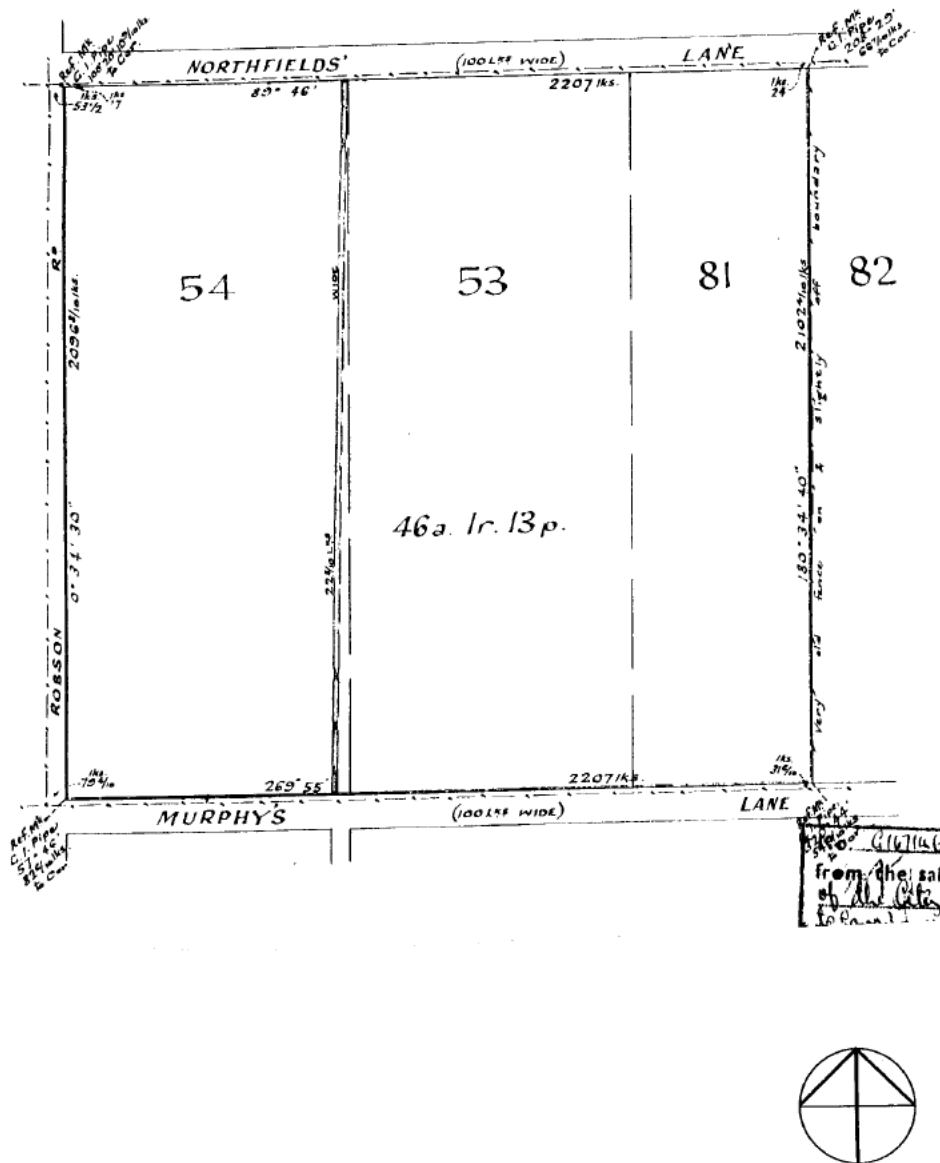


Figure No.4: Certificate of Title of Mrs Madoline Hoskins' land at Keiraville, 1937. The house was erected in the south-west corner.

Plan of Management for Wollongong Botanic Garden

FIGURE 4A – Current map of garden type



Plan of Management for Wollongong Botanic Garden

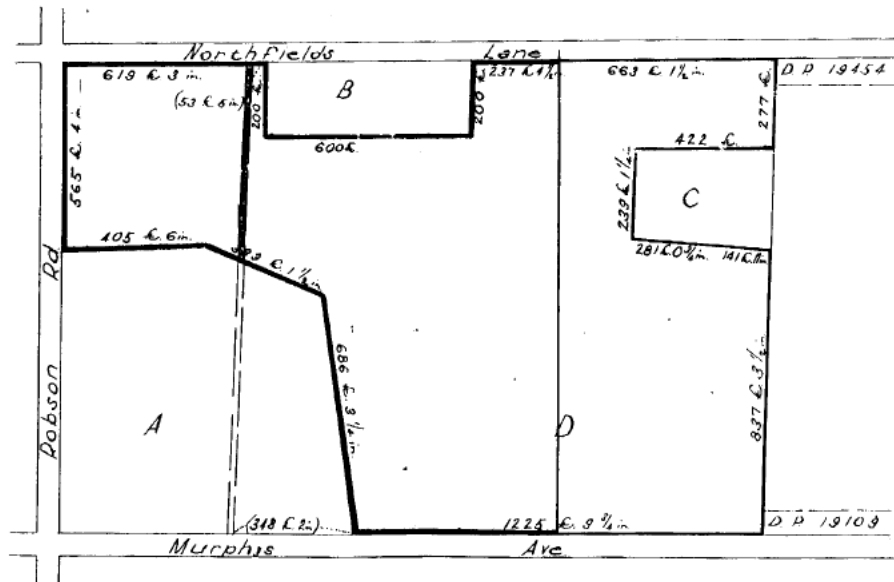


Figure No.5: Certificate of Title of Greater Wollongong City Council of the former joint Hoskins estates, 1954.

Plan of Management for Wollongong Botanic Garden

FIGURE 5 A Heritage Council of NSW Listing of Gleniffer Brae

HERITAGE COUNCIL OF NEW SOUTH WALES	
PLAN	
UNDER THE HERITAGE ACT, 1977	
Description	<i>Lots 2 and 3 D.P. 252694</i>
	<i>'Gleniffer Brae'</i>
Mun./Shire/City	<i>Wollongong</i>
Locality	<i>Keiraville</i>
Parish of	<i>Wollongong</i>
County of	<i>Camden</i>

NORTHFIELDS AVE.

RD.

2

D.P. 252694

3

1

ROBSON

MURPHY'S AVE.

↑
N

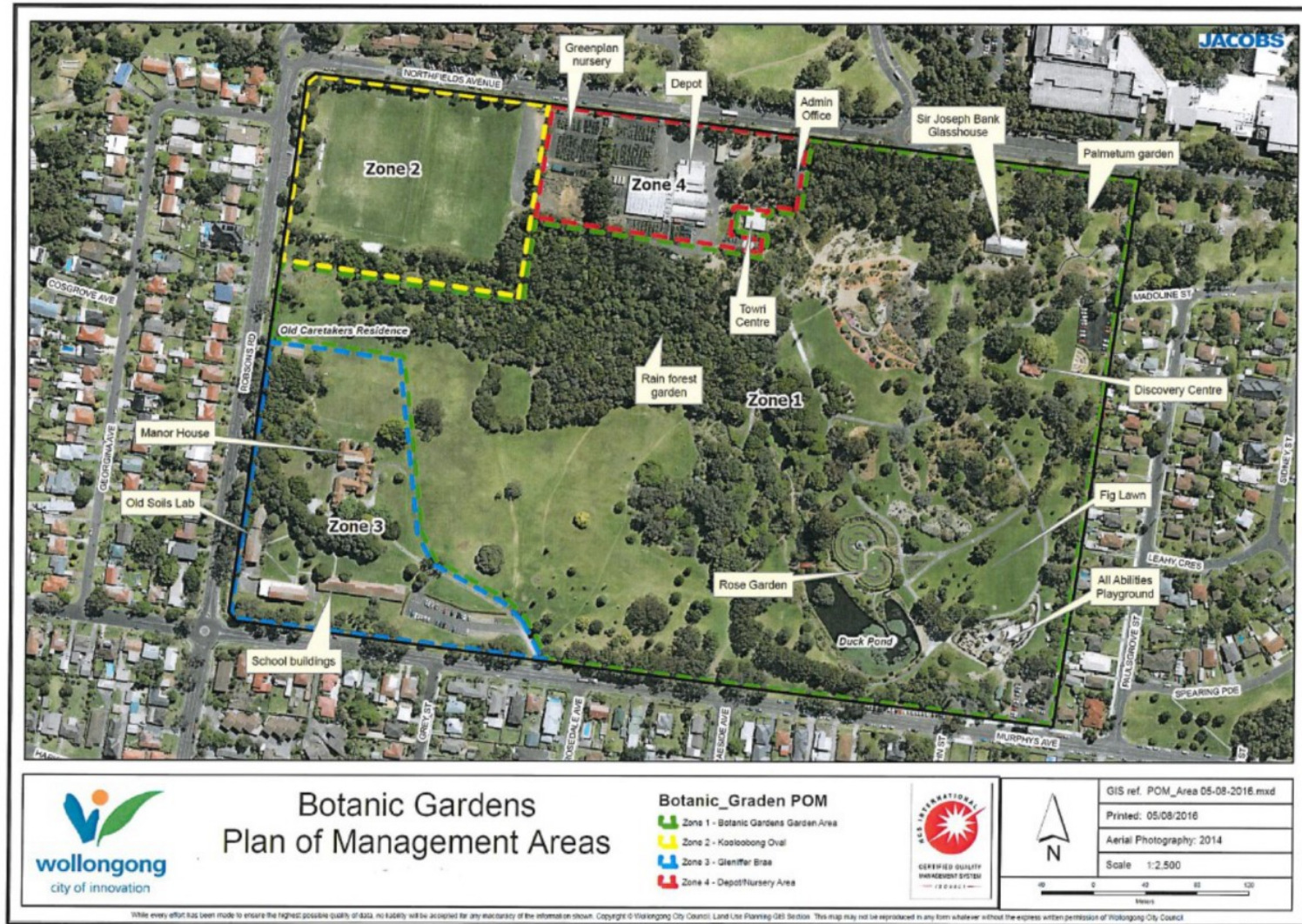
Scale *1:400*

SUBJECT LAND SHOWN THUS:

THIS IS THE PLAN REFERRED TO IN INTERIM /PERMANENT CONSERVATION ORDER No. <i>557</i>	
N.S.W. GOVERNMENT GAZETTE No. <i>41</i> OF <i>26.7.88</i>	PLAN APPROVED
FILE <i>H.C. 32/68</i>	DRAWN BY <i>B.E.B.</i>
for <i>[Signature]</i> SECRETARY HERITAGE COUNCIL	
PLAN NUMBER H.C. <i>1183</i>	

Plan of Management for Wollongong Botanic Garden

**FIGURE 6 – ZONE MAP OF BOTANIC GARDEN PLAN OF MANAGEMENT
AREA FOLLOWS ON NEXT PAGE**



ITEM 2

REVISED DRAFT PLANNING PROPOSAL FOR SHEAFFES ROAD SOUTH (INCLUDING 340 WEST DAPTO ROAD), KEMBLA GRANGE

On 19 October 2015, Council adopted a Neighbourhood Plan for the Sheaffes Road South precinct which applies to 9 properties, including 340 West Dapto Road, Kemplab Grange, owned by Council. Council also resolved to send a revised draft Planning Proposal to the then NSW Department of Planning and Environment for a Gateway determination. As part of the Gateway determination, consultation occurred with the then NSW Office of Environment and Heritage (now Environment, Energy and Science). Concerns were raised with regard to flooding and the potential increase in residential zones within flood affected areas.

These issues have stalled the progression of the draft Planning Proposal and are not likely to be resolved until Council's Mullet and Brooks Creek Floodplain Risk Management Study and Plan are finalised. There are other aspects of the Planning Proposal which need to be progressed, such as the amendment to the "Darkes Road" Town Centre. This report provides a way forward to progress crucial parts of the draft Planning Proposal to exhibition.

RECOMMENDATION

- 1 The revised draft Planning Proposal be forwarded to the NSW Department of Planning, Industry and Environment for a revised Gateway determination.
- 2 Consultation occur with NSW Environment Energy and Science.
- 3 Landholders be informed of the revised Planning Proposal.
- 4 Following the issuing of a revised Gateway determination, the draft Planning Proposal be exhibited for a minimum period of 28 days.

REPORT AUTHORISATIONS

Report of: Chris Stewart, Manager City Strategy

Authorised by: Linda Davis, Director Planning + Environment - Future City + Neighbourhoods

ATTACHMENTS

- 1 Location Plan
- 2 Revised Zoning Changes
- 3 Revised Minimum Lot Size Changes
- 4 Revised Height of Building Changes
- 5 Revised Floor Space Ratio Changes

BACKGROUND

The Sheaffes Road South precinct is located on the northern side of West Dapto Road and south of Sheaffes Road (Attachment 1). The precinct has an area of 71.51 hectares and applies to the following six landholdings (9 properties):

Address	Area (ha)	Current Zonings
340 West Dapto Road Kemplab Grange (Lot 1 DP 657171) (Council owned)	42.78	R3 Medium Density Residential, B2 Neighbourhood Centre, RE1 Public Recreation, and E3 Environmental Management
79 Sheaffes Road, Kemplab Grange (Lot 47 DP 1263797) (Privately owned)	9.32	R3 Medium Density Residential
290 West Dapto Road, Kemplab Grange (Lot 1	8.67	R3 Medium Density Residential, and E3 Environmental Management

DP 1008723 and Lot 1 DP 195705 (Privately owned)		
Lot 1 Sheaffes Road, Kembla Grange (lot 1 DP 607776 and Lot 1 DP 227382) (Sydney Water)	0.04	E3 Environmental Management
Lot 1 West Dapto Road, Kembla Grange (Lot 1 DP 818199 and Lot 2 DP 1008723) (Epsilon Distribution Ministerial Holding - Endeavour Energy)	0.88	R3 Medium Density Residential
Part of 414 West Dapto Road, Kembla Grange (Lot 1 DP 1118463) (Privately owned)	9.84 (15.88 entire site)	R3 Medium Density Residential, B2 Neighbourhood Centre, RE1 Public Recreation, and E3 Environmental Management

On 15 December 2014, Council resolved to exhibit a draft Neighbourhood Plan for the West Dapto Road and Sheaffes Road south precinct and prepare a draft Planning Proposal to relocate the Darkes Road town centre to be fully on the northern side of West Dapto Road, identify a primary school site, amend the minimum lot size within the R3 Medium Density zone to be 299sqm and amend the boundary of the R3 Medium Density Residential and E3 Environmental Management zones. On 19 October 2015 Council adopted the Sheaffes Road South Neighbourhood Plan.

On 19 October 2015, Council also resolved to revise the draft Planning Proposal to remove the identification of the proposed school site as there was an inconsistency with Ministerial Direction 6.2 Reserving Land for Public Purposes and the Department of Education did not support the nomination of the school site or being identified as an acquisition authority. At the time of the revision, amendments were made to the boundary between the R3 Medium Density zone and the E3 Environmental Management zone along the northern watercourse to facilitate a more efficient subdivision layout.

The revised draft Planning Proposal was referred to the NSW Office of Environment and Heritage, where concerns were raised that the proposal was inconsistent with the NSW Government's Flood Prone Land Policy as set out in the Floodplain Development Manual (2005), Ministerial Direction 4.3 Flood Prone Land, Clause 7.3 of Wollongong Local Environmental Plan 2009 and Chapters E13 and E23 of Wollongong Development Control Plan 2009.

As with much of the West Dapto Urban Release Area, the precinct is subject to flooding. A watercourse forms the southern boundary of the precinct, and another minor watercourse flows through the northern portion of the precinct, from Paynes Road, under Sheaffes Road and passes under West Dapto Road, near Darkes Road. The current E3 Environmental Management zone was based on the 1:100 flood extents in the Mullet Creek and Brooks Creek Floodplain Risk Management Study and Plan (2010). Since then, it was discovered that the flood study did not consider the entire catchment for minor watercourses.

It was proposed to revise the R3/E3 zone boundaries to reflect flood planning information, however Council was in the process of revising the Mullet Creek flood study, and there was not current flood information to guide a revision of the zones. In 2018 Council adopted the new Mullet Creek Flood Study. Council has commenced the preparation of the revised Mullet Creek Floodplain Risk Management Study and Plan which is due to be completed in late 2021. The draft Planning Proposal has been "on-hold" since 2018.

In 2014-15, as part of the development of the Neighbourhood Plans for the precincts on either side of West Dapto Road, the location of the Darkes Road Town Centre was revised. In 2010, the zoning for the Darkes Road Town Centre was on both sides of West Dapto Road (1.98 ha to the north and 1.535 ha to the south). In 2015, Council resolved that the town centre be entirely on the northern side of the road (3.51 ha). Council adopted a Planning Proposal for the land on the southern side of West Dapto Road, which rezoned the 1.535 ha B2 Local Centre portion of land to R3 Medium Density Residential

(Amendment 29, notified on 16 February 2018). The corresponding rezoning to create more B2 zoned land on the northern side of the road to enable the town centre to develop has been waiting for the current Planning Proposal to progress and remains unresolved. This impedes development of the town centre and adjoining area. The majority of the Town Centre is on 340 West Dapto Road.

PROPOSAL

The draft Planning Proposal is for the land between Sheaffe's Road and West Dapto Road and covers 71.51 hectares. The area covered by the draft Planning Proposal is shown at Attachment 1. There are six landholdings (9 properties) within the Planning Proposal, with Wollongong City Council being the major landholder (42.78 hectares). Of the area covered by the proposal, 40.94 hectares is currently zoned R3 Medium Density Residential, 18.38 hectares is zoned E3 Environmental Management, 10.2 hectares is zoned RE1 Public Recreation and 1.99 hectares is zoned B2 Local Centre.

In order to progress the draft Planning Proposal, it is recommended that Council remove the proposed boundary alterations between the R3 and E3 zoned land, and retain the current residential zone boundaries along the riparian area until the completion of the new Floodplain Risk Management Study and Plan (estimated to be completed in late 2021). The zoning boundary between the R3 and E3 zone will be reviewed following the adoption of the Floodplain Risk Management Study and Plan and if required a new draft Planning Proposal will be prepared.

It is proposed that the following aspects of the draft Planning Proposal continue to be progressed:

- Expanding the B2 Local Centre zoning to 3.54 ha to enable the progression of the Darkes Road Town Centre.
- Reducing the minimum lot size of the existing R3 Medium Density zone to 299sqm. This will better enable development to occur within most of the precinct.

The revised draft Planning Proposal would result in 3.54 hectares of B2 Local Centre and 39.39 hectares of R3 Medium Density Residential. The proposed revised zoning is at Attachment 2. The proposed rezoning will also require consequential changes to the minimum lot size map, floor space ratio map and height of building map for the revised B2 Local Centre zone area (Attachments 3, 4 and 5).

The revised draft Planning Proposal remains consistent with the relevant SEPPs, Ministerial Directions and Strategic documents that were assessed in 2015 by Council and the NSW Department of Planning, Industry and Environment when issuing the Gateway determination. In 2017 Council adopted the updated West Dapto Vision, and the draft Planning Proposal is consistent with the updated Vision for the town centre.

No change to the adopted Neighbourhood Plan is required as it was adopted reflecting the proposed enlarged town centre.

CONSULTATION AND COMMUNICATION

The draft Planning Proposal has evolved over time resulting from consultation with government agencies and landholder representatives during the Neighbourhood Plan process and early draft Planning Proposal process. To date, the draft Planning Proposal has not progressed to formal public exhibition, however some landholders regularly enquire as to progress and resolution of issues associated with the proposal. Removal of the flood related issues from the draft Planning Proposal would better facilitate progression of the proposal towards public exhibition. Should the Planning Proposal progress to exhibition, then Council would likely exhibit for a minimum period of 28 days and include on-going consultation with government agencies.

PLANNING AND POLICY IMPACT

This report relates to the ongoing planning for the West Dapto Urban Release Area and would result in amendments to Wollongong Local Environmental Plan 2009. It is necessary to progress the Planning Proposal, as the amendments relate to the adopted Neighbourhood Plan for the precinct under

Wollongong Development Control Plan 2009, and also responds to previous amendments to Wollongong Local Environmental Plan 2009 (Amendment No.29) with regard to the town centre amendments. If the Planning Proposal does not progress, then the town centre cannot be developed as planned. The proposed amendments to the minimum lot size will enable a variety of smaller housing options to be developed, which would increase the potential population within a walking distance of the town centre and assist in providing for a diverse housing mix within the West Dapto Urban Release Area. The flood planning issues can be resolved in a separate Planning Proposal after 2021, when updated studies and information are available to inform planning decisions.

This report relates to Wollongong Community Objective 1.3 “The sustainability of our urban environment is improved” under Community Goal 1 “We value and protect our environment” and Delivery Program 1.3.1.2 “Develop planning controls and Town Centre and Neighbourhood Plans with regard to the economic, social, and environmental impacts”. The report also relates to Strategy 5.3.1 “Housing choice in the Wollongong Local Government Area is improved, taking into account population growth, community needs and affordability” under Community Goal 5 “We have a healthy community in a liveable city” in Council’s 2018-2022 Delivery Program and Operational Plan.

CONCLUSION


The Planning Proposal is currently stalled. The proposed amendments to the town centre particularly need to be progressed if the precinct is to be developed in an orderly fashion. The proposed amendments to the minimum lot size would assist in encouraging a diverse housing mix. It is unlikely that any resolution will be made with regard to flood planning issues until after 2021, when the updated Floodplain Risk Management Study and Plan are due to be completed.

It is recommended that the changes be adopted and the revised draft Planning Proposal be progressed to seek a revised Gateway determination and exhibition.



**WOLLONGONG LOCAL
ENVIRONMENTAL
PLAN 2009**

**Planning Proposal
Location Map**

 Subject Land

Cadastral
Cadastral 27.05.20 © Wollongong City Council



N



Projection: GDA 1994
MGA Zone 56



Scale 1:8,000 @ A3

Map Identification number:
SheaffsRd_PP_2020_SubjectSite.mxd





WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

Planning Proposal Land Zoning Map

Zoning

- B2 Local Centre
- E2 Environmental Conservation
- E3 Environmental Management
- IN2 Light Industrial
- R2 Low Density Residential
- R3 Medium Density Residential
- RE1 Public Recreation
- RE2 Private Recreation
- RU2 Rural Landscape
- SP2 Infrastructure
- X Zoning changes

Cadastral

Cadastral 27.05.20 @ Wollongong City Council

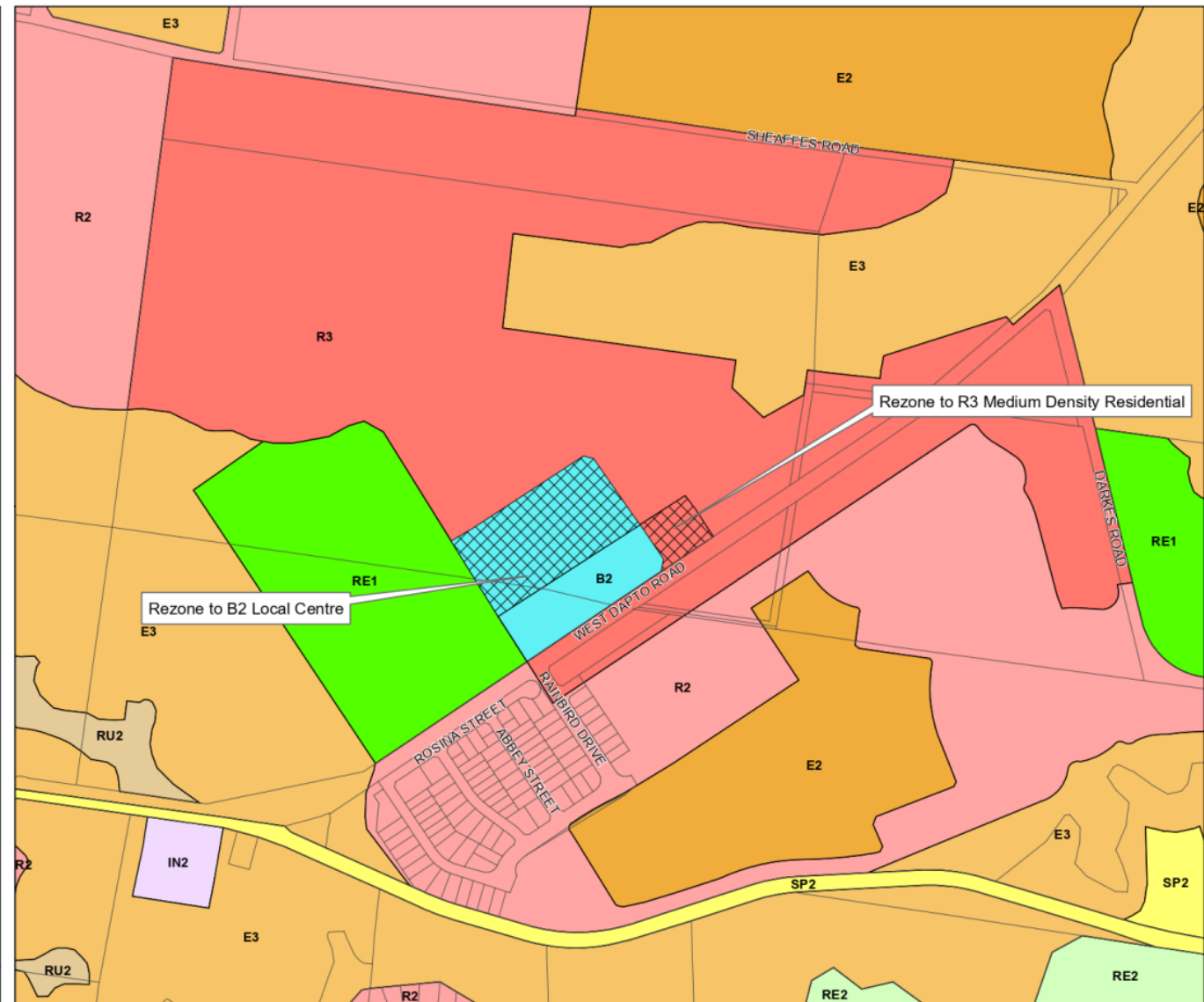


Projection: GDA 1994
MGA Zone 56

0 0.2
Kilometres

Scale 1:5,000 @ A3

Map identification number: SheaffesRd_PP_2020_Zoning.mxd





WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

Planning Proposal Lot Size Map

Minimum Lot Size (sq m)

C	299
F	449
T	999
AA3	9.99
AB2	39.99
	Zoning changes

Cadastral

Cadastral 27.05.20 © Wollongong City Council

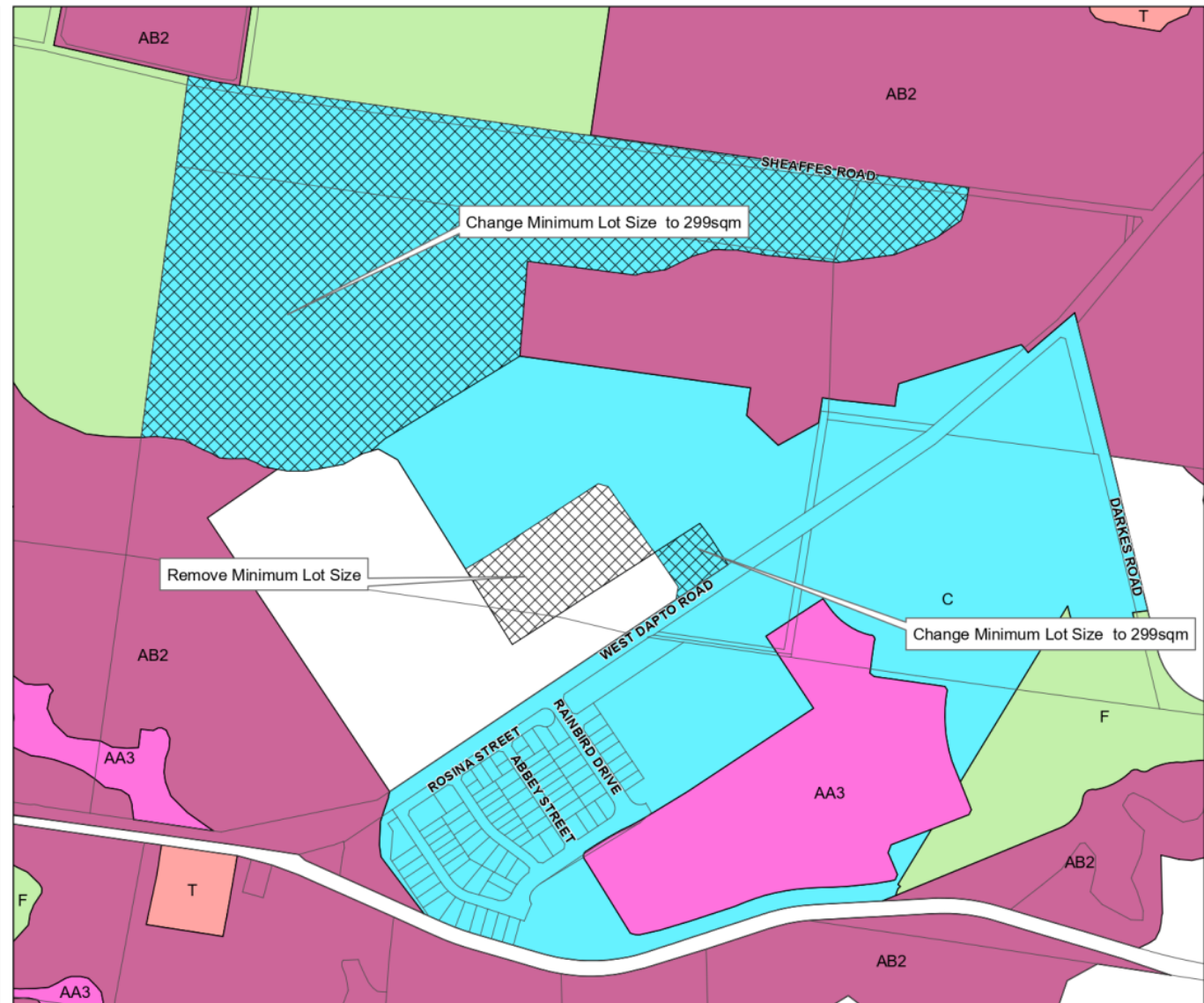


Projection: GDA 1994
MGA Zone 56

0 0.18
Kilometres

Scale 1:5,000 @ A3

Map Identification number:
SheaffesRd_PP_2020_MinLotSize.mxd



WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

Planning Proposal
Height of Building Map

Maximum Building Height (m)

- J 9
- N 13
- O1 15
- O2 16
- Q 20
- S 24
- ☒ Zoning changes

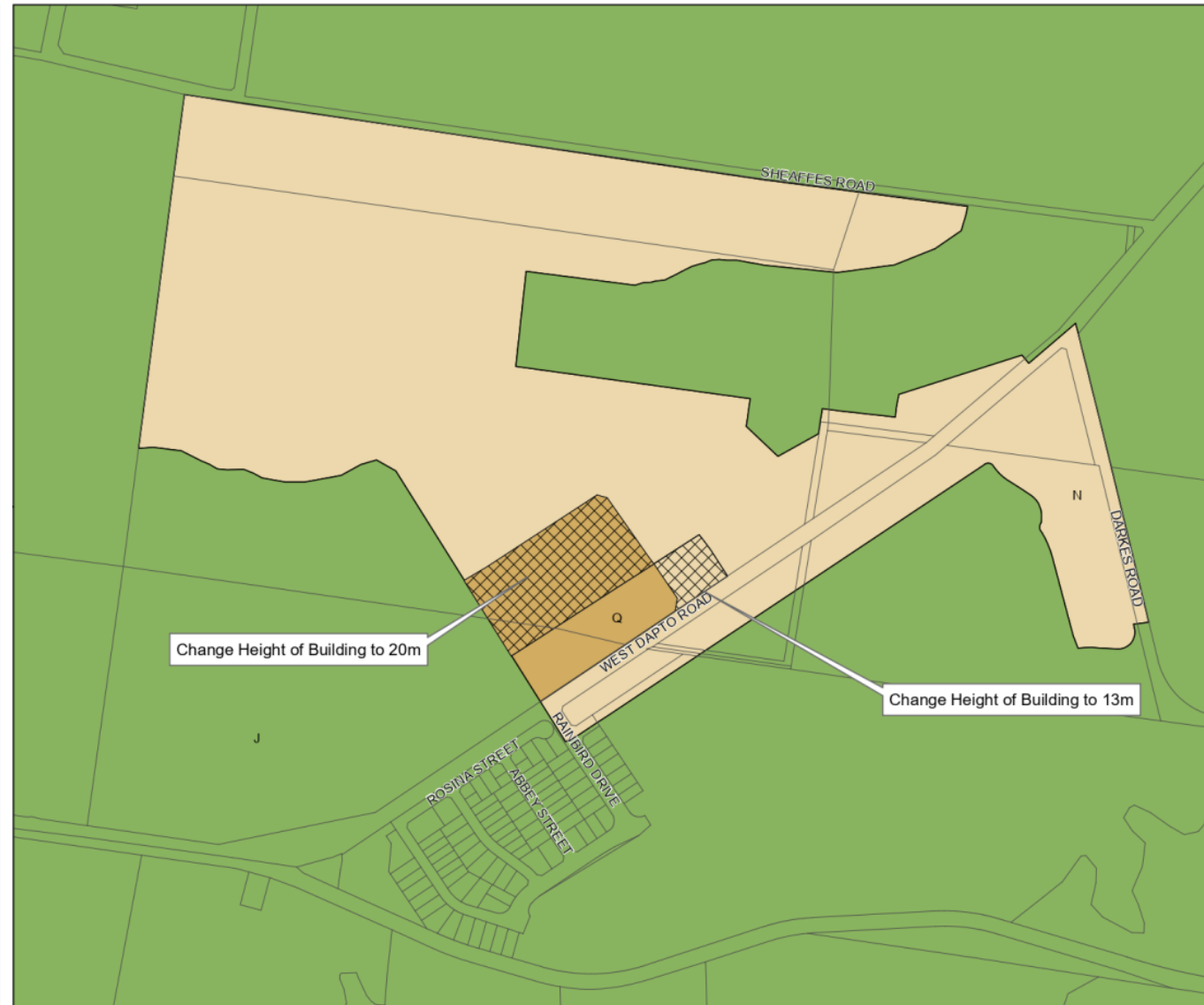
Cadastral
Cadastral 27.05.20 @ Wollongong City Council

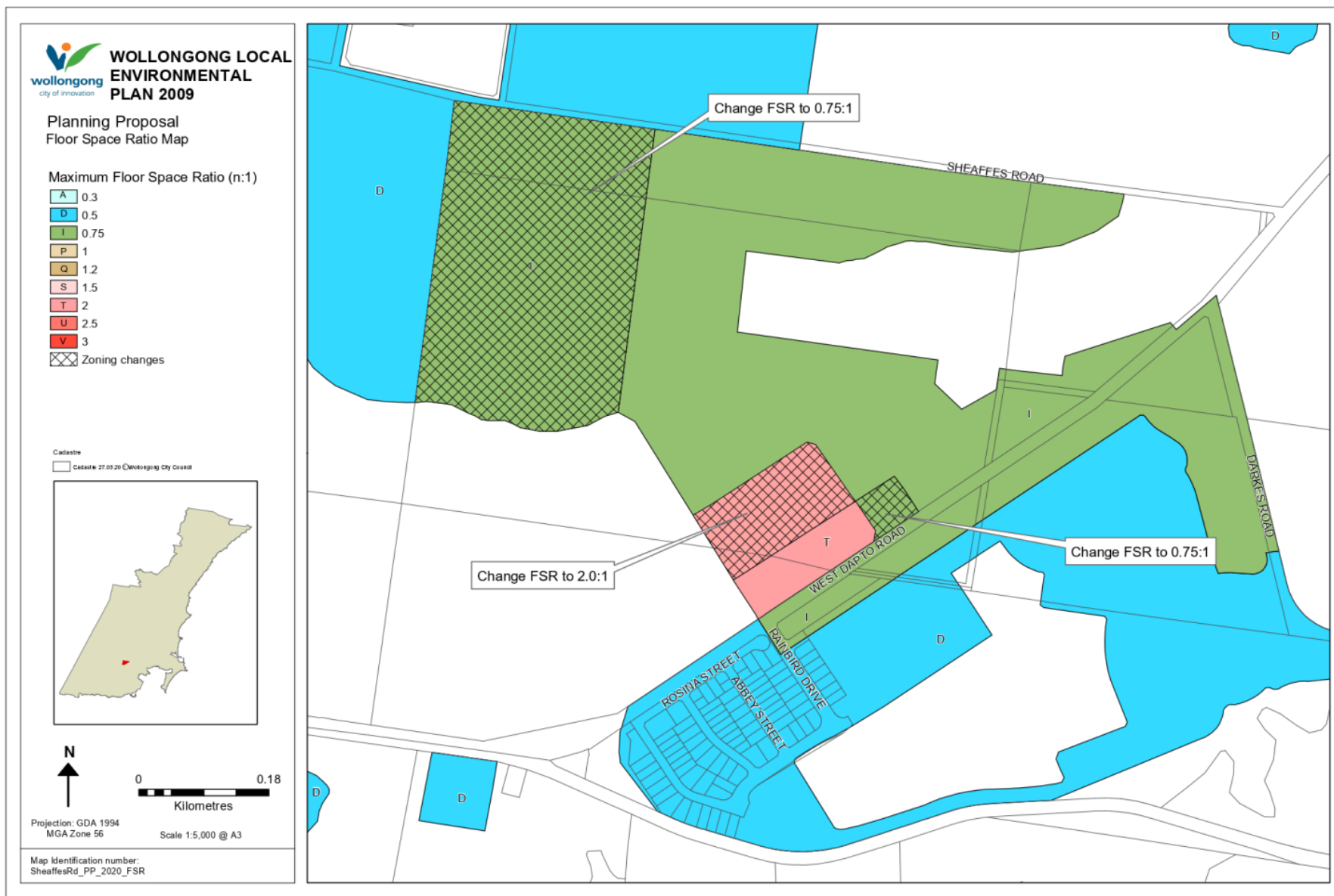


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ITEM 3 KORRONGULLA SWAMP

Port Kembla Copper Properties (PKCP) are the register owners of land at Lot 1 DP 653310 and Lot 2 DP 773067, Primbee known as Korrongulla Swamp. The site was used for the placement of copper slag being a by-product of the Port Kembla Copper Smelter. Following closure of the Copper Smelter in 2003, the landowner developed a Closure and Exit Strategy for the slag emplacement site which contemplated transfer of the land to Council.

The possible transfer of land was considered by Council at its meeting held July 2013. Council endorsed the closure approach including land dedication subject to site remediation to a condition that did not pose a risk to current and future users and occupants of the site and surrounding properties including the health of Lake Illawarra and that supported appropriate community use of the site.

A draft Remedial Action Plan (RAP), incorporating a Landfill Closure Plan and an appended Environmental Management Plan (EMP) has been submitted to Council to advance the proposed land transfer. An independent EPA-Accredited Site Auditor has been engaged to review and validate the site remediation process. Council has also engaged a land contamination expert to assist with site remediation and possible land transfer considerations.

This report provides an update regarding the above, potential land use for the site and the long-term management obligations. Given the public health risks, limited community benefit, the ongoing liability of the site, limited strategic value and costs associated with management, Council officers are unsupportive of the land transfer.

RECOMMENDATION

- 1 That Council not proceed further with the proposed land transfer negotiations for Korrongulla Swamp, Primbee (Lot 1 DP 653310 and Lot 2 DP 773067) due to -
 - a) Public and environmental health and safety risks associated with the lands and
 - b) It would not provide for appropriate community use and benefit.
- 2 Port Kembla Copper Properties be advised that Council is not willing to accept the lands.

REPORT AUTHORISATIONS

Report of: Chris Stewart, Manager City Strategy

Authorised by: Linda Davis, Director Planning + Environment - Future City + Neighbourhoods

ATTACHMENTS

- 1 Brief timeline of events relating to Korrongulla land transfer

BACKGROUND

Electrolytic Refining and Smelting Company of Australia Pty Ltd obtained development consent (DA-1982/539) from the NSW Land and Environment Court on 13 September 1983 to extract up to 1.5 million tonnes of sand and emplace 3 million tonnes of copper slag at the 12.8 hectares Korrongulla Swamp site.

Following the sand extraction that occurred between 1987 and 2002, approximately 600,000 tonnes of slag was emplaced at the site, ceasing in 2003 following the closure of the copper smelter at Port Kembla. The emplacement is regulated by the NSW Environment Protection Authority (EPA) under Environment Protection Licence (EPL) no. 2509.

Large areas of the slag have been capped with a layer of virgin excavated natural material (VENM) varying in thickness, however areas of exposed slag still exist on the site.

The dredge pond formed by the sand extraction is the dominant feature of the site, covering an area of around 6 hectares. Water quality in the pond exceeds the adopted water quality criteria for protection of aquatic ecosystems and recreational use (human health) for metals and nutrients.

The site is adjacent to the Council-owned Korrongulla Wetlands (Lot 1 DP 773067, 8.5 hectares), an annex of Wollongong Botanic Gardens which is managed as a publicly accessible nature reserve, dedicated to Council in 1987. Both the Council-owned wetlands and the swamp are zoned E2 – Environmental Conservation. The Council owned wetland is classified as community land and categorised as an area of cultural significance.

An aerial view of the site is provided in Figure 1 below and a brief timeline of key events associated with the site and transfer process is provided as Attachment 1 to this report.



Figure 1. Aerial image of Korrongulla Swamp

The Closure and Exit Strategy for the former slag emplacement site was reported to Council on 22 July 2013 in draft format, prior to being publicly exhibited. Following consideration of the report, Council resolved (in part):

Council endorse the closure approach which includes the dedication of the land to Council after (and only if) it has been remediated to a condition which is unlikely to pose a risk to current and future users and occupants of the site and surrounding properties, including the environmental health of the groundwater and Lake Illawarra.

Council has engaged with PKCP in good faith over a number of years consistent with this Council resolution. In accordance with the Closure and Exit Strategy a draft RAP incorporating a Landfill Closure Plan and an appended EMP have been prepared by PKCP. PKCP have engaged an EPA-Accredited Site Auditor to review the RAP/EMP and issue a Section B Site Audit Statement, which will determine:

- if the nature and extent of contamination has been appropriately determined,
- if the previous contamination investigations and RAP/EMP are appropriate for their stated purposes, and
- if the land can be made suitable for a particular use (or uses) if the site is remediated and managed in accordance with the RAP/EMP.

The Section B Site Audit Statement will be issued following finalisation of the RAP/EMP and prior to remediation works commencing. A key issue to note is that the draft RAP/EMP does not propose any long-term monitoring of ground water or surface water on the basis that the metal contamination and concentrations of nutrients on site are lower than the background contamination of the broader area. The Site Auditor will determine whether this position is accurate as part of their assessment.

The implementation of the RAP, which involves the installation of a capping layer and revegetation works, is the responsibility of PKCP. The end land use proposed in the draft RAP is wetland

reserve/passive open space with restricted access. This assumption differs from the open space use of recreation areas or environmental facilities proposed in the Closure and Exit Strategy and that underpinned Council's 2013 resolution. The RAP notes that following a decision by Council on the desired final land use and landform, more detail would be provided in the form of a Technical Specification for the remediation works and a Landscaping and Revegetation Plan.

It should be noted that the draft EMP developed by PKCP also contemplates restricted access to the site. If land transfer to Council occurs the in-perpetuity implementation of the EMP would be the responsibility of Council. Actions currently detailed in the EMP include:

- inspections of the capping layer on a quarterly basis (note inspections will be required more frequently if cap repair is required),
- installation and maintenance of signage around the water body,
- maintenance of site fencing and repair of the capping layer (including revegetation and follow up monitoring) as required and
- regular reviews of the EMP to monitor their effectiveness in managing the site.

Currently these management actions are not costed in the EMP. In addition, there are some site management actions that, in Council officer's opinion, have been omitted such as; weed management and replacement planting and potentially other management actions which are dependent upon final land use.

In September 2018, Council engaged the services of a contamination consultant to review the information prepared to date and provide recommendations on feasible land use options for the site. The Contaminated Land Investigation Report - Korrongulla Slag Emplacement Area (SMEC, 2018) was the result of this process.

The report concluded that both open space restricted and non-restricted land use options are generally technically feasible within the confines of the site condition (e.g. no access to the water body). From a risk management perspective, the water body presents a significant public health risk due to contaminants and the potential for drowning.

The report also provided a series of recommendations for Council to consider in any land transfer negotiations such as the need for an ecological and health risk assessment, post-capping monitoring and validation of the groundwater and surface water, engineering of the cap and community consultation regarding groundwater use restrictions.

The SMEC (2018) report recommends a number of issues to be resolved prior to transfer and conditions of transfer, most notably:

- Sufficient funding to be negotiated with PKCP in accordance with the Closure and Exit Strategy and including a risk based contingency allocation
- The Site Auditor considers and confirms that there are no long-term environmental implications from the pond being left open to the local ecosystem, site users or adjacent residents.

These issues have been raised with PKCP as has the limited community benefit of the site if public access is restricted. To inform Council's decision making, PKCP is willing to fund the development of a concept plan including landscape site analysis and a visual depiction of the open space opportunities for the site. It is estimated that this exercise will cost \$20,000.

PROPOSAL

The subject site is highly constrained due to contamination issues.

The July 2013 Council resolution contemplates land dedication subject to appropriate remediation and risk amelioration having regard to current and future uses and occupants of the site.

In December 2018, Council received a report on an investigation into potential land uses for the site (SMEC, 2018). The report found that both restricted and unrestricted open space land uses were feasible for the site, however the large water body on site continued to present an environmental and public health risk.

Based on current information Council staff are unsupportive of the land transfer for the following reasons:

- Public health and safety risks associated with contamination and the large waterbody;
 - the presence of heavy metals and other pollutants on site
 - water quality indicators that exceed ecosystem and human health criteria
 - steep embankments around the waterbody and significant depths (up to 16m)
- Limited community benefit of the site;
 - recreational use would feasibly be restricted to the ~3.5 hectares at the north of the site, which severely limits opportunity for passive recreational pursuits/ infrastructure
 - a DA would be required to allow access to the site from Primbee bypass
 - planting is restricted to species with relatively shallow root systems due to the capping on site (ie no trees)
 - Council staff have determined that there is no current need for additional public space or recreational facilities relevant to this locality.
- Costs associated with future management;
 - Council would be responsible for in-perpetuity management of the site,
 - Council would require associated funds and resources (see financial section below for further information).
- Ongoing liability for Council associated with;
 - Any change in the nature of the contamination at the site
 - Potential changes in environmental conditions, such as off-site migration of contamination
 - Potential changes to the regulatory environment
 - Breaches in the capping.

Based on the above it is recommended that Council not proceed further with the land transfer negotiations and PKCP be advised that Council is not willing to accept the lands.

CONSULTATION AND COMMUNICATION

Discussions have been held with staff across the following divisions:

- Open Space and Environmental Services – to determine cost estimates and other requirements for potential future management
- Property and Recreation Services – to investigate potential recreational opportunities
- Legal Services – to obtain advice on Council obligations and risks
- Governance and risk – risk management.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2028 Goal 5: We have a healthy community in a liveable city. It specifically delivers on the following:

Community Strategic Plan	Delivery Program 2018-2022	Operational Plan 2020-21
Strategy	4 Year Action	Operational Plan Actions
5.1.1 We work in partnership to build on opportunities to strengthen vulnerable communities	5.1.1.2 Continue to undertake social, land use and environmental planning activities that assists in service planning	Work with Port Kembla Copper and EPA regarding proposed transfer of the Korrongulla emplacement site to Council

SUSTAINABILITY IMPLICATIONS

The site is located directly adjacent to the Korrongulla Wetlands; Botanic Gardens Annex which comprises a number of threatened vegetation communities. However, the Ecological Baseline Assessment report (Grant Fleming Environmental, 2012) prepared for the site found that no extant remnant vegetation communities occur on site, the site is dominated by weed species and classified as highly modified.

Feasibility to undertake re-creation of vegetation communities and extend the annex is constrained by the cap. Only species with shallow root systems would be appropriate for planting on site, therefore tree species would be ineligible.

With regard to fauna, according to the assessment report (Grant Fleming Environmental, 2012) the following noteworthy species have been recorded on site:

- Two bird species, *Ixobrychus flavicollis* (black bittern) and *Petroica rodinogaster* (pink robin), listed as vulnerable under the *Biodiversity Conservation Act 2016*
- One bird species, *Gallinago hardwickii* (Latham's Snipe or Japanese Snipe), listed as a Marine and Migratory species under the *Environment Protection and Biodiversity Conservation Act 1999*
- Two bird species, *Phalacrocorax melanoleucos* (little pied cormorant) and *Phalacrocorax varius* (pied cormorant) for which the site is one of three major regional breeding sites
- Four species of frogs, *Crinia signifera* (Common Eastern Froglet), *Limnodynastes peronii* (brown striped frog) *Litoria aurea* (green and golden bell frog) and *Litoria dentata* (bleating tree frog), one of which is listed as endangered under the *Biodiversity Conservation Act 2016* and vulnerable under the *Environment Protection and Biodiversity Conservation Act 1999*.

RISK MANAGEMENT

If Council determines to accept transfer of the land there will be a requirement for resources to undertake long-term management of the site under the EMP, including associated funding.

Moreover, given the contamination present, the site may present a significant liability for Council and be a source of community concern. It is possible that further mitigation works may be required in the future if a change in the nature of the contamination at the site is identified, or a significant change in environmental conditions or the regulatory environment occurs. If Council resolves to accept the transfer, it should do so on the assumed basis that once it becomes the legal owner of the land, it will be responsible for any issues arising on, or emanating from, the land. Therefore, any land transfer must be conditional upon receipt of upfront funding and bond security from PKCP which is estimated to be sufficient to cover mitigation works and contingencies for risks which may be required in the future.

Should Council not proceed with the land transfer, the future ownership and land use of the site is uncertain. Any future use of the site would have to be consistent with the current zoning. The E2 zoning permits the following uses: Environmental facilities; Environment protection works; Extensive agriculture; and Recreation areas. Based on the existing zoning, recreation areas or environmental facilities are

considered the most likely future uses for the site following rehabilitation by the applicant as required under their consent (DA-1982/539).

Based on advice from various consultants it is understood that materials on site are relatively stable at the moment and any significant development or site disturbance should be avoided. Consequently future development is unlikely to be supported. The most appropriate use of site is as a natural area, noting however that vegetation restoration works will be limited due to the constraint posed by the capping.

FINANCIAL IMPLICATIONS

As mentioned above, if transfer of land occurs the in-perpetuity implementation of the EMP would be Council's responsibility. Funding for delivery of EMP and a bond will need to be negotiated in association with any land transfer.

Council currently holds \$535,000 in cash bonds paid by PKCP as part of the original DA. The draft RAP states that PKCP propose that Council retain this money following the transfer of ownership of the site to fund contingency measures and presumably the implementation of the EMP. The Contaminated Land Investigation Report has made recommendations to ensure PKCP bear as much of the cost of the remediation of the site as possible prior to any land transfer.

Ongoing management of the site under the auspice of an EMP is expected to exceed the funds currently held in cash bonds. Should Council proceed with the transfer Council staff would seek to obtain a sufficient lump sum to provide for works over 20+ years as a condition of land transfer. Contingency funds to cover impacts due to unknown future contamination issues would also be sought through this process. It is foreseeable that Council may not be able to reach an agreement with PKCP in regards to funding arrangements.

CONCLUSION

PKCP currently propose to transfer ownership of the Korrongulla Swamp site at Primbee (Lot 1 DP 653310 and Lot 2 DP 773067) to Council and are seeking Council concurrence. The site has been historically used as a copper slag emplacement and the future use of the site is feasibly limited to open space restricted or unrestricted access, albeit with limited recreational opportunities due to the contamination of the site and risk associated the large water body.

PKCP are offering to prepare a concept plan for the site in order to help Council understand opportunities for community benefit potentially associated with an unrestricted use of the site. Prior to encouraging PKCP to invest in this exercise it is appropriate that a decision be made by Council regarding their appetite to continue with the land transfer negotiations.

The site has significant public and environmental health and safety risks associated with the copper slag emplacement and large waterbody on site. The potential future community benefit of the site is considered to be limited. It is therefore recommended that Council not proceed further with the land transfer negotiations, and PKCP be advised that Council is not willing to accept the lands.

Brief timeline of events relating to Korrongulla land transfer

- 13 September 1985 – NSW Land and Environment Court issued development consent to Electrolytic Refining and Smelting Company of Australia Pty Ltd (now Port Kembla Copper Properties Pty Ltd – PKCP) to extract up to 1.5 million tonnes of sand and emplace 3 million tonnes of copper slag
- 1987-2002 – Dredging of sand at the site
- 1992-1995 – Emplacement of 300,000 tonnes of copper slag at the site
- 2000-2003 – Emplacement of 300,000 tonnes of copper slag at the site
- 2003 – Closure of copper smelter
- 22 July 2013 – Draft Closure and Exit Strategy (Golder and Associates) (prepared on behalf of PKCP) reported to Council
- 27 March 2014 – Closure and Exit Strategy finalised, strategy states that the site will be remediated under the auspice of a Remedial Action Plan (RAP) and will be managed in the long term through an Environmental Management Plan (EMP)
- 1 May 2018 – Council receives revised draft RAP and Landfill Closure Plan and appended EMP (Senversa, 2018) (prepared on behalf of PKCP) for comment
- May 2018 to present – Ongoing discussions with PKCP and internal review

ITEM 4 FOGO - IMPLEMENTATION AND GRANT FUNDING

Council has recently undertaken a successful food organics and garden organics (FOGO) collection trial which resulted in high participation rates, good food waste diversion and low contamination levels. Due to the success of the trial, options to bring forward the introduction of FOGO to households across the City have been investigated.

The NSW EPA has recognised the introduction of FOGO to multi-unit dwellings as a challenging part of any FOGO rollout and has allocated specific funding through the NSW Environmental Trust Organics Collections Grants Program to increase the understanding for MUDs.

This report recommends that Council introduce a FOGO service to all households with a current green-lidded bin service. This report also recommends that Council undertakes a FOGO trial across 1,500 households living in Multi-unit dwellings (MUDs), pending a successful grant application.

RECOMMENDATION

- 1 Council introduce an enhanced organics collection service (FOGO) to households by incorporating food organics and increasing the service frequency to weekly commencing November 2020. The service frequency for the current fortnightly co-mingled recyclable service (yellow) and weekly residual waste service (red) will remain.
- 2 Council prepare a scope for a 12-month FOGO trial across Multi-unit Dwellings (MUDs), pending a successful grant application.

REPORT AUTHORISATIONS

Report of: Joanne Page, Manager Open Space & Environmental Services

Authorised by: Andrew Carfield, Director Infrastructure + Works - Connectivity Assets + Liveable City

ATTACHMENTS

- 1 FOGO Collection Trial Survey - Infographic

BACKGROUND

The NSW Waste and Resource Recovery Strategy 2014-21 sets long term targets for municipal solid waste. Those that are relevant to Council's operation include:

- Avoiding and reducing the amount of waste generated per person;
- Increasing recycling rates from 52% (2010-2011) to 70% for municipal solid waste;
- Increasing diversion from landfill to 75%.

Wollongong currently has an effective garden organics service which collects, composts and diverts around 23,000 tonnes from landfill each year. This produces a range of quality soil, compost and mulch products for markets across NSW.

When food waste decomposes in a landfill it produces odours, leachate and methane gas which is 25 times more harmful than carbon dioxide as a greenhouse gas. This has long term economic, social and environmental implications for our City. In FY19, the average food waste composition in the residual waste bin (red) was greater than 35%, which accounted for more than 6,900 tonnes of waste landfilled at Whytes Gully.

The combination of food waste and garden organics is promoted by the NSW EPA as FOGO – food organics and garden organics. The implementation of FOGO collection and processing would have the following benefits to our residents:

- Diverts waste from landfill;

- Increases the life of the landfill;
- Creates compost which improves the quality of soil by adding nutrients and organic matter;
- Aligns with Council's Resource Recovery and Waste Strategy;
- Aligns with Council's Draft Climate Change Mitigation Strategy.

In September 2019, Wollongong City Council introduced a 13-week FOGO trial to investigate and assess the feasibility of a city-wide FOGO waste collection system. The trial was conducted across 1,500 properties in Warrawong, Cordeaux Heights and Austinmer and had the following outcomes:

- An average contamination rate of 0.3%, well below the NSW EPA average of 2.6%;
- Increase in the waste diverted from landfill from 56% to 65%, an average of 1.5kg of food waste diverted from each household per week;
- 82% of trial participants believed that FOGO was an effective way for Council to reduce landfill;
- Participation in the trial was strong;
- Provision of clear information and consistent messages is important to FOGO success;
- Caddies and liners make FOGO collection more effective;
- Weekly FOGO collection is supported by the community; and
- Some concerns were raised about the potential loss of a weekly residual waste service from households who used disposable nappies or had special waste needs.

To support Council with the determination of the FOGO proposal, the:

- Operational Plan included an action to "continue to progress options to implement a Food Organics Garden Organics (FOGO) program across the LGA";
- Waste Model, Waste budget and associated waste gate fee included the implementation of FOGO;
- Current contracts for organics collection and organics treatment included provision for the implementation of FOGO.

During the consultation period for the draft Infrastructure Delivery Program 2018-2022 and Operational Plan 2020-2021, Council received overwhelming support for a Local Government Area (LGA) wide FOGO roll-out.

Grant funding for organics collections is currently available through the NSW Environmental Trust's Organic Collections Grant Program. The eligibility criteria and funding pool have significantly changed from previous years and under this round of funding, a total pool of \$16M is available:

- \$12.5M is allocated to Councils transitioning away from Mixed Waste Organics Outputs; and
- \$3.5M to allocated to other Councils for garden and food organics collections;
- Unavailable for Projects that would reasonably be expected to proceed without grant assistance.

PROPOSAL

Due to the overwhelming community support for FOGO and the limited availability of grant funding it is recommended to implement FOGO to existing properties with existing garden organics collection from November 2020 funded from the Domestic Waste Reserve and develop a grant funding application for a trial for MUDs.

It is recommended that Council support the implementation of a weekly FOGO service across households with a current garden organics service across the Local Government Area from November 2020 due to the:

- Overwhelming community support for a FOGO service;
- Improved environmental outcomes to leachate production, odour and greenhouse gas emissions;
- Increased life of the landfill;
- No proposed change to waste fees and charges for households;
- Limited availability of grant funding

The rollout is proposed to be conducted in partnership with Remondis and Soilco across the Local Government Area for households currently receiving the Garden Organics Service between November 2020 and February 2021. Upon receipt of their FOGO starter kit, residents will be able to commence the weekly collection of their FOGO (green-lidded) bin. It is proposed to fund the implementation, collection and processing costs associated with FOGO without additional charge until June 2022.

If the FOGO proposal is approved, it will allow our partners to order and purchase plant that will be required for a November FOGO implementation.

FOGO collection in MUDs is recognised as a challenging part of any FOGO rollout and was raised as a concern from some of our Councillors and the Community. A scope for a MUDs trial will be developed as part of the grant application process, to focus on large apartment complexes in the CBD and complexes with transient residents, such as university students targeted. Targeting these MUDs is expected to be favourable to the funding selectors.

A second proposal for the implementation of a FOGO and / or food organics service will be reported back to Council once the findings of a MUD trial are available.

A Council Report will also be prepared to report on the effectiveness of the overall waste management service and recommend future waste management services prior to June 2022.

CONSULTATION AND COMMUNICATION

Quality community engagement, communication and education is essential in ensuring the successful implementation of the MUDs FOGO collection trial. A Community Engagement and Communication Strategy (the Strategy) will be drafted in consultation with:

- Staff from Waste Services, Environment and Conservation Services, Community Engagement, Soilco and Remondis;
- Community waste champions identified during the FOGO trial; and
- Councillors.

The Strategy will incorporate project branding, development of messaging for inclusion in starter kits, media releases and social and paid media and the identification of appropriate interventions with the community such as community events and meetings (assuming controls around COVID-19 continue).

The Strategy will target parts of the community that will require additional attention and specific messaging such as families, residents aged 65 and over and culturally and linguistically diverse (CALD) communities.

Implementation of the Strategy will occur in the months leading up to and continue after the rollout to reinforce correct usage of the FOGO bins and provide feedback to the trial participants. Information regarding the transition to fortnightly general waste collection will commence approximately six months prior to the service change.

Councillor Briefings and Info Notes will be prepared to advise the progress of funding applications, FOGO collection rollout and FOGO MUDs trial, pending a successful grant application.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2028 goals:

Community Strategic Plan	Delivery Program 2018-2022	Operational Plan 2019-20
Strategy	Revised 4 Year Program	Operational Plan Actions
1.2 We practice sustainable living and reduce our ecological footprint		
1.2.1 Reduce our ecological footprint, working together to minimise the impacts of climate change and reduce waste going to landfill	1.2.1.1 Develop and implement a range of programs that encourage community participation in reducing Wollongong's ecological footprint	1.2.1.1.2 Deliver waste minimisation programs in accordance with the Waste Strategy
		1.2.1.1.9 Continue to progress options to implement a Food Organics Garden Organics (FOGO) program across the LGA
	1.2.1.3 Methods to reduce emissions are investigated and utilised	1.2.1.3.1 Continue to deploy Council's Waste and Resource Recovery Strategy

It specifically delivers on core business activities as detailed in the Waste and Resource Recovery Strategy 2022 and Waste and Resource Recovery Strategy 2022 Action Plan.

SUSTAINABILITY IMPLICATIONS

The FOGO collection service will assist Council to meet the following key strategic targets:

- the Waste Avoidance and Resource Recovery Strategy 2014-2021 (WARR Strategy) target that by 2021–22 the recycling rates for municipal solid waste will increase from 52% (in 2010–11) to 70%.
- meet the target of net zero emissions of carbon dioxide equivalents by 2030 for Council and net zero emissions of carbon dioxide equivalents by 2050 for the community as per Council's commitments following the declaration of a Climate Emergency and alliance with the Global Covenant of Mayors.

The implementation of FOGO will assist Council to meet other environmental outcomes including:

- Increase the landfill life by approximately 2 years for every year of FOGO;
- Reduce odour and leachate production due to the decomposition of food waste.

RISK MANAGEMENT

The initial FOGO Trial identified several community concerns that will be addressed in the Community Engagement and Communication Strategy for the rollout, these include:

- Additional cost for collection;
- Smell and pests in FOGO bin;
- Disposal of pet wastes;
- Nappies;
- Crowded footpaths due to additional bin;
- Room to store the bins on the property
- Impact to residual waste bin (red) if modified from weekly to fortnightly service.

FINANCIAL IMPLICATIONS AND PROPOSED GRANT FUNDING

Grant funding for organics collections is currently available through the NSW Environmental Trust's Organic Collections Grant Program. It was initially anticipated in Council's Operating Plan that this funding could provide significant support to assist in the introduction of FOGO in 2020/21. Unfortunately, the eligibility criteria and funding pool have significantly changed from previous years and under this round of funding, while a total pool of \$16M remains available, the allocation of funds is limited as follows:

- \$12.5M allocated to Councils transitioning away from Mixed Waste Organics Outputs; and
- \$3.5M to allocated to other Councils for garden and food organics collections;

In addition, funding is no longer available for Projects that would reasonably be expected to proceed without grant assistance, which would likely apply to Wollongong due to the strong support for the progressive rollout of FOGO.

Based upon the current application process and previous successful grant applications, the recalculated estimate for potential grant funding available to Council for one or both of the following scenarios:

	Grant Scenario 1 Households that currently have access to the Garden Organics Service	Grant Scenario 2 Households that do not currently have access to the Garden Organics Service Multi-unit dwellings Trial (1500)
Estimated maximum grant funding	\$515,000	\$366,250

While it is possible to progress with a grant funding application for both the scenarios above, this would result in the earliest implementation of FOGO from May / June 2021 as:

- successful applicants will not be notified until November 2020;
- agreements signed in December 2020; and
- funding likely available from January 2021.

If the implementation of FOGO to households that have a current garden organics service was delayed until the grant application outcomes were known, Council would:

- Miss the opportunity to divert 3,000 tonnes of food organics from landfill and the associated benefits to landfill life;
- Pay an additional \$440k in EPA Waste Levy;

- Delay the reduction to odour, leachate and greenhouse gas production;
- Maintain current levels of compost produced.

Alternatively, it is proposed that implementation and provision of an ongoing FOGO service could be funded from the existing charges associated with the provision of Domestic Waste Management Services and be supplemented in the formative years by funding from the Domestic Waste Management restricted asset. Under this proposal, Organics Collections grant funding for a trial across Multi-use dwellings from the NSW Environmental Trust may prove more advantageous.

Council's Domestic Waste Management operation is required to be managed at breakeven over time, meaning that Council cannot profit from the Domestic Waste Management Charge or subsidise the operations from other revenue sources. The balance of financial results is maintained in the Domestic Waste Management restricted asset. In accordance with the Local Government Act 1993 these funds can only be used for costs of operations and projects associated with the collection and treatment of domestic waste collected from properties. Due to improved performance against budget in prior periods the Domestic Waste Management restricted asset currently contains enough balance to:

- fund the implementation of a FOGO service to households with a current garden organics service for FY21 and FY22; and
- retain a buffer required for potential variations in domestic waste collection and treatment costs.

Based on current forecasts the Domestic Waste Management restricted asset would retain a \$7M contingency, which remains above current requirements, and would be used to minimise increases in future Domestic Waste Management charges.

In developing the revised estimates, the following assumptions have been used based upon the FOGO trial outcomes:

- Initial roll-out to households with a current garden organics service;
- Additional 500 households each year on top of existing service;
- Caddies and compostable liners provided in FY21 and FY22;
- 50% of food waste will be diverted from landfill;
- EPA Waste Levy reduction will be realised;
- Weekly collection and treatment of FOGO (green-lidded bin);
- Current weekly collection and treatment of Residual waste (red-lidded bin) continues;
- Fortnightly collection and recycling of co-mingles recyclables (yellow-lidded bin) will continue;
- Education, marketing and materials for all waste types;
- Waste Audits across all waste bins to determine effectiveness, hotspots and areas for additional education.

	FY21 (Nov20 to Jun21)	FY22
Net additional cost funded from Restricted Asset	\$3,117,164	\$2,861,215
Proposed cost per household	\$0 *	\$0 *

* No proposed change to Waste Fees and Charges

While annual costs will reduce year on year following introduction, it is anticipated the additional annual cost in the third year without adjustment to services would be in the vicinity of \$1.8M. While a breakeven position at no extra cost could be achieved with a reduction to the Residual waste (Red-lidded bin) services to fortnightly and self-purchased liners, it is considered more reasonable that an additional cost in the order of \$40 per annum offset by any other efficiencies achieved could be applied from year three. Based on Council's currently low pricing compared to neighbouring councils and a superior service this is considered a reasonable outcome.

CONCLUSION

Introducing a FOGO service will have major environmental benefits for the City including meeting Council's proposed commitments under the draft Climate Mitigation Strategy.

Given the changes to the availability and criteria for the Organics Collections Grants Program and the potential consequences of delaying FOGO, it is recommended that:

- FOGO is implemented across households with a current garden organics service from November 2020;
- A trial of 1,500 households across different Multi-unit Dwellings (MUDs) is undertaken, pending a successful grant application under the NSW Environment Trust Organics Collections Grant Program.

FOGO TRIAL RESULTS

Participants achieved the following:

 **310T** of organic waste diverted away from landfill over 12 weeks

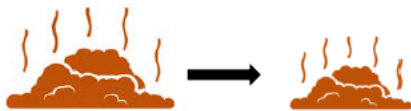


That's equal to **10** humpback whales of waste turned into **compost**



56% to 65%

increase in diversion so less landfilling needed



Low contamination rate of **0.3%** during trial compared to 4% before trial

As a result of the trial, participants said they:

- were more conscious about waste and recycling (95%)
- were aware of diverting organic waste from landfill (97%)
- were more conscious about recycling (88%)
- had adopted environmentally friendly practices (91%)
- more aware about the type of rubbish that goes in the bin (92%)
- were choosing recyclable packing over single use (68%)



agreed (82%) that "FOGO is an effective way for Wollongong City Council residents to reduce waste going to landfill".

In the future participants want:



Green-lidded FOGO bins collected weekly (69%)

To use bench caddies and liners (94%)



Information to be clear and messages consistent



ITEM 5 WOLLONGONG CITY-WIDE DEVELOPMENT CONTRIBUTIONS PLAN 2020

Development contributions are collected to help fund infrastructure that is required as a direct or indirect result of development. The current adopted Wollongong City-Wide Development Contributions Plan (2019) (Plan) came into force on 23 November 2019. The Plan is reviewed annually to reflect updates to Council's works program and any other required changes. The 2020 review incorporates housekeeping updates and the allocation of new projects.

It is recommended that the draft Wollongong City-Wide Development Contributions Plan (2020) (Attachment 1), be exhibited for community comment.

RECOMMENDATION

The draft Wollongong City-Wide Development Contributions Plan (2020) (Attachment 1), be endorsed for exhibition for a minimum period of 28 days.

REPORT AUTHORISATIONS

Report of: Chris Stewart, Manager City Strategy

Authorised by: Linda Davis, Director Planning + Environment - Future City + Neighbourhoods

ATTACHMENTS

- 1 Draft Wollongong City-Wide Development Contributions Plan (2020)

BACKGROUND

Development Contributions

The Environmental Planning and Assessment Act 1979 (Act) establishes various mechanisms through which a Council can collect development contributions.

Section 7.12 Contributions

Under Section 7.12 of the Act, contributions can be collected as 'fixed development consent levies' based on a percentage of the proposed cost of development. Clause 25K of the Environmental Planning and Assessment Regulation 2000 (Regulation) sets the maximum percentage that can be levied. For the Wollongong City Council Local Government Area (LGA) these are:

Where the proposed cost of carrying out the development is -

- Up to and including \$100,000 – Nil
- More than \$100,000 and up to and including \$200,000 - 0.5% of that cost
- More than \$200,001 - 1% of that cost.

For land within the Wollongong City Centre B3 Commercial Core zone -

- Up to and including \$250,000 – Nil
- More than \$250,001 – 2%.

Contributions are applied towards the provision, extension or augmentation of public infrastructure across the contribution area, or towards the recoupment of these costs.

Wollongong City-Wide Development Contributions Plan

The Wollongong Section 94A Development Contributions Plan initially came into force on 14 June 2006 when it repealed various Section 94 Contributions Plans. The Plan has been updated annually to reflect updates to Council's works program and any other required changes. Projects to be fully or partially funded through the Plan are required to be listed in Schedule 5 and 6 and mapped in Schedule 7 of the Plan.

On 1 March 2018, the Act was amended, including a restructure and all sections were renumbered. Section 94A was renumbered to section 7.12.

On 23 July 2018, Council resolved to rename the plan to the Wollongong City-Wide Development Contributions Plan (2018). The Plan applies to the majority of the Wollongong City Council LGA, excluding the West Dapto Urban Release Area, where the West Dapto Section 94 Development Contribution Plan (2017) currently applies. The current Plan came into force on 23 November 2019.

PROPOSAL

The report proposes that the Plan be updated to reflect Council's Delivery Program 2018-2022 and Operational Plan 2020-2021 adopted by Council on 29 June 2020 (specifically the Operational and Capital Budget 2020-2023) as well as other amendments as outlined below:

The following amendments to the Plan are proposed -

1. Replacement of the cover page image to assist in distinguishing the new 2020 Plan from the current 2019 version.
2. Update of the list of proposed projects including proposed expenditure from the Wollongong City-Wide Contributions account
3. New maps identifying the location of the proposed projects (projects with no specific location are not identified on the maps)
4. Update to the list of completed projects and actual expenditure from the Wollongong City-Wide Contributions account
5. Addition of Ministerial Direction relating to the timing of development contributions payments for identified projects (discussed below under Financial Implications).

Contributions are allocated to a range of new infrastructure projects across 7 categories, as summarised in the following table (summary of schedule 5 of the draft Plan):

Category	2020-21	2021-22	2022-23	2023-24	Total	%
Roads and Bridges	\$270,000	\$620,000	\$300,000	\$240,000	\$1,430,000	7.9
Footpaths and Cycleways	\$1,497,000	\$1,020,000	\$1,500,000	\$1,600,000	\$5,617,000	31.1
Car parks	\$200,000	\$200,000	\$0	\$300,000	\$700,000	3.9
Non-commercial buildings (eg community centres)	\$500,000	\$2,700,000	\$600,000	\$2,000,000	\$5,800,000	32.1
Parks, Gardens and sports fields	\$125,000	\$2,629,000	\$0	\$300,000	\$3,054,000	16.9
Land acquisition	\$250,000	\$250,000	\$250,000	\$250,000	\$1,000,000	5.5
Administration	\$114,000	\$117,000	\$120,000	\$124,000	\$475,000	2.6
Total	\$2,956,000	\$7,536,000	\$2,770,000	\$4,814,000	\$18,076,000	100

CONSULTATION AND COMMUNICATION

The Works Schedule has been updated in consultation with the Infrastructure Strategy and Planning Division to reflect the endorsed Capital Works Program. The update of the Plan has been discussed at the internal Development Contributions Coordination Group meetings.

If Council endorses the draft *Wollongong City-Wide Development Contributions Plan (2020)*, it will be exhibited for a minimum period of 28 days. Copies will be available on Council's website and at Council's Administration Centre and libraries.

Following the exhibition period, a report on submissions will be prepared for Council's consideration, along with a recommendation regarding adoption.

PLANNING AND POLICY IMPACT

The Plan is linked to the Our Wollongong 2028 Community Strategic Plan and the Delivery Program 2018-2022 and Operational Plan 2020-2021 which was adopted by Council on 29 June 2020. Specifically, the contributions are used to fund or part fund infrastructure projects in the Infrastructure Delivery Plan. As the projects listed in the Infrastructure Delivery Plan are updated annually, the City-Wide Development Contributions Plan also needs to be updated annually. The Plan does include a 4-year work schedule that provides flexibility for infrastructure projects to either be brought forward or delayed, depending on other issues such as the timing of approvals.

The report contributes to a number of Wollongong 2028 objectives as the Plan is aligned with the Infrastructure Delivery Plan and contributes to the funding required to implement the Delivery Program.

It also delivers on core business activities as detailed in the Land Use Planning Service Plan 2020-21.

FINANCIAL IMPLICATIONS

As at 31 May 2020, the net balance of Section 7.12 Contributions held by Council was \$23.065 million. This includes \$20.840 million held in the City-Wide restricted account and a balance of \$2.226 million in the City Centre restricted account.

Income is forecast at an average of approximately \$1.2 million per annum, although fluctuates depending on the commencement of development consents. The proposed Works Schedule for 2020-21 includes approximately \$2.956 million of expenditure, with an additional \$15.120 million over the following three years.

The income and expenditure will continue to be monitored and reviewed as needed in order to respond to current community needs.

Since 2006, Council has allocated \$42.6m of developer contributions to a range of projects, as summarised in the following table (summary of schedule 6 of the draft Plan):

Category	Total	%
Roads and Bridges	\$6,159,215	14.1
Footpaths and Cycleways	\$11,948,916	27.4
Car parks	\$2,450,270	5.6
Non-commercial buildings	\$14,055,419	32.2
Parks, Gardens and sports fields	\$5,542,813	12.7
Land acquisition	\$2,201,500	5.0
Administration	\$1,302,548	3.0
Total	\$42,660,681	100

On 25 June 2020, a new Ministerial Direction was issued stipulating that payment of contributions (including State Infrastructure Contributions) is not required until prior to the issue of an Occupation Certificate for development with an estimated construction cost of \$10 million or more.

The draft Plan makes reference to this on list of Ministerial Direction on Pages 10-11. Given the Plan previously required contribution payment prior to issue of any Construction Certificate, the Ministerial Direction may reduce contribution income in the short-term, but still requires full contribution payment prior to the completion (occupation) of a project.

CONCLUSION

The Wollongong City-Wide Development Contributions Plan is an important mechanism to assist with funding public infrastructure within the City. This report recommends that the existing Plan be updated to reflect changes in legislation and Council's Capital Works Program, as well as other minor amendments.

It is recommended that the draft Wollongong City-Wide Development Contributions Plan (2020) (Attachment 1) be exhibited for community comment.



WOLLONGONG CITY COUNCIL

DRAFT WOLLONGONG CITY-WIDE DEVELOPMENT CONTRIBUTIONS PLAN

2020



Wollongong City-Wide Development Contributions Plan (2019 2020)

Document Control						
Document ID: Wollongong City Council Section 94A Plan						
Rev No	Date	Revision Details	Typist	Author	Verifier	Approver
1	March 2006	Draft for exhibition (2006 version)	ZS	ZS	ZS	ZS
2	June 2006	In force (2006 version)	ZS	ZS	ZS	ZS
3	December 2006	Ministers Direction under S94E added	ZS	ZS	ZS	ZS
4	May 2007	Draft for exhibition (2007 version)	ZS	ZS	ZS	ZS
5	June 2007	In force (2007 version) Draft	ZS	ZS	ZS	ZS
6	May 2008	For exhibition (2008 version)	DG	DG	DG	DG
7	24 July 2008	In force (2008 version) Draft	DG	DG	DG	DG
8	28 July 2009	For exhibition (2009 version)	DG	DG	DG	DG
9	27 October 2009	Endorsed by Council	DG	DG	DG	DG
10	4 November 2009	In force (2009 version)	DG	DG	DG	DG
11	27 July 2010	Draft for exhibition (2010 version)	DH	DH	JB	RC
12	6 September 2010	In force (2010 version)	DH	DH	DG	DG
13	3 June 2011	Draft for exhibition (2011 version)	DH	DH	DG	DG
14	26 July 2011	In force (2011 version)	DH	DH	DG	DG
15	2 August 2012	Draft for exhibition (2012 version)	DH	DH	DG	DG
16	8 December 2012	In force (2012 version)	DH	DH	DG	DG
17	8 April 2013	Draft for exhibition (2013 version)	DH	DH	DG	DG
18	16 September 2013	In force (2013 version)	DH	DH	DG	DG
19	9 September 2014	Draft for exhibition (2014 version)	DG	DG	DG	DG
20	3 November 2014	In force (2014 version)	DG	DG	DG	DG
21	10 July 2015	Draft for exhibition (2015 version)	MH	MH	DG	DG
22	26 October 2015	In force (2015 version)	MH	MH	DG	DG
23	06 October 2016	Draft for Exhibition (2016 version)	BL	MH	DG	DG
24	19 December 2016	In force (2016 version)	BL	MH	DG	DG
25	8 May 2017	Draft for Exhibition (2017 version)	MB	MB	MH	DG
26	26 July 2017	In force (2017 version)	JP	MB	MB	DG
27	7 May 2018	Draft for exhibition (2018 version)	MB	MB	DG	DG
28	28 July 2018	In force (2018 version)	MB	MB	SH	DG
29	12 August 2019	Draft for exhibition (2019 version)	SH	SH	DG	DG
30	23 November 2019	In force (2019 version)	SH	SH	DG	DG
31	10 August 2020	Draft for exhibition (2020 version)	SH	SH	DG	DG

Wollongong City-Wide Development Contributions Plan (2019 2020)

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Wollongong City-Wide Development Contributions Plan (2019 2020)

Part A - Schedules

1. Schedule 1 – City-Wide levy rates

In accordance with clause 25K(1)(a) of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation), the rate of the levy for development carried out on land to which this Plan applies (excluding Wollongong City Centre Commercial Core - see Schedule 2) is calculated as follows:

Proposed cost of carrying out development (Determined in accordance with Clause 18 of this Plan)	Levy Rate
Up to and including \$100,000	Nil
More than \$100,000 and up to and including \$200,000	0.5%
More than \$200,000	1%

2. Schedule 2 - Wollongong City Centre Commercial Core levy rates

In accordance with clause 25K(1)(b) of the EP&A Regulation, the rate of the levy for development carried out on land within the B3 Commercial Core zone in the Wollongong City Centre, as shown at Figure 2, is calculated as follows:

Proposed cost of carrying out development (Determined in accordance with Clause 18 of this Plan)	Levy Rate
Up to and including \$250,000	Nil
More than \$250,000	2%

This contribution provides funding towards the Special City projects originally nominated in the Civic Improvements Plan (2009) for the Wollongong City Centre, reproduced below. The timing of the implementation of the projects will be determined through Councils Management Plan process as funding permits, and then detailed in Part D Schedule 5.

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

Note: The Civic Improvement Plan was retired in 2016 as a policy document

In 2010 Wollongong Council commenced a CBD revitalisation program of streetscapes and public domain areas. Major projects completed since include:

- Kiera Street – Crown Street to Smith Street
- Crown Street Mall – Kembla Street to Keira Street
- Market Street – Keira Street to Young Street
- Crown Street West – Atchison Street to Railway Parade

In addition, traffic signals have been installed to improve pedestrian activity and safety at:

- Intersection of Auburn & Burelli Streets
- Intersection of Victoria and Keira Streets
- Intersection of Kenny and Burelli Streets

Wollongong City-Wide Development Contributions Plan (2019/2020)

3. Schedule 3 – Works schedule summary

Category/Asset Class	Actual Contribution Expenditure 2006/07 to 2018/192019/20	Proposed Contribution Expenditure 2019/202020/21 to 2022/232023/24	Total Contribution Expenditure 2006/07 to 2022/232023/24
Roads and bridges	\$5,340,767 \$6,159,215	\$2,785,000 \$1,430,000	\$8,125,767 \$7,589,215
Footpaths and cycleways	\$10,881,445 \$11,948,916	\$3,330,000 \$5,617,000	\$14,211,445 \$17,565,916
Car parks	\$2,260,270\$2,450,270	\$676,000\$700,000	\$2,936,270\$3,150,000
Community buildings	\$14,055,419	\$6,600,000 \$5,800,000	\$20,655,419 \$19,855,419
Parks, gardens and sportsfields	\$5,395,298 \$5,542,813	\$704,000\$3,054,000	\$6,099,298\$8,596,813
Land acquisitions	\$2,201,500	\$1,000,000	\$3,201,500 \$3,201,500
Administration	\$1,185,548 \$1,302,548	\$570,338 \$475,000	\$1,755,886 \$1,777,548
Total	\$37,789,363 \$43,660,681	\$15,665,338 \$18,076,000	\$56,985,585 \$61,736,681

For further details refer to Part D Schedule 5 and 6 – Detailed Works Schedules.

Part B – Expected Development and Demand for Public Facilities

4. Expected Development and Demand for Public Facilities

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

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

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

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

- The population projections undertaken by informed decisions (id), adopted from the Australian Bureau of Statistics (ABS) information and other factors, indicate that continued population growth in Wollongong is expected. A projected population of 233,141 is expected by 2026 and 254,805 by 2036.
- Accelerating housing costs in metropolitan Sydney contribute to certain pressures in Wollongong, particularly new housing developments, which will largely impact the future needs of the region.
- The likely population growth will diminish the enjoyment and standard of public facilities for the existing population unless additional facilities are provided to meet the additional demand.
- The likely growth will require the provision of additional public facilities to meet additional demands.

Wollongong City Council wants to ensure that it has a sustainable local government area, safeguarding the economic, social, cultural, and environmental wellbeing of present and future generations. These levies will assist

Wollongong City-Wide Development Contributions Plan (2019 2020)

Council to provide high quality and diverse public facilities to meet the expectations of the existing and new residents of Wollongong City Council.

The additional public facilities to be provided to meet the expected future development are set out in Part D Schedule 5 and 6.

The demand for facilities within the Wollongong City Centre is based on the growth and development projected for the Wollongong City Centre in the Illawarra Shoalhaven Regional Growth Plan 2015 and A City for People 2016. In particular, this includes the total developable floor space allowed under the Wollongong Local Environmental Plan 2009 and Wollongong Development Control Plan 2009.

Part C – Administration and Operation of the Plan

5. What is the name of this Contributions Plan?

This Plan is called the "Wollongong City-Wide Development Contributions Plan (2019 2020)" (the Plan) and replaces the Wollongong Section 94A Development Contributions Plan (2018-2019).

This Plan levies contributions under Section 7.12 of the *Environmental Planning and Assessment Act 1979*.

6. Where does this Plan apply?

This Plan applies to all land within the local government area of Wollongong City Council excluding the West Dapto Urban Release Area, as shown at Figure 1.

7. What is the purpose of this Plan?

The purpose of this Plan is to:

- To enable the imposition of a condition on certain development consents and complying development certificates requiring the payment of a contribution pursuant to Section 7.12 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).
- Authorise Council, and accredited certifier or other consent authority to impose conditions requiring contributions under Section 7.12 of the EP&A Act when determining an application on land to which this Plan applies;
- Assist the Council to provide the appropriate public facilities which are required to maintain and enhance amenity and service delivery within the area.
- Publicly identify the purposes for which the levies are required.

8. When does this development contributions Plan commence?

This Plan takes effect from the date on which public notice was published, pursuant to clause 31(4) of the EP&A Regulation.

This City-Wide Development Contributions Plan 2019 2020 was adopted by Council at its Meeting of [INSERT DATE] and came into force on [INSERT DATE].

9. Relationship with other development contribution Plans

This plan repeals the following contributions plan:

- Wollongong City-Wide Development Contributions Plan (2018 2019 version)

Previous iterations of contributions plans that applied to all or part of the land to which this plan applies which have been repealed are:

- Wollongong City-Wide Development Contributions Plan 2019
- Wollongong Section 94A Contributions Plan (2018 version)
- Wollongong Section 94A Contributions Plan (2017 version)
- Wollongong Section 94A Contributions Plan (2016 version)
- Wollongong Section 94A Contributions Plan (2015 version)

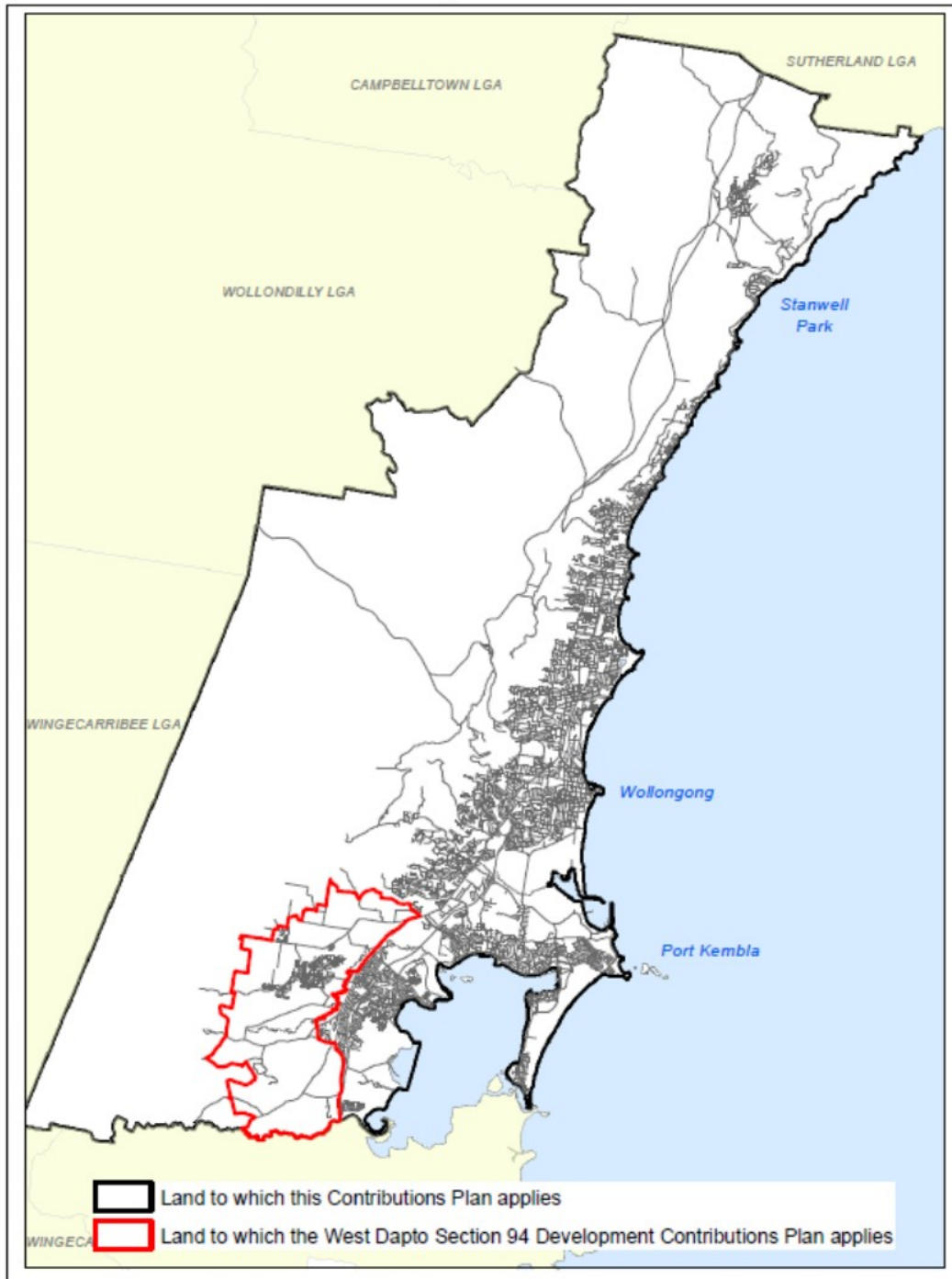
Wollongong City-Wide Development Contributions Plan (2019 2020)

- Wollongong Section 94A Contributions Plan (2014 version)
- Wollongong Section 94A Contributions Plan (2013 version)
- Wollongong Section 94A Contributions Plan (2012 version)
- Wollongong Section 94A Contributions Plan (2011 version)
- Wollongong Section 94A Contributions Plan (2010 version)
- Wollongong Section 94A Contributions Plan (2009 version)
- Wollongong Section 94A Contributions Plan (2008 version)
- Wollongong Section 94A Contributions Plan (2007 version)
- Wollongong Section 94A Contributions Plan (2006 version) – this plan repealed the following Section 94 plans:
 - CP No 1 Open Space Embellishment, Recreation Facilities, Community Facilities;
 - Amendment to CP No 1 Open Space;
 - CP No 2 Traffic Management & Road Works in City of Wollongong;
 - CP No 3 Car Parking in the City of Wollongong;
 - CP No 4 Studies & Administration;
 - CP No 6 Car Parking in Area between Fairy Creek & Georges Plan Nth Wollongong;
 - CP No 7 Open Space Dedication (Nth Side Kanahooka Road);
 - CP No 8 Roundabout at the intersection of Unara Road, Yalunga Street & Princes Highway, Dapto;
 - CP No 9 Mount Brown Local Area Traffic Management Scheme;
 - CP No 10 Bank Street (Road Works & Intersection Upgrade);
 - CP No 11 Bank Street (Car Parking Facility between Bank & Stewart Streets);
 - CP No 12 Sandon Point Section 94 Land Acquisition; and
 - CP No 13 Library Resources.

Any other Section 7.11 or Section 7.12 contributions plans that are not repealed continue to apply to all areas and development to which they are stated to apply.

Wollongong City-Wide Development Contributions Plan (2019/2020)

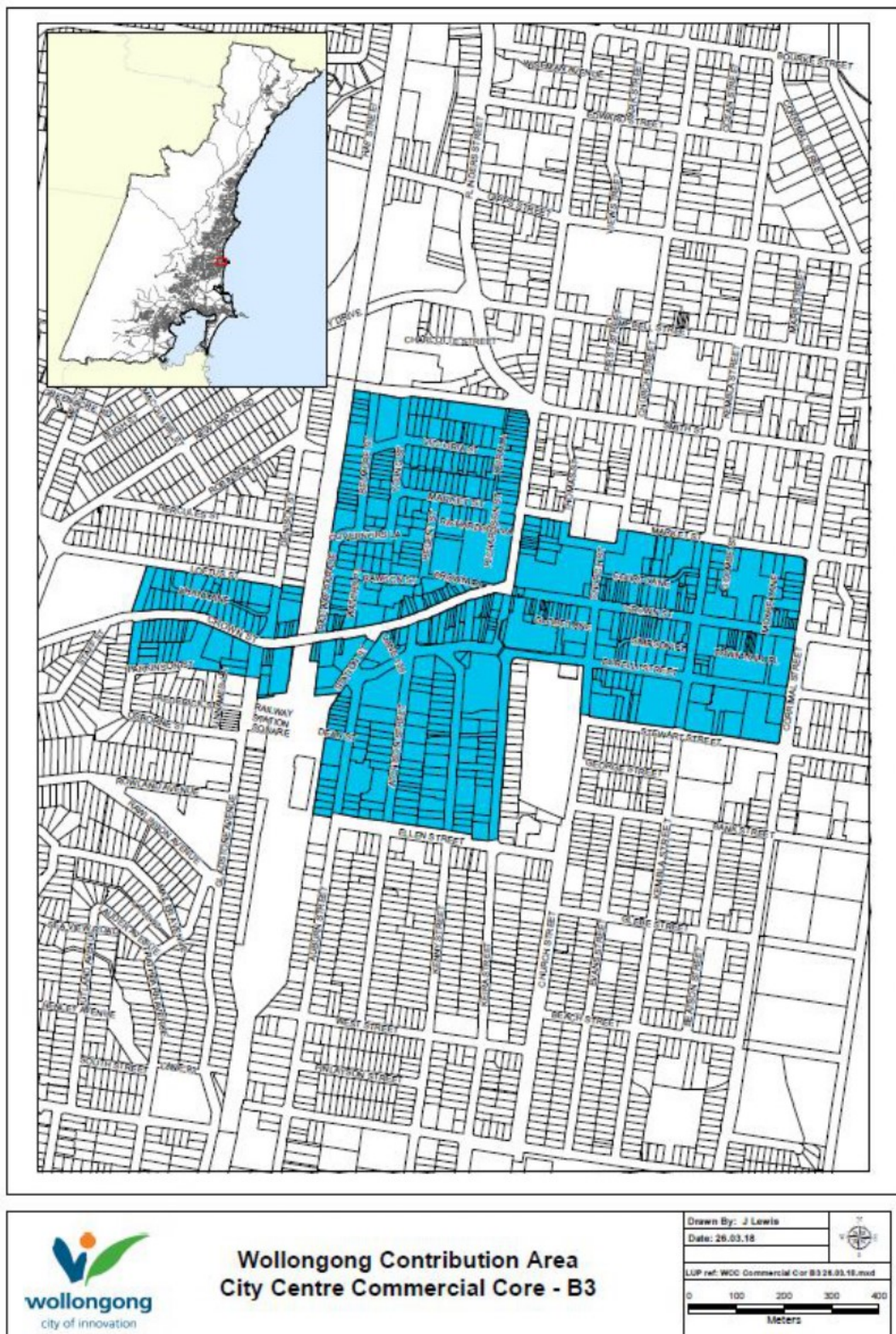
Figure 1 Land to which this Contributions Plan applies



	Wollongong Development Contribution Areas		Drawn By: J Lewis Date: 19.03.18	
			File ref: Wollongong Sec94A 19.03.18.mxd	

Wollongong City-Wide Development Contributions Plan (2019 2020)

Figure 2 Land within the Wollongong City Centre Commercial Core



Wollongong City-Wide Development Contributions Plan (2019 2020)

10. What does Section 7.12 of the EP&A Act provide?

Section 7.12 of the EP&A Act provides as follows:

7.12 Fixed development consent levies

- (1) A consent authority may impose, as a condition of development consent, a requirement that the applicant pay a levy of the percentage, authorised by a contributions plan, of the proposed cost of carrying out the development.
- (2) A consent authority cannot impose as a condition of the same development consent a condition under this section as well as a condition under section 7.11.
- (2A) A consent authority cannot impose a condition under this section in relation to development on land within a special contributions area without the approval of:
 - (a) the Minister, or
 - (b) a development corporation designated by the Minister to give approvals under this subsection
- (3) Money required to be paid by a condition imposed under this section is to be applied towards the provision, extension or augmentation of public amenities or public services (or towards recouping the cost of their provision, extension or augmentation). The application of the money is subject to any relevant provisions of the contributions plan.
- (4) A condition imposed under this section is not invalid by reason only that there is no connection between the development the subject of the development consent and the object of expenditure of any money required to be paid by the condition.
- (5) The regulations may make provision for or with respect to levies under this section, including:
 - (a) the means by which the proposed cost of carrying out development is to be estimated or determined, and
 - (b) the maximum percentage of a levy.

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

This Plan enables the Council to grant consent to development to which this Plan applies subject to a condition requiring the applicant to pay to the Council a levy calculated as per clause 12.

12. How will the levy be calculated

The levy will be determined on the basis of the rate as set out in Part A Schedule 1 City Wide Section 7.12 Levy Rates and Schedule 2 – Wollongong City Centre Commercial Core Section 7.12 Levy Rates. The levy will be calculated as follows:

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

Where:

%C is the levy rate applicable

\$C is the proposed cost of carrying out development as determined in accordance with clause 18.

13. Development to which this Plan applies

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

14. Section 7.17 Directions

Any current and relevant Direction issued by the NSW Minister for Planning under Section 7.17 of the EP&A Act will prevail over the provisions of this Plan. Current Section 7.17 Directions relative to this Plan include:

- If a development contribution under section 94 of the *Environmental Planning and Assessment Act 1979* has been required in respect of the subdivision of land (initial subdivision), a levy under section 94A of that Act

Wollongong City-Wide Development Contributions Plan (2019 2020)

may not be required in respect of any other development on the land, unless that other development will, or is likely to, increase the demand for public amenities or public services beyond the increase in demand attributable to the initial subdivision. (14/04/2016)

- A condition may not be imposed under section 94A of the *Environmental Planning and Assessment Act 1979* in relation to development on land within the Port Kembla Lease Area, as mapped in the *State Environmental Planning Policy (Port Botany and Port Kembla) 2013*. (6/12/13)
- A contribution cannot be imposed on development for the purposes of any form of seniors housing as defined in the *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* (formerly the *State Environmental Planning Policy (Seniors Living) 2004*) where the development consent is granted to a social housing provider as defined in the *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*. (14/9/07)
- Development contributions on Development Applications (excluding subdivisions) over \$10 million are required to be paid prior to the issue of an Occupation Certificate, not a Construction Certificate. Council is to issue statements confirming payment. (25/06/2020)

Further details on current Section 7.17 Directions can be found at www.planning.nsw.gov.au.

15. Are there any exemptions to the levy?

Council may allow for exemptions (partial or full) in the following circumstances. For an exemption to be considered based on clause 15 (a) to (h), the written application should clearly state which exemption criteria is expected to ensure it is considered and provide all relevant supporting information.

- a. An application by the Council for community infrastructure, such as but not limited to libraries, community facilities, child care facilities, recreational facilities or car parks.
- b. An application by the NSW Government for public infrastructure, such as but not limited to hospitals, police stations, fire stations, education facilities (primary and secondary) and public transport infrastructure.
- c. An application for the continued operation of a coal mine, where rail transport is used for the transportation of coal.
- d. An application for place of public worship.
- e. An application for a residential care facility carried out under the *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*.
- f. An application for an industrial training facility.

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

- g. An application on behalf of Council for community infrastructure, such as but not limited to libraries, community facilities, child care facilities, recreational areas or facilities and car parks.
- h. An application on behalf of the NSW Government for public infrastructure, such as but not limited to hospitals, police stations, fire stations; education facilities (primary and secondary) and public transport infrastructure.
- i. An application for privately funded community infrastructure, such as but not limited to education facilities (primary and secondary) and private hospitals.
- j. Any other development for which Council considers an exemption is warranted, where the decision is made by formal resolution of the Council at a public Council meeting.
- k. An application by or on behalf of a tertiary education provider:
 - (i) Full exemption may be allowed for facilities that are directly required by the main function of the educational facility, such as – classrooms, lecture theatre, training facility, administrative office, research facility.
 - (ii) Partial (50%) exemption may be allowed for developments that are not directly required by the

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main function of the educational facility but will provide support to its main function, such as student accommodation, car park, sports facility, playgrounds, food-court, display facility, function centre, convention hall, auditorium, community centre.

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

Submission Requirements for an exemption claim to be considered

For an exemption to be considered in accordance with clause 15 (g) to (k) above, the application will need to include a comprehensive written submission arguing the case for exemption and including details of:

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

Exemptions (partial or full) listed under clause 15 (g) to (k) will only to be granted with approval of the Council Officer(s) whose position(s) holds the required Council delegations or in terms of clause 15(j) by formal resolution of the Council at a public Council meeting.

16. Complying Development Certificates and the obligations of accredited certifiers

In accordance with sections 4.28(9) and 7.21 of the EP&A Act and clause 136K of the EP&A Regulation, applications for a complying development certificate are also subject to the provisions of this Plan, and the Certifier (whether Council or an Accredited Certifier) must impose a condition requiring the payment of a Section 7.12 contribution in accordance with the requirements of this Plan.

The condition must include the contribution amount calculated in accordance with this Plan and require payment before any building or subdivision work authorised by the certificate commences. Further information on how to calculate and condition contributions is available on Councils website and from Council. The following template condition should be used:

Development Contributions

Pursuant to Section 4.28(9) of the Environmental Planning and Assessment Act 1979 and the Wollongong City-Wide Development Contributions Plan (2019 2020), a monetary contribution of \$[INSERT AMOUNT], subject to indexation, must be paid to Wollongong City Council before any building or subdivision work authorised by this certificate commences.

As the contribution amount is subject to indexation until the date of payment, contact Council for the current indexed amount prior to payment. The contribution can be paid online at <http://www.wollongong.nsw.gov.au/applicationpayments> (contact Council for the payment reference number) or by cash, EFTPOS or bank cheque at 41 Burelli Street, Wollongong.

In accordance with clause 27(1A) of the EP&A Regulation, the Certifier must ensure that the contribution has been fully paid before any building or subdivision work authorised by the certificate commences and submit receipt(s) confirming full payment with the complying development certificate.

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17. Construction certificates and the obligations of accredited certifiers

In accordance with clause 146(b) of the EP&A Regulation, a Certifier must not issue a construction certificate for building or subdivision work where the development consent imposes a condition in accordance with this Plan, unless the condition has been complied with.

In accordance with clause 142(2) of the EP&A Regulation, the Certifier must ensure that copies of receipt(s) confirming that contributions have been fully paid are provided to the Council.

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

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

25J Section 7.12 levy—determination of proposed cost of development

- (1) The proposed cost of carrying out development is to be determined by the consent authority, for the purpose of a section 7.12 levy, by adding up all the costs and expenses that have been or are to be incurred by the applicant in carrying out the development, including the following:
 - (a) if the development involves the erection of a building, or the carrying out of engineering or construction work—the costs of or incidental to erecting the building, or carrying out the work, including the costs (if any) of and incidental to demolition, excavation and site preparation, decontamination or remediation,
 - (b) if the development involves a change of use of land—the costs of or incidental to doing anything necessary to enable the use of the land to be changed,
 - (c) if the development involves the subdivision of land—the costs of or incidental to preparing, executing and registering the plan of subdivision and any related covenants, easements or other rights.
- (2) For the purpose of determining the proposed cost of carrying out development, a consent authority may have regard to an estimate of the proposed cost of carrying out the development prepared by a person, or a person of a class, approved by the consent authority to provide such estimates
- (3) The following costs and expenses are not to be included in any estimate or determination of the proposed cost of carrying out development:
 - (a) the cost of the land on which the development is to be carried out,
 - (b) the costs of any repairs to any building or works on the land that are to be retained in connection with the development,
 - (c) the costs associated with marketing or financing the development (including interest on any loans),
 - (d) the costs associated with legal work carried out or to be carried out in connection with the development,
 - (e) project management costs associated with the development,
 - (f) the cost of building insurance in respect of the development,
 - (g) the costs of fittings and furnishings, including any refitting or refurbishing, associated with the development (except where the development involves an enlargement, expansion or intensification of a current use of land),
 - (h) the costs of commercial stock inventory,
 - (i) any taxes, levies or charges (other than GST) paid or payable in connection with the development by or under any law.
 - (j) the costs of enabling access by disabled persons in respect of the development,
 - (k) the costs of energy and water efficiency measures associated with the development,
 - (l) the cost of any development that is provided as affordable housing,
 - (m) the costs of any development that is the adaptive reuse of a heritage item.
- (4) The proposed cost of carrying out development may be adjusted before payment, in accordance with a contributions plan, to reflect quarterly or annual variations to readily accessible index figures adopted by the plan (such as a Consumer Price Index) between the date the proposed cost was determined by the consent authority and the date the levy is required to be paid.
- (5) To avoid doubt, nothing in this clause affects the determination of the fee payable for a development application.

19. Cost estimate reports

An application for a development application or a complying development certificate is to be accompanied by a report, prepared at the applicant's cost and in accordance with this clause, setting out an estimate of the proposed cost of carrying out the development for the purposes of clause 25J of the EP&A Regulation, per clause 18 above. Where a separate cost estimate is not provided, the estimated cost of development as provided on the development

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application will be used to calculate the contribution.

The following types of report are required:

- where the estimate of the proposed cost of carrying out the development is less than \$10,000,000 - a suitable cost estimate prepared by a person who, in the opinion of the Council, is suitably qualified. This includes a licensed builder, registered architect, qualified and accredited building designer, registered quantity surveyor or a person who is licensed with relevant qualifications and proven experience in costing of similar development works, but who is not the owner or applicant;
- where the estimate of the proposed cost of carrying out the development is \$10,000,000 or more - a detailed cost report in accordance with Part D Schedule 4 prepared by a quantity surveyor who is a registered member of the Australian Institute of Quantity Surveyors.

Applicants will be required to declare upon signing of application for development/building work that the cost of carrying out development as evidenced by their submitted estimate has been calculated in accordance with the provisions of this Plan, in particular clause 18.

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

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

Money paid to the Council under a condition authorised by this Plan is to be applied by the Council towards meeting the cost of the public facilities that will be or have been provided within the area as listed in Part D Schedule 5 and 6.

21. What are the funding priorities from levies authorised by this Plan?

Subject to section 7.3(2) of the EP&A Act and clauses 19 and 22 of this Plan, the public facilities listed in Part D Schedule 5 are to be provided in accordance with the staging set out in that Schedule.

22. Pooling of levies

For the purposes of section 7.3(2) of the EP&A Act, this Plan authorises money obtained from levies paid in respect of different developments to be pooled and applied by the Council progressively towards the public facilities listed in Part D Schedule 5 in accordance with the staging set out in that Schedule.

23. The Goods and Services Tax (GST)

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

24. When is the levy payable?

A levy to be paid by a condition authorised by this Plan must be paid to the Council in accordance with the following requirements:

- A Development Application involving construction – prior to the issue of the Construction Certificate;
- A Development Application involving subdivision – prior to the issue of the Subdivision Certificate;
- A Development Application involving construction and subdivision (ie dual occupancies) – prior to the issue of the Construction Certificate;
- A Complying Development Certificate Application – before any work authorised by the certificate commences.

Where the development is phased the condition may allow for the levy to be paid at relevant phases.

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

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

- Deferred or periodic payment of the contribution will not prejudice the timing or the manner of the provision of public facilities included in the works program;
- In other circumstances considered reasonable by Council.

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

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

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

- a) The bank guarantee be issued by a bank for the amount of the total contribution, or the amount of the outstanding contribution, plus an amount equal to thirteen (13) months interest.
- b) Any charges associated with establishing or operating the bank security are payable by the applicant.
- c) The bank guarantee must carry specific wording identifying the exact obligation to which it relates (i.e. section 7.12 development contributions for development of Lot x DP xxx under Development Consent No. xxx)
- d) The bank unconditionally pays the guaranteed sum to the Council if the Council so demands in writing not earlier than 12 months from the provision of the guarantee or completion of the work.
- e) The bank must pay the guaranteed sum without reference to the applicant or landowner or other person who provided the guarantee, and without regard to any dispute, controversy, issue or other matter relating to the development consent or the carrying out of development.
- f) The bank's obligations are discharged when payment to the Council is made in accordance with this guarantee or when Council notifies the bank in writing that the guarantee is no longer required.
- g) Where a bank guarantee has been deposited with Council, the guarantee shall not be cancelled until such time as the original contribution and accrued interest are paid.

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

26. Planning Agreements

Section 7.4 of the EP&A Act states that a planning agreement is a voluntary agreement between a planning authority and a developer, under which the developer agrees to make contributions towards a public purpose. This may include the dedication of land, a monetary contribution, any other material public benefit or a combination of these. A planning agreement may exclude the application of Section 7.12 to the entire development or to part of the development that is subject to the agreement.

The provisions of Sections 7.4 to 7.10 of the EP&A Act and clauses 25B to 25H of the EP&A Regulation prescribe the contents, form, subject matter and procedures for making planning agreements.

Further information can be found in Council's Planning Agreements Policy.

27. How will the levy be adjusted?

As the date of the consent may vary to the actual time of payment of the contribution, clause 25(4) of the EP&A Regulation allows Council to adjust the contribution to reflect current between the date of the consent and the time of payment. Contributions required as a condition of consent under the provisions of this Plan will be indexed quarterly in accordance with movements in the Consumer Price Index; All Groups CPI; issued by the Australian Bureau of Statistics (ABS Series ID A2325806K).

The following formula for indexing contributions is to be used:

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Contribution at time of payment = \$C x (CP2/CP1)

Where:

\$C is the original contribution as set out in the consent

CP1 is the Consumer Price Index; All Groups CPI; Sydney at the time the consent was issued

CP2 is the Consumer Price Index; All Groups CPI; Sydney at the time of payment

28. Savings and Transitional Arrangements

A development application or complying development certificate application which has been submitted prior to the adoption of this Plan but not determined shall be determined in accordance with the provisions of this Plan.

29. Are refunds for payments of levies possible?

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

- Submit a written request to Council;
- As a part of the request, demonstrate that the development that is the subject of the consent has not been commenced;
- Submit the request for a refund within 12 months of the payment;
- Formally surrender the consent that applied the levy;

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

Part D – References

30. What definitions apply?

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

- **ABS** means the Australian Bureau of Statistics
- **EP&A Act** means the Environmental Planning and Assessment Act 1979
- **EP&A Regulation** means the Environmental Planning and Assessment Regulation 2000
- **Council** means Wollongong City Council
- **Levy** means a levy under section 7.12 of the EP&A Act authorised by this Plan
- **Plan** means this Wollongong City-Wide Development Contributions Plan
- **Public facility and Public Infrastructure** means a public amenity or public service

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31. Schedule 4 – Detailed Cost Report

The following is an extract of the NSW Department of Planning's Development Contributions Practice Note – 2005.

Registered* Quantity Surveyor's Detailed Cost Report

[Development Cost in excess of \$10,000,000]

*A member of the Australian Institute of Quantity Surveyors

DEVELOPMENT APPLICATION No. _____ REFERENCE: _____

CONSTRUCTION CERTIFICATE No. _____ DATE: _____

APPLICANT'S NAME: _____

APPLICANT'S ADDRESS: _____

DEVELOPMENT NAME: _____

DEVELOPMENT ADDRESS: _____

DEVELOPMENT DETAILS:

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

ESTIMATE DETAILS:

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

I certify that I have:

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

Signed: _____

Name: _____

Position and Qualifications: _____

Date: _____

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32. Schedule 5 – Detailed Works Schedule – Projects proposed to utilise Section 7.12 funds

The Capital Works Program that Council delivers is funded from a mix of budget sources, including contributions collected from this Plan. Section 7.12 Contributions will be allocated to projects through the annual budget preparation process based on this schedule, and will be subject to refinement until the project delivery stage. This may include the review of projects and/or budget allocations as part of the monthly budget review process that is reported to and endorsed by Council. Section 7.12 Contributions currently allocated to future projects are shown in the table below:

Map No.	Project Number	Project	Location	Section 7.12 Forecast Funding Allocation				
				2020-21	2021-22	2022-23	2023-24	Total
		Roads and Bridges						
	127424	Traffic Facility Improvements (50% RMS)	Various	\$270,000	\$150,000		\$70,000	\$490,000
16	127520	Flagstaff Rd/Tern Pl - Roundabout	Berkeley		\$80,000			\$80,000
4	127515	Carroll Road crossing facility	East Corrimal		\$300,000			\$300,000
7	127447	Bourke st/ Cliff Rd Intersection Improvements	North Wollongong		\$70,000			\$70,000
2	127952	Phillips St near Ryan's Hotel Pedestrian Facility	Thirroul			\$300,000	\$100,000	\$400,000
17	127948	King St/Greene St/Montgomery St	Warrawong				\$70,000	\$70,000
13	127981	Coachwood Dr After Waples Rd	Farmborough Heights		\$20,000			\$20,000
		Sub total		\$270,000	\$620,000	\$300,000	\$240,000	\$1,430,000
		Footpaths and Cycleways						
	126233	New cycle/shared paths	Various				\$100,000	\$100,000
15	128477	Hooka Creek Road; Lake Ride to Northcliffe Dr	Berkeley	\$50,000				\$50,000
3	126265	Ursula Rd - Franklin Ave to Trinity Row	Bulli				\$400,000	\$400,000
3	128468	Beacon Ave; Showground to Coastline Cycleway	Bulli	\$50,000				\$50,000
3	128469	Ursula Rd; Bulli Station to Coastline Cycleway	Bulli	\$40,000				\$40,000
12	126253	Cordeaux Rd; Princes Hwy to Gibsons Road	Cordeaux Heights	\$70,000				\$70,000
3	128470	Lake Pde; Corrimal Station to Coastline Cycleway	East Corrimal	\$30,000				\$30,000
6	126269	Princes Hwy; Memorial Dr to Bourke St	Fairy Meadow		\$500,000			\$500,000
6	126263	Crawford Ave; Porter St to Hay St access	North Wollongong	\$230,000				\$230,000
6, 7	128026	Virginia St; Bourke St to Squires Way	North Wollongong			\$500,000	\$500,000	\$1,000,000
18	128147	Military Rd, Old Port Rd to Port Kembla Pool, On-road Cyclew	Port Kembla	\$250,000				\$250,000
8	128024	Fairy Creek Shared Path - Reserve St to Foley St via Gilmore St	West Wollongong		\$520,000			\$520,000
11	128028	Swan St; shared path full length	Wollongong			\$500,000	\$600,000	\$1,100,000
6	128475	Flinders St; Memorial Drive to Smith St	Wollongong	\$30,000				\$30,000
7	128476	Cliff Rd; Stuart Park to Marine Dr	Wollongong	\$50,000				\$50,000
9	127713	Wollongong City Centre Wayfinding Signage	Wollongong	\$337,000				\$337,000

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4	126599	Station St; Duff Pde to Pioneer Rd; north side	East Corrimal	\$160,000				\$160,000
8	126626	Reserve St; Gilmore to Robsons; south side	West Wollongong			\$500,000		\$500,000
8	128195	Greenacre Rd, Mercury St to Rosemont St (incl nth section of	West Wollongong	\$200,000				\$200,000
		Sub total		\$1,497,000	\$1,020,000	\$1,500,000	\$1,600,000	\$5,617,000
		Car parks						
5	126108	Robert Ziems Park Cricket Ground Carpark	Corrimal	\$200,000				\$200,000
19	126105	Hector Harvey Oval	Koonawarra		\$200,000			\$200,000
11	128034	Swan Street, east of Corrimal St	Wollongong				\$300,000	\$300,000
		Sub total		\$200,000	\$200,000	\$0	\$300,000	\$700,000
		Non-Commercial buildings,						
1	128363	Helensburgh Library and Community Centre	Helensburgh		\$2,000,000			\$2,000,000
17	125350	New Warrawong Multipurpose Facility	Warrawong	\$500,000	\$700,000	\$600,000	\$2,000,000	\$3,800,000
		Sub total		\$500,000	\$2,700,000	\$600,000	\$2,000,000	\$5,800,000
		Parks, Gardens and sports fields						
10	127668	W A Lang Park Playground All Abilities	Wollongong		\$250,000			\$250,000
14	128517	Cringila Hills Pump Track	Cringila	\$25,000	\$625,000			\$650,000
14	128518	Multipurpose Criterium Track	TBC	\$100,000	\$1,500,000			\$1,600,000
	125216	Skate parks	Various		\$254,000		\$300,000	\$554,000
		Sub total		\$125,000	\$2,629,000	\$0	\$300,000	\$3,054,000
		Land Acquisitions						
	124909	Land Acquisitions		\$250,000	\$250,000	\$250,000	\$250,000	\$1,000,000
		Sub total		\$250,000	\$250,000	\$250,000	\$250,000	\$1,000,000
		Administration						
		Development Contributions Planner		\$104,000	\$107,000	\$110,000	\$114,000	\$435,000
		Development Contributions Admin Support – Finance		\$10,000	\$10,000	\$10,000	\$10,000	\$40,000
		Sub total		\$114,000	\$117,000	\$120,000	\$124,000	\$475,000
		TOTAL		\$2,956,000	\$7,536,000	\$2,770,000	\$4,814,000	\$18,076,000

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33. Schedule 6 – Detailed Works Schedule – Projects that have included Section 7.12 funds

The Capital Works that Council delivers are funded from a mix of sources, including contributions collected from this Plan. Section 7.12 Contributions that have been allocated to projects are shown in the table below:

Project	Section 7.12 Actual Funding Allocations					
	2006-07 to 2015-16	2016-17	2017-18	2018-19	2019-20	Total 2006-07 to 2019-20
Roads and Bridges						
City Centre Public Transport	\$426,000					\$426,000
City Wide Public Transport	\$225,000					\$225,000
Lake Avenue Traffic Facilities : Flagstaff Rd to Gorrel St	\$40,000					\$40,000
Parkes St/Princes Hwy, Helensburgh - New roundabout	\$85,000					\$85,000
Denison St - Victoria St, Wollongong traffic lights	\$19,000	\$1,000				\$20,000
Denison St - Throsby Dr, Wollongong traffic lights	\$21,000	\$1,000				\$22,000
Cordeaux Rd. west of William James Dr - Upgrade	\$515,000					\$515,000
Compton Street, Dapto- Traffic Calming augmentation	\$313,000					\$313,000
Burelli Street - Kenny Street Traffic Signals	\$180,000					\$180,000
Burelli Street - Auburn Street Traffic Signals	\$235,578					\$235,578
Stewart St-Kembla St Traffic Lights	\$7,000		\$300,000			\$307,000
Central Rd - Blackman/Nudjia, Unanderra traffic lights	\$114,000	\$173,000				\$287,000
Carters lane, Fairy Meadow shoulder construct - Pioneer to Elliots	\$159,000					\$159,000
Squires Way, North Wollongong - kerb and gutter - Elliots Rd to iC entry	\$51,000					\$51,000
Vera St/Tunnel Rd improvement, Helensburgh - kerb, gutter and drainage	\$275,000	\$14,148				\$289,148
Jarvie Rd, Cringlia - new kerb & gutter	\$50,000					\$50,000
Walker St, Helensburgh - Replace culvert to widen pedestrian access	\$140,999					\$140,999
Burke Street, Berkeley - New Traffic Island	\$5,000					\$5,000
Ball Street, Woonona - New Traffic Island	\$1,000					\$1,000
Sturdee Ave, Bulli - Augmentation design options	\$16,000					\$16,000
Oakland Avenue School Crossing Upgrade (Windang Primary School)	\$20,000					\$20,000
Northcliff Dr School Crossing Upgrade (Lake Height PS)	\$25,000					\$25,000
Northcliff Dr Crossing Upgrade (Illawarra Sports HS)	\$38,000					\$38,000
Terania St School Crossing Upgrade (Russell Vale PS)	\$19,000					\$19,000
Raymond Rd School Crossing Upgrade (St Michaels PS)	\$20,000					\$20,000

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Project	Section 7.12 Actual Funding Allocations					
	2006-07 to 2015-16	2016-17	2017-18	2018-19	2019-20	Total 2006-07 to 2019-20
Baan Baan St extension to Station St		\$70,272				\$70,272
Kanahooka Road -Brownsville Avenue traffic lights		\$1,924				\$1,924
Kembla St -Gipps St roundabout		\$10,000				\$10,000
Maidstone -The Ridge roundabout		\$20,000	\$300,000		\$100,000	\$420,000
Gladstone St, Pedestrian Refuge Island		\$ 938				\$938
Princes Hwy - Victoria Rd, Traffic Lights		\$29,768	\$230,000			\$259,768
Bourke st/ Cliff Rd Intersection Improvements		\$10,140				\$10,140
Other Roads and Bridges						\$0
Pedestrian bridge over Byarong Ck Roy Johansson Park			\$100,000			\$100,000
Lilyvale/Walker St, roundabout			\$180,000			\$180,000
Bong Bong Rd -Station St traffic lights			\$43,000			\$43,000
Railway Crescent, Widen road				\$100,000		\$100,000
Towradgi Rd-Caters Lane crossing relocation				\$200,000	\$11,292	\$211,292
Point Street Local Area Traffic Management				\$100,000		\$100,000
Bellambi Local Area Traffic Management				\$20,000		\$20,000
Lakeside Drive - Pedestrian Refuge				\$115,000		\$115,000
Gilmore St and Fisher St - Pedestrian Refuges				\$70,000		\$70,000
Northcliffe Dr, Pharlap Ave to Princes Hwy, roundabout					\$957,156	\$957,156
Sub total	\$3,000,577	\$332,190	\$1,153,000	\$605,000	\$1,068,448	\$6,159,215
Footpaths and Cycleways						
Gills Creek pedestrian path linkage, Walker St Helensburgh	\$104,000					\$104,000
Keira St footpath, Crown to Market St	\$400,000					\$400,000
Gloucester Bvde, Pt Kembla - Primary School to Darcy Rd Shared pathway	\$99,000					\$99,000
Foreshore Rd, Port Kembla - Old Port Rd to Harbour - Shared pathway	\$4,000					\$4,000
Southern cycleway - Port Kembla pool to Parkes St & along Foreshore Rd	\$42,000					\$42,000
Five Islands Rd, Port Kembla - shared path Flinders St to Wattle St	\$2,000					\$2,000
Princes Hwy, Dapto, Unara St to Northcliffe - New Shared pathway	\$442,000					\$442,000
Amaroo Ave, Figtree - New footpath	\$9,000					\$9,000
Grey St, Keiraville new footpath	\$19,000					\$19,000
City Centre Crown St, Wollongong – Augmentation & Upgrade	\$170,000					\$170,000

Wollongong City-Wide Development Contributions Plan (2019-2020)

Project	Section 7.12 Actual Funding Allocations					Total 2006-07 to 2019-20
	2006-07 to 2015-16	2016-17	2017-18	2018-19	2019-20	
O'Briens Rd, Figtree - New shared pathway	\$55,000					\$55,000
Cordeaux Rd, Figtree - new on road cycleway	\$85,000					\$85,000
Channon St, Russell Vale - new footpath	\$47,000					\$47,000
Parkes St, Helensburgh - New shared pathway connection	\$75,000					\$75,000
Brian St, Balgownie - new footpath and pedestrian crossing	\$82,000					\$82,000
Unanderra Town Centre - Tallegalla Street - new cycleway	\$25,000					\$25,000
Beach St to Hutton Ave, Bulli - New shared pathway	\$25,000					\$25,000
Brokers Rd, Balgonie - new footpath	\$43,000					\$43,000
Gibson Rd, Figtree - widen footpath	\$85,000					\$85,000
Abercrombie St, West Wollongong - New footpaths	\$274,000					\$274,000
McMillan St, Helensburgh - New north side footpath	\$36,000					\$36,000
Princes Hwy, Wst Wlg - New shared pathway London Dr to Abercrombie St	\$78,000					\$78,000
Princes Hwy, Bulli - New shared pathway, Black Diamond Pl to Point St	\$200,000					\$200,000
Murphys Avenue, Keiraville - New footpath	\$60,000					\$60,000
Mt Keira Rd, Mt Keira - New footpath	\$100,000					\$100,000
Derribong Dr, Cordeaux Heights - New footpath	\$149,000					\$149,000
Loftus St, Wollongong - New footpath	\$103,000					\$103,000
Smith St, Shared Path - Harbour to Belmore St	\$10,000					\$10,000
Gladstone Ave, Wollongong - cycleway Swan St underpass to Crown St	\$8,000					\$8,000
Pioneer Rd, Towradgi - New footpath & bridging over culvert	\$82,000					\$82,000
Squires Way, North Wollongong - Widen cycleway	\$25,000					\$25,000
Lakelands Dve footpath; Fowlers Rd to Parkside Dve	\$243,343					\$243,343
Cirrus Ave Dapto footpath; full length west side	\$81,981					\$81,981
Dumfries Ave footpath; McMahon St to Foothills Rd	\$194,733					\$194,733
Point Street footpath, nth side; Blackall St to Summerville	\$5,687					\$5,687
Robert St, Dapto; Byamee St to Joan St, footpath	\$137,000					\$137,000
Maidstone St Helensburgh; The Ridge to The Crescent, footpath	\$10,000					\$10,000
Flagstaff Rd, Berkeley; Whimbrel St to Bubb Place crossing	\$160,000					\$160,000
Cherry St Woonona; Forestview Way to Woodland Ave, footpath east	\$54,000					\$54,000

Wollongong City-Wide Development Contributions Plan (2019-2020)

Project	Section 7.12 Actual Funding Allocations					
	2006-07 to 2015-16	2016-17	2017-18	2018-19	2019-20	Total 2006-07 to 2019-20
Wollongong Harbour Heritage Walk Stage 2B	\$150,000					\$150,000
Porter St, Gwynneville, Crawford Street, Int. House Ramp	\$100,000					\$100,000
Railway Rd footpath east side: King St - Redman Ave	\$58,045					\$58,045
Redman Avenue footpath, east side; Railway Rd to Henley	\$51,000					\$51,000
Grand Pacific Walk, Nth Wlg to Otford - Stage 1 Stoney Ck Bridge, Coalcliff	\$467,000					\$467,000
Unanderra CBD Upgrade	\$100,000					\$100,000
Galvin Park; New Footpath		\$254,476				\$254,476
Murray Rd; Pioneer Rd to Tourist Park, south		\$50,000				\$50,000
Lower Tramway Sea Wall and sharepath		\$150,000	\$100,000			\$250,000
Princes Hwy; Highway Ave to London Dr westside		\$222,839				\$222,839
Smith St railway underpass design work		\$66,041				\$66,041
Other Footpaths and Cycleways	\$3,110,300					\$3,110,300
Kembla St; Smith St to Stewart St, Wollongong			\$40,000			\$40,000
Miller St, Fox Ave to Auburn St, North			\$65,000			\$65,000
Regional Network Wayfinding signage			\$20,000			\$20,000
Corrimal St, Wollongong Shared Path (Between Bank st and St			\$112,000			\$112,000
Mt Keira Rd to Nyrang Park cycleway			\$20,000			\$20,000
LHD (Local Road) Footpath Intersection Upgrade			\$100,000			\$100,000
Hamilton, Tasman, Craig, Surfers & Cliff			\$170,000	\$150,000	\$194,222	\$514,222
Fred Finch Park Cycleway			\$50,000			\$50,000
Footpaths-New footpaths			\$50,000	\$600,000		\$650,000
Port Kembla footpath upgrades				\$300,000		\$300,000
Chenhalls St; Stanhope St to Gray St west side				\$150,000		\$150,000
Corrimal St; Smith St to Market St				\$100,000		\$100,000
Winnima Way; Community Centre to Parkway				\$50,000		\$50,000
Holborn Park Accessible Footpaths				\$25,000		\$25,000
Bulli Beach Reserve Accessible Footpaths				\$25,000		\$25,000
Rixon Avenue; Molloy St to 9 Rixon Ave, east side				\$50,000		\$50,000
Clifford St; Bourke St to Daisy; west side				\$100,000		\$100,000
Denison St; Crown St to Throsby Dr					\$148,722	\$148,722
Porter St, Hindmarsh Ave to Flinders St					\$300,000	\$300,000
Kendall St; outside Tarrawanna Public School, south side					\$70,000	\$70,000
Thames St; The Mall to 40 Thames St, east side					\$50,000	\$50,000

Wollongong City-Wide Development Contributions Plan (2019-2020)

Project	Section 7.12 Actual Funding Allocations					
	2006-07 to 2015-16	2016-17	2017-18	2018-19	2019-20	Total 2006-07 to 2019-20
Murphys Ave; Robsons Rd to Grey St, south side					\$50,875	\$50,875
Vereker St; Hamilton St to 16 Macarthur Ave, east side					\$50,000	\$50,000
Heaslip St; Taronga Ave to St Johns Ave, south side					\$70,000	\$70,000
Tallegalla St; Victoria St to Charcoal Creek, west side					\$20,000	\$20,000
Cliff Rd; Harbour St to Lang Park, south side					\$54,949	\$54,949
Harry Graham Park; Uralba St to Therry St					\$40,000	\$40,000
Robinson St; Hercules St to Denison St					\$62,925	\$62,925
University Avenue, eastern side near Porter Street					\$50,000	\$50,000
The Avenue Pedestrian Refuges					\$100,000	\$100,000
Sub total	\$7,861,089	\$743,356	\$727,000	\$1,550,000	\$1,261,693	\$11,948,916
Car parks						
Station Street - Thomas Gibson Park	110,000					\$110,000
Bank/Stewart Street, Wollongong - 4hr Car park - Additional spaces	78,000					\$78,000
Campbell Street, Woonona - Ocean Park car park	140,000					\$140,000
Lakeside leisure Centre, Kanahooka - Upgrade and expansion	7,000					\$7,000
Stuart Park, Wollongong off road parking	500,000					\$500,000
Market Street - Multi Storey Car park - Upgrade	20,000					\$20,000
Windang Foreshore Park P2 car park - augmentation	5,000					\$5,000
George Street, Wollongong - Car park extension	140,000					\$140,000
Stanwell Park shops Car Park - Upgrade	243,000					\$243,000
The Circle Car Park, Woonona - Upgrade	17,000					\$17,000
Other Car Parks	740,270					\$740,270
Reed Park car park surface			80,000			\$80,000
2 Tannery St, Carpark			125,000			\$125,000
City Centre Parking Guidance System			55,000			\$55,000
Berkeley Park Carpark – Off Bourke Way					\$190,000	\$190,000
Sub total	\$2,000,270	\$0	\$260,000	\$0	\$190,000	\$2,450,270
Non-Commercial buildings						
Bald Hill Amenities, Stanwell Tops - augmentation - Masterplan	\$33,000					\$33,000
North Beach Bathers Pavilion, North Wollongong - augmentation	\$4,433,000					\$4,433,000
Dapto Pool - Disabled Access Improvements	\$40,000					\$40,000
Sandon Point Surf Club Expansion	\$125,000					\$125,000
Windang Beach Lifeguard Tower - Design	\$52,000					\$52,000

Wollongong City-Wide Development Contributions Plan (2019-2020)

Project	Section 7.12 Actual Funding Allocations					
	2006-07 to 2015-16	2016-17	2017-18	2018-19	2019-20	Total 2006-07 to 2019-20
Coledale Lifeguard Tower	\$25,000					\$25,000
Other Buildings (commercial and non-commercial)	\$9,247,419					\$9,247,419
New Warrawong Multipurpose Facility				\$100,000		\$100,000
Sub total	\$13,955,419	\$0	\$0	\$100,000	\$0	\$14,055,419
Parks, Gardens and sports fields						
Beach facilities - New (bulk vote)	\$10,000					\$10,000
Sporting facilities - New (bulk vote)	\$20,000					\$20,000
Recreation facilities - New (bulk vote)	\$45,000					\$25,000
Stuart Park Playground and footbridge	\$77,332	\$100,000				\$177,332
Stanwell Park - New Playground	\$11,000					\$11,000
Bailey Park, Compton Street, Dapto - New Playground	\$10,000					\$10,000
Penrose Park - New Playground	\$10,000					\$10,000
Corrimal Memorial Park - New Playground	\$73,000					\$73,000
Waples Rd, Farmborough Heights - New Playground	\$10,000					\$10,000
Bruce Park, Oxlade St, Warrawong - New Playground	\$10,000					\$10,000
Keira Village Park, Keira Mine Rd - New Playground	\$20,000					\$20,000
Holborn Park, Berkeley - New Playground	\$25,000					\$25,000
Thomas Dalton Park, Fairy Meadow - Sports field Irrigation & Carters Lane fence	\$312,000					\$312,000
Rex Jackson Oval, Helensburgh - Sportsfield Irrigation	\$78,500					\$78,500
Fred Finch Park, Berkeley - Landscape and Design & Infrastructure	\$200,000					\$200,000
Holborn Park (Southern Suburbs Skate Park) Berkeley - provision	\$406,000					\$406,000
Lake Illawarra Foreshore Improvements	\$100,000					\$100,000
MacCabe Park, Wollongong - Design Development - City Centre	\$12,000					\$12,000
MM Beach, Port Kembla - Access Steps	\$65,000					\$65,000
Puckeys Estate, Beach access	\$15,000					\$15,000
Charles Harper Park, Helensburgh - Public toilet	\$40,000					\$40,000
Other Parks, Gardens and Sports fields	\$3,765,466					\$3,765,466
Brownlee Park Playground Replacement and New Shade Sail					\$50,000	\$50,000
The Drive; LHD to Stanwell Park Tennis Courts					\$47,515	\$47,515
Farmborough Heights Community Tennis Courts					\$50,000	\$50,000
Sub total	\$5,315,298	\$100,000	\$0	\$0	\$147,515	\$5,542,813
Land Acquisitions						

Wollongong City-Wide Development Contributions Plan (2019-2020)

Project	Section 7.12 Actual Funding Allocations					
	2006-07 to 2015-16	2016-17	2017-18	2018-19	2019-20	Total 2006-07 to 2019-20
Other Land Acquisitions	\$2,201,500					\$3,201,500
Sub total	\$2,201,500	\$0	\$0	\$0	\$0	\$2,201,500
Administration						
S94 Planner	\$346,439	\$95,511	\$98,376	\$101,000	\$103,000	\$746,326
S94 Admin Support - Finance	\$62,372	\$9,672	\$9,962	\$10,000	\$12,000	\$104,006
S94 Administration & Studies	\$452,216					\$452,216
Sub total	\$861,027	\$105,183	\$108,338	\$111,000	\$117,000	\$1,302,548
TOTAL	\$35,195,180	\$1,280,729	\$2,248,338	\$2,366,000	\$2,784,656	\$42,660,681

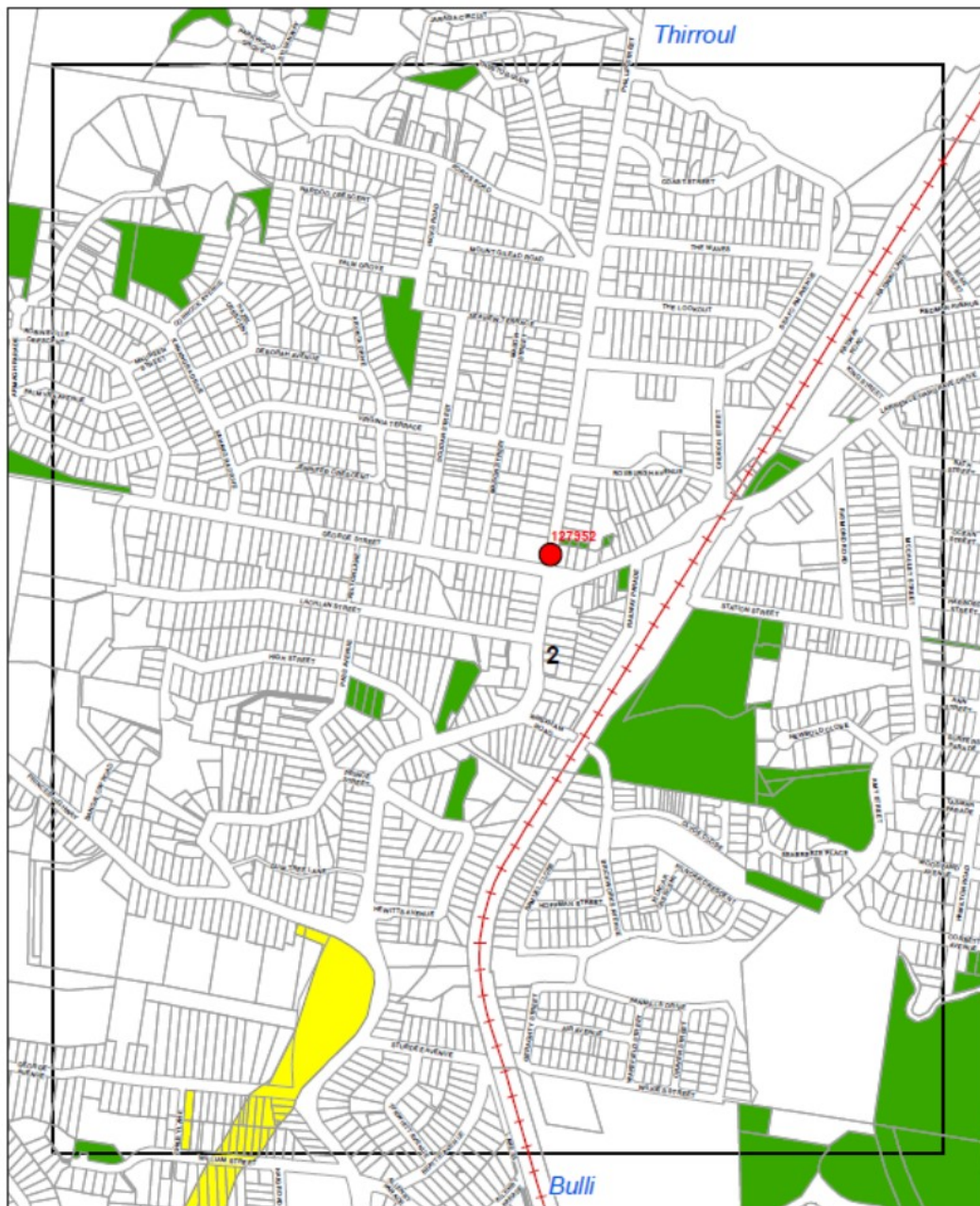
Wollongong City-Wide Development Contributions Plan (2019/2020)

34. Schedule 7 - Works Schedule – Maps

Projects locations are noted as best as possible given their nature and scale of mapping.

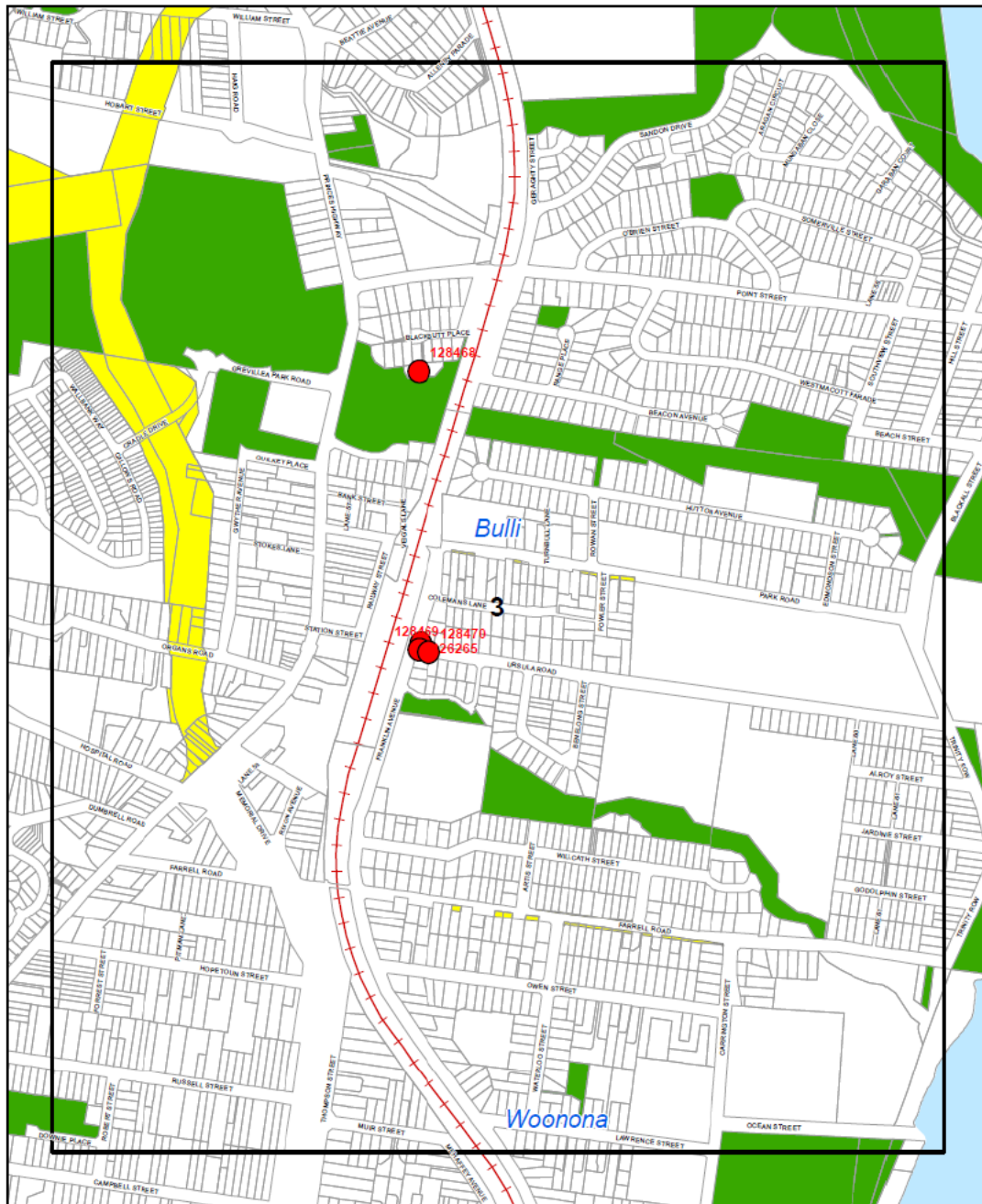


Wollongong City-Wide Development Contributions Plan (2019 2020)



<p>Wollongong City-Wide Development Contributions Plan 2020</p> <p>MAP 2</p>		<p>Drawn By: H.Jones</p> <p>Date: July 2020</p>
<p>Legend</p> <p>● Section_7.12_Funded_Projects_03-07-20</p> <p>■ Sec94_City_Wide_Grid_03-07-20</p>	<p>■ Community Land</p> <p>■ Land Reservation Acquisition LEP 2009</p>	<p>LUP ref: - Sec94 City Wide_2020_mapbook</p> <p>0 300 Meters</p>

Wollongong City-Wide Development Contributions Plan (2019/2020)



**Wollongong City-Wide Development Contributions Plan 2020
MAP 3**



Legend

- Section 7.12_Funded_Projects_03-07-20
- Community Land
- Sec94_City_Wide_Grid_03-07-20
- Land Reservation Acquisition LEP 2009

Drawn By: H.Jones	
Date: July 2020	
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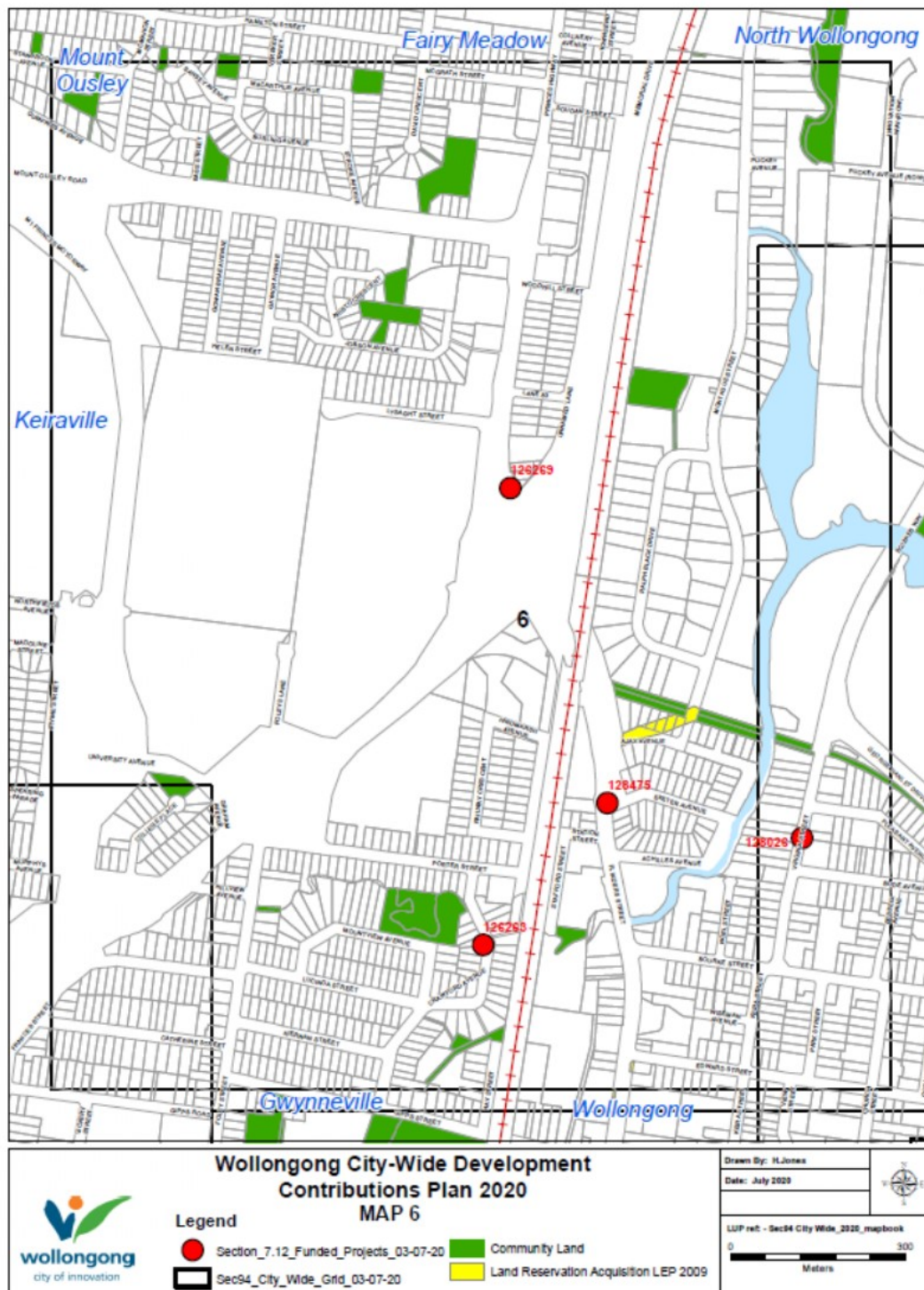
Wollongong City-Wide Development Contributions Plan (2019 2020)



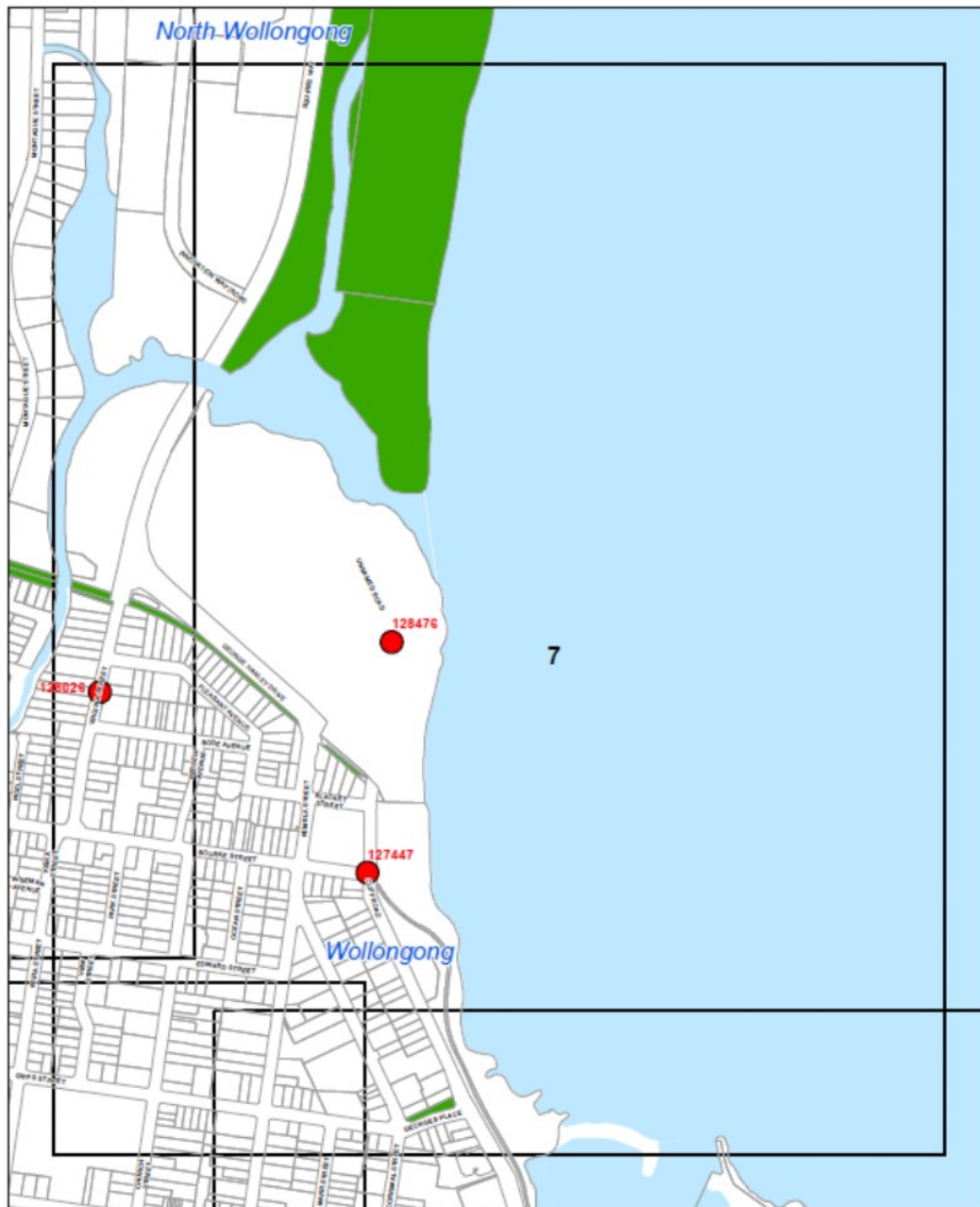
Wollongong City-Wide Development Contributions Plan (2019/2020)




Wollongong City-Wide Development Contributions Plan (2019 2020)

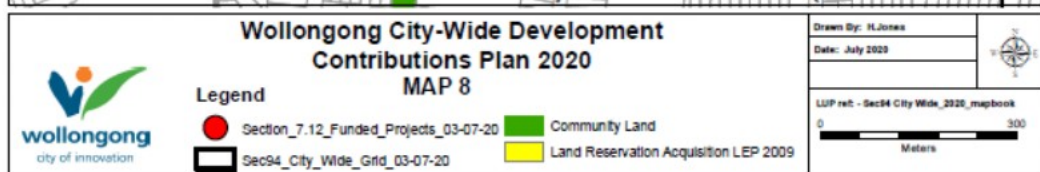
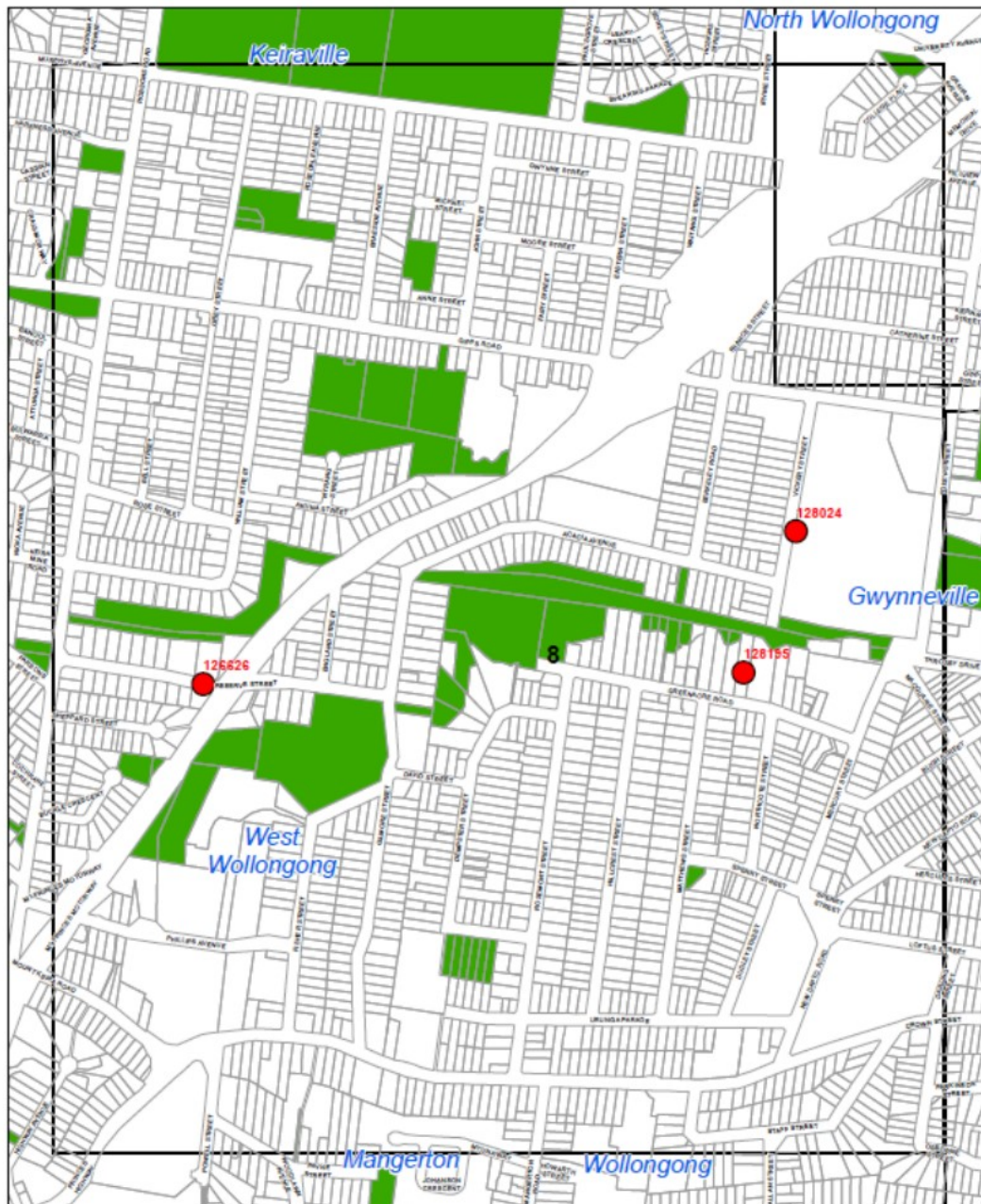


Wollongong City-Wide Development Contributions Plan (2019 2020)

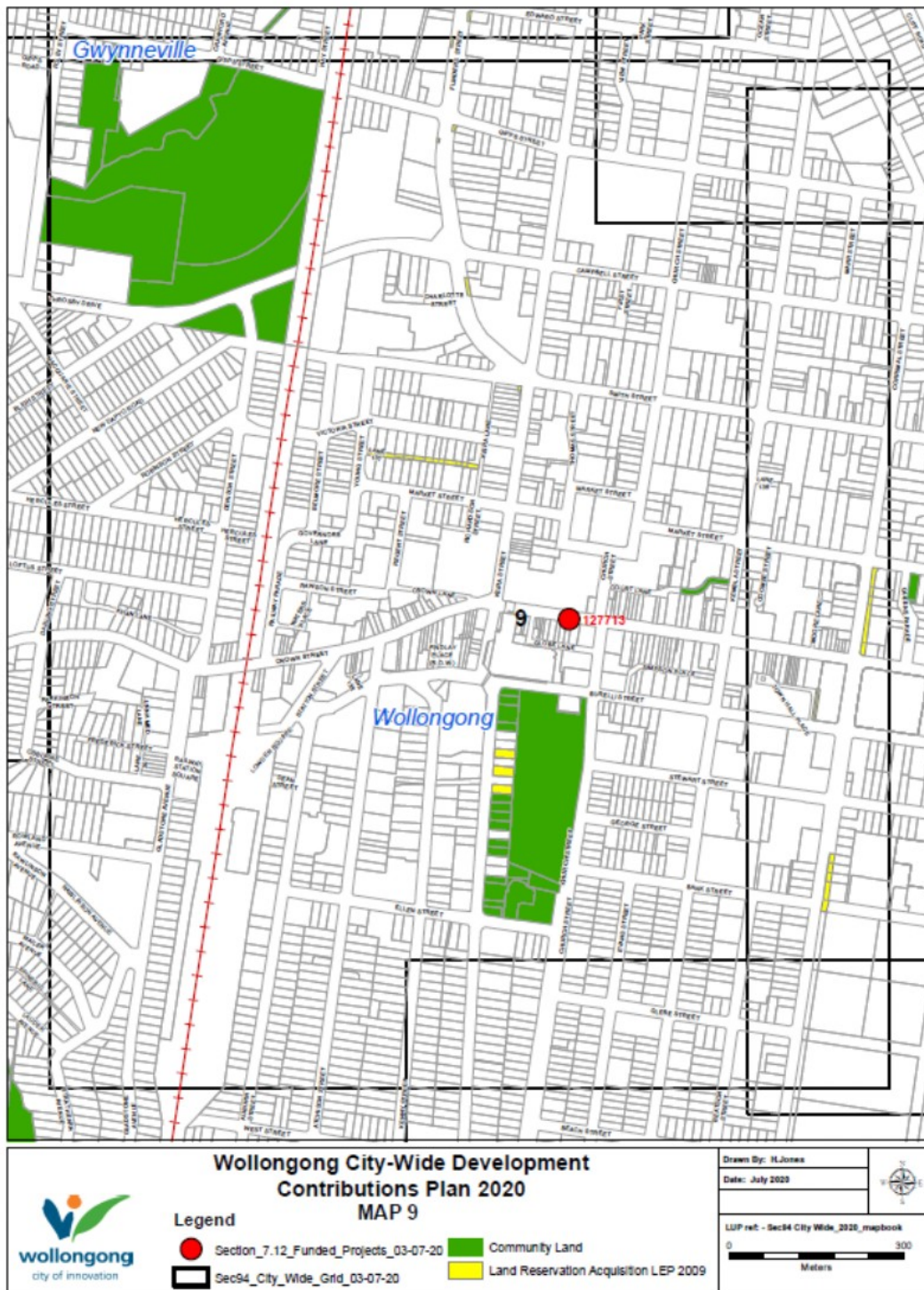


 <p>Wollongong City-Wide Development Contributions Plan 2020 MAP 7</p>		<p>Drawn By: H.Jones Date: July 2020</p>
<p>Legend</p> <ul style="list-style-type: none"> ● Section_7.12_Funded_Projects_03-07-20 Community Land Sec94_City_Wide_Grid_03-07-20 Land Reservation Acquisition LEP 2009 		<p>LSP ref: - Sec94 City Wide_2020_mapbook</p> <p>0 300 Meters</p>

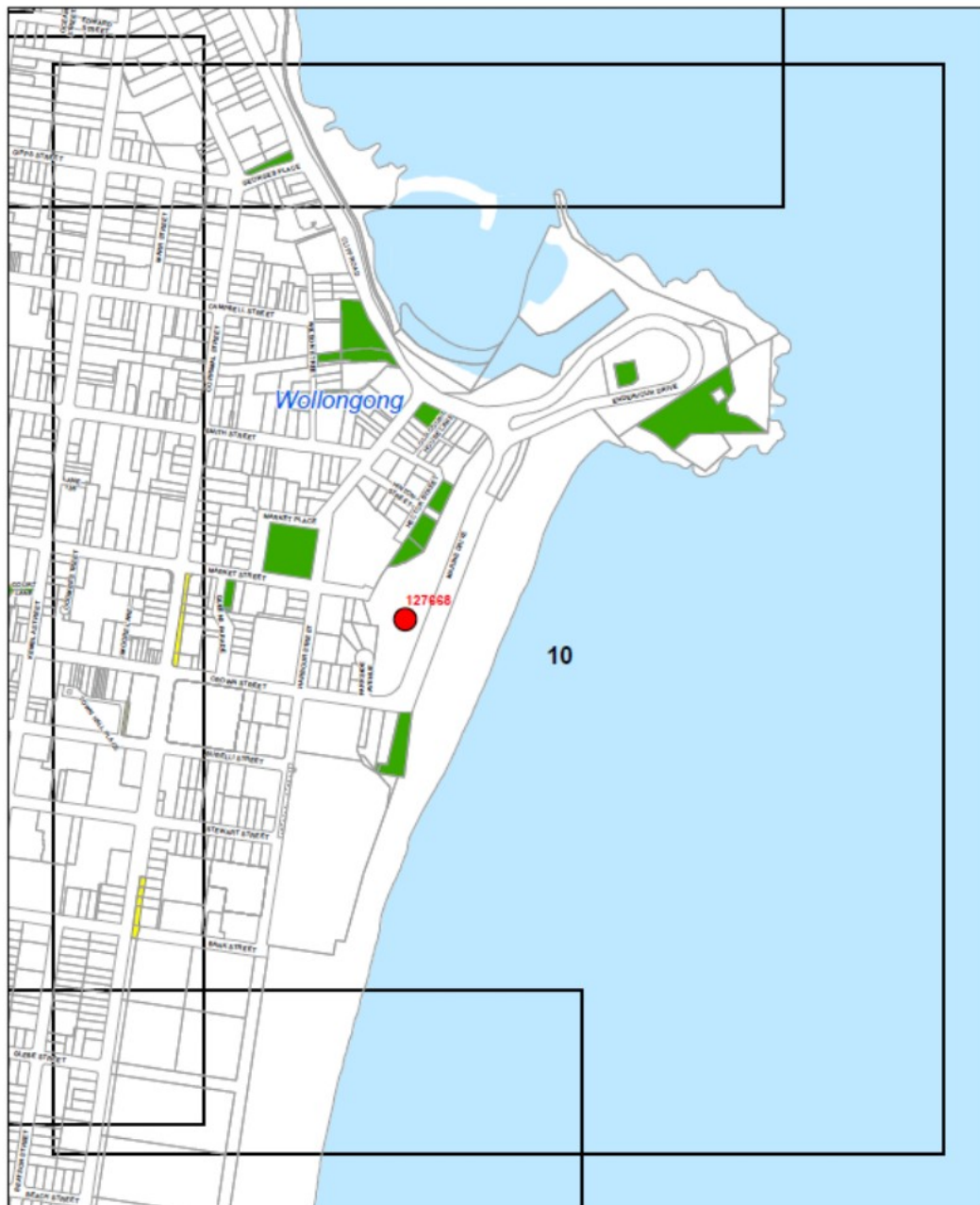
Wollongong City-Wide Development Contributions Plan (2019 2020)



Wollongong City-Wide Development Contributions Plan (2019 2020)










Wollongong City-Wide Development Contributions Plan (2019/2020)



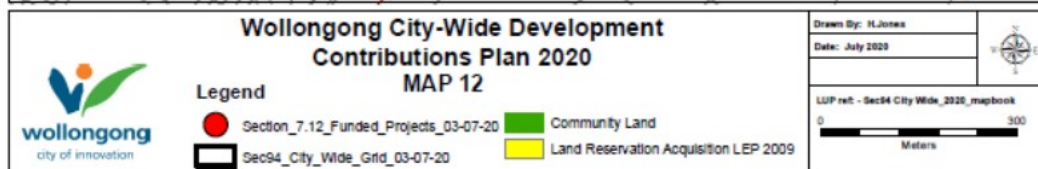
<p>Wollongong City-Wide Development Contributions Plan 2020</p> <p>MAP 10</p>		<p>Drawn By: H.Jones</p> <p>Date: July 2020</p>
<p> wollongong city of innovation</p>	<p>Legend</p> <ul style="list-style-type: none"> Section_7.12_Funded_Projects_03-07-20 Community Land Sec94_City_Wide_Grid_03-07-20 Land Reservation Acquisition LEP 2009 	<p>LUP ref: - Sec94 City Wide_2020_mapbook</p> <p></p>

Wollongong City-Wide Development Contributions Plan (2019 2020)



		<p align="center">Wollongong City-Wide Development Contributions Plan 2020</p> <p align="center">MAP 11</p>		<p>Drawn By: H.Jones</p> <p>Date: July 2020</p>	
<p>Legend</p> <p> Section_7.12_Funded_Projects_03-07-20</p> <p> Sec94_City_Wide_Grid_03-07-20</p>		<p> Community Land</p> <p> Land Reservation Acquisition LEP 2009</p>		<p>LUP ref: - Sec94 City Wide_2020_mapbook</p> <p> 0 300 Meters</p>	

Wollongong City-Wide Development Contributions Plan (2019 2020)

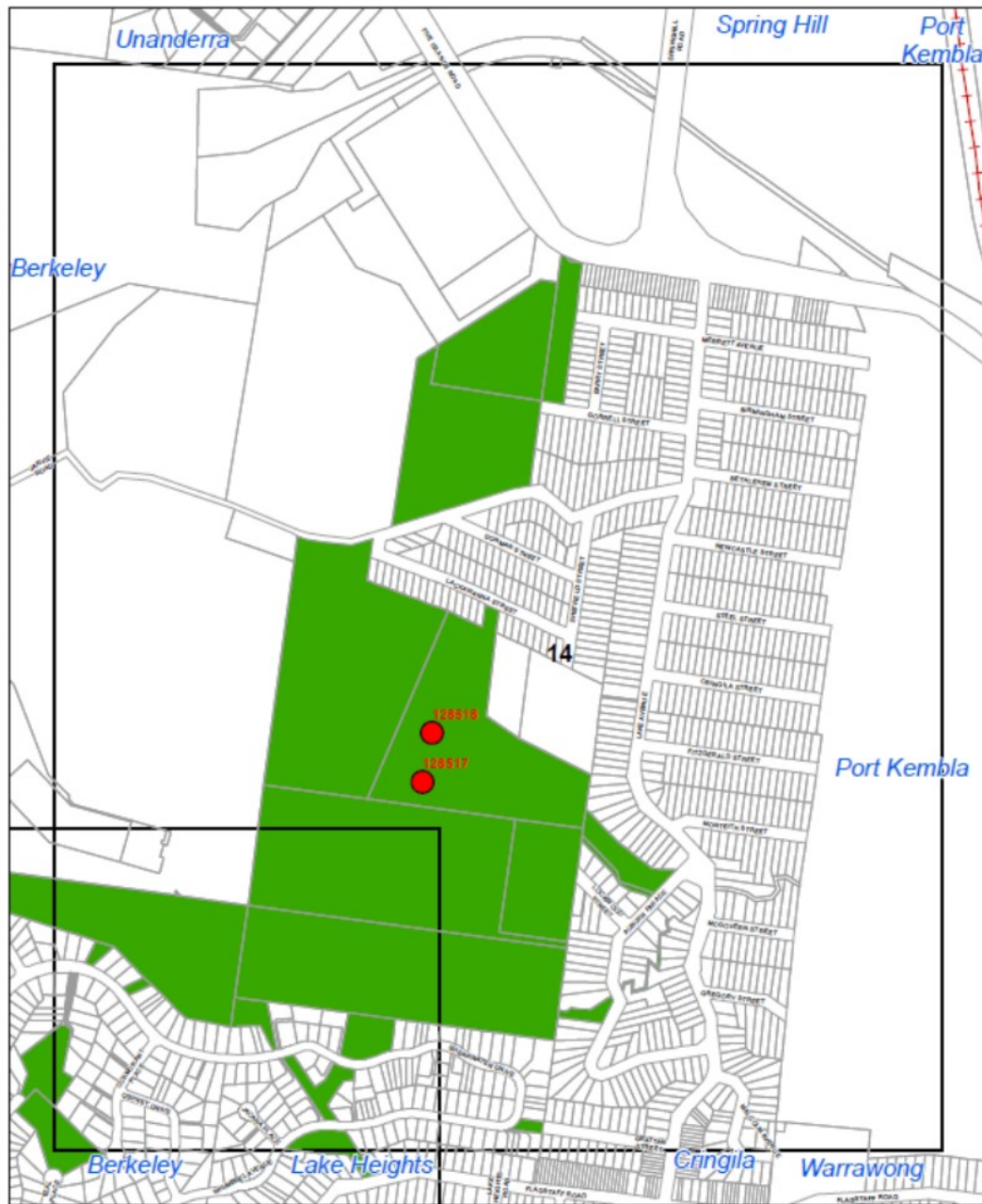


Wollongong City-Wide Development Contributions Plan (2019 2020)



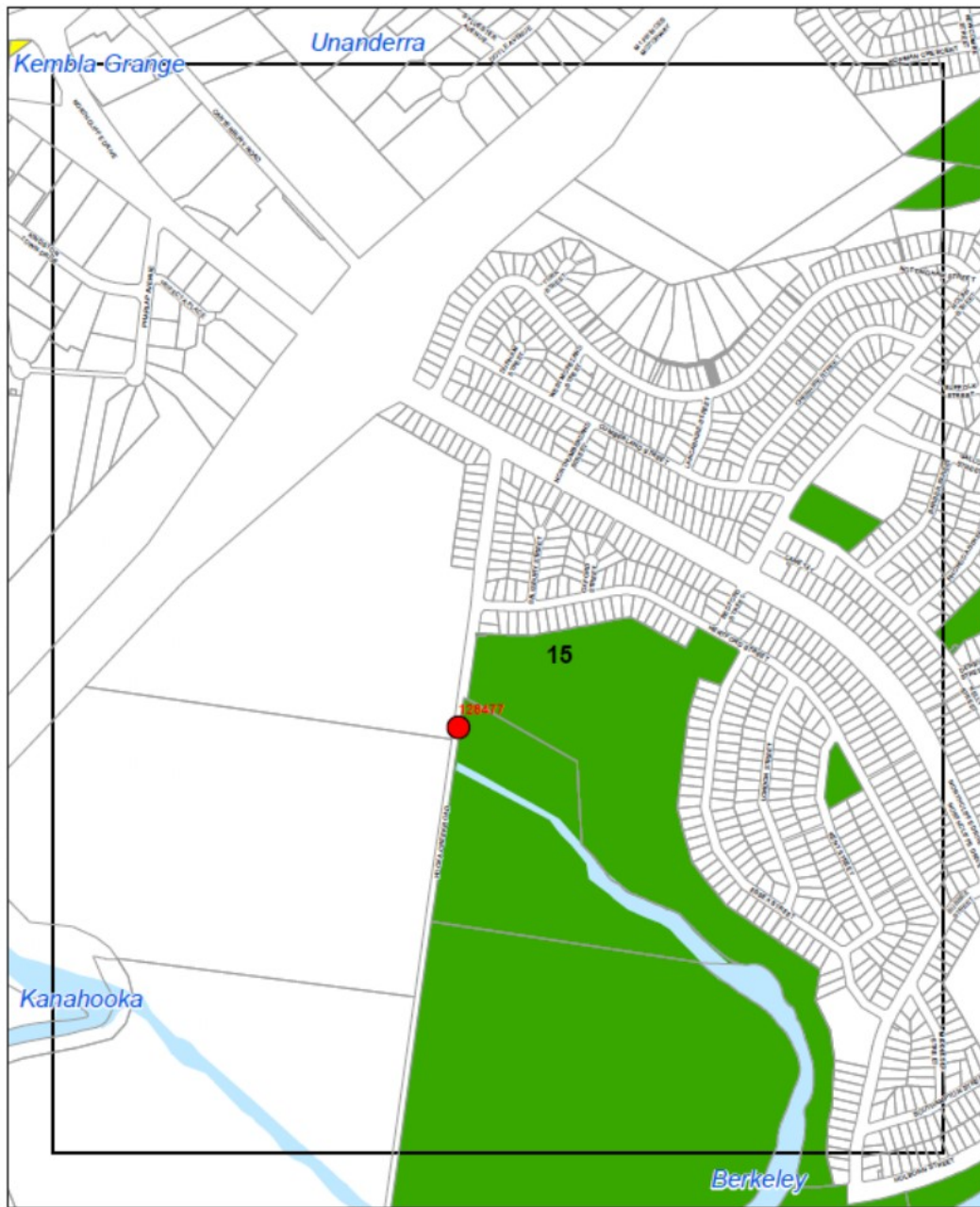
		Wollongong City-Wide Development Contributions Plan 2020 MAP 13		Drawn By: H.Jones Date: July 2020
Legend ● Section_7.12_Funded_Projects_03-07-20 ■ Sec94_City_Wide_Grid_03-07-20		■ Community Land ■ Land Reservation Acquisition LEP 2009	 0 300 Meters	

Wollongong City-Wide Development Contributions Plan (2019/2020)

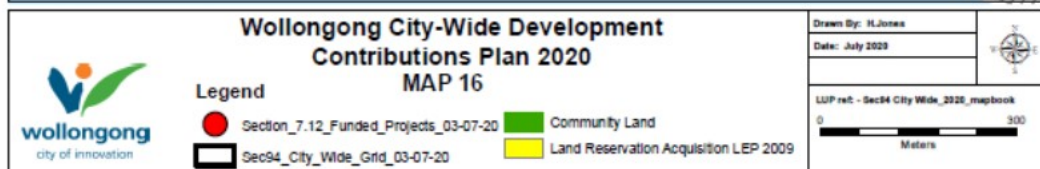
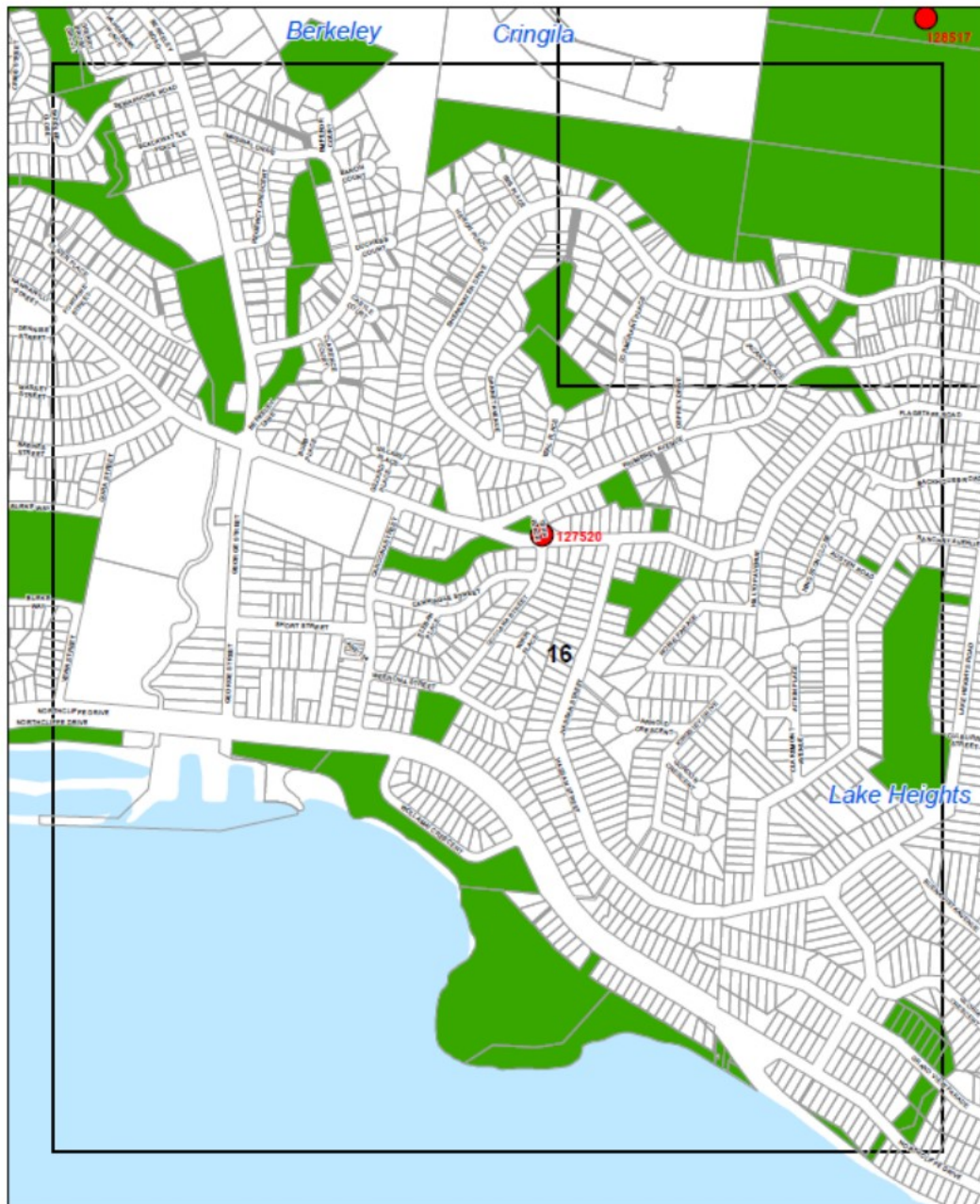


		<p>Wollongong City-Wide Development Contributions Plan 2020</p> <p>MAP 14</p>		<p>Drawn By: H.Jones</p> <p>Date: July 2020</p>
<p>Legend</p> <p> Section 7.12 Funded Projects 03-07-20</p> <p> Sec94 City Wide Grid 03-07-20</p>		<p> Community Land</p> <p> Land Reservation Acquisition LEP 2009</p>	<p>LUP ref: - Sec94 City Wide 2020 mapbook</p> <p>0 300 Meters</p>	

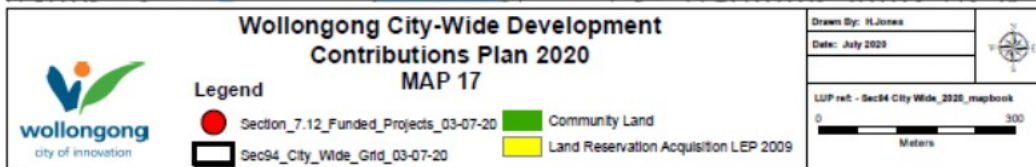
Wollongong City-Wide Development Contributions Plan (2019 2020)



Wollongong City-Wide Development Contributions Plan (2019 2020)



Wollongong City-Wide Development Contributions Plan (2019 2020)



Wollongong City-Wide Development Contributions Plan (2019/2020)



**Wollongong City-Wide Development Contributions Plan 2020
MAP 18**



Legend

- Section_7.12_Funded_Projects_03-07-20
- Community Land
- Sec94_City_Wide_Grid_03-07-20
- Land Reservation Acquisition LEP 2009

Drawn By: H.Jones

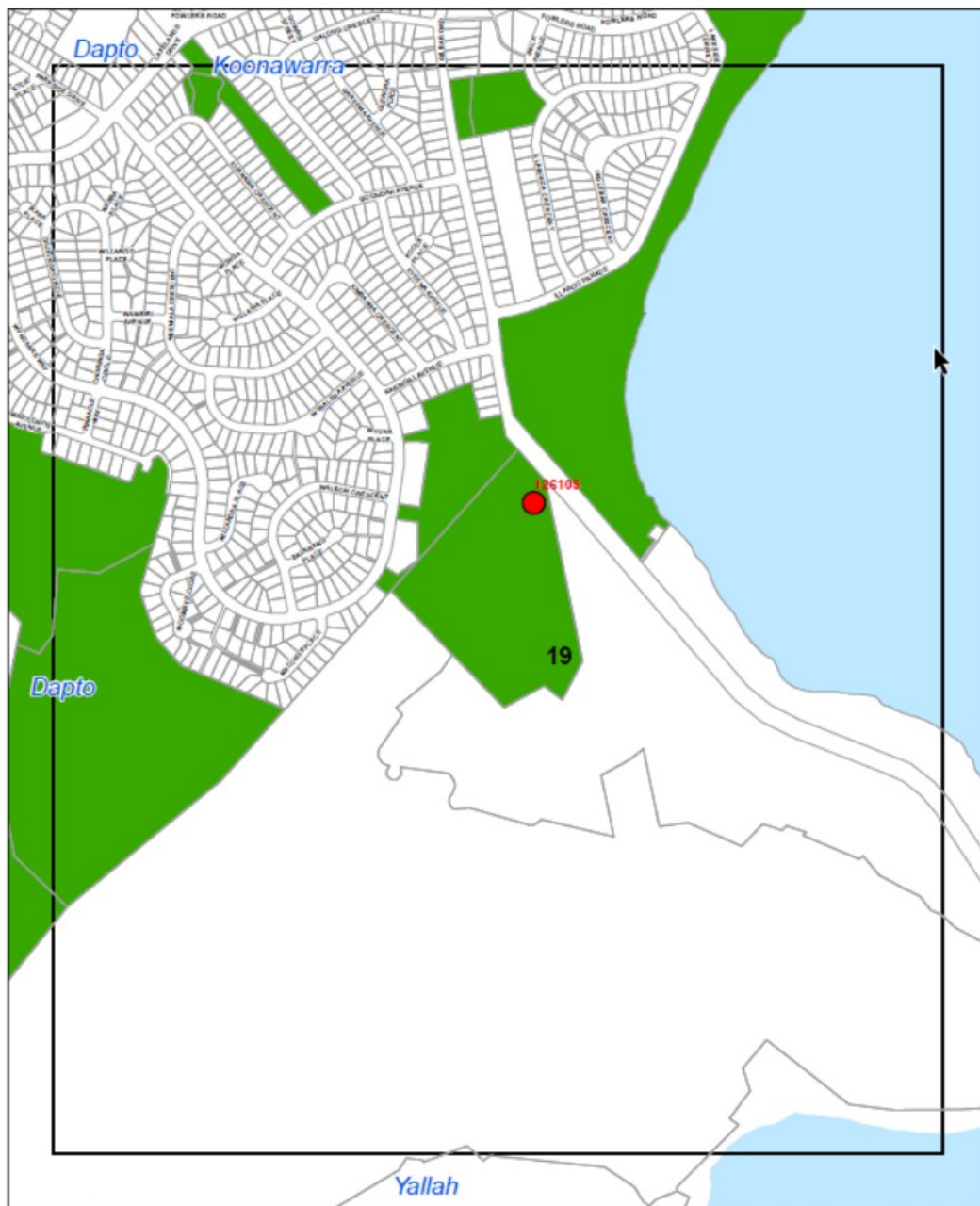
Date: July 2020



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Wollongong City-Wide Development Contributions Plan (2019 2020)



ITEM 6

PROPOSED ACQUISITION OF PART LOT 219 DP 1245191 FOR WONGAWILLI ROAD/WEST DAPTO ROAD/SHONE AVENUE INTERFACE INTERSECTION UPGRADE PROJECT

Council identified various portions of land to be acquired in order to facilitate the West Dapto Access Strategy. This acquisition will allow for upgrade of the Wongawilli Road/West Dapto Road/Shone Avenue interface intersection works.

This report seeks Council approval to acquire part Lot 219 DP 1245191 Pasture Way, Horsley for road widening purposes.

RECOMMENDATION

- 1 Council acquire by authority contained within Section 177 of the *Roads Act 1993*, part Lot 219 DP 1245191 for the purpose of road widening.
- 2 Compensation be paid to the owner in the amount of \$44,000 (GST exclusive).
- 3 Council be responsible for all costs including valuation, transfer and legal costs associated with the acquisition of the subject land.
- 4 Upon acquisition being finalised, the land be dedicated as public road pursuant to Section 10 of the *Roads Act 1993*.
- 5 Council grant authority for the use of the Common Seal of Council on all documents relevant to this matter, should it be required to give effect to this resolution.

REPORT AUTHORISATIONS

Report of: Lucielle Power, Manager Property + Recreation
Authorised by: Kerry Hunt, Director Community Services - Creative and Innovative City

ATTACHMENTS

- 1 Business Paper Map - Proposed Acquisition of Part Lot 219 DP 1245191

BACKGROUND

Council identified various portions of land to be acquired in order to facilitate the West Dapto Access Strategy. Three property acquisitions are required to allow for the ideal intersection design for the upgrade of Wongawilli Road/West Dapto Road/Shone Avenue with two parcel acquisitions within the private rail corridor (not the subject of this report). The subject land identified to be acquired which adjoins the rail corridor parcels is part of Lot 219 DP 1245191.

The acquisition of this land for road widening purposes comprises an area of approximately 368m² (subject to final survey). Lot 219 DP 1245191 is zoned part R2 Low Density and part E3 Environmental Management in accordance with Wollongong Local Environmental Plan 2009. This acquisition will enable the upgrade of Wongawilli Road/West Dapto Road/Shone Avenue intersection that will include:

1. New traffic signals
2. Additional lanes to accommodate increased traffic but reduce queue lengths
3. New kerb and stormwater infrastructure
4. Upgrade of rail infrastructure – i.e. crossing signals
5. Inclusion of new shared paths for cyclists/pedestrians either side of Shone Avenue
6. Adjustment of services/utilities to accommodate the road widening
7. New line marking and signage.

The acquisition is pursuant to the requirements of the *Land Acquisition (Just Terms Compensation) Act 1991*. Accordingly, a valuation from local valuation firm, Martin Morris & Jones Property Valuers was obtained for the purpose of commencing negotiations with the affected landowner. Martin Morris & Jones assessed the compensation pursuant to the principles outlined within S. 55 of the *Land Acquisition (Just Terms Compensation) Act 1991*. In-principle agreement to compensation has been reached with the landowner, based on the assessment, in the amount of \$44,000 (GST exclusive).

Council, as the acquiring authority, is also responsible for all reasonable costs incurred by the landowner as a result of the acquisition, pursuant to the *Land Acquisition (Just Terms Compensation) Act 1991*, this includes legal, valuation, survey, plan lodgement and any other reasonable costs incurred with the acquisition.

Discussions commenced with the landowner and two options were submitted as part of the negotiation for consideration:

Option 1 – Acquisition by agreement pursuant to the *Land Acquisition (Just Terms Compensation) Act, 1991*.

Option 2 – Works in Kind pursuant to the subdivision – Torrens Title of three residential lots (DA-2018/1425), whereby the value could offset section 7.12 contributions.

The landowner has requested Council proceed with Option 1, acquisition by agreement and has confirmed their acceptance to the offer of compensation in the amount of \$44,000 (GST exclusive) subject to Council's resolution to proceed.

Negotiations are ongoing with the other affected landowner in relation to the two parcels within the private rail corridor which is in the vicinity of this parcel and these other two acquisitions are not the subject of this report.

PROPOSAL

Council acquire for road purposes by authority contained within Section 177 of the *Roads Act, 1993* part Lot 219 DP 1245191 for the purpose of road widening for the agreed compensation sum of \$44,000 (GST exclusive), in addition, pursuant to the Land Acquisition Just Terms Compensation Act, 1991, Council will also be responsible for all survey and valuation fees payable including the property owners reasonable valuation and legal costs associated with the acquisition.

CONSULTATION AND COMMUNICATION

- Negotiations have been undertaken with the property owner. Council obtained independent valuation advice from Certified Practicing Valuers, Martin Morris & Jones Pty Ltd Property Valuers
- Project Delivery in relation to the acquisition area and final design
- Infrastructure Strategy and Planning in relation to funding and budget allocation
- Infrastructure and Works – Project Delivery and Major Projects in relation to the acquisition area and final design
- Capital Program in relation to funding and budget allocation
- City Strategy
- West Dapto Coordination Group
- Corporate Services – Property Lawyer and General Counsel

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2028 goal 6 “We have affordable and accessible transport”.

It specifically delivers on core business activities as detailed in the Infrastructure Planning and Support Service Plan 2020-21.

FINANCIAL IMPLICATIONS

Council will be required to pay compensation to the owner in accordance with the *Land Acquisition (Just Terms Compensation) Act, 1991*.

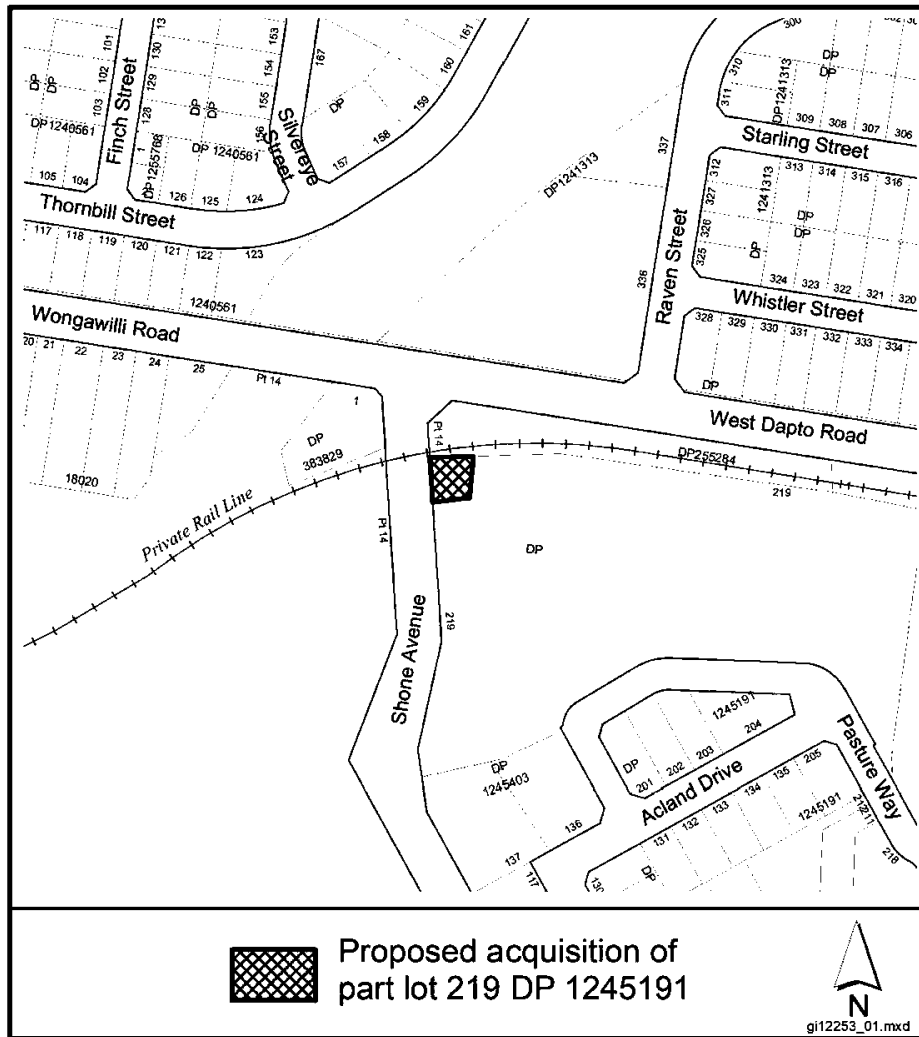
The total financial implication is estimated to be approximately \$44,000 (GST exclusive) for land.

Pursuant to the *Land Acquisition (Just Terms Compensation) Act, 1991*, Council is also required to pay the landowners reasonable costs associated with the acquisition including all survey, valuation and legal costs.

The funds for this acquisition have been allocated from the Capital Project 126672 – West Dapto Road/Wongawilli Road/bridge upgrade. The source of funding has been allocated from West Dapto Section 7.11 Contributions Plan.

CONCLUSION

The acquisition of the subject land is required to facilitate the road upgrade works to Wongawilli Road/West Dapto Road/Shone Avenue intersection upgrades in the area. Therefore, it is recommended that the acquisition be approved as set out in this report



While every effort has been made to ensure the highest possible quality of data, no liability will be accepted for any inaccuracy of the information shown.
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ITEM 7

PROPOSED CLASSIFICATION OF RECENTLY ACQUIRED WOLLONGONG CEMETERY LAND - LOT 4 SECTION 38 DP 759104 KENNY STREET, WOLLONGONG

Council at its meeting of 24 February 2020 resolved to acquire Lot 4 Section 38 DP 759104 from the Anglican Church Property Trust Diocese of Sydney ("Anglican Church Trust") for the nominal consideration of \$10.00. This report is submitted to Council to seek approval to classify Lot 4 Section 38 DP 759104 as Operational Land.

RECOMMENDATION

- 1 Following acquisition pursuant to Council resolution dated 24 February 2020, Lot 4 Section 38 DP 759104 be classified as Operational Land in accordance with Section 31 of the Local Government Act 1993.
- 2 Council grant authority for the use of the Common Seal of Council on all documents relevant to this matter, should it be required to give effect to this resolution.

REPORT AUTHORISATIONS

Report of: Lucielle Power, Manager Property + Recreation
 Authorised by: Kerry Hunt, Director Community Services - Creative and Innovative City

ATTACHMENTS

- 1 Extract of Council Business Paper 24 February 2020 - Item 4
- 2 Extract of Council Minutes 24 February 2020 - Item 4

BACKGROUND

Wollongong Cemetery incorporates the following lots:

- Lots 1-5, 7-20 Section 38 DP 759104
- Part Lot 5, Part Lot 9 Section 38 Crown Plan 961-330
- Lot 54, 55-56 DP 751299
- Lot 7025 Crown DP 1026284.

Wollongong Cemetery was placed under the trust management of Council in October 1957 and Council has been maintaining the whole of the cemetery since that date. All of the land that comprises the Wollongong Cemetery is Crown Land devolved to Council except for the middle portion being Lot 4 Section 38 DP 759104 which was vested in the Anglican Church Trust.

Council at its meeting of 24 February 2020 resolved to acquire Lot 4 Section 38 DP 759104 from the Anglican Church Trust for the nominal consideration of \$10.00. The 24 February 2020 resolution did not make any reference to how the land would be classified following acquisition.

The acquisition of Lot 4 Section 38 DP 759104 settled on 4 June 2020. Section 31 of the Local Government Act 1993 provides that a Council may resolve to classify land as either Operational or Community within three months after it acquires the land otherwise the land defaults to be classified as Community land.

The other cemeteries in the Wollongong Local Government Area are classified as follows:

Description	Classification
Wollongong Lawn Cemetery – Wyllie Road, Kembla Grange	Operational Land
Bulli Cemetery – Carrington Street, Bulli	Crown land devolved to Council

Description	Classification
Scarborough Cemetery – Lawrence Hargrave Drive, Wombarra	Crown land devolved to Council
Helensburgh Cemetery – Cemetery Road, Helensburgh	Crown land devolved to Council
Wollongong Memorial Gardens - 176 Berkeley Road, Unanderra	Operational land

The acquisition of Lot 4 Section 38 DP 759104 has not and will not result in any changes to the operation and management of the Wollongong Cemetery.

The classification of Lot 4 Section 38 DP 759104 as Operational land will allow operational flexibility and will ensure its classification is consistent with the other cemeteries in the Wollongong Local Government Area.

PROPOSAL

It is proposed that Council classify Lot 4 Section 38 DP 759104 as Operational Land.

CONSULTATION AND COMMUNICATION

Property and Recreation Division.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2028 goal 1 “We value and protect our environment”.

It specifically delivers on core business activities as detailed in the Property Services Service Plan 2020-21.

CONCLUSION

The classification of Lot 4 Section 38 DP 759104 as Operational land will allow operational flexibility and will ensure its classification is consistent with the other cemeteries in the Wollongong Local Government Area.

ITEM 4

PROPOSED ACQUISITION OF LOT 4 SECTION 38 DP 759104, KENNY STREET, WOLLONGONG

This report seeks Council's authority to proceed with the acquisition of land adjoining the Wollongong Cemetery for nominal consideration.

All the land that comprises the Wollongong Cemetery on Kenny Street, Wollongong is Crown Land devolved to Council aside from the middle portion being Lot 4 Section 38 DP 759104 which is vested in the Anglican Church Property Trust Diocese of Sydney ("Anglican Church Trust"). The Anglican Church Trust has proposed a transfer of Lot 4 Section 38 DP 759104 to Council for nominal consideration.

RECOMMENDATION

- 1 Council authorise the acquisition of Lot 4 Section 38 in DP 759104, as shown attached and subject to the following conditions:
 - a Purchase price of \$10.00 (plus GST)
 - b Each party be responsible for their own legal costs.
- 2 Council grant authority for the use of the Common Seal of Council on all documents relevant to this matter, should it be required to give effect to this resolution.

REPORT AUTHORISATIONS

Report of: Lucielle Power, Manager Property + Recreation (Acting)

Authorised by: Kerry Hunt, Director Community Services - Creative and Innovative City

ATTACHMENTS

- 1 Business paper map acquisition of Lot 4 Sec 38 DP 759104
- 2 Business paper satellite map acquisition of Lot 4 Sec 38 DP 759104
- 3 Business paper map devolved Crown land surrounding Lot 4 Sec 38 DP 759104

BACKGROUND

Wollongong Cemetery incorporates the following lots:

- Lots 1-5, 7-20 Sec 38 DP 759104
- Part Lot 5, Part Lot 9 Sec 38 Crown Plan 961-330
- Lot 54, 55-56 DP 751299
- Lot 7025 Crown DP 1026284.

Wollongong Cemetery was placed under the trust management of Council in October 1957 and Council has been maintaining the whole of the cemetery since that date.

All the land that comprises the Wollongong Cemetery is Crown Land devolved to Council except for the middle portion being Lot 4 Section 38 DP 759104 which is vested in the Anglican Church Trust.

On 9 June 2017 Council received correspondence from the Parish Council of St Michael's Anglican Church Wollongong ("Anglican Church Wollongong") noting that it has not had any interest in or control of the land since Council commenced management of the cemetery and requesting that Council accept a transfer of the land.

On 14 June 2017 Council wrote to Crown Lands seeking approval to the transfer and seeking advice as to the correct procedure for the transfer. On 2 August 2017 Crown Lands responded that an investigation would be required to determine the correct transfer procedure.

On 6 July 2018 Council received correspondence from Cemeteries & Crematoria NSW advising that even though the land is dedicated under the *Crown Lands Management Act 2016* it cannot be dealt with under that Act, as land granted to a church on trust is not held on behalf of the Crown but rather it is held by the trustees for the purposes of the grant. Cemeteries & Crematoria NSW further advised that the applicable law for the purpose of the transfer is the *Anglican Church of Australia Trust Property Act 1917*.

Legal advice is that Council is under no obligation to accept the transfer but may choose to do so as a strategic decision. It is noted that the subject land forms the central spine of the overall Wollongong Cemetery for which Council holds all records and has been maintaining for many years. It is further noted that the acquisition of the subject land would not result in any changes operationally.

On 6 August 2018 the Anglican Church Wollongong was advised that Council would accept a transfer of the land subject to Council resolution and provided the transfer was effected at no cost to Council.

On 30 October 2019 the Anglican Church Trust confirmed that its board had resolved to transfer the land to Council for nominal consideration.

PROPOSAL

It is proposed that Council acquire Lot 4 Section 38 DP 759104 in line with the conditions outlined in this report.

CONSULTATION AND COMMUNICATION

- Anglican Church Property Trust Diocese of Sydney
- Parish Council of St Michaels Anglican Church Wollongong
- Property & Recreation Division
- Legal Services
- Crown Lands.

PLANNING AND POLICY IMPACT

This acquisition is in accordance with Council's policy "Land and Easement Acquisition and Disposal".

This report contributes to the delivery of the Community Objective objectives 5.1 "There is an increase in the health and wellbeing of our community" and objective 5.5 "The public domain is maintained to a high standard under our Wollongong 2028 goal 5 "We have a healthy community in a liveable city".

It specifically delivers on core business activities as detailed in the Property Services Service Plan 2019–20.

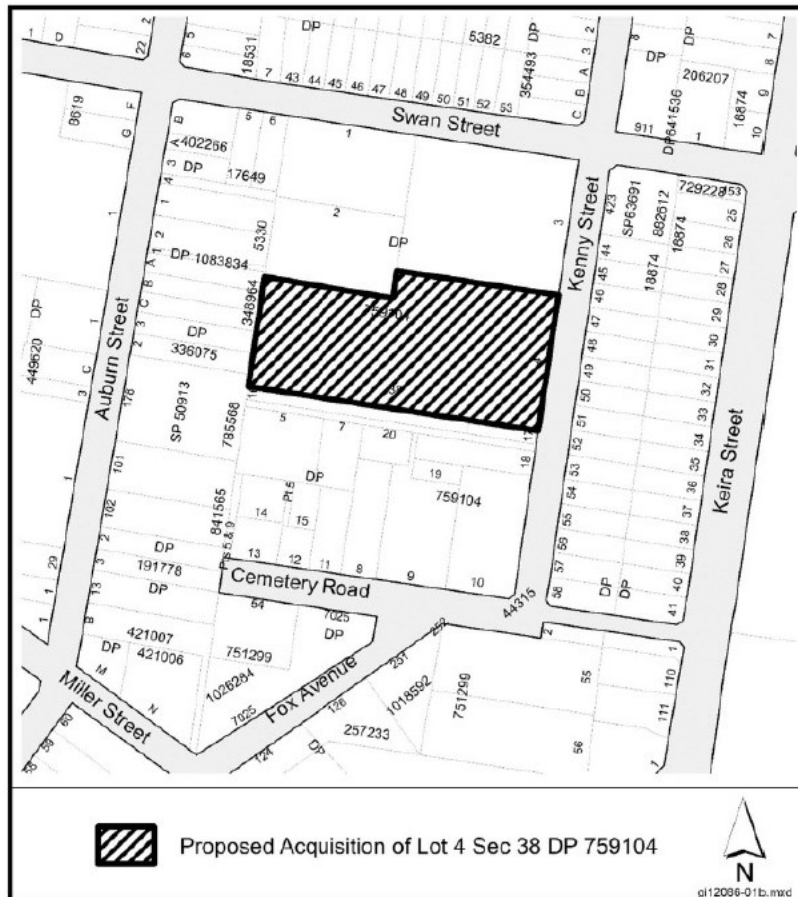
FINANCIAL IMPLICATIONS

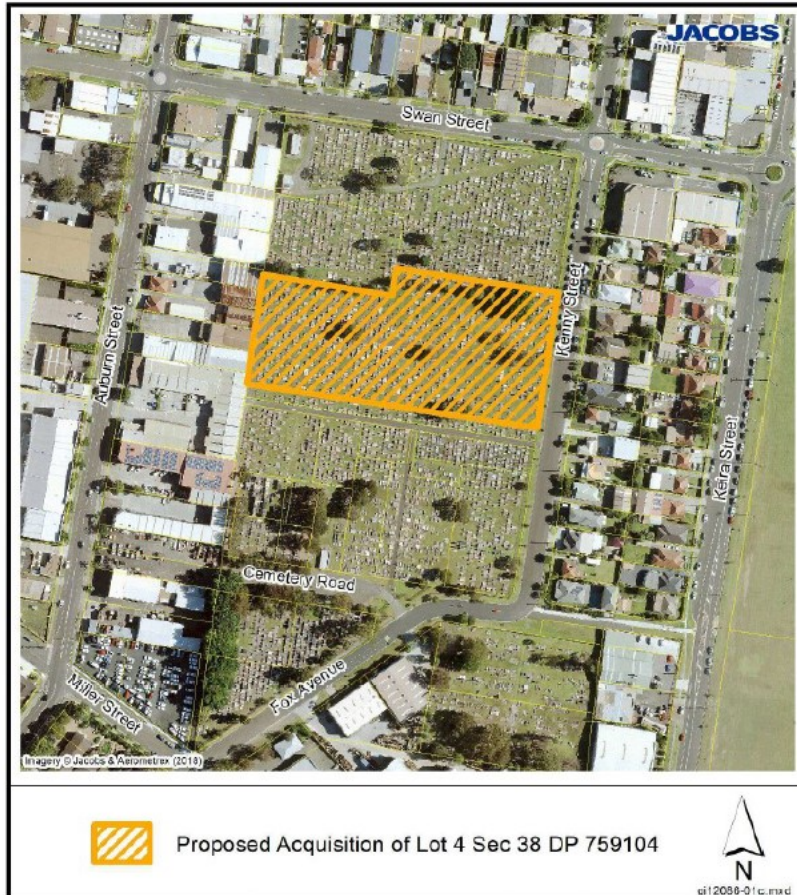
Lot 4 Section 38 DP 759104 will be transferred to Council for the nominal sum of \$10.00 (plus GST).

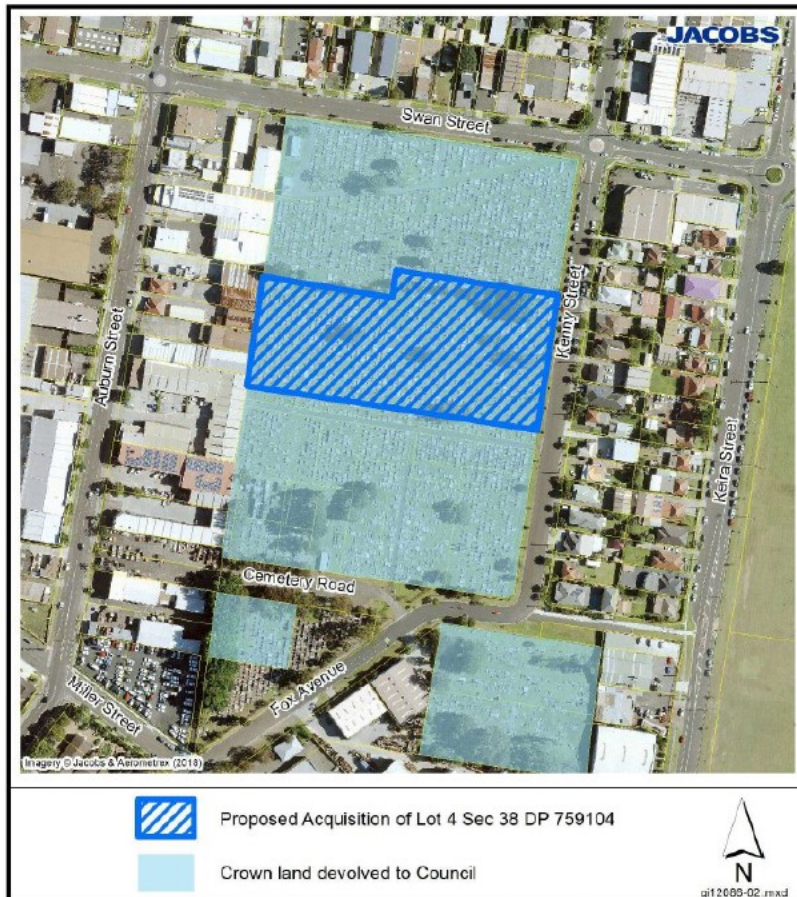
Given that Council already manages and maintains Lot 4 Section 38 in DP 759104 as part of the cemetery as a whole, there are no other financial implications associated with the acquisition.

CONCLUSION

Council has been maintaining the entirety of the Wollongong Cemetery since 1957. Acquiring Lot 4 Section 38 DP 759104 will allow Council to formalise its ownership of all the land which comprises the Wollongong Cemetery without resulting in any additional maintenance or operational burden.







ITEM 4 - PROPOSED ACQUISITION OF LOT 4 SECTION 38 DP 759104, KENNY STREET, WOLLONGONG

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 346).

COUNCIL'S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Figliomeni that -

- 1 Council authorise the acquisition of Lot 4 Section 38 in DP 759104, as shown attached and subject to the following conditions:
 - a Purchase price of \$10.00 (plus GST)
 - b Each party be responsible for their own legal costs.
- 2 Council grant authority for the use of the Common Seal of Council on all documents relevant to this matter, should it be required to give effect to this resolution.

ITEM 8

PROPOSED GRANT OF AN EASEMENT TO DRAIN WATER 1.0M WIDE OVER LOT 217 DP 25391

As a condition of consent of DA-2018/1630 at No 35 Yellagong Street, West Wollongong for demolition of existing structures and construction of new 10-unit multi-dwelling with associated carparking and infrastructure, the applicant is required to obtain an easement to drain water through the adjoining Council owned land known as Lot 217 DP 25391. This report seeks approval to the grant of the easement.

RECOMMENDATION

- 1 Pursuant to section 46(a1) of the *Local Government Act 1993*, Council resolves to grant an easement to drain water 1.0m wide over Council Community land known as Lot 217 DP 25391, in favour of Lot 105 DP 25391 No 35 Yellagong Street, West Wollongong, as shown crosshatched on the attachments to this report.
- 2 Council accept payment in the amount of \$2,200.00 (GST free) from the owner of Lot 105 DP 25391 No 35 Yellagong Street, West Wollongong as compensation for the grant of the easement.
- 3 Approval be granted to affix the Common Seal of Council to the survey plan, Section 88B Instrument and any other documentation required to give effect to this resolution.
- 4 The applicant be responsible for all costs relating to the easement including valuation, survey, plan registration and legal costs, and any other costs incurred in this matter.

REPORT AUTHORISATIONS

Report of: Lucielle Power, Manager Property + Recreation
Authorised by: Kerry Hunt, Director Community Services - Creative and Innovative City

ATTACHMENTS

- 1 Map of Proposed Easement to Drain Water 1.0m Wide over Council Community Land Known as Lot 217 DP 25391
- 2 Aerial Map of Proposed Easement to Drain Water 1.0m Wide over Council Community Land known as Lot 217 DP 25391

BACKGROUND

Development consent for DA-2018/1630 at No 35 Yellagong Street, West Wollongong for demolition of existing structures and construction of new 10-unit multi-dwelling with associated carparking and infrastructure was granted on 23 December 2019.

Consent condition (i)(a) of DA-2018/1630 requires the applicant to obtain an easement to drain water 1.0m wide through the adjoining Council owned Community land known as Lot 217 DP 25391, as shown crosshatched on Attachments 1 and 2 to this report. The easement will connect to a headwall with scour protection which will be maintained as a Council asset.

Lot 217 DP 25391 is classified as Community land under the Local Government Act 1993. The proposed easement will not impact on the existing use of the Community land.

Council's Statutory Property Officer sought a valuation report from Walsh and Monaghan Valuers regarding the amount of compensation that would be payable by the applicant to Council for the grant of the easement. The amount of compensation was assessed at \$2,200.00 (GST free) which has been agreed by the applicant.

PROPOSAL

It is proposed that Council approve the grant of an easement to drain water 1.0m wide over Lot 217 DP 25391, in favour of Lot 105 DP 25391 No 35 Yellagong Street, West Wollongong, as shown crosshatched on Attachments 1 and 2.

CONSULTATION AND COMMUNICATION

- Legal Services
- Kevin Pritchard – survey at KFW – acting on behalf of the applicant
- Walsh & Monaghan Valuers
- Council's Finance Division in relation to GST advice on compensation payable by the applicant to Council for the grant of the easement.
- Council's Infrastructure Strategy and Planning Division in relation to the headwall and scour protection

PLANNING AND POLICY IMPACT

This report is in accordance with Council's policy "Land and Easement Acquisition and Disposal".

This report contributes to the delivery of Wollongong 2028 goal 1 "We value and protect our environment".

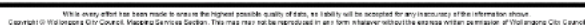
It specifically delivers on core business activities as detailed in the Property Services Service Plan 2020-21.

FINANCIAL IMPLICATIONS

Council will receive \$2,200.00 (GST free) as compensation for the grant of the easement which is considered fair and reasonable based on the valuation report obtained. The applicant will also be responsible for all costs in the creation of the easement including valuation, survey, plan lodgement and legal costs, and any other costs.

CONCLUSION

Consent condition (i)(a) of DA-2018/1630 permits the owners of Lot 105 DP 25391 No 35 Yellagong Street, West Wollongong to install drainage infrastructure on Council's adjoining Community land. By granting a drainage easement over the land, Council will receive compensation for the easement, be able to identify the exact location of the drainage infrastructure and will formalise maintenance obligations in relation to the drainage infrastructure.





ITEM 9 TENDER T19/47 - ADMINISTRATION BUILDING EFFICIENCY UPGRADES

This report recommends that Council decline to accept the tender submitted for Efficiency Upgrades to the Wollongong City Council Administration Building in accordance with clause 178(1)(b) of the Local Government (General) Regulation 2005.

The Tender Assessment Panel has concluded that the tender is not acceptable for the reason that:

- The tender received does not comply with the overall requirements of the request for tender.

It is anticipated that negotiations with the tenderer or any other party in relation to a revised scope of works will result in a satisfactory outcome being achieved.

RECOMMENDATION

- a In accordance with clause 178(1)(b) of the Local Government (General) Regulation 2005, Council decline to accept the tender received for the Administration Building Efficiency Upgrades and resolve to enter into negotiations with the tenderer 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 clause 178(4) of the Local Government (General) Regulation 2005, the reason for Council hereby resolving to enter into negotiations with the tenderer 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, firstly with the tenderer, and, in the event of failure of negotiations with the tenderer, any other party, with a view to entering into a contract in relation to the subject matter of the tender.
- 3 Council grant authority for the use of the Common seal of Council on the contract and any other documentation, should it be required, to give effect to this resolution.

REPORT AUTHORISATIONS

Report of: Corey Stoneham, Manager City Works (Acting)

Authorised by: Andrew Carfield, Director Infrastructure + Works - Connectivity Assets + Liveable City

ATTACHMENTS

There are no attachments for this report.

BACKGROUND

Tenders were required to be invited to deliver these Efficiency Upgrades for the Administration Building's Building Management Control System (BMCS). A detailed specification for these works was developed and focuses on the control function upgrades identified as offering energy efficiencies for the building.

There is scope relating to mechanical and mechanical/electrical works included in this specification, such as installing Thyristor Controllers for electric duct heaters. It is envisaged that the main contractor for this project will engage and manage any sub-contractors required.

Tenders were invited by the Open tender method with a close of tenders of 10.00 am on Tuesday 2 June 2020.

One tender was received by the close of tenders and it has been scrutinised and assessed by a Tender Assessment Panel constituted in accordance with Council's Procurement Policies and Procedures and comprising representatives of the City Works and ISP 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:

Cost to Council - 40 %

Appreciation of scope of works and methodology of the works - 25%

Demonstrated extensive experience and satisfactory performance in undertaking projects of similar size, scope and risk profile - 20 %

Project Schedule - 10 %

Demonstrated strengthening of local economic capacity - 5 %

PROPOSAL

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

The Panel anticipates that a satisfactory outcome will be achieved through a negotiation process conducted in accordance with Council's Procurement Policies and Procedures.

CONSULTATION AND COMMUNICATION

- 1 Members of the Tender Assessment Panel
- 2 Nominated Referees
- 3 External Consultants – TAI

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2028 goal "We value and protect our environment". It specifically delivers on the following:

Community Strategic Plan	Delivery Program 2018-2022	Operational Plan 2020-21
Strategy	4 Year Action	Operational Plan Actions
1.2.1 Reduce our ecological footprint, working together to minimise the impacts of climate change and reduce waste going to landfill.	1.2.1.3 Methods to reduce emissions are investigated and utilised	Implement and review annual water and energy saving actions

RISK ASSESSMENT

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

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

The risks involved in the outcome of this report relate to the costs associated with entering into a negotiation with a more suitable company. This risk will be mitigated by ensuring that the company that Council will begin negotiations with, has an intimate knowledge of the building and the scope of works which allows Council to achieve greater value for money than a company unfamiliar with the site.

SUSTAINABILITY IMPLICATIONS

This project aims to increase energy efficiencies within the administration building by upgrades to the BMCS.

This project has been out to two different markets (Vendor Panel and Tenderlink), both times the Tender Assessment Panel were unsuccessful in finding a suitable contractor with an adequate submission. The first procurement (through VendorPanel) yielded no submissions, whereas this procurement through Tenderlink yielded one. Although this submission was declared less than satisfactory and non-conforming on the grounds that the company either did not provide answers or only provided a very basic response to the criteria.

FINANCIAL IMPLICATIONS

It is proposed that the total project be funded from the following source/s as identified in the Capital Works Plan 2020/21.

Project Number 125509 Floor VAV Refurbishments within the Infrastructure Delivery Program.

The tender assessment panel believe we will deliver a better outcome financially and professionally engaging and negotiating with a service provider directly.

CONCLUSION

Council should endorse the recommendations of this report, which are the following:

- Reject the sole submission, on the grounds of non-conformance,
- Enter into negotiations with another contractor with knowledge and experience related to the building and scope of these works, which has the previous experience with the current control systems.

ITEM 10

TENDER T20/08 - SUPPLY AND INSTALLATION OF A NEW FILTRATION SYSTEM AND ASSOCIATED WORKS - HELENSBURGH TODDLERS POOL

This report recommends that Council decline to accept any of the tenders submitted for supply and installation of a new filtration system and associated works to Helensburgh toddlers pool in accordance with clause 178(1)(b) of the Local Government (General) Regulation 2005.

The Helensburgh Pool Facility currently does not meet the minimum standards required by the NSW Department of Health as it was designed and constructed over 50-years ago. One of the main non-compliance issues is the need to separate the toddlers pool filtration system from the 25-metre pool filtration system to prevent contamination issues.

The Tender Assessment Panel has concluded that none of the tenders are acceptable for the reason that no acceptable tender was received within the budget allocated for this project.

However, an opportunity currently exists to accelerate an alternative design with a reduced scope that fits within the budget allocation to ensure the 25-metre pool is ready for the 2020/21 swimming season and the toddlers pool is ready for the warmest months of the season. By accelerating the commencement and construction of an alternative design, it minimises the disruption to pool users during this peak period.

This report recommends that on this occasion, tenders be declined for the reasons listed in the report and Council instead proceed with a request for formal quotations from reputable and experienced aquatic contractors with the alternative design.

RECOMMENDATION

- 1 a In accordance with clause 178(1)(b) of the Local Government (General) Regulation 2005, Council decline to accept any of the tenders received for T20/08 - Supply and Installation of a new filtration system and associated works to Helensburgh Toddlers Pool.
b In accordance with clause 178(4) of the Local Government (General) Regulation 2005, the reason for Council hereby resolving to decline all of the tenderers is that none of the tenders received were within the allocated budget for this project.
- 2 Pursuant to section 55(3)i of the Local Government Act 1993, a new tender not be invited for the contract for the Supply and Installation of a new filtration system and associated works to Helensburgh Toddlers Pool due to extenuating circumstances, being the time frame required for tendering for this contract would involve the construction works extending significantly into the summer swimming season, with consequential adverse impact on the community.
- 3 Council delegate to the General Manager the authority to undertake and finalise a formal quotation process, in accordance with Council's procurement policies and procedures with contractors with demonstrated experience and ability to undertake the works with a view to entering into a contract for the works.
- 4 Council delegate to the General Manager authority to enter into a contract with the contractor selected following the formal quotation process outlined above.
- 5 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.
- 6 A report describing the outcome of the procurement process be submitted to the next available meeting following the successful engagement of the contractor.

REPORT AUTHORISATIONS

Report of: Glenn Whittaker, Manager Project Delivery

Authorised by: Andrew Carfield, Director Infrastructure + Works - Connectivity Assets + Liveable City

ATTACHMENTS

1 Location Plan

BACKGROUND

Council operates and maintains seventeen (17) public pool facilities throughout the Local Government Area. These assets are highly utilised within our community and have been operating for a significant amount of time. Council's public pool facilities include five (5) chlorinated pools; three (3) circulating saltwater pools as well as nine (9) tidal rock pools. The Helensburgh War Memorial Pool was first opened in 1969. The facility contains one (1) 25-metre lap pool to the west (main pool) and a toddlers pool to the east which currently operates under one combined filtration system.

On 30th January 2018, following a detailed report into the feasibility of heating and potential expansion Helensburgh Pool, Council noted the findings of the research and resolved the following;

"Council prioritise further investigative studies to inform future delivery program expenditure on maintaining and enhancing existing water treatment, plant and filtration systems to ensure the Helensburgh facility continues to operate in accordance with NSW Public Health guidelines".

The NSW Department of Health applies a compliance criterion for all public pools and spas throughout New South Wales (NSW). The primary purpose of the Public Swimming Pool and Spa Pool Advisory Document is to provide information and guidance to pool operators for criteria relating to chemicals, chemical testing and microbiological requirements. These standards apply to chlorinated public pools across NSW in order to maintain public health at all swimming facilities.

Since 2018, Council has been investigating the water treatment, plant and filtration systems at Helensburgh Pool. Helensburgh Pool had experienced regular intervals in the 2018/19 season where there were occasions where, under normal operations, the free chlorine and Ph levels were fluctuating outside the NSW Health Guidelines for Public Swimming Pools. To achieve compliance to the Guidelines the two pools were manually dosed however this proved difficult to maintain compliance with the Guidelines.

The core issue related to poor circulation and turnover rates associated with the gravity feed filters and some deterioration of the inlet (feed) pipes. Specialist advice was sourced on strategies to improve circulation leading to interim works being implemented to improve circulation in the 25m pool with the installation of adjustable inlet valves. It is noted that this advice indicated that the historic gravity sand filters that service the two pools needed to be replaced with independent pressure filter systems.

In October 2019, following concerns over irregular chemical readings, the toddler pool was closed as it was unable to operate without regular manual intervention to achieve compliance with the standards in terms of chemistry, (Free Chlorine and Ph). To remedy the circulation and chemistry issues in the toddlers pool it was recommended that Council engage a specialist consultant to prepare designs addressing these issues.

Council has engaged a specialist aquatic consultant to provide a scope of works to separate the toddlers pool filtration from the Main Pool. This is to eliminate the issue of cross contamination occurring which subsequently closes the entire facility for an extended period while Council implements a decontamination process while also improving circulation rates. The scope of these works included:

- Separation of the existing filtration system to allow service to the main pool to be maintained while decontamination processes are implemented;
- Provision of a smaller filtration system designed specifically for the toddlers pool;
- Installation of new plant and associated equipment, pipework, fittings and fixtures to allow independent operation of the toddlers pool to achieve the minimum compliance level;
- Upgrading of electrical, water and wastewater infrastructure to the toddlers pool;
- Installation of a new weatherproof building to secure the plant and equipment;

Tenders were invited for the supply and installation of a new filtration system and associated works to Helensburgh Toddlers Pool in accordance with the defined scope of works.

Tenders were invited by the open tender method with a close of tenders of 10.00 am on Tuesday, 9 June 2020.

Four (4) 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 Governance and Customer Service, Finance, Property and Recreation and Project Delivery Divisions.

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

Mandatory Criteria

1. Referees - Provision of satisfactory references from referees for previous projects of similar size and scope.
2. Financial capacity - Tenderers may be required to provide information required by an independent financial assessment provider engaged by Council. Council will review and determine whether such financial assessment is acceptable to Council and demonstrates the tenderer's financial capacity to undertake the works.
3. Site Inspection - Tenderers are required to attend a mandatory site inspection on a scheduled date.

Assessable Criteria

1. Cost to Council - 40%
2. Appreciation of scope of works and construction methodology - 15%
3. Experience and satisfactory performance in undertaking projects of similar size, scope and risk profile - 15%
4. Staff qualifications and experience - 5%
5. Proposed sub-contractors - 5%
6. Project Schedule - 5%
7. Demonstrated strengthening of local economic capacity - 5%
8. Workplace Health and Safety Management System - 5%
9. Environmental Management Policies and Procedures - 5%

The Tender Assessment Panel concluded that none of the tenders is acceptable and has recommended that all tenders be declined. The Tender Assessment Panel resolved to decline all tenders based on the tender prices received which exceed the budget allocation.

As part of the review and assessment of all tenders, Council identified a range of issues which have escalated the cost of the project in comparison to the budget allocation. This has allowed Council to focus on a revised program and scope of work which should achieve the overall outcomes in a more cost-effective manner.

PROPOSAL

It is proposed that Council seek formal quotations (rather than tenders) from contractors with demonstrated experience in supply and installation of aquatic services to the Helensburgh Toddlers Pool for the alternative scope of work. Carrying out the work in an accelerated schedule in this report will result in the following benefits:

- Urgent works required to bring this facility up to contemporary standards will allow the 25-metre pool to be opened as soon as possible while the toddlers pool may be completed prior to the hot summer period. The program for the completion of the toddlers pool will be confirmed during the quotation process.
- The acceleration of this project will provide direct employment to the building industry and stimulate spending in the local economy during a critical period.
- Council has noted significant interest in recent tenders resulting in competitive pricing on a number of similar scale projects. Although this was not achieved on this tender, the revised scope of work will be targeted to experienced aquatic/hydraulic trades who may be more motivated to submit competitive prices.

Normally Council would re-tender the revised works as the estimated cost exceeds the Council's tender threshold of \$150,000 (incl. GST). The minimum duration to undertake a tender process is approximately 10-12 weeks (depending on the relationship between commencement of advertising and the actual date of the Council meeting) while a formal quotation process can be undertaken in approximately six (6) weeks if Council were to support the recommendation of this report. The swim season commences on 26 September 2020 which is approximately 10 weeks after the Council meeting dated 20 July 2020. The operators of the pool have confirmed there is low patronage of the toddlers pool from late September to mid-November due to the temperature of the pool water.

If Council were to re-tender the revised scope of works, it would not be possible to achieve contract commencement by the opening of the summer season. However, by undertaking a formal quotation process, we may be able to complete early works, reopen the 25-metre pool to a significant number of users while continuing to implement the changes to the toddlers pool in a securely fenced work area. Alternatively, Council could retender the revised scope of works and operate the pool with the continued closure of the toddlers pool over summer.

A formal quotation process carried out under Council's procurement policy mirrors the governance requirements of the tender process but does not require a formal report to Council with the resulting delays in preparing and publishing a report to Council. A formal quotation panel is constituted with the same technical, governance and procurement staff which normally constitute a tender panel to ensure probity concerns are addressed. Transparency to the community will be assured by reporting the outcome of the procurement process to the next available Council meeting following the engagement of the contractors.

Once the Quotation process is complete, Council will immediately be able to appoint a recommended contractor to commence works.

CONSULTATION AND COMMUNICATION

The following Divisions have been consulted during the planning of this project:

- 1 Members of the Tender Assessment Panel
- 2 External Consultants – Lacus Consulting Services
- 3 Governance and Customer Service
- 4 Legal Services – General Counsel
- 5 Property and Recreation
- 6 Infrastructure Strategy and Planning

7 Project Delivery

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2028 goal 5 “We are a healthy community in a liveable city”.

It specifically delivers on core business activities as detailed in the Infrastructure Planning and Support Service Plan 2020-21.

RISK ASSESSMENT

The risk in accepting the recommendation of this report is considered low on the basis that the formal quotation process will fully comply with Council's Procurement Policies and Procedures and the Local Government Act 1993. A formal quotation panel will be established to invite and assess quotations using procedures normally utilised in Council's tender process.

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

SUSTAINABILITY IMPLICATIONS

The following sustainability implications have been considered:

- Durable products incorporated in the design to ensure long-term integrity of the assets.
- Sustainable procurement by providing local companies the opportunity to submit quotations for the work.
- Quotation assessment incorporated weightings to support the ongoing economic development of the region including the source and supply of local labour and materials.

FINANCIAL IMPLICATIONS

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

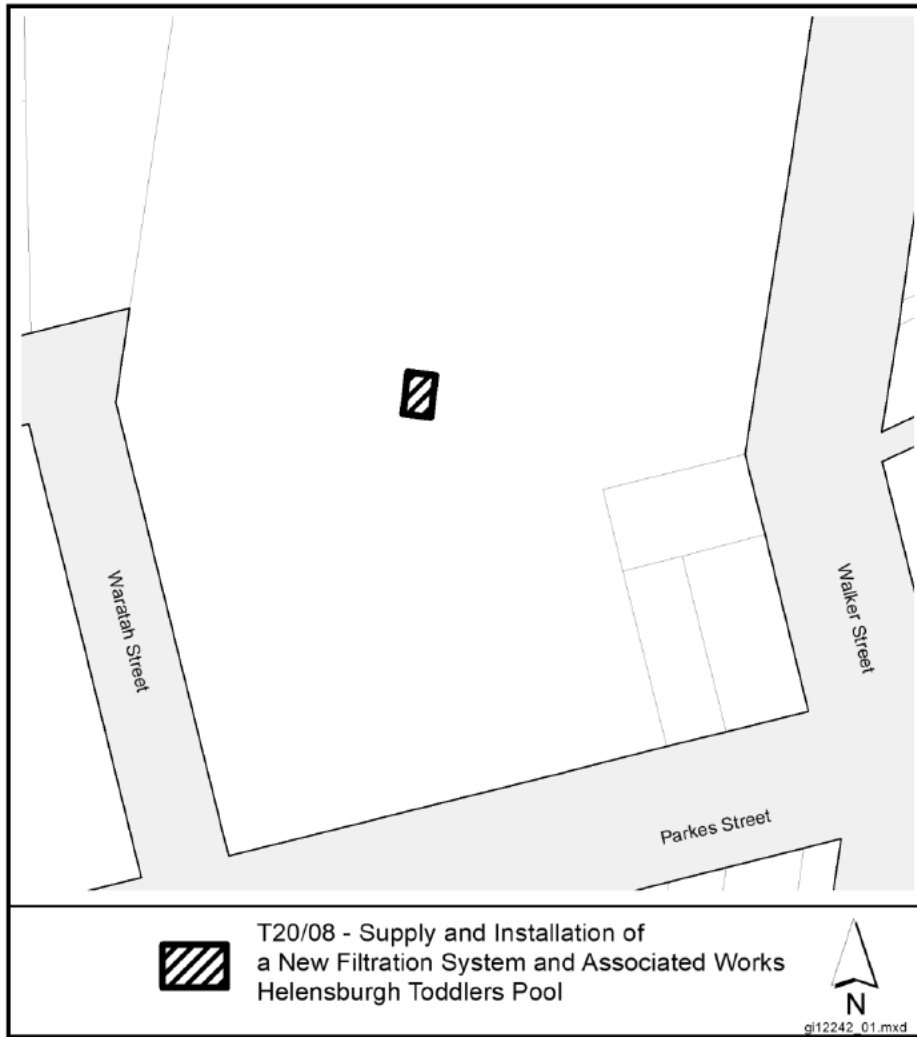
2020/21 Capital Budgets

CONCLUSION

An opportunity currently exists to accelerate this project for essential works at Helensburgh Toddlers Pool using a revised scope of work. By proceeding immediately Council can minimise costs and disruption to users of the facility and substantially complete the projects by the start of the summer season. Additionally, the works will provide much needed stimulus during the current Covid-19 pandemic to construction companies and their suppliers in the region.

It is recommended that a competitive quotation process be used on this occasion (rather than a retender) to achieve these outcomes.





While every effort has been made to ensure the highest possible quality of data, no liability will be accepted for any inaccuracy of the information shown.
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ITEM 11

CITY OF WOLLONGONG TRAFFIC COMMITTEE MINUTES OF MEETING HELD ON 24 JUNE 2020

The City of Wollongong Traffic Committee meeting was held on 24 June 2020. Items listed in 2, 4 and 5 are to be adopted by Council through delegated authority. The items listed in Section 3 of the minutes are the object of this report and must be determined by Council. They are recommended to Council for approval for temporary Regulation of Traffic on public roads for works or events by independent parties.

RECOMMENDATION

In accordance with powers delegated to Council, the Minutes and Recommendation related to Regulation of Traffic, of the City of Wollongong Traffic Committee held on 24 June 2020, be adopted

REPORT AUTHORISATIONS

Report of: Andrew Heaven, Manager Infrastructure Strategy and Planning (Acting)
Authorised by: Andrew Carfield, Director Infrastructure + Works - Connectivity Assets + Liveable City

ATTACHMENTS

- 1 Tri The Gong - Race Plans
- 2 32 Kirton Road, Austinmer

BACKGROUND

1 Wollongong Lang Park – Ward 2

(Item 3.1 of Wollongong Traffic Committee Minutes of Meeting)

Tri the Gong – Towradgi Road, Cliff Road, Squires Way and Pioneer Road – Closure 17 October 2020

Background

The 'Tri-the-Gong' Triathlon Festival Wollongong 2020 is a festival that will consist of five triathlon events on 17 October 2020.

The following road closures are required from approximately 6am to 1pm:

- Cliff Road from Marine Drive to George Hanley Drive
- Bourke Street from Cliff Road to the entry of the Novotel North Beach
- Corrimal Street from Blacket St to George Hanley Drive
- George Hanley Drive from Cliff Road to Squires Way
- Squires Way from George Hanley Drive to Pioneer Road
- Pioneer Road from Squires Way to Towradgi Road

The following parking lane closures are required from approximately 5pm Friday 16 October 2020 through to 1pm Saturday 17 October 2020:

All parking lanes along Cliff Rd (both sides), between Bourke Street and Marine Drive.

It is understood the organiser is currently arranging road occupancy licences for the traffic signal intersections on the route of the triathlon.

Additional Information:

Resident access lane will be opened to residents 9:15am to 9:45am.

Roads north of Elliotts Road are to be opened approximately 10:30am and all other roads will be opened progressively when safe to do so up to 1pm.

The marshal controlled pedestrian access will be provided at all major intersections and other key points.

As with previous Tri the Gong events the free gong shuttle will divert via Montague Street and Bourke Street and then to Corrimal Street. The bus service in Towradgi and Murrarar Roads will need to divert via Carters Lane. This will affect a number of services which normally stops at the aged persons facility at the eastern end of Murrarar Road

Consultation

Consultation with the community across all the streets effected is required as part of this approval.

Proposal Supported Unanimously

The road closures for “Tri-the-Gong” Triathlon Festival Wollongong 2020 are approved subject to the submitted Traffic Management Plans and [Council’s Standards Conditions for Road Closures](#).

2 Austinmer Kirton Road – Ward 2

(Item 3.2 of Wollongong Traffic Committee Minutes of Meeting)

32 Kirton Road – Crane Lift – Closure 31 July 2020 weather permitting

Background

The traffic controllers managing work for a local builder have requested a road closure of Kirton Road, Austinmer between Dunne Street and Mountain Road to allow a large mobile crane to operate. The closure is requested from 7am until 2pm on Friday 31 July and the two dates in reserve if there is poor weather are Monday 3 and Friday 7 August 2020. Arrangements are in place for residents to access their homes when safe to do so during the closure.

Consultation

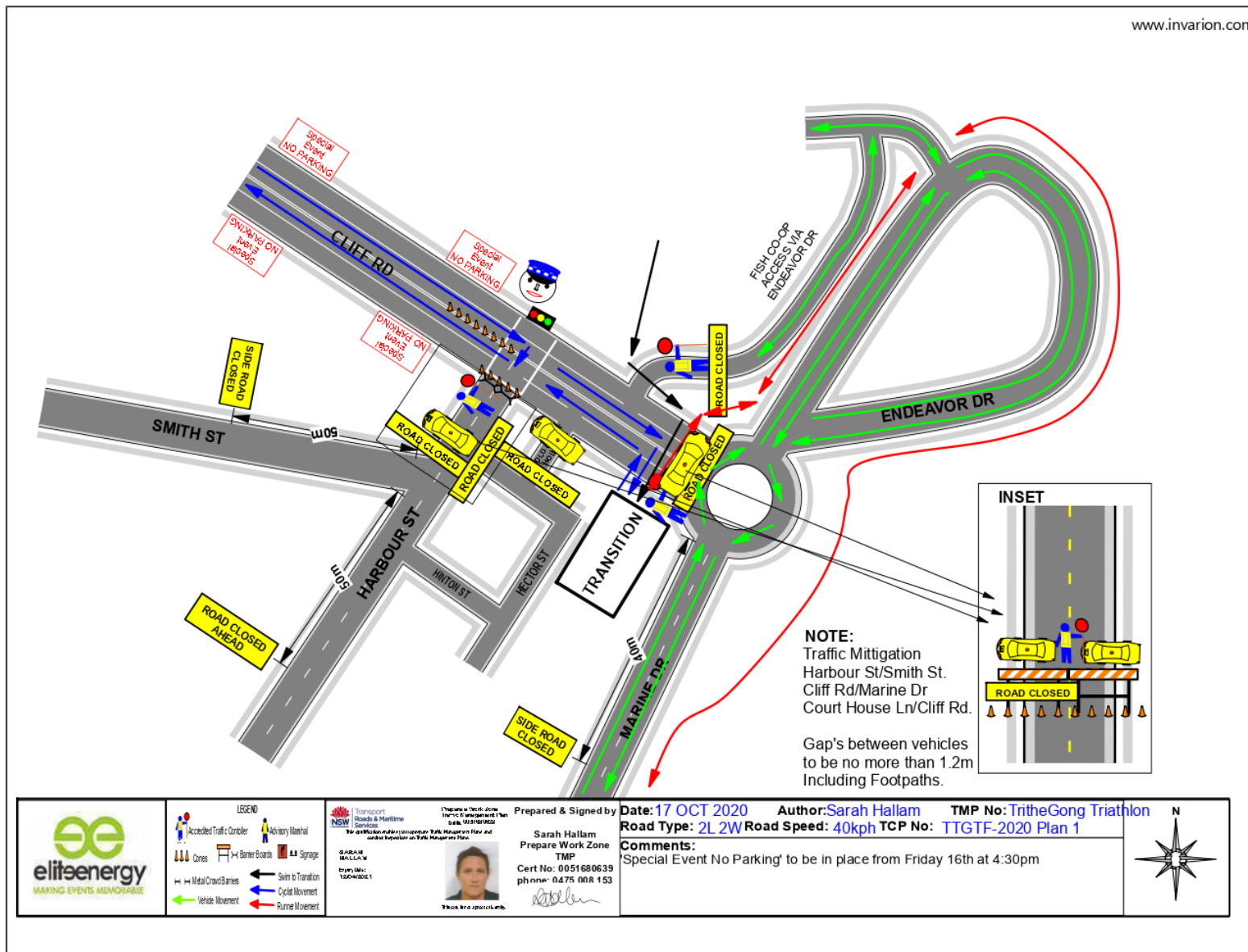
Consultation with effected residents is a condition of approval.

Proposal Supported Unanimously

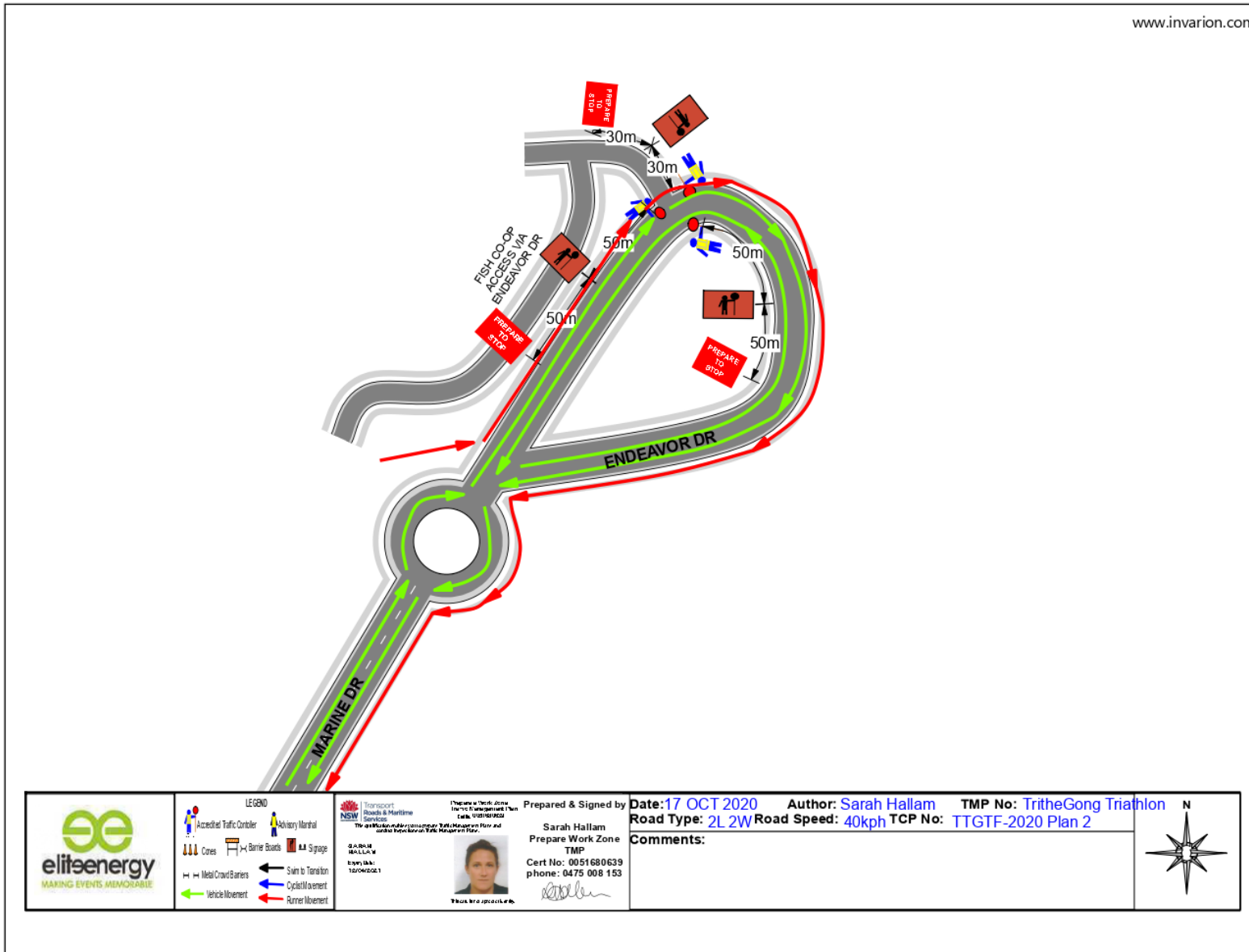
The closure of Kirton Road, Austinmer between Dunne Street and Mountain Road be approved for Friday 31 July with alternate dates for Monday 3 August and Friday 7 August 2020, subject to the submitted traffic management plans and [Council’s Standard Conditions for Road Closures](#).

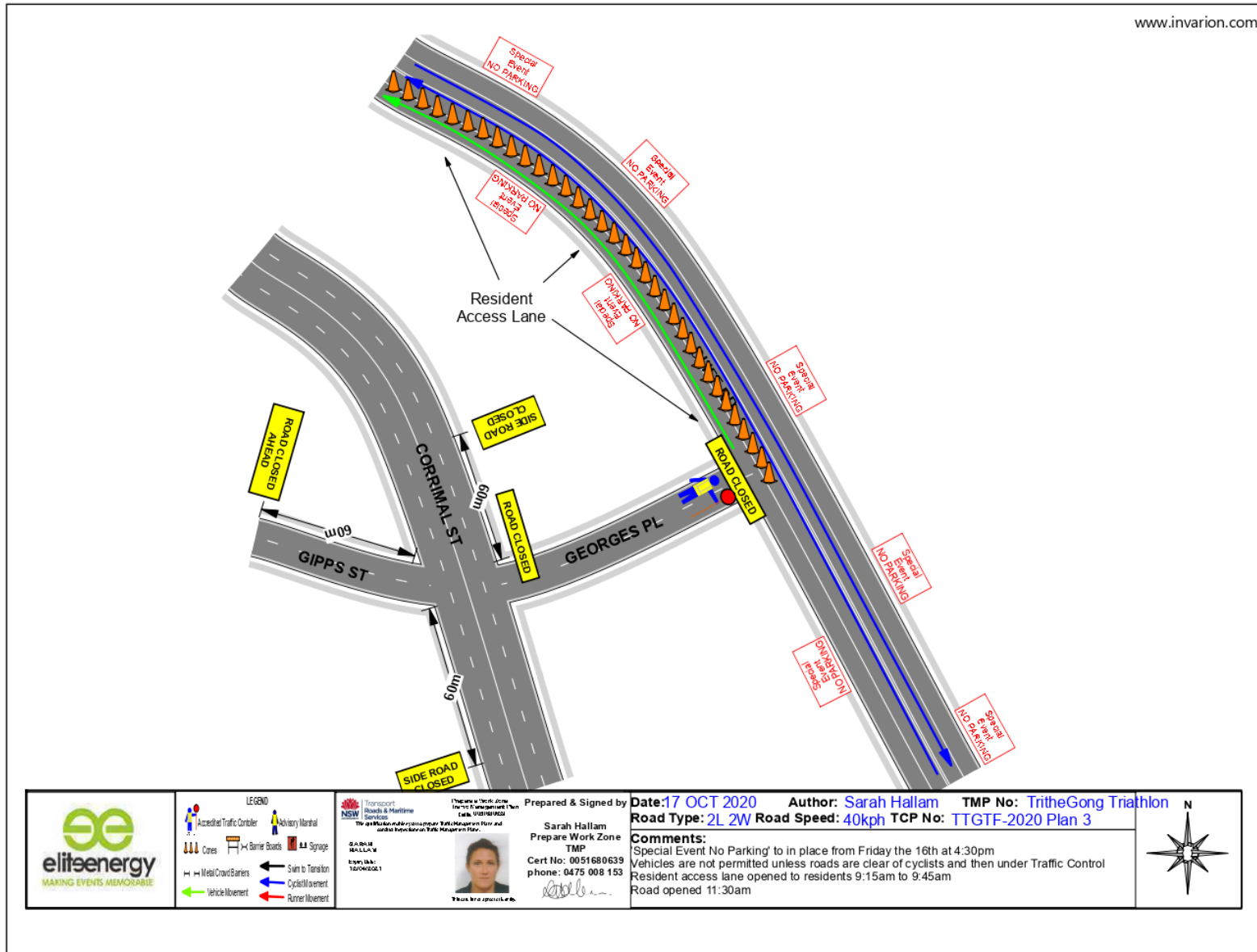
PLANNING AND POLICY IMPACT

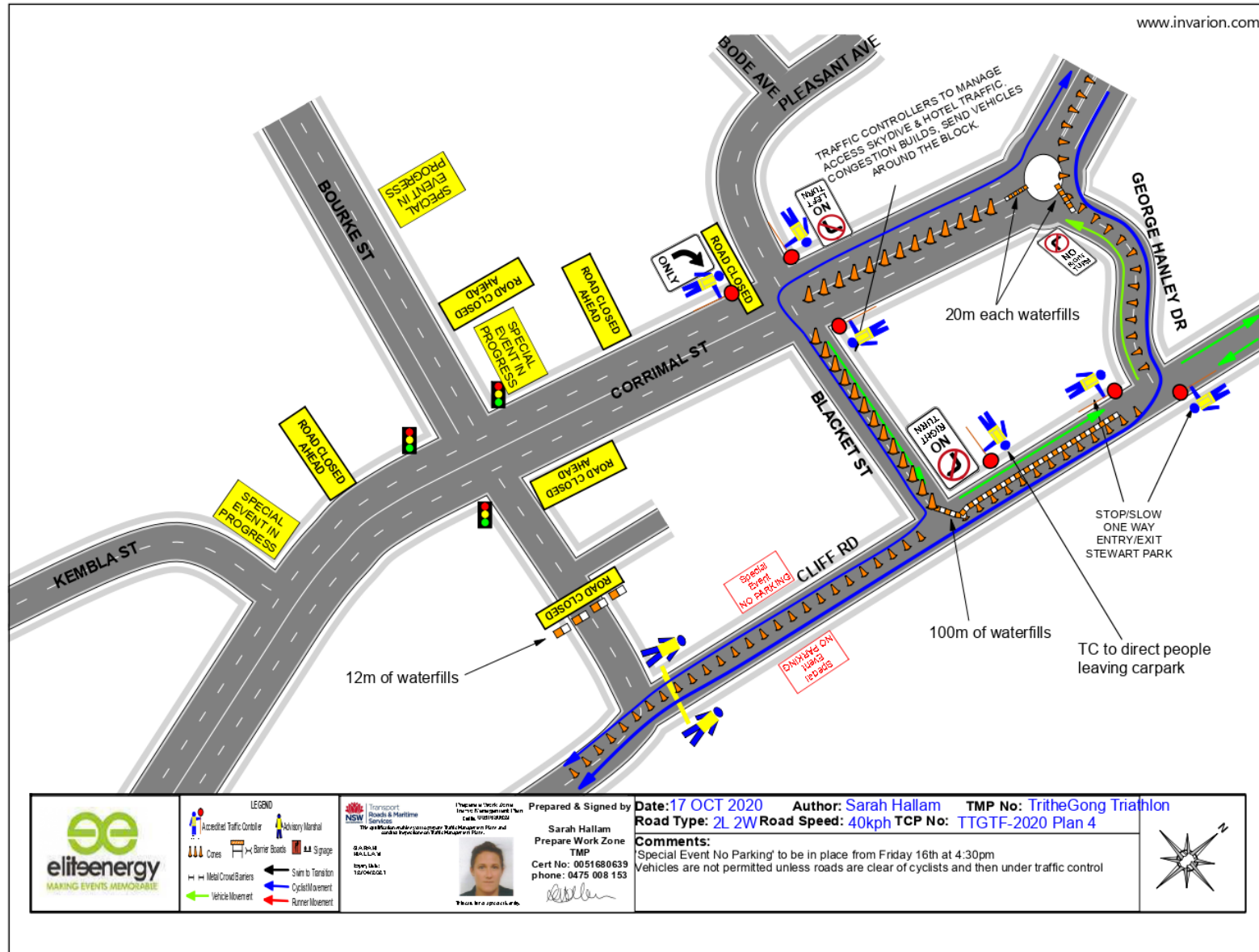
This report contributes to the delivery of Our Wollongong 2028 goal “We have affordable and accessible transport”. It specifically delivers on the Service Plan 2020-21.



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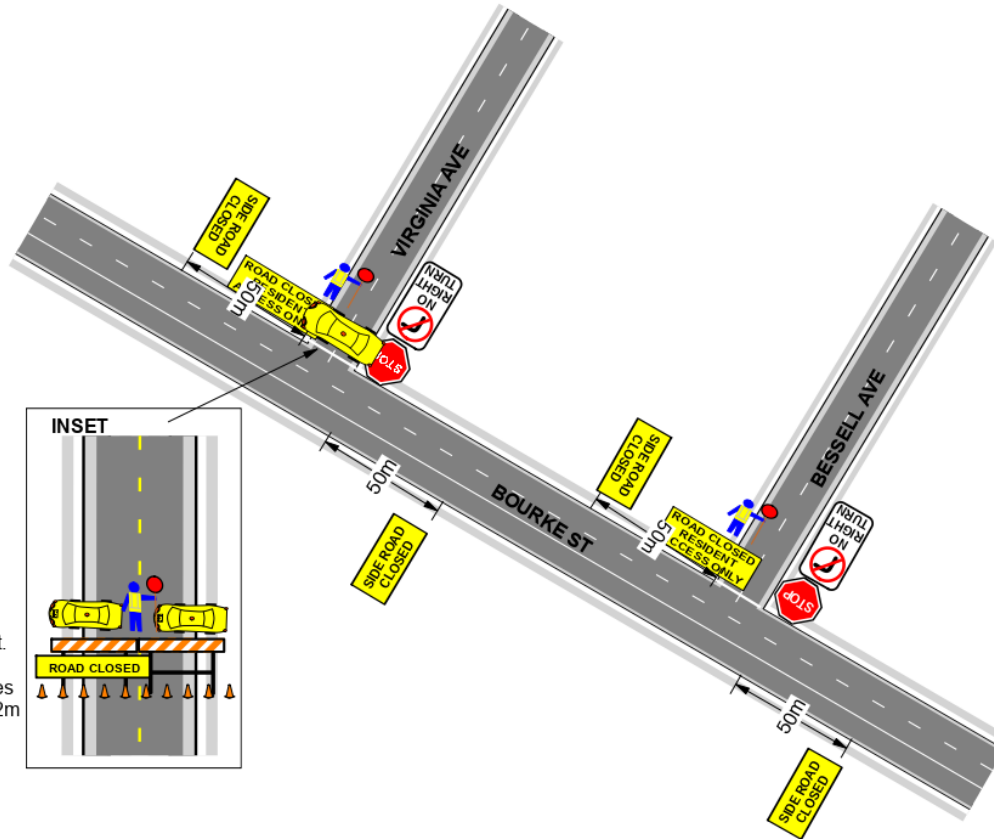
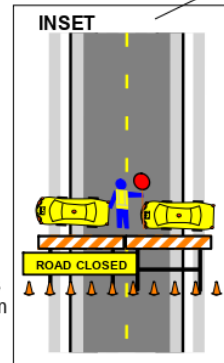




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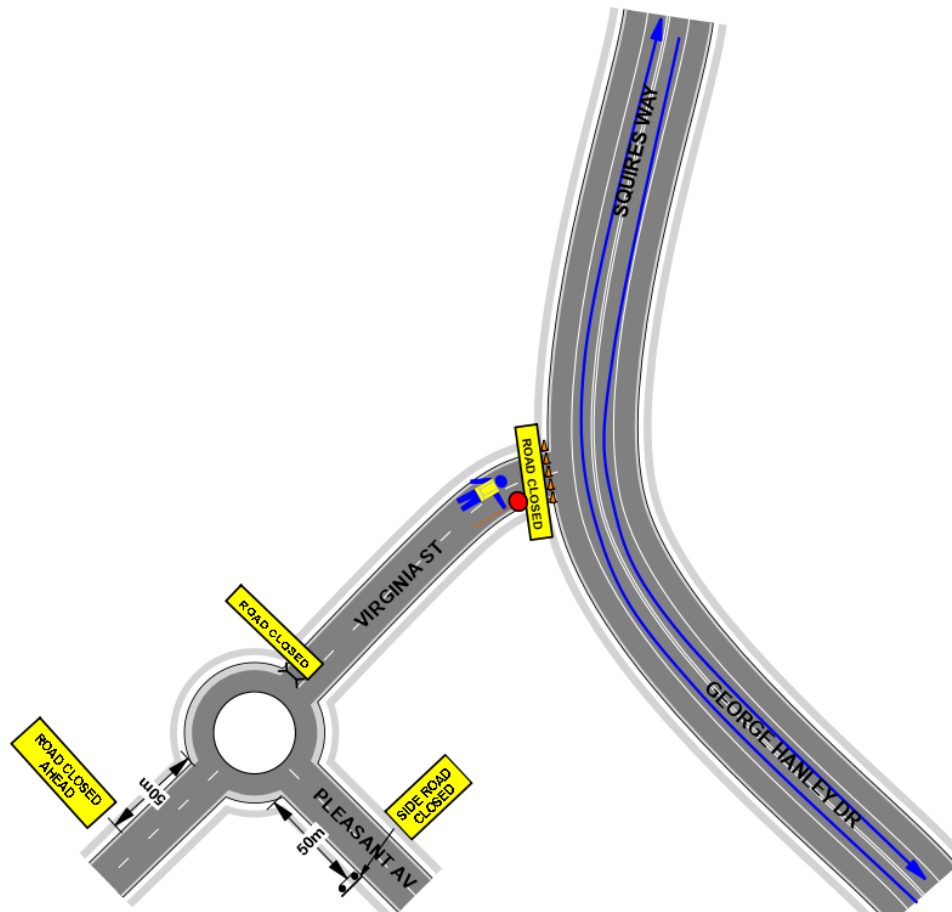
NOTE:
Traffic Mitigation
Virginia Ave/Bourke St.

Gap's between vehicles
to be no more than 1.2m
Including Footpaths.



<p>elitsenergy MAKING EVENTS MEMORABLE</p>	<p>LEGEND</p> <ul style="list-style-type: none"> Accredited Traffic Controller Advisory Marshal Cones Barrier Boards AA Signage Metal Crowd Barriers Swim to Transition Cyclist Movement Vehicle Movement Runner Movement 	<p>NSW Transport Roads & Maritime Services The official road closure and traffic management plan for the Tri The Gong Triathlon</p> <p>SARAH HALLAM 12/04/2020</p> <p>Prepared & Signed by Sarah Hallam Prepare Work Zone TMP Cert No: 0051680639 phone: 0475 008 153</p> <p><i>Sarah Hallam</i></p>	<p>Date: 17 OCT 2020 Author: Sarah Hallam TMP No: TriTheGong Triathlon Road Type: 2L 2W Road Speed: 40kph TCP No: TTGTF-2020 Plan 5</p> <p>Comments:</p>	
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<p>MAKING EVENTS MEMORABLE</p>	<p>LEGEND</p> <ul style="list-style-type: none"> Accredited Traffic Controller Advisory Marshal Cones Barrier Boards AA Signage Metal Crowd Barriers Swim to Transition Cyclist Movement Vehicle Movement Runner Movement 	<p>NSW Transport Roads & Maritime Services</p> <p>The above is a Traffic Management Plan for the Tri The Gong Triathlon. It is prepared in accordance with the Traffic Management Act 2004 and the Traffic Management Regulations 2005.</p> <p>SARAH HALLAM 18/10/2020</p>	<p>Prepared & Signed by</p> <p>Sarah Hallam Prepare Work Zone TMP</p> <p>Cert No: 0051680639 phone: 0475 008 153</p>	<p>Date: 17 OCT 2020</p> <p>Author: Sarah Hallam</p> <p>TMP No: TriTheGong Triathlon</p> <p>Road Type: 2L 2W</p> <p>Road Speed: 60kph</p> <p>TCP No: TTGTF-2020 Plan 6</p>	
				<p>Comments:</p>	

