ORDINARY MEETING OF COUNCIL

To be held at 6.00pm on

Monday 26 August 2013

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

Order of Business

1 Acknowledgement of Traditional Owners
2 Civic Prayer
3 Apologies
4 Disclosures of Pecuniary Interest
5 Petitions and Presentations
6 Confirmation of Minutes – Ordinary Council Meeting 12 August 2013
7 Public Access Forum
8 Lord Mayoral Minute
9 Urgent Items
10 Call of the Agenda
11 Agenda Items

Members

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

QUORUM – 7 MEMBERS TO BE PRESENT
## INDEX

<table>
<thead>
<tr>
<th>ITEM</th>
<th>Description</th>
<th>PAGE NO.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Draft Wollongong Dune Management Strategy for the Patrolled Swimming Areas of 17 Beaches - Post Exhibition Report (CM204/13)</td>
<td>1</td>
</tr>
<tr>
<td>2</td>
<td>Update on the Draft Wollongong Coastal Zone Management Plan (CM205/13)</td>
<td>14</td>
</tr>
<tr>
<td>4</td>
<td>Figtree Town Centre Study (CM207/13)</td>
<td>34</td>
</tr>
<tr>
<td>5</td>
<td>Review of Wollongong Development Control Plan Chapter C16 Sex Services Premises and Restricted Premises (Sex Shops) (CM210/13)</td>
<td>46</td>
</tr>
<tr>
<td>6</td>
<td>Review of Wollongong Development Control Plan 2009 - Chapters: C3 Boarding Houses; E16 Bushfire Management; E17 Preservation and Management of Trees and Vegetation - Post Exhibition (CM208/13)</td>
<td>60</td>
</tr>
<tr>
<td>7</td>
<td>Draft Planning Proposal for 53 Pioneer Road 203-207 Rothery Street Bellambi - Report on Submissions (CM209/13)</td>
<td>74</td>
</tr>
<tr>
<td>8</td>
<td>Wollongong City Council Place Management Strategy (CM214/13)</td>
<td>81</td>
</tr>
<tr>
<td>9</td>
<td>Tender T13/17 - Wollongong City Floodplain Risk Management Study and Plan (CM213/13)</td>
<td>86</td>
</tr>
<tr>
<td>10</td>
<td>Community Transport - Brokerage of Taxi Voucher Services to Wollongong Radio Cabs (CM215/13)</td>
<td>90</td>
</tr>
<tr>
<td>11</td>
<td>Proposed Acquisition of Splay Corners - Intersection of Kembla Street and Stewart Street, Wollongong (CM216/13)</td>
<td>93</td>
</tr>
<tr>
<td>12</td>
<td>June 2013 Draft Quarterly Review - Delivery Program Progress Report (CM211/13)</td>
<td>96</td>
</tr>
<tr>
<td>13</td>
<td>July 2013 Financials (CM217/13)</td>
<td>98</td>
</tr>
<tr>
<td>ITEM</td>
<td>Description</td>
<td>PAGE NO.</td>
</tr>
<tr>
<td>--------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>ITEM 14</td>
<td>Statement of Investments - July 2014 (CM218/13)</td>
<td>103</td>
</tr>
<tr>
<td>ITEM 15</td>
<td>Minutes of Electronic Meeting of City of Wollongong Traffic Committee held on 15 August 2013 (CM221/13)</td>
<td>106</td>
</tr>
<tr>
<td>ITEM 16</td>
<td>Minutes of Electronic Meeting of City of Wollongong Traffic Committee held 6 August 2013 (CM219/13)</td>
<td>108</td>
</tr>
</tbody>
</table>
Council endorsed the public exhibition of the draft Wollongong Dune Management Strategy for the Patrolled Areas of 17 Beaches (hereafter referred to as the draft Strategy) on 11 June 2013. The draft Strategy was exhibited from 17 June to 14 July 2013 and 63 submissions were received, raising a number of issues.

This report discusses the issues raised in the submissions and the changes recommended to be made to the draft Strategy. This report also provides a three year Dune Management Implementation Plan (hereafter referred to as the Implementation Plan), to address the key management actions identified in the Strategy.

**Recommendation**

1. Council endorses the changes recommended in the Submissions in Reply Report to the draft Dune Management Strategy for the Patrolled Swimming Areas of 17 Beaches.

2. The Dune Management Implementation Plan be endorsed and reviewed annually.

3. Council note that the final Dune Management Strategy for the Patrolled Swimming Areas of 17 Beaches, incorporating the changes recommended in the Submissions in Reply Report, will be reported to a future Council meeting for adoption.

**Attachments**


2. Dune Management Implementation Plan.

**Report Authorisations**

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

The need to prepare a management strategy for the dunes and beaches in the Wollongong Local Government Area was identified during preparation of the draft Wollongong Coastal Zone Management Plan. During the exhibition of the draft Wollongong Coastal Zone Management Plan in 2012, strong community concerns were raised about coastal dune management with particular reference to excessive dune heights and the occurrence of dune scarping after storms, as well as the type, height and the seaward extent of vegetation occurring on the dunes.

The draft Strategy was aimed at identifying options for the high use recreational areas of the 17 patrolled beaches to address safety and recreational amenity issues, whilst considering biodiversity values and the role of dunes in coastal processes.

At its meeting on 11 June 2013, Council resolved to place the draft Strategy on public exhibition for a period of 28 days and following the public exhibition, a further report be provided to Council on the submissions received and any changes proposed, and an implementation plan for the Dune Management Strategy.

Proposal

The draft Strategy was placed on exhibition for a period of 28 days from 17 June to 14 July 2013 and submissions were accepted until 22 July 2013. A total of 63 submissions were received during the exhibition period, including 40 from residents/tourists, three from State agencies, 14 from Surf Life Saving and other organisations, one from the Estuary and Coastal Zone Management Committee’s Scientific Adviser and five anonymous submissions.

This report provides a summary of the issues raised during the public exhibition period, Council’s response to these issues, and where required, the proposed changes to the draft Strategy.

Part A of the attached Submissions in Reply Report (Attachment 1) provides a full catalogue of the issues raised, which have been grouped into categories. The number of submissions that relate to each issue category is also identified. Responses to each of the issues raised have been prepared and if a change is required to be made to the draft Strategy based on the issues raised, this is also detailed. If the issue raised will be addressed in the Implementation Plan, this is noted.

Set out below is a summary of the submissions, Council’s response and proposed changes to the draft Strategy for each issue category.

State Agency Submissions

Submissions were received from the NSW Office of Environment and Heritage (OEH), Trade and Investment (Crown Lands) and Southern Rivers Catchment Management Authority (SRCMA). These are summarised in the table below.
<table>
<thead>
<tr>
<th>Issue</th>
<th>Agency Comments</th>
<th>Response</th>
</tr>
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<tbody>
<tr>
<td>General</td>
<td>OEH commended Council on the draft Strategy which provides a thorough analysis of issues and objectively evaluates a wide range of potential management options. SRCMA supported Council’s intent to provide strategic management advice on dune management, although it is noted it is only covering the patrolled areas.</td>
<td>Noted.</td>
</tr>
<tr>
<td>Vegetation</td>
<td>OEH advised that Council be wary of undermining the previous successful projects that have improved coastal resilience. Section 6 of the draft Strategy notes that the pre-1980 dune heights and volume are a snapshot in time and not necessarily representative of the pre-clearing natural beach system.</td>
<td>Additional text and photos will be added to Section 5.2 and Section 6.1 to reflect these comments.</td>
</tr>
<tr>
<td>Legislation and Approval Process</td>
<td>OEH commented that the draft Strategy is consistent with the NSW Coastal Policy, in particular with reference to the principles of Ecologically Sustainable Development. OEH suggested specific content about the objectives of the NSW Coastal Policy that are relevant to the issues and management options be identified in the draft Strategy. Crown Lands recommended Council include the Coastal Crown Lands Policy 1991 in the Legislation and Policy section. Crown Lands provided a detailed list of Crown Land status at the relevant beaches. Crown Lands outlined in their submission the approval processes for options that do and do not require Crown Lands consent and advised that Council should determine if the State Environmental Planning Policy (Infrastructure) 2007 is applicable for dune re-profiling before commencement of any works. SRCMA commented that clearing of native vegetation may require consent under the Native Vegetation Act 2003, although vegetation clearing carried out on behalf of Council is exempt from these provisions.</td>
<td>Noted. Section 3 will be amended to include the relevant NSW Coastal Policy objectives and the objectives of the Coastal Crown Lands Policy 1991. Approval process advice from Crown Lands will inform the environmental assessment process prior to implementation of any management option. Council will continue to liaise with SRCMA during implementation of the management options.</td>
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<td>Issue</td>
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<td>Response</td>
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<td>of/by Council under part 5 of the <em>Environmental Planning and Assessment Act 1979</em> does not require consent under the <em>Native Vegetation Act</em>. They recommended that Council make contact with them to discuss any specific clearing plans.</td>
<td></td>
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<td>Specific Management Options – Re-profiling dune/removal of frontal vegetation.</td>
<td>OEH emphasised that scarping is a natural process and it is unlikely that re-profiling and vegetation removal will achieve a reduction in the occurrence of scarping. Vegetation removal will result in scarps moving closer to assets. Crown Lands expressed concern that dune re-profiling and removal of frontal zone vegetation carry high coastal hazard risks. SRCMA is concerned with removal of frontal vegetation because of coastal hazard risks.</td>
<td>OEH suggested minor wording changes to the re-profiling dune/removal of vegetation from the frontal zone management options. These changes will be added to Table 9. A detailed investigation of impacts will be considered as part of the Review of Environmental Factors that will be prepared prior to implementing any management option. This will include consideration of coastal hazard risks with reference to the hazard lines in the Coastal Zone Study (Cardno, 2010). Removal of vegetation from the frontal zone is intended to increase beach width, not reduce scarping.</td>
</tr>
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<td>Specific Management Options – Weed Removal</td>
<td>OEH stated that the option relating to management of noxious and invasive weed species should include replacement with suitable native species.</td>
<td>The wording of this option will be amended as recommended.</td>
</tr>
<tr>
<td>Specific Management Options – Pruning of vegetation for sight lines</td>
<td>Crown Lands recommended a precautionary approach to works in the dune environment, favouring low intervention low risk options such as vegetation management works prior to higher intervention and high risk options such as structural works. It was suggested</td>
<td>Council has previously undertaken such work at several beaches and it was unsuccessful in improving sight lines in areas where the height of the dune and the eroded</td>
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<td>Issue</td>
<td>Agency Comments</td>
<td>Response</td>
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<tr>
<td>Issue</td>
<td>that targeted removal of inappropriate species including tall vegetation obscuring sight lines should be done first.</td>
<td>lower beach profile were the main causes of the sight line issues.</td>
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<tr>
<td>Specific Management Options – Selective removal of Acacia</td>
<td>Regarding the status of Coastal Wattle, OEH provided advice on the use of the terminology ‘Acacia longifolia subsp longifolia and hybrids’ and ‘backcrossing’ and suggested a more appropriate term may be ‘intermediates' between subspecies of Acacia longifolia. It was suggested that Council consider changing the discussion and the management option relating to hybrids and instead relate the management option to the removal of trees in the management zone that are affecting line of sight.</td>
<td>This management option will be amended to ‘management of subspecies of Acacia longifolia’. Relevant sections (Section 5.4, Section 8.4, Section 6 ecology assessments and Appendix F) of the draft Strategy will be amended to replace ‘hybrids' with ‘subspecies of Acacia longifolia’. Refer to Attachment 1 for the detailed changes.</td>
</tr>
<tr>
<td>Specific Management Options – Monitoring</td>
<td>Crown Lands stated their support for dune monitoring.</td>
<td>Noted. Monitoring is included in the Implementation Plan.</td>
</tr>
<tr>
<td>Strategy Approach - Climate Change/coastal hazards</td>
<td>OEH stated that actions should consider current and predicted coastal hazards by referring back to the Coastal Zone Study, with particular regard to increased vulnerability and decreased coastal resilience.</td>
<td>Section 5.3 will be amended to include a paragraph on the Cardno (2010) Coastal Zone Study and its main findings. Implementation of any management option will only occur after undertaking a dune profile survey, preparation of a detailed design and a Review of Environmental Factors including consideration of coastal hazard risk. There will also be ongoing monitoring and maintenance of the works.</td>
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### Community Engagement

<table>
<thead>
<tr>
<th>Issue</th>
<th>Agency Comments</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community</td>
<td>Crown Lands stated their support for community education about the dune environment, the impacts of coastal processes and the results of intervention. SRCMA suggested that further guidance is required to increase community understanding of the important functions of dunes and their associated vegetation, including climate variability. SRCMA recommended the continued support of Bushcare/Landcare.</td>
<td>Community education is included in the Implementation Plan. Council is developing a Dunecare program to support implementation of the draft Strategy and it will be based on the Bushcare model, but with dune management objectives.</td>
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### Community Submissions

A summary of the key issues raised in the community submissions is outlined below.

#### Council Dune Management

Past mismanagement of dunes by Council was raised as an issue, including Council not following the NSW Coastal Dune Management Manual, planting of wrong species and allowing vegetation encroachment outside the original planting areas. The importance of future maintenance was also identified.

Council recognises the current distribution and extent of dune vegetation is a function of past management, which was originally undertaken in response to concerns about storm impact on beaches and dunes and to minimise sand blowing onto roads, reserves and properties behind the dunes. The program of establishing dune vegetation can buffer coastal assets and infrastructure from storm erosion. However, Council is responding to the impacts that these coastal hazard protection works have had on recreational amenity through the preparation of the draft Strategy. In the Implementation Plan, a site specific vegetation management plan will be prepared for the management area of each patrolled beach. The vegetation management plan will include an assessment of the current vegetation and provide a list of appropriate replacement species for planting, where on the dune profile they can be installed, and follow-up maintenance requirements.

#### Vegetation

Some submissions included claims that Coastal Wattle (*Acacia longifolia* subsp. *sophorae*) is a weed, claims relating to its weed status in other localities, and that it was not present in Wollongong prior to the 1970s.

An in-depth study of the community concerns around the presence of Coastal Wattle in the dunes was undertaken as part of the draft Strategy. Council sought advice about this species from OEH during preparation of the draft Strategy. OEH advised that it is documented by the Royal Botanic Gardens that *Acacia longifolia* subsp. *sophorae* is...
native to the NSW south coast and is typically located on headlands, sand dunes (including foredunes) and adjacent alluvial flats.

The issue of the positive roles of vegetation in coastline protection was raised. Council agrees that dune vegetation provides coastal protection and is only considering options relating to removal of vegetation and re-profiling where there is not a high risk from coastal hazards. It was suggested that biodiversity on the dunes should be considered. A balance has to be achieved in the high-use areas. Any vegetation removal will be confined to the patrolled area of the beach, which comprises a very small proportion of the overall beach area and habitat in the Local Government Area.

The issue of the impact of dune vegetation on dune morphology was raised in submissions, including comments that vegetation encroachment onto beaches has facilitated more frequent and severe scarping. Council considers that scarping is a natural process and that vegetation removal will not prevent scarping. The vegetation removal management options in the draft Strategy are aimed at addressing line of sight issues for lifeguards and lifesavers, and amenity issues associated with loss of beach width due to vegetation spread seawards of where the vegetation was originally planted.

There were conflicting suggestions that dune vegetation does and does not impact on surf conditions. The draft Strategy focuses on line of sight safety issues and investigating any claims of impact on surf conditions would require a long-term detailed study.

Legislation and approval processes

Some submissions provided advice relating to clarification or corrections in the sections about legislations/policies and further detail on proposed approval pathways. Several minor changes and additional details will be included in Sections 3 and 7 in the draft Strategy. These comments will also be considered when preparing a Review of Environmental Factors prior to implementing any management option.

Specific management options

There were a range of submissions relating to specific management options proposed in the draft Strategy, including support and non-support of the management options.

Re-locatable towers were supported by some as a preferred option. This is due to their high vantage point, minimal impact on vegetation, and minimal impact on the risk from coastal hazards. Comments were made on what type of towers should be used at specific locations and that the type A tower (identified in the draft Strategy) would be too small. Tower types will be considered as part of the Implementation Plan. Minimum floor plan dimensions of 2.5 by 2.5 metres will be included in the draft Strategy.

Some submissions did not support towers as a management option as they were considered short term and costly, and if vegetation was not removed, tower heights would have to be increased in the future. Towers are considered appropriate in situations where line of sight is the main issue or where vegetation works are not possible due to current beach conditions increasing coastal hazard risks.
Some submissions supported the options of re-profiling the dune and the removal of vegetation from the frontal zone. Other submissions did not support these options. On the beaches that do not currently have a dune profile suitable for re-profiling due to the risk to infrastructure from coastal hazards, Council will regularly monitor the beach profile to determine when conditions are suitable to consider implementing these options (for example City Beach). Non-support for re-profiling and removal of vegetation from the frontal zone included concerns about intensifying coastal erosion processes and impacts on biodiversity. Any re-profiling will be accompanied by replanting of appropriate low growing species, as detailed in the vegetation management plan for that beach. Re-profiling work will only occur after detailed studies and surveys and preparation of a Review of Environmental Factors, which will consider biodiversity issues, Aboriginal heritage issues and the risk from coastal hazards. There will also be ongoing monitoring and maintenance undertaken.

Some submissions suggested that re-profiling will not address scarping. Removal of vegetation from the frontal zone is intended to increase beach widths, not reduce scarping. Suggested wording changes to Table 9 are included in the Submissions in Reply Report.

The issue of unsafe and unusable access ways was raised, including reference to Towradgi and City Beaches. An assessment of access ways and required remedial works is included in the Implementation Plan. It is noted that for City and Towradgi beaches, a major improvement in the access way would only be facilitated by dune re-profiling works.

There was support for the following options: weed removal, selective removal of Acacia, ongoing maintenance, monitoring and community engagement program and this support was noted. There was also support for the pruning of vegetation to improve sight lines, however, this has been undertaken previously and has proved unsuccessful in improving sight lines.

**Strategy approach**

Concern regarding the approach taken in the development of the draft Strategy was identified in some submissions. The general inadequacy of the document was raised as an issue, mostly because it did not address the issue that the beaches have been planted with inappropriate vegetation that has become overgrown and caused the current problems. It is noted that the vegetation was originally planted on the dunes to address government and community concerns about erosion of beaches following major storms in the 1960s and 70s, and to minimise sand blowing onto roads, reserves and properties behind the dunes. The draft Strategy does include options relating to the removal of weeds and inappropriate vegetation, where appropriate.

There were concerns that the community had not been adequately consulted, as well as comments that Council has listened too much to a few vocal residents and organisations. Stakeholder engagement informed the preparation of the draft Strategy. Council has considered the range of diverse comments and is aiming for a balance in the management of the high use patrolled areas.
Some submissions indicated that climate change and coastal hazards were not adequately considered and suggested there was conflict between the principle of coastal retreat and moving towers seaward. This is not against the idea of coastal retreat as this supports the concept of temporary/moveable structures, such as that proposed for this option.

Two submissions suggested that Aboriginal heritage was not adequately considered. It is noted that Council's Aboriginal Reference Group were provided the opportunity for input into development of the draft Strategy and a copy of the draft Strategy was provided to members. They were also provided with the results of the Aboriginal Heritage Information Management System searches to help identify any known records that may have been missed. Copies of the draft Strategy were also sent to the Illawarra Local Aboriginal Land Council, Wodi Wodi Elders Council and Wadi Wadi Coomaditchie Aboriginal Corporation. Heritage issues will be further considered in the Review of Environmental Factors that will be prepared prior to implementing any management option.

**Whole of beach**

Comments were made that the draft Strategy should address the whole of the beach, not just the patrolled areas. Concerns were expressed that the issues were occurring along the entire beach length, and about the impact that the proposed works in the management area would have on the rest of the beach. The aim of the draft Strategy was to identify management options for the high use recreational areas of the 17 patrolled beaches to address safety and recreational amenity issues, whilst considering biodiversity values and the role of the dunes in coastal protection. The works to be implemented in each management area will be considered in the context of the whole beach, and will involve ongoing monitoring along the beach to monitor changes and take corrective action if necessary.

**Community engagement**

There was considerable support for ongoing community education about the importance of dunes and participation in management of the dunes. The involvement of Surf Life Saving Clubs (SLSC) in planning of dune projects was also emphasised. The Implementation Plan includes a Dunecare Program and a community education program. Ongoing liaison with the SLSCs will be incorporated into these programs.

**Beaches as an asset**

This issue related to the value of beaches for recreation, tourism and the local economy. Council recognises these values and has sought to incorporate their importance in the draft Strategy through the weighting applied to sight line and beach amenity.

**View of beach**

Some submissions indicated that views of the beach from the footpath should be maintained for safety outside of patrolled hours. Council agrees that safety is an important issue, but recommends swimming only in the flagged areas of the patrolled
beaches within patrol hours, which is where the draft Strategy is focused. Private views were not considered as part of the draft Strategy.

**Snakes and vermin**

Concern was raised about snakes and vermin within the dunes. Council has a Vertebrate Pest Management Strategy which includes a rabbit control program, which is undertaken in some dunal areas. Snakes are protected, however sightings can be reported to the local National Parks and Wildlife Service office or WIRES who may be able to assist with relocation.

**Outside study area**

Some issues raised were outside the patrolled beach management area. These issues will be considered as part of broader vegetation management on beaches.

**Internal Review**

A number of changes have been proposed to the draft Strategy following a review by Council officers. These changes include a combined management option of ‘build a tower and remove vegetation from frontal zone’ aimed at addressing issues of sight line, recreational amenity and beach access for Bellambi, Corrimal and Port Kembla beaches, which did not have this combined option.

Including the combined options in the Multi Criteria Analysis resulted in changes to the order of the management options for these three beaches. The original and new Multi Criteria Analysis and management options are shown in Part B of Attachment 1.

Some changes to the severity of issues at Woonona and Port Kembla Beaches are proposed, where the sight line issues vary between the SLSC and the Lifeguard tower. These changes are also shown in Part B of Attachment 1. As the lifeguard towers have a better line of sight to the patrolled beach areas than the SLSC facilities, the Implementation Plan identifies facilitating access to these lifeguard towers for the SLSC members.

The approximate and initial costs and time to implement options have also been updated based on further investigations during the preparation of the Implementation Plan, as shown in Part B of Attachment 1.

**Implementation Plan**

The Implementation Plan has been prepared taking into account the outcomes from submissions, available budget, severity of issues, Multi Criteria Analysis output from the draft Strategy and current coastal hazard risks.

The Implementation Plan is divided into options that are relevant to dune management along the entire coastline, the management areas of the 17 patrolled beaches, and beach specific options.

The Implementation Plan details the steps undertaken to prepare the Plan, including the severity of the key recreational issues at the time of study, beach attendance data, and
additional beach specific information that is not necessarily addressed in the top three management options for each beach. This information has been sourced from the draft Strategy, submissions received and internal advice from Council staff.

The following options are relevant to beach and dune management across the local government area:

- Maintain Management;
- Beach and Dune Monitoring Program (see below for more information);
- Community Engagement Program;
- Coastal Erosion Emergency Action Plan;
- Species list for planting; and

The following options are relevant to the management areas of 17 patrolled beaches:

- Management of subspecies of Acacia longifolia;
- Additional management of noxious and invasive weed species;
- Volunteer Dunecare Program; and
- Assessment of access ways.

More detail on these options and the beach specific options are detailed in Attachment 2.

**Monitoring Program and Further Research**

Council will undertake a Beach and Dune Monitoring Program which aims to improve Council’s understanding of how the beaches and dunes are behaving and how they will behave in the future, particularly with rising sea levels. The information and knowledge collected can then be used for adaptive management to ensure that management decisions, and ongoing beach and dune management actions, are well informed, effective and enduring.

The program will include regular beach and dune profile surveys and photo point monitoring. Dune profile surveys will be conducted at the beaches considered to be at most risk from coastal processes or that are of most concern to the community. The beach stretches are Woonona-Bellambi, Towradgi-Fairy Meadow and City-Coniston. A beach with no back dune or vegetation, Thirroul, will be included for comparison.

Council also has ongoing liaison with the University of Wollongong and the Office of Environment and Heritage with regard to the identification of collaborative research projects. Some of the issues raised in the draft strategy will be further investigated by utilising these partnerships.

A range of external stakeholders will be consulted during the above projects, including the Office of Environment and Heritage, Trade and Investment (Crown Lands and
Ordinary Meeting of Council 26 August 2013

Fisheries), Surf Life Saving Illawarra, relevant Surf Life Saving Clubs and the general community.

Overall approach:

It is proposed that Council endorses the changes recommended in the Submissions in Reply Report and endorses the Implementation Plan for immediate commencement and annual review. The endorsed changes will be included in the final Dune Management Strategy for the Patrolled Swimming Areas of 17 Beaches, which will be reported to a future Council meeting for adoption.

Consultation and Communication

The draft Strategy was placed on exhibition for a period of 28 days from 17 June to 14 July 2013. The exhibition was promoted via Council's website and Facebook page, advertised twice in the Advertiser, hard copies were available in all Council libraries, and key stakeholders and relevant government departments were provided with a hard copy. Media articles relating to the draft Strategy were published in the Illawarra Mercury, Advertiser and Bulli Times and the draft Strategy was discussed during talkback sessions on ABC radio. Submissions were invited to be returned either via email, letter or by an online feedback form.

Feedback received during the public exhibition period is summarised in this report, with a more comprehensive overview provided in Attachment 1.

Planning and Policy Impact

This report relates to the commitments of Council as contained within the Strategic Management Plans:

Wollongong 2022 Community Goal and Objective – This report contributes to the Wollongong 2022 objective 1.2.1 - A suite of actions to manage and protect against the future risks of sea level rise is enacted under the Community Goal 1 - We value and protect our environment.

It specifically addresses the Annual Plan 2013-14 Key Deliverable - Finalise the Dune Management Strategy and commence implementation of priority actions, which forms part of the Five Year Action - 1.2.1.1 Finalise and implement the Coastal Zone Management Plan contained within the Delivery Program 2012-17.

Risk Assessment

The Multi Criteria Analysis used to rank the management options used a scoring system of positive to negative scores. Each management option was given a score for its impact on the criteria (sightline, beach access, recreational amenity, coastal hazard impacts, ecology and pest animals and vermin) allowing negative impacts (risks) as a result of implementing management options to be captured in the Multi Criteria Analysis.
The draft Strategy also identifies where certain options cannot be implemented during the present beach state without increasing risk of impacts from coastal hazards. In these situations, further beach monitoring is recommended to determine if and when these options could be implemented.

Prior to any works being implemented, appropriate environmental assessments will be undertaken. A Review of Environmental Factors will be prepared, including an assessment of the risks to infrastructure behind the beaches from coastal hazards and all relevant approvals will be sought, as outlined in the draft Strategy.

### Financial Implications

There are significant costs associated with the implementation of the Strategy. Indicative costs are provided in the draft Strategy and Implementation Plan for each management option.

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<th>2013-14</th>
<th>2014-15</th>
<th>2015-16</th>
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<tr>
<td>Capital</td>
<td>$250,000</td>
<td>$430,000</td>
<td>$250,000</td>
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<tr>
<td>Operational</td>
<td>$140,000</td>
<td>$50,000</td>
<td>$30,000</td>
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The capital budget in 2014-15 includes prior a commitment to fund the installation of the Windang tower.

The operational budget is supplemented in 2013-14 by the Waste and Sustainability Improvement Payment funding, which ceases at the end of that year.

The ongoing operational budget is limited and will require monitoring and review to determine the extent of works able to be funded in future years.

### Conclusion

The draft Dune Management Strategy for the Patrolled Swimming Areas of 17 Beaches aims to identify options for the high-use recreational areas of the 17 patrolled beaches to address safety and recreational amenity issues, whilst considering biodiversity values and the role of dunes in coastal processes.

The draft Strategy was exhibited from 17 June to 14 July 2013 and the issues raised in submissions have been considered in this report.

The changes proposed in the Submissions in Reply Report will be incorporated into the draft Strategy if Council adopts recommendation 1, to endorse the changes. Attachment 2 Implementation Plan provides the basis for implementing the draft Strategy over the coming years. The progress and success of these works will be monitored in the Beach and Dune Monitoring Program.
ITEM 2

UPDATE ON THE DRAFT WOLLONGONG COASTAL ZONE MANAGEMENT PLAN

The exhibited draft Wollongong Coastal Zone Management Plan was considered at the Council meeting of 9 July 2012. Council deferred making a decision on finalising the draft Wollongong Coastal Zone Management Plan, as the NSW Government had announced a review of the policy framework used for preparing Coastal Zone Management Plans. This report provides an update on the coastal management reforms introduced by the State so far, and discusses their implications for Council actions relating to the draft Wollongong Coastal Zone Management Plan.

Recommendation

Council -

1. Note the information provided in this report.
2. Endorse the continued use of the previous state-wide sea level rise benchmarks for planning and development decisions until a pathway for identifying locally appropriate sea level rise values is identified by the State Government.
3. Retain the current coastal hazard notations on Section 149 Planning Certificates until further direction on this matter is provided by the State Government.
4. Officers continue to monitor the reform process, and provide another update to Council after 12 months.

Attachments

There are no attachments for this report.

Report Authorisations

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

Background

Under the current planning legislation (the Environmental Planning and Assessment Act, 1979), Council is required to consider the effect of coastal processes and hazards, including climate change, in its planning and development decisions. Council can also have exemption from liability for these decisions (under the Local Government Act, 1993), if they are informed by the preparation of a Coastal Zone Management Plan. The Coastal Protection Act (1979) and its associated policy documents provide guidance on preparing Coastal Zone Management Plans. All of these legislative
Ordinary Meeting of Council 26 August 2013

instruments are currently being reviewed by the State Government, but so far changes have been made only to the Coastal Protection Act (1979) and its associated policy documents. This report provides an update on the coastal management reforms introduced to date and discusses their implications for Council actions relating to the draft Wollongong Coastal Zone Management Plan.

The draft Wollongong Coastal Zone Management Plan

The draft Wollongong Coastal Zone Management Plan was prepared in two stages. The first stage involved mapping of the areas identified to be at risk from coastal processes and hazards now and into the future. The sea level rise values used for this assessment were those prescribed by the State policy framework in place at the time, which was for a rise in sea level of 40 cm to 2050 and 90 cm to 2100 above the 1990 mean sea level. On 27 July 2010, Council resolved to endorse the findings of the first stage, and use them as the basis for preparing the second stage, involving the identification of management options to address the risks from coastal processes and hazards. At the meeting of 27 July 2010, Council also resolved to notate the Section 149 Planning Certificates of potentially affected properties; and to use the hazard information in planning and development decisions on a case by case basis until the Draft Wollongong Coastal Zone Management Plan was prepared and finalised.

Finalised Coastal Zone Management Plans need to be certified by the State, before they can be adopted and implemented.

By the time the Draft Wollongong Coastal Zone Management Plan was submitted for Council consideration on 9 July 2012, the State Government had already started a review of the policy framework for coastal management in the State. Council therefore deferred making the decision on the Draft Wollongong Coastal Zone Management Plan until there was clearer direction from the State on the way forward.

Status of the NSW Coastal Reforms

In September 2012, the NSW Government announced that the policy framework for coastal management in the State was being reformed, and that no Coastal Zone Management Plans would be certified until the reform process was complete. The first stage of the reform addressed three areas of community concern. The update on these reforms is as follows:

1. Sea level rise benchmarks – the State is no longer recommending state-wide sea level rise benchmarks to be used for planning purposes. Councils now have the flexibility to use projections that are considered more appropriate for their local conditions. The legal liability arising from the use of projections that vary from the previous state-wide benchmarks has been of concern to councils. The NSW Government has advised that councils can minimise their legal liability if the projections utilised are widely accepted by competent scientific opinion. The NSW Government is also considering setting up an expert advice centre to provide independent advice to councils on this matter.

2. Emergency coastal protection works – the requirements under which short term protection using sand bags (now called temporary protection works) can be
installed by property owners to address coastal erosion issues on their properties have been relaxed. The locations where these works are allowed have also been expanded to include additional areas where residences are currently threatened by erosion. Wollongong is not on this list; therefore there are no implications for Wollongong from this reform.

3 Section 149 Notations – placing coastal hazard notations on Section 149 Planning Certificates was previously required under both the Coastal Protection Act (1979) and the Environmental Planning and Assessment Act (1979). The requirements arising from the Coastal Protection Act (1979) have now been removed, but the obligations under the Environmental Planning and Assessment Act still remain. The NSW Government has advised councils it will be providing guidance in the future on the coastal hazard notations to be placed on Section 149 Planning Certificates. At Wollongong, following Council’s resolution of 27 July 2010, a coastal hazard notation was placed on Section 149 Planning Certificates of potentially affected properties. These notations were placed under the Environmental Planning and Assessment Act (1979), and have not been removed.

The NSW Government is expected to make further changes to the policy framework for coastal management as part of the second stage of the reform process. These changes are intended to align with other reforms currently underway with the Environmental Planning and Assessment Act (1979) and the Local Government Act (1993). No timeframe for these changes has been announced.

Implications for Council Actions Relating to the Draft Wollongong Coastal Zone Management Plan

The NSW Government will not consider any further Coastal Zone Management Plans for certification until they have completed the reform process, and as this process has not yet been completed, there is no immediate need for Council to make a decision on the future of the Draft Wollongong Coastal Zone Management Plan. What need to be considered though are the implications of the recent reforms on other Council actions relating to the Draft Wollongong Coastal Zone Management Plan.

Sea Level Rise Benchmarks

In line with Council’s resolution of 27 July 2010, the coastal hazard risk information being used by Council for planning and development decisions at the moment is based on a study that has used sea level rise benchmarks which have now been revoked by the State Government. However, Council is still obliged to consider the current and future risks from coastal processes and hazards in making these decisions, and to do this, sea level rise projections are necessary. Whilst there is now flexibility for councils to use other sea level rise values, legal liability considerations require these values to be widely accepted by competent scientific opinion. In the future, this information could likely come from an expert advice centre, which the NSW Government may set up. In the interim, the question for Council is what sea level rise benchmarks should apply until a pathway for determining more appropriate benchmarks can be identified by the NSW Government.
A survey conducted by the NSW Office of Environment and Heritage in January 2013, indicates that the majority of coastal councils in the state are continuing to use the previous state-wide sea level rise benchmarks. The NSW Chief Scientist, in a review of these benchmarks, found that the science behind their derivation is adequate, although some regional variations in the projections could occur. In the absence of other scientific opinion to the contrary, those benchmarks remain the best legally defensible projections available for use by councils at the current time. Therefore, Council’s resolution of 27 July 2010 to use the coastal hazard information derived from the consideration of the previous state-wide sea level rise benchmarks for planning and development decisions can continue to be justified. However, this will require Council to endorse the continued use of these sea level rise benchmarks.

Section 149 Notations

The notation placed by Council on Section 149 (2) Planning Certificates of properties at risk from coastal processes and hazards is:

“The Council has acknowledged, by resolution, the hazard extents established by the Wollongong City Council Coastal Zone Study (Cardno Lawson Treloar 2010) as the extent of the potential hazards arising from coastal processes to be considered for planning and risk management purposes. Council’s resolution may restrict the development of land within the hazard extents.”

Following its resolution of 27 July 2010 to endorse the hazard extents established by the Cardno Lawson Treloar (2010) study (carried out as the first stage for preparing the Draft Wollongong Coastal Zone Management Plan), and to use those hazard extents for planning and development decisions, Council was obliged to place this notation. This was under Clause 7 of Schedule 4 of the Environmental Planning and Assessment Regulation (2000). Nothing in the recent reforms relating to Section 149 notations changes Council’s obligation under this clause. The text of the notation also does not contravene any direction from NSW Planning and Infrastructure. Therefore, if the Council resolutions of 27 July 2010 will continue to apply, then there is a continuing need for this notation on Section 149 Planning Certificates of properties within the identified hazard extents. This notation should remain until further guidance is provided by the State Government.

Proposal

The NSW Government’s reform process is not complete but the reforms announced to date require a review of Council resolutions relating to the use of the information derived from the Draft Wollongong Coastal Zone Management Plan. Those resolutions can remain valid if Council endorses the continued use of the previous state-wide sea level rise benchmarks for determining the risks from coastal processes and hazards, until a pathway for determining more locally appropriate values is identified by the State Government. The Section 149 notations would then also need to remain in place until further direction is provided by the State Government. The following recommendations are being made in support of these proposals.
Recommendations

Council endorse the continued use of the previous state-wide sea level rise benchmarks for planning and development decisions until a pathway for identifying locally appropriate values is identified by the State Government.

Council retain the current coastal hazard notations on Section 149 Planning Certificates until further direction on this matter is provided by the State Government.

Consultation and Communication

The proposed interim approach recommended in this report for addressing the risks from coastal processes and hazards in planning and development decisions of Council has been discussed with the Development Assessment and Certification Division, and Council’s General Counsel. The recommended approach was also presented to the Estuary and Coastal Zone Management Committee, and the majority of the members on this committee agree with this approach.

Other coastal councils within the Southern Councils Group are also continuing to use the previous state-wide sea level rise benchmarks for the time being. However, Eurobodalla Shire Council and Shoalhaven City Council have begun investigations to attempt to establish their own locally appropriate benchmarks. Given that the State Government has advised that, to be legally defensible, any proposed new benchmarks will have to be widely accepted by competent scientific opinion, and a technical advice centre might be set up to assist councils with this, this course of action is not recommended for Wollongong City Council.

Planning and Policy Impact

This report relates to the commitments of Council as contained within the Strategic Management Plans:

Wollongong 2022 Community Goal and Objective – This report contributes to the Wollongong 2022 Objective 1.2 Our coastal areas and waterways are protected and enhanced and Strategy 1.2.1 A suite of actions to manage and protect the future risks of sea level rise is enacted, under the Community Goal 1, We value and protect our environment.

It specifically addresses the Annual Plan 2012-13 Key Deliverables, Finalise the Coastal Zone Management Plan, which forms part of the Five Year Action, Finalise and implement the Coastal Zone Management Plan, contained within the Delivery Program 2012-17.
Risk Assessment

Development in the coastal zone can be exposed to risks from coastal processes and hazards and Council needs a framework to continue to make planning and development decisions whilst the framework is being reformed by the State Government. This report recommends an interim approach that Council can use to meet this requirement.

Financial Implications

There are no financial implications for Council at this stage of the reform process. Should future reforms require considerable alteration of the approach used by Council to address the coastal hazard risks, then additional resources would be required. This will be considered in future updates on this project.

Conclusion

The NSW Government is reforming the framework guiding local councils for addressing coastal hazard risks in their planning and development decisions. Whilst these reforms are in progress, councils need to continue to make these decisions. This report provides an interim approach for Council whilst the State reforms are being completed.
ITEM 3 WEST DAPTO RELEASE AREA - YALLAH MARSHALL MOUNT PRECINCT - DRAFT STRUCTURE PLAN EXHIBITION

In April 2011 Council resolved to commence the preparation of a draft Planning Proposal for the Yallah-Marshall Mount precinct of the West Dapto Release Area. The revised draft Structure Plan has recently been exhibited to provide landholders and other stakeholders with the opportunity to comment on the overall vision for the area.

The final draft Structure Plan incorporates feedback from the public exhibition and provides for the development of approximately 3,200 dwellings, an estimated population of 7,500 and preservation of significant bushland within the precinct.

The next required step to progress the Yallah-Marshall Mount Planning Proposal is to refer it to the NSW Department of Planning and Infrastructure for review and permission for public exhibition.

It is recommended that Council note the proposed way forward and refer the revised draft Planning Proposal and package to the NSW Department of Planning and Infrastructure, prior to exhibition.

Recommendation

1. The final draft Structure Plan for Yallah-Marshall Mount be endorsed (Attachment 3).
2. The revised draft Planning Proposal for the Yallah-Marshall Mount precinct be referred to the NSW Department of Planning and Infrastructure for endorsement.
3. If endorsed, the revised draft Planning Proposal for the Yallah-Marshall Mount Precinct be exhibited for a minimum period of six weeks.
4. A separate report be prepared on draft amendments to the Wollongong Development Control Plan 2009 (DCP) and the West Dapto Section 94 Development Contribution Plan.

Attachments

Copies of the Attachments have been provided separately on a CD to Councillors.

1. Planning Proposal
2. Revised Draft Structure Plan (Exhibited April 2013)
3. Final Draft Structure Plan (August 2013)
4. Map series for Local Environment Plan amendments, including:
   a. Land application map
   b. Land zoning map
   c. Lot size map
   d. Height of buildings map

Due to file size, to view all attachments, refer to separate reports on website.
Ordinary Meeting of Council 26 August 2013

e  Floor space ratio map
f  Heritage map
g  Acid sulphate soils and riparian land map
h  Land reservation acquisition map
i  Natural resource sensitivity – biodiversity map

5  Yallah- Marshall Mount Vision
6  Duck Creek Flood Study
7  Ecological Sensitivity Analysis for Yallah-Marshall Mount
8  Yallah-Marshall Mount Bushfire Management Strategy
9  Yallah-Marshall Mount Traffic Study
10 Yallah-Marshall Mount Floodplain Risk Management Study
11 Draft Neighbourhood Precincts
12 Summary of submissions and map
13 Existing zoning map.

Report Authorisations

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

Background

Location

The Yallah-Marshall Mount precinct study area covers an area of approximately 1,005 hectares as shown by the blue line in the locality plan map below. The precinct is located south of Huntley Road and is centred around Marshall Mount Road and Yallah Road.

The precinct consists of 43 lots which range in size from 0.145ha to 72ha and are owned by 40 landholders. The precinct is predominately a rural area and contains significant bushland. The precinct is also known as stage 5 of the West Dapto Release Area.
The study area adjoins the Calderwood major project area to the south, which has been rezoned by the Minister for Planning and Infrastructure for urban development. The traffic, access, economic and servicing/infrastructure implications of this neighbouring release area have been considered during the planning for Yallah-Marshall Mount.

The precinct is mostly within the Duck Creek catchment area and a flood study has been carried out on behalf of Council. Planning for the precinct considers the limitations imposed by the natural constraints of the precinct and the potential flood and water quality impacts from proposed future development.
Current controls/zoning

The study area is predominantly zoned 1 (Non-Urban) with some sections zoned 7(a), and 7(b) Environmental Protection Conservation and 5 Special Uses, under the Wollongong Local Environmental Plan 1990 (Attachment 13). A small area is defined under the Wollongong Local Environment Plan 1990 and is zoned under Wollongong LEP 38 as 1(a) Rural “A” and 4(d) Offensive or Hazardous Industrial (Attachment 13).

The lands surrounding the study area are zoned under Wollongong Local Environmental Plan 2009, and the Calderwood Major Project Area is zoned under the State Environmental Planning Policy (Major Development) 2005 (Attachment 13).

Project history

The Yallah-Marshall Mount precinct is Stage 5 of the West Dapto Release Area and was included in the draft West Dapto Local Environmental Plan exhibited by Council in 2007-2008. In May 2008, Council engaged the Growth Centres Commission to review the draft zonings for the release area. Following consideration of the Growth Centres Commission recommendations and representations from land owners, Council resolved to only proceed with the rezoning of Stages 1 and 2 of the release area.

Previous planning work for West Dapto included provision for an extensive Yallah-Marshall Mount environmental corridor, which was criticised by landholders. Council on 26 May 2009 resolved to abandon the draft planning controls for Yallah-Marshall Mount contained in the draft West Dapto Local Environmental Plan, and resolved that:

1 a new set of draft planning controls be prepared in conjunction with the preparation of a Duck Creek Flood Study; and
2 a review of vegetation and conservation issues be undertaken.

Briefings and monthly meetings were held with landholder representatives to keep them informed of the progress of the project. The five landholder representatives have in turn kept the local community informed of the progression of the project. The monthly landholder meetings were discontinued when the draft Structure Plan was made available for public comment in April 2013.

Council at its meeting on 27 April 2011, considered a report on the Yallah-Marshall Mount precinct which included the:

- Revised vegetation and fauna mapping;
- Duck Creek Flood Study;
- Enquiry by Design Outcomes Report (following a two day workshop); and a
- Draft Structure Plan.
Council resolved that:

1. **The Duck Creek Flood Study be received**;
2. **The report on the Yallah-Marshall Mount Enquiry By Design Workshop be received**;
3. **A Draft Planning Proposal for the Yallah-Marshall Mount Precinct be prepared and submitted to the NSW Department of Planning for a “Gateway” determination**;
4. **Council note the funding options available for the further studies required to progress planning for the precinct; and Landholders be advised of Council’s decision**.

The NSW Department of Planning and Infrastructure required the preparation of the following studies and assessments to support the progression of the draft Planning Proposal:

- A master plan which justifies the proposed zoning arrangement and development standards;
- A study which further refines the extent of the endangered species habitat and significant vegetation boundaries and provides details of potential stewardship arrangements for the management of environmentally sensitive areas post development;
- An Aboriginal Heritage assessment for the precinct;
- An infrastructure servicing assessment to demonstrate that the new urban development can be adequately serviced;
- A traffic study;
- A flood study and water cycle management plan; and
- A bushfire risk management plan.

The Department also required the studies and final draft Planning Proposal to be submitted to them for consideration prior to public exhibition.

The additional studies were funded by Council and undertaken by consultants on behalf of Council.

In accordance with the Department’s requirements, the studies have been prepared and the recommendations have informed a revision of the draft Structure Plan (Attachment 2). The revised draft Structure Plan has evolved from the 2011 Plan which resulted from the Enquiry By Design workshop. While not a formal requirement of the Gateway Determination process, a decision was made to place the draft Structure Plan on exhibition to seek feedback from the community and use this feedback to inform the preparation of the revised Planning Proposal for consideration by Council. A
Councillor Briefing occurred on 2 April 2013, following which the revised draft Structure Plan was exhibited from 8 April to 22 April 2013 for land owner and community input.

A Councillor Briefing is scheduled for 19 August 2013 on the outcomes of the exhibition and draft Planning Proposal.

Proposal

As part of the preparation of the revised draft Structure Plan, a number of specialist independent studies were undertaken to assess the potential of the release area in an iterative approach.

The Studies:

Ecological Sensitivity Analysis

An Ecological Sensitivity Analysis (Attachment 7) has been undertaken using the Biodiversity Certification Assessment Methodology (BCAM) in accordance with State Government Policy. The study confirmed the boundaries of the significant vegetation and provided calculations against the Biodiversity Certifications Assessment Methodology to assess the proposal’s ability to meet “improve or maintain” criteria.

The revised draft Structure Plan provides for conservation of key ecological areas. It meets “improve or maintain” principles as far as overall ecosystem credits are concerned, however some small impacts to “red flag” areas occur throughout the study area (approximately 3.6% of red flagged vegetation). The study concludes that the revised draft Structure Plan provides a solid basis from which to prepare a “red flag” variation request to the Office of Environment and Heritage (OEH) should biodiversity certification for the study area be pursued. Council on 27 May 2013 resolved to seek a biodiversity certification strategy for the whole of the West Dapto Urban Release Area, including the Yallah-Marshall Mount precinct, which is in preparation.

The revised draft Structure Plan has provided for conservation of the majority of native vegetation, within an area identified under the Illawarra Regional Strategy as an Urban Release Area. This will necessitate consideration of the future management of these vegetation areas. Some larger areas are suitable for a variety of management options, including public ownership, potential bio-banking sites (either public or privately owned), or to be retained in private ownership as part of a larger land holding. Many smaller patches are able to be incorporated into either riparian corridor areas, or can be kept as part of larger rural-residential style lots. There are some isolated remnants that are not able to be practically incorporated into larger vegetation patches. Where these are identified as potentially lost due to development potential, the revised draft Structure Plan has provided additional conservation area around retained portions of vegetation to enable compensatory revegetation. Alternatively, landowners may choose to purchase bio-banking credits from other portions of land that are to be retained.
The fauna surveys undertaken in the area have found that there are a number of flying species within the study area, but very little ground dwelling species. The revised draft Structure Plan (April 2013) has identified ‘stepping stones’ of vegetation for these species to move within the area. There is also some potential for revegetation within the riparian corridors which would also assist in providing resting, foraging and roosting areas for these species.

Aboriginal Heritage Study

An Aboriginal Heritage Study into the precinct has been completed. This study is not included as an attachment to this report due to the sensitivity associated with the study. The study found a lack of surface archaeological evidence, however, this was primarily due to poor levels of surface visibility. Suitable areas with high archaeological potential have been identified and known items were located.

The revised draft Structure Plan incorporates sensitive areas and known Aboriginal artefacts into conservation zones. The consultants were not able to access all parts of the study area. These areas will either be retained as conservation or rural zones, or they will require additional assessment prior to development. If additional areas are added to development zones (for example as a result of submissions) then these areas would also require assessment prior to development taking place.

Bushfire Study

A Bushfire Management Study (Attachment 8) has been undertaken to test the revised draft Structure Plan. The revised draft Structure Plan contains the bulk of development away from bushfire risk areas. Isolated areas of open space within bushland have been avoided for development due to safe access issues. The revised draft Structure Plan incorporates any Asset Protection Zone (APZ) requirements within the development zones. It is recommended that development areas have perimeter roads to assist in the establishment of APZ’s and in providing for perimeter maintenance and access for fire authorities, if required.

Traffic Study

A Traffic Study has been completed which considers future traffic generation (Attachment 9). The modelling for the precinct has also considered traffic generation from potential development within Calderwood and other stages of the West Dapto Urban Release Area. The traffic study indicates that the proposed road network within the precinct can be upgraded to cater for the additional traffic that would result from new urban development. The study and modelling also indicate that significant traffic choke points exist at the main entry/exit points from the area to the Princes Highway at Huntley Road, and the Freeway at Yallah.

There is a need for significant upgrades to the local road network, which will require some amendments to the West Dapto Access Strategy. In addition, significant upgrades will be required to the Freeway between Yallah and Tallawarra in order to cater for future traffic access demands. This issue has been raised with the Roads & Maritime Service (RMS). The RMS have not developed plans for the upgrading of the
freeway in this location and discussions will need to continue as part of the West Dapto Access Strategy Working Group. Stages 1 and 2 of West Dapto are currently being developed, consequently the RMS are currently focussing on freeway upgrades further north to accommodate this development.

Local road upgrades and new local roads will be essential as the Yallah-Marshall Mount precinct starts developing. The West Dapto Access Strategy already identifies an extension of Yallah Road, between Marshall Mount Road and Avondale Road. This new road is known as Road No. 8 and is part of the intended flood resistant access route. The indicative location for this road is shown on the revised draft Structure Plan (Attachment 2), but may alter in alignment once detailed surveying of the proposed route takes place.

Flood resistant access to the West Dapto Urban Release Area is required to allow for emergency services to access communities in major flood events. This would include upgrades to Marshall Mount Road to enable widening, new road embankment and bridges to clear flood levels.

**Post Development Flood Study**

Duck Creek is a major natural feature of the Yallah-Marshall Mount precinct. The precinct also contains smaller creeks with potential for considerable runoff from the upper slopes during storm events. The Duck Creek Flood Study (Attachment 6) assessed the potential risk to the future development and future population. Duck Creek flood impacts are largely confined to well defined channel areas, upstream of the proposed village centre. While this limits the spread of flood impacted areas, the resulting floodways are relatively deep, high hazard areas in which development should be avoided. From the area around the proposed village centre and downstream, the Duck Creek channel is affected by both water from upstream and backwater from Duck Creek and the confluence of other smaller creeks backing up from the flow choke-point under the railway line.

The nature of the floodways in the study area divides the developable portions of the precinct into smaller areas. As part of the West Dapto Access Strategy, Council is planning for the provision of upgraded roads to enable flood resistant access for emergency services. This involves significant upgrades to Marshall Mount Road and provision of an additional road link (Road No. 8) from the Marshall Mount Road/Yallah Road intersection through to Avondale Road. Bridge crossings at creek areas will need to allow 1:100 Annual Recurrence Interval (ARI) flood waters to pass underneath in order to avoid altered flood impacts upstream. The revised draft Structure Plan has sought to minimise isolation risk for residents, as well as avoiding the promotion of additional development on areas, which could become small and isolated parcels during major flood events. There are some existing dwellings and buildings in these areas, which would remain unless voluntarily acquired. Internal roads within the flood resistant development areas will need to provide a flood safe access point. Each area has potential for a flood resistant route to be provided from/to higher ground.
The proposed village centre is located around the intersection of Yallah and Marshall Mount Roads. This area was determined as an outcome of the Enquiry By Design Workshop. This area is constrained by Duck Creek to the northwest and a smaller creek to the southeast. The southern corner of the intersection has the largest area available for development and is anticipated to be the focal area of the proposed village centre. In the areas of the proposed village centre there are some minor areas that would be subject to shallow inundation during a Probable Maximum Flood (PMF) event, which Council’s flood study indicates could be engineered to be flood free. The study recommends that Council avoid allowing engineering to alter the creek areas within the floodway or flood storage areas. Duck Creek is the major floodway, with geomorphological issues within the floodway. The revised draft Structure Plan proposes to retain the floodway in its current form. Limited riparian planting is possible, due to the need to allow for flood water to retain its current behaviour.

**Water Cycle Management Guidelines**

The Water Cycle Management study has recently been completed. This study considers appropriate controls to improve water quality, and identifies opportunities to update controls in Council’s existing Development Control Plan relating to water cycle management.

Opportunities for use of existing dams as detention structures and wetlands are also considered as part of the study. It is important that future development within the precinct have controls to ensure the quality and quantity of water leaving the site.

The Water Cycle Management study will inform a review of the Development Control Plan 2009 and the Section 94 Plan.

**Servicing**

Water and sewer servicing is being considered as part of a water and wastewater servicing strategy for the whole West Dapto release area. This major project includes provision of water pipes, wastewater pipes, a new water pumping station, new water reservoirs, new wastewater pumping stations, upgrades to wastewater pumping stations and upgrades/augmentation to water recycling and wastewater treatment plant. Sydney Water have recently received approval for the Concept Application and are considering bringing forward their servicing of the Yallah-Marshall Mount precinct, however this would take at least five years for work to begin in constructing the water and sewer infrastructure. The water servicing is most likely to start from the north.

There is potential for servicing to reach the precinct from the south, via the Calderwood development area although this would likely rely on the Calderwood area being developed sufficiently for services to be available to connect.

Traffic and access issues will need to be resolved in order for large scale development to occur within the Yallah-Marshall Mount precinct. Current road infrastructure is suitable for small volume rural traffic and will need significant upgrades in order to cater for urban development. Marshall Mount Road will need to be widened to cater for urban traffic volumes, and additional road links and local streets will need to be
constructed. Some roads have been identified as needing to be upgraded to enable flood resistant access. Council’s Section 94 Plan currently provides for upgrades to local roads and can be revised to incorporate additional roads and updated information as the West Dapto Access Strategy is further developed.

Draft Structure Plan

Vision for the Yallah-Marshall Mount Precinct

The draft Structure Plan (2011) was developed following the Enquiry By Design Workshop. The draft Structure Plan was amended as a result of the various studies undertaken. The revised draft Structure Plan shows future land uses, main transport links and conservation areas and will form the basis of planning controls for this distinctive Urban Release Area.

Planning for Yallah-Marshall Mount is centred around the five principles of:

1. Promoting Activity;
2. Protecting Scenery;
3. Conserving Ecology;
4. Providing Housing Choice; and
5. Growing Community.

The Vision for Yallah-Marshall Mount is to create a suburb with an animated village centre and village atmosphere and a variety of densities and housing types. In addition, the escarpment backdrop, biodiversity corridors and Duck Creek will be celebrated attributes of the village. The vision for the Yallah-Marshall Mount Precinct is to create a compact and environmentally sustainable village atmosphere. The precinct will be centred around a well-organised and walkable village centre reflecting low carbon footprint principles. The bulk of developable land will be located around the village centre, or along the main transport links through the precinct. The desire is to have a variety of housing types and styles to provide for a wide diversity in population, allow for increased “ageing in place” opportunities and make an interesting urban environment.

The new village centre will be focussed around the intersection of Yallah Road and Marshall Mount Road on lower lying land adjacent to Duck Creek. The vision proposes that the focal point of the new community be in this neighbourhood. The south-eastern corner, adjoining the intersection will be set aside for the main retail/commercial corner – taking advantage of the site being on the left hand side of both Yallah Road and Marshall Mount Road for future residents on their way home. The main street for the proposed village centre will be a section of Marshall Mount Road, south of Yallah Road (approximately 200m in length). Yallah Road is likely to be busy and is expected to have less pedestrian amenity. The area of Yallah Road and Marshall Mount Road immediately adjacent to the north of the intersection will be intended for mixed use development, with ground floor commercial/retail development as well as the opportunity for residential or commercial development on upper floors. Other
developable land within this central intersection will be available for a mixture of housing types, with densities ranging from 50-75 dwellings per hectare near the village centre, and with 20-30 dwellings per hectare further away from the village. Building forms should be varied, with 3+ attic storeys in the main street, and 2 and 3 storey developments in the surrounding residential areas. The vision needs to achieve these higher densities in order to create a critical mass of population within a walkable catchment of the proposed village centre and to assist in economic viability of the centre.

There are opportunities for smaller lot housing and terraces to take advantage of future public transport routes along Marshall Mount Road. Duck Creek provides opportunities for passive open space and walking/cycling tracks, but also presents a significant flood hazard which requires development to be kept clear. The corner of Marshall Mount Road and North Marshall Mount Road contains a number of heritage items, including Marshall Mount Public School and Residence, and the Marshall Mount Community Hall, providing opportunities for a community focus around this point. There is flat land, which may have potential for a school adjacent to the proposed village centre.

It is envisaged that Yallah Road will be extended from the Marshall Mount Road intersection, through this Neighbourhood to join with Avondale Road to the north (Road No.8). When this road link is constructed, there could be opportunities to develop small lot and terrace housing along the link to take advantage of potential bus routes along this road. The final alignment will be determined by more detailed surveys, however, the revised draft Structure Plan has noted an indicative location that is as close as possible.

The steeper slopes and more timbered areas provide a scenic green backdrop to the Duck Creek valley and provide a bushland link from the escarpment to Lake Illawarra. The revised draft Structure Plan has established ‘stepping stones’ of significant vegetation which enable fauna such as birds and bats to move along these areas.

Potential rural-residential opportunities are available further to the west along North Marshall Mount Road. Marshall Mount and its upper slopes is in the western section of the Neighbourhood, with significant bushland.

Located to the east of the railway line between the railway line and the Freeway, this Neighbourhood contains the historic “Penrose” farm buildings and curtilage. The revised draft Structure Plan recognises this historic item and the final draft Planning Proposal seeks to list the item with the curtilage recommended in the Non-Indigenous Heritage Study undertaken for the West Dapto Urban Release Area. The Neighbourhood has limited access and also contains areas of significant potential flood affectation. Limited rural residential development opportunities exist in this area, where compatible with heritage, access and vegetation constraints.

It is estimated that the Structure Plan and draft Planning Proposal can deliver a community of 7,500 people with 3,200 dwellings, a village centre, ecological and
riparian lands in an attractive setting that promotes activity, protects scenery, conserves ecology and provides housing choice – to grow a new community.

Consistent with the West Dapto Urban Release Area, Council will acquire the main watercourses as sites are developed, in order to ensure long term management of drainage. Council’s acquisitions in this regard will be for land within the watercourse banks, using Section 94 funds. Land between the watercourse and the 1% AEP level, can be retained in private ownership (used for grazing, recreation or other suitable uses) or may be dedicated to Council (at no cost), subject to approval.

The Structure Plan and associated rezoning will also require some amendments to the Wollongong Development Control Plan 2009 and West Dapto Section 94 Development Contributions Plan. The revised draft Structure Plan seeks to achieve maximum consistency with the existing development controls in place for the rest of the West Dapto Urban Release Area. Minor additions will need to be made to reflect the vision for the proposed village centre and the desired housing mix. The draft Planning Proposal identifies suitable neighbourhood precincts (Attachment 11) for more detailed development controls to be developed. Due to land ownership patterns and servicing constraints, it is anticipated that the Yallah-Marshall Mount precinct will develop slowly over a longer time period. Neighbourhood planning at a detailed scale is more appropriate to be undertaken as neighbourhoods are able to be developed, using the best available practice at the time.

Consultation and Communication

The revised draft Structure Plan was exhibited from 8 April to 29 April 2013. As a consequence, 19 submissions were received, including submissions from Roads and Maritime Services and the Office of Environment and Heritage.

The submissions are summarised in Attachment 12 and include a map showing the location of the landowner submissions.

Changes to the revised draft Structure Plan

Following an assessment of the submissions, changes have been made to the revised draft Structure Plan and associated land use/zoning. These changes are as follows:

- An employment lands area has been added to the Structure Plan adjoining the Transgrid site and Yallah Industrial site;
- Youth camping area has been considered for the Dapto Anglican Church youth activity site;
- Additional rural residential opportunities have been identified on a number of sites; and
- An optional alignment for the potential Calderwood bypass at Marshall Mount has been marked.
A final draft Structure Plan (August 2013) incorporating these changes is included as Attachment 3.

Further issues for consideration

Ownership of ecological lands will require a number of stewardship options, including public ownership of key sites, biodiversity certification of the West Dapto Urban Release Area, biobanking options (for both public and private land) and stewardship in private ownership as part of larger blocks that contain dwelling entitlement.

Some submissions have called for a peer review of the village centre by a suitable urban designer. During the development of the revised draft Structure Plan, Miltonbrook Project Management Pty Ltd submitted a proposed village centre plan. This plan proposes a 4,200m² supermarket, with additional mixed use development fronting Marshall Mount Road and Yallah Road, both north and south of the Yallah Road intersection. The design provides for 2-3 storey development in the village centre.

The revised draft Structure Plan was based on the design originally from the Enquiry By Design Workshop. This allows for a 3,500m² supermarket and mixed use fronting Marshall Mount Road, with the Main Street focussed on the section of Marshall Mount Road on the southern side of the Yallah Road intersection.

Both designs share a character of 2-3 storey development with the main focal point being on the southern corner of the intersection, taking advantage of its convenient location for homeward bound traffic. The main difference is that the Miltonbrook plan proposes to extend the proposed village centre further north and south along Marshall Mount Road.

The final draft Structure Plan has provided for mixed use development on the northern side of Yallah Road in response to the submission. The larger size of village centre is not supported at this time, as it is crucial to provide a focal point for the proposed village centre, to provide for certainty and a useable core village centre. Traffic controls and a potential bypass can make the section of Marshall Mount Road a more attractive pedestrian environment and focal point for the community. Too large an area will risk dispersing activity, particularly for the limited customer catchment available within the precinct.

If future development of the precinct justifies additional demand, then Council could consider extending commercial zones to meet required demand.

The revised draft Structure Plan incorporates the village centre character sought from the Enquiry By Design workshop. The NSW Department of Planning and Infrastructure will review the Planning Proposal prior to exhibition. The village centre will be identified as a “neighbourhood” in the DCP and require more detailed planning with design.
Planning and Policy Impact

Following the outcome of the studies and exhibition of the revised draft Structure Plan, the draft Planning Proposal was also reviewed and modified. This is supported by the maps provided in this report (at Attachment 4) for the implementation of the final draft Structure Plan. It is recommended that the revised draft Structure Plan and revised draft Planning Proposal be forwarded to the NSW Department of Planning and Infrastructure for review, and if endorsed, exhibited for landowner and community input.

A further report on proposed amendment to the Wollongong DCP 2009 and West Dapto Section 94 Development Contributions Plan will be submitted to Council.

This report relates to the commitments of Council as contained within the Strategic Management Plans:

Wollongong 2022 Community Goal and Objective – This report contributes to the Wollongong 2022 Objective 1.6 *The Sustainability of our urban environment is to improve under the Community Goal We value and protect our environment.*

It specifically addresses the Annual Plan 2012-13 Key Deliverables – Complete the Yallah-Marshall Mount Planning Proposal – which forms part of the Five Year Action Implement the West Dapto Release Area Master Plan contained within the Delivery Program 2012-17.

Financial Implications

Council has funded the preparation of the studies to support the Planning Proposal. Any additional studies will require the allocation of additional Council resources.

Conclusion

Council is working with landowners and Government agencies to progress the rezoning of the Yallah-Marshall Mount precinct. The Planning Proposal will need to be referred to the NSW Department of Planning and Infrastructure to progress the rezoning to a formal public exhibition. Exhibition will enable formal comments to be sought from the public, and allow for continued consultation with government agencies regarding the proposal.

It is recommended that the work on the precinct continue and that Council refer the draft Planning Proposal to the NSW Department of Planning and Infrastructure in order to progress the rezoning of the precinct.
The Figtree Town Centre Study commenced in late 2012 as a priority town and village planning project. Conceived as a town centre master plan, its key objective was to consider the strategic framework for revitalising Figtree Town Centre which consists of three separate precincts. Since commencing, there have been a number of technical reports prepared, community engagement processes undertaken and internal discussions across Council Divisions and with Councillors to inform the draft Study.

The Figtree area’s exposure to both medium and high risk flooding has highlighted significant constraints to development within the Town Centre, while identifying the Figtree Oval and Allans Creek natural environment as the true natural assets of the area. If appropriately designed and implemented, these natural assets could build on a unique identity for Figtree, unlock future demand for development and initiate the appropriate mitigation measures to minimise the Town Centre’s flood risk.

The draft Figtree Town Centre Master Plan was exhibited between 25 March and 3 May 2013. All feedback received during the exhibition has been considered and the Master Plan has been refined and finalised to become the Figtree Town Centre Study. Acknowledging the challenges facing this location, community feedback, and prioritising key initiatives to create a community focused town centre, it is recommended that Council endorse the Figtree Town Centre Study and consider the preparation of a Figtree Oval Recreation Master Plan to consider and build on these opportunities.

**Recommendation**

1. The Figtree Town Centre Study be endorsed by Council (Attachment 2).
2. The progression of the Figtree Recreation Master Plan be considered as part of the 2014/15 Annual Plan.
3. The input provided by the community into the preparation of the Figtree Town Centre Study be acknowledged (Consultation reports provided in Attachment 3).

**Attachments**

1. Figtree Town Centre Location and Zoning Map
2. Figtree Town Centre Study
3. Figtree Town Centre Consultation Report
4. Figtree Town Centre Draft Implementation Strategy
Background

Figtree is located approximately 3km south west of Wollongong City Centre adjacent to the F6 Freeway and dissected by the Princes Highway. Land surrounding Figtree is largely comprised of low density residential but also contains large public open space areas and some light industrial land uses. Figtree Town Centre is located approximately 2.5km to the north of the Unanderra Town Centre. Figtree Town Centre is bordered by Cordeaux Heights to the south and Mangerton to the north. The trade area of Figtree is considered to extend north to Gwynneville, east to Coniston, south to Unanderra, Farmborough, and the Port Kembla Steel works; and west towards the escarpment of Mt Kembla and Cordeaux Heights.

Figtree Town Centre is made up of three Precincts, referred to as Westfield, Bellevue Road and Highway Site. The Westfield precinct is zoned B2 Local Centre and the other two are zoned B1 Neighbourhood Centre (refer map Attachment 1). The centre is dominated by the Figtree Westfield Shopping Centre which contains 22 000m² of retail floor space. The Figtree Town Centre project considers these nominated precincts and the land that connects them (including Figtree Oval).

Regional Connections

Figtree Town Centre is well served by the regional bus network with connections available to Wollongong City Centre, University of Wollongong, Mt Keira, Mangerton, Unanderra, Kembla Heights and Dapto. The F6 Freeway runs adjacent to the town centre and connects to Sydney in the north and the NSW South Coast. The Princes Highway dissects the town centre and provides connections to regional centres in the north and south.

Open Space Connections

Vast amounts of open space surrounds Figtree Town Centre and a number of potential links exist. Allans Creek, which flows through Figtree Town Centre also flows through a number of adjacent open spaces including Harry Graham Park to the west and Sid Parrish Park to the South. These potential connections present a unique opportunity for Figtree Town Centre to develop sustainable links with surrounding residential neighbourhoods.

As part of Council’s Town and Village Planning Program a detailed review of the planning controls for Figtree Town Centre commenced in August 2011. This took the form of a Figtree Town Centre draft Desktop Analysis. The process was informed by a
Councillor Workshop held on 23 January 2012 to seek Councillor input and observations of positive aspects and challenges in the key themes of people, places and movement, and consultation methods for Community consultation.

Between 5 November and 14 December 2012, initial community consultation (Stage 1 – Informing the Master Plan) was conducted with the Figtree Community. Council staff held hundreds of conversations with residents, businesses, schools, social and community groups and service providers. This consultation was centred around the themes of the Community Strategic Plan and asked the community how they use the town centre, what they like/want to retain in the town centre, and what new things do they want to see in the town in the future. The community feedback is summarised later in this report and in Attachment 3.

In January 2013, McGregor Coxall were engaged to develop a Master Plan for the Figtree Town Centre. The key aim of the project was to deliver a Master Plan, supported by a clear Implementation Strategy, which seeks to deliver a vibrant and well-designed town centre for the Community of Figtree. A series of targeted consultations were undertaken via staff workshops, a Councillor workshop and one-on-one meetings with key stakeholders.

A Councillor Briefing was held on 18 March 2013 to inform Councillors of the draft Master Plan prior to consultation with the broader community.

Between 25 March and 3 May 2013, the Draft Figtree Town Centre Master Plan was exhibited (Stage 2 – Refining the Master Plan). The community were asked to provide feedback on the draft Master Plan. Community input is detailed later in this report and in Attachment 3.

Based on the analysis and draft Master Plan findings as well as community feedback, additional work was carried out to understand flooding impacts and the opportunities presented by Figtree Oval. Equatica (WSUD specialists) were engaged in late January 2013 to inform the Master Planning Process, and to explore the opportunities presented by Figtree Oval and Allans Creek.

A Councillor briefing on the exhibition outcomes of consultation and the direction of the Study was held on 15 July 2013.

Proposal

The Figtree Town Centre Study explores what principles make a ‘vital town centre’. Eight principles were identified assisting the study process and ultimately aiming to establish a socially, economically and environmentally resilient town centre. These key principles are:

Principle 1 - A Unique Identity;
Principle 2 - Street Vibrancy;
Principle 3 - Urban Composition;
Principle 4 - A Community Heart;
Principle 5 - Accessible and Well Connected;
Principle 6 - A Balanced Environment;
Principle 7 - Policy and Governance; and
Principle 8 - Community Ownership.

These principles underpin the study process and form a key step in understanding Figtree Town Centre today and the initiatives required to regenerate one of the Illawarra Regional Strategy’s designated ‘Major Towns’. It is through these principles that the true challenges facing Figtree Town Centre have been explored, and in turn re-directing the study process towards a more community focused approach rather than a development approach.

Allans Creek

Allans Creek runs through the Town Centre. The creek presents major flooding constraints while offering significant opportunities to enhance the amenity and character of Figtree Town Centre (refer to Figure 3.16 in Attachment 2) In November 2006, Council adopted the Allans Creek Flood Study and Flood Risk Management Plan. The findings of the plan have informed this study.

Figtree Town Centre’s exposure to both medium and high risk flooding has highlighted the constraints to development. The flooding directly impacts on the way buildings can present to the street and interact at street level, primarily due to the need to raise the finished floor levels of buildings above natural ground level (some 1.5 metres in different locations). As such, it is recognised that the impact of flooding on the Figtree Town Centre imposes limitations to producing a master plan which promotes buildings which aligned with the key principles of a vital town centre (in particular having regard to the Key Principles of Street Vibrancy, Urban Composition and Accessible and Well Connected as referenced above).

STRATEGIC OPTIONS

With Figtree Town Centre being characterised by high and medium flood risk zones there are limited opportunities to provide a quality built form and public domain response within the defined town centre. In response to this major constraint, three strategic options were identified and investigated by the Figtree Town Centre Study to inform the future direction of Figtree Town Centre. These options are as follows:

1. Develop within the Constraints;
2. Mitigate against the Flooding;
3. Focus on the Community.
1. **Develop within the Constraints**

Although the majority of land within Figtree Town Centre is prevalent to various categories of flood risk, there is an opportunity to still develop within the medium and low risk zones. This strategic option looks to develop within these zones and understand the development implications imposed on buildings within these zones.

It is noted that the building height and floor space allocations across Figtree Town Centre remain underutilised. As such, there is capacity for more buildings in accordance with current controls. However, the flood risks and constraints to development imposed on high and medium risk flood risk land, override this development potential.

At this stage, and given current flood risk data, refining planning controls by way of a revised development control plan or Local Environmental Plan for Figtree Town Centre will not necessarily result in new opportunities or changed development outcomes.

Where buildings can be constructed in this area of Figtree and the way they present to the street, will remain guided by flood risk constraints.

2. **Mitigate against the Flooding**

The town centre is characterised by Allans Creek which although a valuable natural asset, is the major reason for the Town Centre’s propensity to flood. This strategic option looks to prioritise the mitigation measures and recreational opportunities along Allans Creek, minimising the flood risk zones within the Town Centre and establishing improved social benefits for the local community and future developers.

3. **Focus on the community**

Due to the environmental constraints experienced within Figtree Town Centre, a key strategy could be to focus on prioritising the community and concentrating recreational facilities within key locations of the Town Centre. This option would see the focus on Figtree Town Centre moving away from development opportunities and rather prioritise the next stages of the Town Centre’s evolution on its natural assets. If appropriately designed and implemented these natural assets could unlock future demand for development and initiate the appropriate mitigation measures to minimise the Town Centre’s flood risk.

To further understand the implications of these three strategic options, each of the Figtree Town Centre Precincts were tested, informing the master plan process on identifying the appropriate strategic direction. Each Precinct presented a different opportunity and way forward.

*Precinct 1 (Westfield site)*

Increased development across Precinct 1 is not achievable due to the significant flooding implications currently imposed at this site.

Mitigation against the flooding offers the greatest benefits for Precinct 1. However, the investment required to mitigate against the flooding outweighs the demand for new development within Figtree Town Centre.
A recreational master plan should be undertaken, to identify the needs of the community that can be accommodated within Figtree Oval and to understand how Precinct 1 can interact and link with this recreation space.

**Precinct 2 (Bellevue Road site)**

With Figtree Town Centre already containing a Westfield Shopping Centre, it is recommended that ‘the town centre remain contained and consolidated within the confines of the existing planning zones’ as per the Wollongong Retail Study (2004).

Mitigation against the flooding offers the greatest benefits for Precinct 2 albeit at a high cost. Extending the Town Centre boundary is not considered appropriate due to the Wollongong Retail Study.

It is unlikely community buildings or facilities could be contained on the Precinct 2 due to the sites close locality to Figtree Oval and the significant development restrictions imposed on medium risk flood zones.

**Precinct 3 (Highway site)**

Developing within the constraints is achievable under current planning controls. However, at present there appears to be a lack of developer demand within this Precinct.

Mitigation against the flooding offers the greatest benefits for Precinct 2 albeit at a high cost. This option would require variation to zoning and height and floor space controls. Although the community focus option looks to balance residential development with community space, a combination of the lack of developer demand for land, the site being a designated tourism zone and the significant development restrictions imposed on the site result in this option unlikely to occur.

**Planning Overview**

During the course of the study, the extent of the town centre boundary was reviewed. This was in response to community feedback, the urban design analysis and a stakeholder request to extend the Neighbourhood Centre zoning in Precinct 2.

Figtree Town Centre is currently defined as three separate precincts. This reflects boundaries of the land zoned B2 Local Centre and B1 Neighbourhood Centre. Dividing these lands into three precincts raises a level of uncertainty in understanding the way these areas connect and interrelate.

It is proposed to redefine the boundary of the Figtree Town Centre to incorporate ‘Figtree Town Centre Support’ area. The ‘Support’ area largely consists of Figtree Oval which is considered fundamental to strengthening the connections between each of the existing three precincts, and is expected to become vital to the health and coherence of the town centre. The redefined Town Centre provides great potential for a flourishing, robust and sustainable hub.

By introducing this refined boundary, the land linking the three Town Centre Precincts is acknowledged to ensure they will be considered in context of future design controls for this area. The intention is not to rezone lands in the ‘Support’ area.
Figtree Town Centre Study Key Recommendation

Originally conceived to be a Town Centre Master Plan project the analysis based on the principles that make a ‘Vital Town Centre’ has exposed the true challenges facing Figtree Town Centre. The vast amounts of high to medium risk flooding within the town centre study area, constrain the potential to develop within Figtree Town Centre, limiting the viability of a town centre master plan.

Although the existing planning controls provide capacity for growth, the town centre at present offers little demand for this growth. What this study process has highlighted is that the future success of Figtree Town Centre does not lie in pre-empting its evolution through a master plan, but rather ensuring a focus on the community and improving the recreational opportunities within the centre.

Figtree Town Centre offers a unique environment that provides the community with a series of natural assets that separate it from the Illawarra region’s neighbouring centres. These assets are Figtree Oval and Allans Creek, which if revitalised offer the potential to enhance Figtree Town Centre’s identity and establish a community heart.

Figtree Oval has the potential to improve the recreational offering within the Town Centre establishing a destination for organised sports groups, improving passive surveillance within the open space. Allans Creek provides an opportunity to link the open spaces within the locality together through a riparian greenway, re-associating the Figtree community with a natural asset that can be enjoyed and used.

It is these two components that hold the key to unlocking a thriving Figtree Town Centre, and initiating a change that allows the community to embrace and enjoy the natural environment that makes Figtree distinctly unique.

Based on prioritising key initiatives that will create a community focused town centre, as well as partially improving developer incentives in the future, it is recommended that a Figtree Recreation Master Plan be undertaken to consider and build on these opportunities.

**Figtree Oval Recreation Master Plan**

The recreation master plan would explore opportunities that:

- Protect and enhance the character of Figtree Oval;
- Ensure the enhancement of sporting, social, environmental and recreation needs;
- Support long term aspirations of key sporting clubs and community groups;
- Identify opportunities for community meeting spaces;
- Extend the cycle and walking track along Allans Creek, establishing a green corridor that links the open-spaces within Figtree together;
- Improve pedestrian connections and establish a link between Figtree Oval and Westfield Shopping centre, Figtree Oval and Westfield Shopping centre;
• Look to re-orientate the Westfield Shopping Centre improving its address to Figtree Oval;

• Review opportunities for a community space and landscaped area located adjacent to the existing community hall;

• Investigate the opportunity for temporary interventions within the public space to encourage a greater vibrancy within the centre;

• Explore open space linkages and improve pedestrian crossings along the Princes Highway;

• Re-prioritise the vehicular dominance of the Princes Highway and introduce traffic calming within the town centre;

• Investigate opportunities to improve the natural creek for recreational uses; and

• Investigate opportunities to mitigate against the high risk flooding, improving the developable land within the town centre.

Preliminary concept plans to inform a future Figtree Oval Recreation Masterplan have been prepared as an outcome of the Figtree Town Centre Study. It is recommended that Council consider the preparation of the Figtree Oval Recreation Masterplan as part of the preparation of the 2014/15 Annual Plan.

Consultation and Communication

The Figtree Town Centre Study has been guided by the community. There have been two key stages of community consultation.

Stage 1 - informing the Master Plan

This stage of consultation opened up early conversations about how the community currently use and value their town centre. The purpose of this stage of the consultation process was to inform the brief for the development of the draft Master Plan.

During November and December 2012, Council engaged with the community to ask about their ‘vision’ for the future of the town centre, and to better understand how the town centre functions. A range of ideas and concepts for the town centre were discovered through conversations with the community, and the feedback gathered has informed the preparation of Figtree Town Centre study.

Council staff conducted around 230 conversations with local schools and businesses, residents, local social and community groups and local service providers.

A total of 37 surveys were completed with over 91% of respondents living in Figtree or one of 10 surrounding suburbs targeted in the consultation. Six submissions were received. Hundreds of ideas were shared.
What we asked the community

Three consultation exercises were used at face to face forums including ‘Where do you visit?’, ‘Where do you feel safe/un-safe?’ and based on the six goals of Wollongong 2022: ‘What is your key priority for the future of Figtree Town Centre?’

Survey questions asked what they valued most about the town centre, what needs to be retained or protected, what things they would like to see improved and what is something new or different they would like included in the town centre in the future.

What the community told us:

- The community most valued the variety of shops and facilities in the town centre;
- Overwhelmingly, the community wished to retain and enhance the recreational facilities such as parks, children’s playground and tennis courts for health and family reasons;
- The community told us they wanted to see public amenities and facilities improved in the future, as well as public transport, traffic and parking improvements;
- The most common top priority for a new element in Figtree Town Centre was the creation of a public outdoor space;
- It was recognised that all Wollongong 2022 goals were important and interconnected;
- More than 84% of visits to Figtree Town Centre occur during the day;
- The top place to visit with the town centre was Precinct 1 - Westfield (37% of responses) followed by Precinct 2 - Crinis Fruit Market and surrounding buildings (28% of responses). - Precinct 3 was considered by many not to be part of Figtree Town Centre;
- Overall, youth indicated that they felt safe in the three Precincts (66% overall), with Precinct 2 (Crinis Fruit Market) reporting the highest proportion of ‘safe’ responses (72%). 60% responses indicated they felt unsafe in Figtree Oval and Park; and
- The majority of people indicated that they last visited Figtree Town Centre by car (78%).

The community input received directly influenced the development of recommendations of the draft Master Plan. Key aspects include the importance to upgrading the access and amenity of Figtree Oval, improve pedestrian connectivity through the town centre, and reviewing options to create a community space. Attachment 3 provides more detail on community feedback.
Stage 2 - Refining the Master Plan

To inform the refinement of the draft Figtree Town Centre Study, a second stage of consultation was undertaken to discuss the range of ideas and concepts presented by the draft Figtree Town Centre Study: Stage 2 – Refining the Town Centre Study.

The draft Town Centre Study was exhibited from 25 March to 3 May 2013. The community were asked to provide feedback on the Strategies, principles and recommendations put forward by the draft Study.

Council carried out a range of conversations with the community through kiosks near Crinis Fruit Market and adjoining specialty retailers, face to face discussions with business owners and community groups, schools and government agencies.

Nine written submissions (including three completed surveys) and hundreds of conversations have shaped the refinement of the Figtree Town Centre Study.

The key message from consultation was an overarching support for the key strategies and recommendations identified in the draft Study. Overall, the responses provided by the community were positive, with general support given to strategies and recommendations put forward by the draft Study.

Feedback from Youth

Council staff visited Figtree Public School to seek the ideas and thoughts of children on the draft Study, in particular, possible uses for a community space near Figtree Oval. Children were asked to draw what their community space may look like. The most popular theme was ‘Play’, followed by ‘Spaces for the Community’ and ‘Formal Sporting areas’ and the third most noted theme of ideas was ‘Events’.

The top overall 10 ideas included: markets/fete/fun fair (20 responses), a bike path/track/motor bike track (10), laser tag/ skirmish/paintball which could be temporary (10), an activity centre and pool (10), a better park with upgraded children’s play area (8), picnic areas, shade huts/shelter (7), trees/ plantings (6), outdoor movies(cinemas (6), BBQs (5) and a stage for music/temporary concerts (5).

Feedback from Community Conversations:

The community were invited to share their thoughts on the draft Study for Figtree Town Centre. Council conducted a number of activities in order to engage with the community including holding a community kiosk in the town centre on Saturday 6 April, meeting with Neighbourhood Forum 5 sub-committee, meeting land owners and retailers.

Conversations identified a range of ideas, themes and commentary on the draft Study. Overall, the feedback has been divided into four most popular themes:

i  Community Space - The conversations demonstrated that the community wanted to see a space for the community to meet and socialise outside of Westfield.
ii **Allans Creek and Figtree Oval** - In conversations, the community were supportive of connecting open spaces along a green riparian corridor with walk/cycle path in Figtree. The community identified the need to maintain the creek.

iii **Crinis Fruit Market and specialty retail stores (Precinct 2)** - A significant number of comments related to the importance of this precinct, wanting to beautify the precinct and create a space for the community. Traffic congestion and pedestrian access to Westfield were raised as issues.

iv **Traffic and Parking** - A significant number of comments related to traffic congestion on The Avenue, Princes Highway and Bellevue Road. The community identified a need for better pedestrian connections across the Princes Highway and a bike lane through the town centre.

Attachment 3 provides details of community feedback, including the nine written submissions.

The preparation of the draft Master Plan and draft Implementation Strategy has been guided by this community input as well as input from staff across a number of Council Divisions. Relevant Reference Groups/Committees and the Roads and Maritime Services (RMS) have also provided input and assistance.

**Draft Implementation Strategy**

A draft Implementation Strategy has been prepared (Attachment 4). At this stage there are only two actions, as the study does not propose significant change for the centre. Following the completion of the Figtree Oval Recreation Master Plan an updated Implementation Strategy will be prepared based on the more detailed study.

**Planning and Policy Impact**

The Figtree Town Centre Study provides a strategic framework to inform Council’s key policies and planning in relation to land use, infrastructure and community projects in the Figtree Town Centre.

It is envisaged that the Figtree Town Centre Study will support Council’s decision-making, planning and resourcing processes in future Business Planning.

This report relates to the commitments of Council as contained within the Strategic Management Plans:

**Wollongong 2022 Community Goal and Objective**

This report contributes to the Wollongong 2022 Objective 5.1: *There is an increase in the physical fitness, mental health and emotional well-being of all our residents*, under the Community Goal: *We are a healthy Community in a liveable city.*

The preparation of the Figtree Town Centre Study fulfils a key deliverable for the 2012-13 Annual Plan, to finalise planning studies for Warrawong, Figtree, Unanderra and Wongawillill. It specifically addresses the Annual Plan 2013-14 Strategy 5.1.6 *Urban*
areas are created to provide a healthy living environment for our Community, which forms part of the Five Year Action 5.1 There is an increase in the physical fitness, mental health and emotional well-being of all our residents and deliverable for 2013-14 Annual Plan Commence Implementation of planning recommendations from the Warrawong, Figtree and Unanderra Town Centre Studies.

### Risk Assessment

The recommendations of the Figtree Town Centre Study identify new work which has not been programmed. There is a risk that financial and resourcing allocations will vary and the ability to deliver against the Figtree Town Centre Study will be compromised.

Ongoing delivery against the actions and activities nominated needs a collaborative, cross Council Divisional approach and commitment through the Business Planning process, to ensure that there is an appropriate allocation of resources and budget.

The most significant risk to Council is identified in maintaining trust and building reputation with the community. It is important that Council is able to clearly communicate changing priorities and manage community expectations.

### Financial Implications

Relevant Divisions will seek external funding opportunities to support projects and initiatives that have been identified in the Plan relevant to their work. The Study and recommended Figtree Oval Recreation Master Plan will provide an advocacy tool to support Council in accessing opportunities for external funding.

### Conclusion

Originally conceived to be a Town Centre Master Plan project, analysis based on the principles that make a ‘Vital Town Centre’ has exposed the true challenges facing Figtree Town Centre. The vast amounts of high to medium risk flooding within the town centre study area constrain the potential to develop within Figtree Town Centre, limiting the viability of a town centre master plan.

The future success of Figtree Town Centre does not lie in pre-empting its evolution through a master plan, but rather ensuring a focus on the community, creating and improving the recreational opportunities within the centre.

Based on prioritising key initiatives that will create a community focused town centre as well as partially improving developer incentives in the future, it is recommended that a Figtree Recreation Master Plan be undertaken to consider and build on these opportunities.
ITEM 5  REVIEW OF WOLLONGONG DEVELOPMENT CONTROL PLAN
CHAPTER C16 SEX SERVICES PREMISES AND RESTRICTED PREMISES (SEX SHOPS)

On 26 March 2012 Council resolved to defer Chapter C16 Sex Services Premises and Restricted Premises (Sex Shops) of the Wollongong Development Control Plan 2009 pending a further report on options for limiting the location of future sex services premises in the Central Business District (CBD).

This report provides Council with an overview of the history of sex services premises and permissibility in the Wollongong Local Government Area, and explores the options for the location of future sex services premises in the Wollongong CBD and other locations.

The report recommends that Council resolve to adopt Chapter C16 Sex Services Premises and Restricted Premises, and consider the preparation of a draft Planning Proposal to permit sex services premises and home occupation (sex services) in the B4 Mixed Use zones, and as part of the future Annual Planning cycles.

Recommendation

Council -

1. Adopt the revised Chapter C16 Sex Services Premises and Restricted Premises (Sex Shops) as an amendment to the Wollongong Development Control Plan 2009 (Attachment 1).

2. Note the options available to Council for amending the Wollongong Local Environmental Plan 2009 in relation to sex services premises and consider the preparation of a draft Planning Proposal in future Annual Planning cycles.

Attachments

1. Chapter C16: Sex Services Premises and Restricted Premises (Sex Shops)
2. Maps for B3 Commercial Core and B4 Mixed Use zoned areas

Report Authorisations

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


**Background**

**Historical Policy**

In December 1995, the Disorderly Houses Amendment Act 1995 legalised brothels and living off the earning of a prostitute. The Act also amended the Summary Offences Act and Crimes Act to abolish the common law offences of keeping a common bawdy house or brothel. The passage of this legislation meant that brothels received recognition as a commercial business requiring local government approval under the Environmental Planning and Assessment Act 1979.

The amendment was introduced to allow well-run brothels to operate lawfully, reduce the risk of Police corruption, minimise street prostitution and reduce public health risks. Evidence following The Wood Royal Commission showed serious and systematic Police corruption, particularly in Kings Cross Detective divisions, and a clear nexus between Police corruption, and the operation of brothels.

It was also intended to prevent the closure of premises used as brothels purely on the grounds of its use. It was no longer illegal to operate a brothel provided the brothels operated in a discreet manner.

As a result of these amendments, State Environmental Planning Policy No 4 (at the time) was amended to require development consent for change of use to a brothel or alteration of a building used as a brothel.

At the time of the changes the Wollongong Local Environmental Plan 1990 did not contain a definition for brothels and lacked specific planning controls for the use. Brothels could, however, be approved in Non-Urban, Residential, Commercial, Industrial, Special Uses, 7(c) Environmental Protection Residential and Reservation zones which listed prohibited uses, and other uses were therefore permissible.

In 1993, Council adopted a Technical Policy for Sensual Services/Escort Agencies, Therapeutic Massage Clinics and Sex Shops. This policy did not include provisions for brothels because the use was not listed as permissible by Wollongong Local Environmental Plan 1990.

In 1996, Council resolved to prepare an amending draft LEP to permit brothels in the Wollongong Local Environment Plan 1990 in the commercial zones, with the exception of the 3(b) Neighbourhood Business zone, and also in the 4(a) Light Industrial zone.

At the time the Minister for Urban Affairs and Planning, did not support the blanket prohibition of brothels through Local Environmental Plans and therefore any such option proposed would not have been supported by the (then) Department of Urban Affairs and Planning.

Council also endorsed a revised technical policy on Sensual Services/Escort Agencies, Therapeutic Massage Clinics and Sex Shops. Following the exhibition period Council resolved in August 1997, to support the recommendation to insert a definition for “brothels” and permit brothels in 3(d) Commercial Services and 4(a) Light Industrial
zones with consent. In addition Technical Policy for Sensual Services/Escort Agencies, Therapeutic Massage Clinics and Sex Shops was repealed and replaced with Technical Policy 97/15 Brothels, Escort Agencies, Therapeutic Massage Clinic and Sex Shops Policy.

Subsequently, Wollongong Local Environmental Plan 1990 (Amendment 156) was gazetted on 13 March 1998 which recognised brothels as a permissible land use and identified appropriate zones for the establishment of brothels.

**Current Policy**

Brothels are defined in the Environmental Planning and Assessment Act 1979 to mean:

‘a brothel within the meaning of the Restricted Premises Act 1943, other than premises used or likely to be used for the purpose of prostitution by no more than one prostitute.’

Under the Restricted Premises Act 1943 brothels are defined as:

**brothel** means premises:

(a) habitually used for the purposes of prostitution, or

(b) that have been used for the purposes of prostitution and are likely to be used again for that purpose, or

(c) that have been expressly or implicitly:

(i) advertised (whether by advertisements in or on the premises, newspapers, directories or the internet or by other means), or

(ii) represented,

as being used for the purposes of prostitution, and that are likely to be used for the purposes of prostitution.

Premises may constitute a brothel even though used by only one prostitute for the purposes of prostitution.

With the introduction of the Standard Instrument for LEPs (the LEP Template) by the NSW State Government, brothels were separated into two categories based on the nature of the operation, being “sex services premises” and “home occupation (sex services)”.

‘Sex services premises’ are currently permitted under the Wollongong Local Environmental Plan 2009 within B2 Local Centre, B3 Commercial Core, and B6 Enterprise Corridor and the IN2 Light Industrial zones.

“Sex services premises” is defined as:

“a brothel, but does not include home occupation (sex services).”
“Home occupation (sex service)” is defined as:

“the provision of sex services in a dwelling that is a brothel, or in a building that is a brothel and is ancillary to such a dwelling, by no more than 2 permanent residents of the dwelling and that does not involve:

a the employment of persons other than those residents, or

b interference with the amenity of the neighbourhood by reason of the emission of noise, traffic generation or otherwise, or

c the exhibition of any signage, or

d the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail,

but does not include a home business or sex services premises.”

This use is not permitted in any zone.

Chapter C16 Sex Services Premises and Restricted Premises (Sex Shops) was included in Stage 2 of the Wollongong Development Control Plan 2009 review. Stage 2 was exhibited from 4 July to 19 August 2011, from which nine submissions were received, however none of the submissions related to Chapter C16 Sex Services Premises and Restricted Premises (Sex Shops). On 26 March 2012, Council considered a post exhibition report on the Stage 2 Wollongong Development Control Plan 2009 review. Council resolved to defer the adoption of the Chapter C16 Sex Services Premises and Restricted Premises (Sex Shops) of the Wollongong Development Control Plan 2009 pending a further report on options for limiting the location of future sex services premises in the Wollongong Central Business District.

**Future Policy**

The White Paper and draft Exposure Bills for the new Planning Act was released on Tuesday 16 April for exhibition.

The reforms will have implications for Council's LEP, DCP and Section 94/94A Contributions which will be merged to form a new planning document called a Local Plan. However it is unlikely that changes will occur to Council's planning policy within the next two to three years given the need for State Policies, Regional and sub-regional strategies to be in place to guide the preparation of the development of Local Area Plans.

**Current Approvals**

A review of Council records indicates that there are currently 11 legal (development consent) brothels within or in close proximity to the Wollongong CBD. Seven of the approved brothels are in the B3 Commercial zone, two are in the IN2 Light Industrial zone and two in B6 Enterprise Corridor. They are subject to at least one inspection a year and are required to lodge a new development application every two years. The inspections are performed by two Environmental Health officers; they check the premise
and its operation for compliance with the public health guidelines and Council’s check sheet. The Council check sheet considers matters relating to safe sex education, supply of products, cleanliness, facilities, security and privacy.

However it is worth noting that the sex services industry is changing and such services are no longer necessarily confined to specific buildings/locations such as brothels. Complaints that are received by Council relate to illegal brothels that have not sought Council approval. Council’s current system does not have the capability for reporting on the number of complaints received regarding illegal brothels, rather complaints are made against a particular property.

**Benchmarking**

A review of other Local Government Areas (in NSW) using the Standard Template LEP including surrounding and other regional Councils has found that the majority permit sex services premises with development consent in commercial or industrial zones. The review also considered if and where Councils permitted home occupation (sex services). The findings are tabled below:

<table>
<thead>
<tr>
<th>Council Area</th>
<th>“Sex Services Premise” Permitted Zones</th>
<th>“Home Occupation (Sex Services)” Permitted Zones</th>
</tr>
</thead>
<tbody>
<tr>
<td>Newcastle</td>
<td>B2 Local Centre</td>
<td>B2 Local Centre</td>
</tr>
<tr>
<td></td>
<td>B3 Commercial Core</td>
<td>B4 Mixed Use</td>
</tr>
<tr>
<td></td>
<td>B4 Mixed Use</td>
<td></td>
</tr>
<tr>
<td></td>
<td>B5 Business Development</td>
<td></td>
</tr>
<tr>
<td></td>
<td>IN1 General Industrial</td>
<td></td>
</tr>
<tr>
<td></td>
<td>IN2 Light Industrial</td>
<td></td>
</tr>
<tr>
<td></td>
<td>IN3 Heavy Industrial</td>
<td></td>
</tr>
<tr>
<td>Sydney</td>
<td>B2 Local Centre</td>
<td>R1 General Residential</td>
</tr>
<tr>
<td></td>
<td>B4 Mixed Use</td>
<td>R2 Low Density Residential</td>
</tr>
<tr>
<td></td>
<td>B5 Business Development</td>
<td>B1 Neighbourhood Centre</td>
</tr>
<tr>
<td></td>
<td>B6 Enterprise Corridor</td>
<td>B2 Local Centre</td>
</tr>
<tr>
<td></td>
<td>B8 Metropolitan Centre</td>
<td>B4 Mixed Use</td>
</tr>
<tr>
<td></td>
<td></td>
<td>B7 Business Park</td>
</tr>
<tr>
<td></td>
<td></td>
<td>B8 Metropolitan Centre</td>
</tr>
<tr>
<td>Liverpool</td>
<td>B3 Commercial Core</td>
<td></td>
</tr>
<tr>
<td></td>
<td>IN1 General Industrial</td>
<td></td>
</tr>
<tr>
<td></td>
<td>IN2 Light Industrial</td>
<td></td>
</tr>
<tr>
<td></td>
<td>IN3 Heavy Industrial</td>
<td></td>
</tr>
<tr>
<td>Gosford</td>
<td>B4 Mixed Use</td>
<td></td>
</tr>
<tr>
<td></td>
<td>B6 Enterprise Corridor</td>
<td></td>
</tr>
<tr>
<td>Kiama</td>
<td>B7 Business Park</td>
<td>RU1 Primary Production</td>
</tr>
<tr>
<td>Council Area</td>
<td>“Sex Services Premise” Permitted Zones</td>
<td>“Home Occupation (Sex Services)” Permitted Zones</td>
</tr>
<tr>
<td>-------------------</td>
<td>--------------------------------------</td>
<td>--------------------------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| Wollondilly       | IN2 Light Industrial                  | RU1 Primary Production  
                                 | RU2 Rural Landscape  
                                 | RU4 Primary Production Small Lots  
                                 | R2 Low Density Residential  
                                 | R3 Medium Density Residential  
                                 | R5 Large Lot Residential  
                                 | B1 Neighbourhood Centre  
                                 | B2 Local Centre  
                                 | B4 Mixed Use                                      |
| Sutherland (draft)| IN1 General Industrial               |                                                                                      |
| Shellharbour      | IN1 General Industrial  
                                 | IN2 Light Industrial                                                                   |
| Wingecarribee     | B2 Local Centre                       |                                                                                      |
| Penrith           | B4 Mixed Use                          |                                                                                      |
| Parramatta        | B3 Commercial Core  
                                 | B5 Business Development                                                                 |
                                 | IN2 Light Industrial                                                                 |
                                 | IN3 Heavy Industrial                                                                 |

It is noted that the majority of Councils permit *sex services premises* within the business/commercial zones. Of the 11 Councils used for benchmarking:

- Eight permit sex services premises in a range of business zones primarily the B2 Local Centre, B3 Commercial Core and B4 Mixed Use.
- Three limit sex services premise to industrial zones. However it is noted that Wollondilly, although only permitting sex services premises in the IN2 Light Industrial zone, permits home occupation (sex services) within nine residential, rural and business zones.
- Four permit home occupation (sex services) within a range of zones including environmental, rural, business and residential.

It is apparent that there is generally a good level of consistency between other regionally significant Councils such as Newcastle, Liverpool, Sydney and Gosford in relation to the permissibility of sex services premises within the business/commercial zones, in particular the commercial core and metropolitan centre zones.
One factor that influences the location of the sex services premises in the business zones is the health and safety of workers and clients. Should this type of service be focused in industrial zones, the opportunity for public passive surveillance, monitoring and accessibility can be compromised in comparison with business centres. Necessary complementary services such as those provided by the health industry are also located in business centres which are important for both workers and clients.

**Review of literature**

The South Eastern Sydney and Illawarra Health Region Gap Analysis ‘At Risk’ Sex Workers Report prepared by BB Professional Services for the HIV/AIDS and Related Programs Unit of South Eastern Sydney and Illawarra Health Region, identified three main groups of sex workers who may be at greater risk for HIV/STI's and generally do not have access to sexual health services. Factors that may increase risk for any sex workers include:

- Working in isolation;
- Not identifying as a sex worker; and
- Working in circumstances not clearly defined as legal.

The report specifically notes that working in sex services premises without appropriate development approvals increases the risk factor. In this situation workers are least likely to access sexual health services. Increasing the barriers for legitimate sex services premises to gain approvals through onerous LEP or DCP controls may serve to create unsafe, high risk health situations for workers and their clients. This in turn affects the general health of society, partners and their families through increased presence of street workers, illegal brothels which generate high number of complaints, impacts on amenities, is unable to be monitored by health services and do not undergo annual audits.

The report points out that the sex industry is highly stigmatised and discriminatory despite the legal standing of the industry. It is however regulated and the responsibility is shared between Local Government, WorkCover and NSW Health with a limited Police role.

The report focuses on planning and concludes that despite the decriminalisation of the sex industry, it is still treated differently to other legitimate businesses, which results in expensive legal and court costs to government and businesses. It can also be linked to increased illegal activity as opposed to discrete operation of development approved sex services premises. Perceived hostilities to brothel applications do not encourage compliance. Council planning issues and fear of closure can lead to managers being resistant to outreach visits. Conversely, accepting and dealing with applications fairly and appropriately through an approvals process allows health and safety conditions to be reviewed and organisations such as Sex Workers Outreach Project (SWOP) to access workers.
The report identified that best practice provides access to services, supportive environments and the removal of structural barriers. This is based on an international recommendation to bring about an effective response to HIV and STI’s linked to the sex industry. The decriminalisation in 1995 allowed for services such as SWOP to operate effectively and openly with government support to reach a large proportion of sex workers in the state. The City of Sydney's Adult Entertainment and Sex Industry Premises Development Control Plan 2006 is cited as a good example of appropriate controls.

The Sex Workers Outreach Project (SWOP) has prepared and participated in a number of discussions and research papers that look at best practice and issues within the current system.

The NSW Sex Industry: A World’s Best Practice Model prepared by SWOP states that decriminalisation has led to a more open industry with less fear of police and other authorities. The openness of the sex industry in NSW facilitates the policing of crime, including trafficking. The voluntary establishment of Sex Work Liaison Officers within a number of Local Area Commands of the NSW Police has improved the relationship between the industry and the Police. This helps improve the safety of sex workers and helps the policing of other crimes. Criminalising an industry does not stop criminal involvement in that industry; it just drives that activity further underground.

It is also noted that submissions were received during the exhibition of the Wollongong Local Environmental Plan 2009 regarding the provisions relating to sex services premises. One submission highlighted that since the 1995 reforms, there have been a number of reviews and consultations in respect to the regulation of sex services premises and the sex industry generally. These have included the Intergovernmental Brothels Taskforce (2001) and the Sex Services Premises Planning Advisory Panel (2002-2005).

The submission stated that the reforms have provided opportunities for sex workers and operators to perceive of themselves as legitimate workers in a legitimate business with the same rights and responsibilities as others. However, if the regulatory system is too restrictive, the benefits of the reforms will be negated - people will choose to remain outside of the regulatory system and we may see a return to the mistrust, fear, health and safety risks and corruption that existed pre-1995. Their concerns related to the potential of the LEP to pose unclear and excessive restrictions with associated negative impact on public health and the orderly and economic development of land in Wollongong. Specifically the LEP location requirement 6.11(2) was considered arbitrary based on a quantitative (150 metre) distance for which there is no planning evidence. They drew attention to the former South Sydney Council experience, where commercial sex services premises had and still do co-exist with residential uses in residential and mixed use zones with ancillary community and educational land use. Some are directly adjacent to a residence without being the cause of amenity impacts or detrimental change in the character of the locale.

The submission requested that the merit assessment process should assess whether a proposed development would so adversely affect the amenity of the area as to warrant
refusal and this merit assessment must take into account the proposed development’s design, appearance and plan of management.

In this regard, a well-designed suburban brothel cannot be distinguished from any other use for business purposes from the exterior, and design and management can ensure no adverse impact on the neighbourhood in which it is located.

Additionally, there are a number of existing uses in the Wollongong area that have survived the test of time and proven that they can co-exist with their local community, are compatible with a mix of other land uses and their existence has not resulted in a detrimental change in area character, image or reputation.

The academic paper ‘Out of sight, out of mind? Prostitution policy and health, well-being and safety of home-based sex workers’ identifies that policy discussion related to the selling of sex has been fixated on two spaces, the street and the brothel. It argues that such preoccupation has eclipsed discussion of the working environment where most sex is sold, namely the private home. The paper aims to address the omission by discussing the public health and safety implications of policies that fail to regulate or assist the ‘hidden population’ of sex workers, focusing on the experience of home based workers in Sydney.

The paper supports the notion that there is good reason to suspect that private homes now represent the most popular form of working environment, with mobile telephones, internet contact boards and newspaper advertisements allowing both male and female sex workers to promote and negotiate sex without publicly soliciting or working in a managed brothel. The paper focuses on the City of Sydney, where 40% of sex work is thought to be transacted in private homes and although not illegal, it is unregulated and unacknowledged not unlike like some other forms of home based work.

The paper suggests that the regulation of prostitution is based on determining who can see what. In this respect the paper notes that the majority of home based operations remain invisible to local residents. As an example, the paper cites a survey of residential blocks in Woollahra and Marrickville where home based sex work occurs. It concluded that there was no awareness of home-based sex workers in either area (and only limited awareness of home-based workers in general); moreover the presence of home based sex work appeared to have no impact on the residents’ perception of crime and safety.

Under current legislation an individual would need to lodge a development application to work from home, however, the authorities have difficulties differentiating between a large scale commercial premises and a home operation. The end result being that home based sex workers will not apply for planning consent because they cannot comply with policy or believe that their privacy may be in breach if notification or the like should occur.

Of the five operators interviewed as part of research all lived in apartments or semi-detached housing and all looked for similar characteristics in their work place including accessibility of public transport and street parking, the presence of good security and lighting, being in a location that is easy to explain and not too isolated. The reasons provided for working from home rather than a brothel included increased convenience,
obtaining larger percentage of earnings, avoiding competitive parlours, increased control and freedom, increased financial independence, flexibility of work hours and personal autonomy. The study also identified that workers educated their clients on the importance of entering the premises discreetly and quietly and that they did not accept return business from noisy customers, as it was in their interest to maintain a low profile. A preference was established for working during daytime hours as it avoided alcohol related problems.

The paper concludes that although the risks of home based work are low they are not completely without risk and that working with one other sex worker lessened that risk. Workers are more likely to report crime if they are operating in a legally permitted land use.

The paper agrees that it is not simply an issue of removing or minimising the risks inherent in different working environments, but one of simultaneously designing respect into these environments: ‘sex workers need legal support, environmental conditions and social status that protects them from sexual victimisation and sets out expectations for those who seek out sexual services’. This speaks to a social strategy of acknowledging sex workers as members of communities who are engaged in a legitimate and useful form of work, and encouraging clients to be respectful and educated consumers, by recognising home based sex work as legitimate land use, even in residential areas.

It also states that compared with large visible sex premises, small home working operations would have few impacts on local residential communities and evidence suggests that home-working is flexible, less intrusive, more discreet, safer and potentially more rewarding than other modes of workings.

It is noted that recent research ‘Home occupancy or brothel? Selling sex from the Home in NSW’ 2012 engages with the question of whether or not sex work in the home should be regulated in the same way as large commercial brothels or home occupations. The article draws on research of surveys of people living near sex service premises, interviews with sex workers, service providers, Council records and complaints, to argue that, on the contrary, home occupancy (sex services) can operate lawfully with minimal amenity impacts, and that this type of business can provide a positive work environment. It recommends that sex work in the home in NSW should be regulated in the same way as other home occupations.

Proposal

On 20 March 2012, Council resolved to defer the C16 Sex Services Premises and Restricted Premises (Sex Shops) chapter of the Wollongong Development Control Plan 2009, pending a further report on options for limiting the location of future sex services premises in the CBD.

Following a review of the sex services industry (summarised in the Background section of this report) a number of approaches were identified regarding the permissibility of sex services premises in the Wollongong LGA.
There are three approaches that could be applied in order to limit the number of future sex services premises in the CBD:

1. Prepare a Planning Proposal that removes sex services premises from the B3 Commercial Core zone but retain sex services premises in the B2 Local Centre, B6 Enterprise Corridor and IN2 Light Industrial zones.

2. Continue to permit sex services premises in the B3 Commercial Core zone and prepare a draft Planning Proposal to also permit the use in B4 Mixed Use zone, in line with the approach adopted by City of Sydney Council, Newcastle City Council, Wingecarribee Shire Council, Gosford City Council, and Penrith City Council. This would expand the permit area and dilute the concentration of the use in the CBD.

3. Prepare a Planning Proposal, alternatively or in addition to the above change to permit “home occupation (sex services)” in the B3 Commercial Core and B4 Mixed Use zones, similar to Kiama Municipal Council, Wollondilly Shire Council, City of Sydney Council and Newcastle City Council.

Another option is for Council to retain the current permissibility of sex services premises and make no changes to the Wollongong Local Environment Plan 2009. Following is a discussion of these options.

**Prohibit sex services premises in B3 Commercial Core**

To prohibit sex services premises in the B3 Commercial zone, a draft Planning Proposal could be prepared to remove sex services premises from the Land Use Table. The use would remain permissible in the B2 Local Centre, B6 Enterprise Corridor and IN2 Light Industrial zones.

This would impact upon 11 sex services premises currently operating with consent in the CBD which would as a consequence need to rely on existing use rights to operate their business.

It is noted that prohibiting sex services premises in the CBD and increasing barriers to obtaining planning approvals may serve to push such services to operate illegally and therefore compromise the ability of Council and health services to ensure that they are operating in the best interest and health of workers, clients and the general public. Prohibition in the CBD could further isolate workers in the industry from valuable medical/health care services and discourage regular health checks.

The prohibition approach is not recommended for a regionally significant Council like Wollongong. It is considered appropriate that sex services premises continue to be a permissible use in the Wollongong CBD as part of the B3 Commercial Core zone. It should be noted that prohibition in the B3 Commercial Core zone would also affect Dapto town centre and Warrawong town centre (Attachment 2).

It is further noted that of the ten Councils benchmarked as part of the review, seven permitted sex services premises in a range of business zones primarily the B2 Local Centre, B3 Commercial Core and B4 Mixed Use zones. Four of these Councils were
regionally significant in size and/or location, specifically Newcastle City Council, City of Sydney Council, Liverpool City Council and Gosford City Council.

**Permit sex services premises in B4 Mixed Use zone**

In addition to permitting sex services premises in the B3 Commercial Core, B2 Local Centre, B6 Enterprise Corridor and IN2 Light Industrial zones, a draft Planning Proposal could be prepared to permit the use also in the B4 Mixed Use zone. This would be consistent with the approach adopted by Newcastle City Council, City of Sydney Council and Gosford City Council.

By permitting sex services premises in other business zones, Council is permitting other areas to be considered by potential operators which may prevent a concentration of sex services premises in the CBD. Permitting sex services premises in business zones demonstrates a proactive approach to a legitimate and legal land use. Reducing approval barriers encourages compliance with controls and allows Council, WorkCover, and community health services to engage with, monitor and protect workers and clients from illegal/underground brothels that may be operating in substandard conditions.

Council can encourage compliance and development in appropriately serviced areas by extending the areas of permissibility. This will enable better enforcement and provide safe location for the workers and clients including those clients with disabilities. Seven of the surveyed Councils permit sex services premises in business zones and four specifically permit sex services premises in the B4 Mixed Use zone. Some include the land use in additional business zones not considered in this report including B5 Business Development (City of Sydney Council and Newcastle City Council) and B7 Business Park (Kiama Municipal Council).

**Permit “home occupation (sex services)”**

“Home occupation (sex services)” as defined previously is differentiated from sex services premises by way of number of employees permitted and that they operate out of a dwelling. A sex services premises is generally a larger purpose built building, while home occupation (sex services) permits no more than two permanent residents of the dwelling to provide sex services. A home occupation (sex services) does not allow the employment of non-residents, cannot interfere with the amenity of an area in terms of traffic, noise or otherwise, and cannot include signage or sale of items.

Permitting this type of land use in certain zones could serve to reduce the visibility of street sex workers and allow Council and other community organisations to monitor and carry out enforcement actions where necessary. In addition, this would facilitate the reporting of crimes against home-based sex workers.

In addition to permitting sex services premises in the B3 Commercial Core, B2 Local Centre, B6 Enterprise Corridor and IN2 Light Industrial zones, a draft Planning Proposal could be prepared to permit home occupation (sex services) into some or all zones that permit dwellings.

Wollondilly Shire Council permits home occupation (sex services) within nine zones including three rural zones, three residential zones and three business zones. City of
Sydney Council permits home occupation (sex services) within seven zones including two residential zones and five business zones. Newcastle City Council permits home occupation (sex services) within two business zones. Kiama Municipal Council permits home occupation (sex services) within three zones including two rural zones and one residential zone.

No change

Council can continue to permit with consent sex services premises in the B3 Commercial Core, B2 Local Centre, B6 Enterprise Corridor and IN2 Light Industrial zones, and resolve that no amendments be made to the Wollongong Local Environmental Plan 2009, and adopt the exhibited draft Wollongong Development Control Plan 2009 - Chapter C16 Sex Services Premises and Restricted Premises (Sex Shops) that brings the chapter in line with the Wollongong Local Environmental Plan 2009 (refer Attachment 1).

This report identifies a number of options available to Council to amend the permissibility of sex services premises in the Wollongong LGA. Due to the number of current projects being undertaken by the Land Use Planning team to achieve the commitments identified in Wollongong 2022 and the 2012-17 Delivery Program, it is recommended that Council consider any future amendments to the Wollongong Local Environmental Plan 2009 in relation to sex services premises as part of future annual planning cycles.

Consultation and Communication

Chapter C16 Sex Services Premises and Restricted Premises (Sex Shops) was exhibited as part of the Stage 2 review of the Wollongong Development Control Plan 2009. Nine submissions were received as a result of the public exhibition, however none of these submissions related to Chapter C16.

If Council resolves to amend the permissibility of sex services premises, any resulting changes to the Wollongong Local Environmental Plan 2009 will be sent in the form of a draft Planning Proposal to the NSW Department of Planning and Infrastructure for a Gateway determination. The draft Planning Proposal would then be exhibited for a minimum period of 28 days. A post exhibition report would follow outlining submissions and issues raised by the community for Council to consider. As noted, it is recommended that the preparation of a draft Planning Proposal be considered as part of future Annual Planning cycles.

Planning and Policy Impact

This report contributes to the Wollongong 2022 objective Residents are able to have their say through increased engagement opportunities and take an active role in decisions that affect our city under the Community Goal - we are a connected and engaged community.
It also contributes to the objectives within Wollongong 2022 community goal No.3: *We have an innovative and sustainable economy.*

It specifically delivers on core business activities as detailed in the Land Use Planning Service Plan 2013-2014 being the review of the Wollongong Development Control Plan.

## Conclusion

The purpose of this report was to review options for limiting the location of future sex services premises in the CBD. The report considered the history of sex services premises in the Wollongong LGA, stigmas around the industry, the impacts of planning policy on the health and safety of workers and clients as well as the responsibility of Councils in ensuring appropriate health services for workers and encouraging compliance.

There is merit in expanding the zones in which sex services premises are permitted with consent rather than prohibiting sex services premises within the CBD. This will enable industry managers to consider a wider range of locations and could prevent the concentration of services in the CBD. This option would also allow approved business in the CBD to continue operating without having to rely on existing use rights.

However, it is recommended that this change not be pursued at this time and be considered as part of future planning cycles.

It is recommended that Council adopt the revised Chapter C16 Sex Services Premises and Restricted Premises (Sex Shops) of the Wollongong Development Control Plan 2009 (Attachment 1).
ITEM 6  REVIEW OF WOLLONGONG DEVELOPMENT CONTROL PLAN 2009 - CHAPTERS: C3 BOARDING HOUSES; E16 BUSHFIRE MANAGEMENT; E17 PRESERVATION AND MANAGEMENT OF TREES AND VEGETATION - POST EXHIBITION

The Wollongong Development Control Plan 2009 was endorsed on 15 December 2009 and came into force on 3 March 2010, following the commencement of the Wollongong Local Environmental Plan 2009. The Development Control Plan (DCP) updated and consolidated 89 existing Development Control Plans and Policies.

A review of the Wollongong DCP 2009 commenced after six months of operation. Stage 1 and 2 of the review are complete and Stage 3 has been exhibited. Stage 3 of the review included C3 Boarding Houses, E16 Bushfire Management, E17 Preservation and Management of Trees and Vegetation and the Tree Management Permit Policy which was endorsed by Council on 13 May 2013 and exhibited between the 24 May and 15 July 2013. Two submissions were received, both from Neighbourhood Forum 5. It is recommended that the revised chapters and policy be adopted.

**Recommendation**

1. The following revised Chapters of Wollongong Development Control Plan 2009 be adopted and a notice placed in the local newspaper advising of the adoption:
   - C3 Boarding Houses (Attachment 4),
   - E16 Bushfire Management (Attachment 5), and
   - E17 Preservation and Management of Trees and Vegetation (Attachment 6).

2. The revised Tree Management Permit Policy be adopted.

3. Letters be sent to Neighbourhood Forum 5 who made a submission during the exhibition period, thanking them for their input and advising them of the adopted Chapters.

**Attachments**

1. Marked up copy of draft Chapter C3 Boarding Houses
2. Marked up copy of draft Chapter E16 Bushfire Management
3. Marked up copy of draft Chapter E17 Preservation and Management of Trees and Vegetation
4. Final Copy of Chapter C3 Boarding Houses
5. Final Copy of Chapter E16 Bushfire Management
6. Final Copy of Chapter E17 Preservation and Management of Trees and Vegetation
7. Final Copy of Tree Management Permit Policy.
Report Authorisations

Report of: David Green, Land Use Planning Manager
Authorised by: Andrew Carfield, Director Planning and Environment – Future City and Neighbourhoods

Background


In September 2010, after six months of operation, a review of the Wollongong Development Control Plan 2009 commenced. The purpose of the review is to examine how the Development Control Plan is operating and to identify any provisions that require amendment or clarification. Council has adopted stages 1 and 2 of the Development Control Plan review which included:

1. A1 Introduction
2. B1 Residential Development
3. C10 Home Business
4. C11 Home Industry (merged with Chapter C10)
5. E2 Crime Prevention through Environmental Design
6. E3 Car Parking, Access, Servicing/Loading Facilities and Traffic Management
7. E4 Development near Railway Corridors and Major Busy Roads (Repealed)
8. E5 BASIX (Repealed)
9. E6 Landscaping
10. E12 Geotechnical Assessment
11. E19 Earthworks (Land Reshaping)
12. E20 Contaminated Land (Repealed)
13. Appendix 2 Wollongong City Centre Public Domain Technical Manual (Repealed and made into a Technical Policy)
Ordinary Meeting of Council  
26 August 2013

In addition, Council on 8 April 2013 endorsed revisions to Appendix 1 – Public Notification and Advertising Procedures, subject to a 12 month review with a working party.

On the 22 July 2013, Council endorsed a revised draft chapter for the Innovation Campus for exhibition.

On 1 March 2013, provisions of the Environment Planning and Assessment Amendment Act 2012 commenced. One of the amendments is that Development Control Plans now have the status of “guidelines” rather than as “statutory requirements”. Section 74C of the Act now states (in part):

74C Preparation of development control plans

(5) A provision of a development control plan (whenever made) has no effect to the extent that:

(a) it is the same or substantially the same as a provision of an environmental planning instrument applying to the same land; or

(b) it is inconsistent or incompatible with a provision of any such instrument.

Accordingly, if a land use is permissible in the Local Environment Plan, Council cannot refuse a development application based on a provision in a Development Control Plan. The Development Control Plan should support the Local Environmental Plan. This change has a number of implications for Council, most notably chapter E13 Floodplain Management. Development Applications have been refused in high risk flood prone areas based on Development Control Plan requirements. A review of the Development Control Plan will be required to determine whether any controls should be moved to the Local Environmental Plan, or whether provisions of the Local Environmental Plan will need to be revised (subject to approval from the NSW Department of Planning and Infrastructure).

Council on 13 May 2013 considered a report of Stage 3 of the Development Control Plan review which included:

1 Draft Chapter C3 Boarding Houses;
2 Draft Chapter E16 Bushfire Management;
3 Draft Chapter E17 Preservation and Management of Trees and Vegetation and Draft Tree Management Permit Policy.

Council resolved that:

1 The following revised draft chapters of the Wollongong Development Control Plan 2009 be exhibited for a minimum period of twenty eight (28) days:

(a) C3 Boarding Houses;
(b) E16 Bushfire Management; and
(c) E17 Preservation & Management of Trees and Vegetation.
2. The draft Tree Management Permit Policy be exhibited for a minimum period of twenty (28) days (Attachment 4 to the report).

3. A report be prepared that addresses the possibility of mandating the use of non-opaque roller doors on shop fronts in commercial areas via a DCP amendment.

4. The Exempt Species List which is placed on exhibition include Koelreuteria paniculata, Celtis occidentalis and Nageia falcatus.

A separate report will be prepared addressing part 3 of the resolution.

The three draft Development Control Plan chapters have been subject to previous public exhibitions from Stage 1 and Stage 2 of the Development Control Plan review but were deferred for further review and consultation.

The review of the chapters sought to simplify Council’s development controls and to provide better guidance on what the intent of the controls are, through the provision of clear objectives. The review considers State Environmental Planning Policies such as the Exempt and Complying Development Code which permits a variety of development particularly in residential form to be undertaken as exempt (written notification given to Council that a particular development was carried out) or complying development (application to Council or a Private Certifier that is assessed against a common set of guidelines across NSW). It was important that such policies were referenced only and that customers be redirected to the appropriate websites for further information. Furthermore, it is considered prudent that Council’s development controls be aligned with State Environmental Planning Policies. This eliminates or minimises further complication of the planning process.

Several changes were made to the three chapters as a result of the review and these changes as well as their history are detailed below.

**Chapter C3 Boarding Houses**

Chapter C3 Boarding Houses was initially included in Stage 1 of the Development Control Plan review endorsed for exhibition on 27 April 2011 and exhibited from 9 May to 20 June 2011. The chapter was deferred post exhibition due to the large number of community submissions which raised concerns over the location and lack of parking for student accommodation in residential areas as well as concern over “illegal” boarding houses. At the same time State Environmental Planning Policy (SEPP) Affordable Rental Housing 2009 underwent changes which had implications for Council’s Development Control Plan and which had not been considered at the time of draft because the changes were yet to take effect.

The SEPP overrides LEP’s and permits Boarding houses within all residential zones and in B1 Neighbourhood Centre, B2 Local Centre and B4 Mixed Use zones. Boarding houses in R2 Low Density Residential zones are only permitted by the SEPP where all or part of the development is within 400m of B2 Local Centre or B4 Mixed Use zoned land.
In addition to the State Environmental Planning Policies, the Wollongong Local Environmental Plan 2009 and the Wollongong Development Control Plan 2009, there are obligations under the Boarding Houses Act 2012. The Act represents the NSW Government’s response to long-standing concerns about the condition and operation of some boarding houses and associated risks to the health, safety and well-being of residents. The Act introduces a number of key reforms, including:

1. Compulsory registration and inspection of registrable boarding houses;
2. Enhanced occupancy rights for residents;
3. Enhanced powers of entry for authorised service providers and advocates;
4. Increased penalties for existing offences;
5. New offences relating to registration;
6. Screening of licensees and staff of ‘assisted boarding houses’ for criminal records; and
7. The introduction of a circumstantial evidence provision.

The Wollongong Local Environmental Plan 2009 permits boarding houses in all residential zones and within B1 Neighbourhood Centre, B2 Local Centre, B3 Commercial Core and B4 Mixed Use zones. As noted, the SEPP Affordable Rental Housing 2009 overrides the Local Environmental Plan and Development Control Plan. The reviewed chapter can therefore only apply to boarding houses not covered by the State Environmental Planning Policy, such as boarding houses in R2 Low Density Residential zones that are further than 400m from B2 Local Centres or B4 Mixed Use zones and boarding houses within the B3 Commercial Core zone.

Accordingly, the chapter was reviewed in line with the State Environmental Planning Policy and removed information already provided in both the Local Environmental Plan and the State Environmental Planning Policy in order to avoid any unintentional conflicts.

The draft chapter C3 Boarding Houses included stronger locational controls to ensure that any person occupying a boarding house is located within suitable distance to services including public transport, educational facilities, places of employment and open space.

The internal layout requirements were changed in line with the State Environmental Planning Policy to ensure consistency with the State Policy and to ensure that the intended purpose of boarding houses (being to provide affordable rental accommodation), is not compromised by increasing building costs. Additionally, the layout of controls were rearranged to a format similar to the remaining chapter and tables with information have been replaced with a list of controls. Refer to Attachment 1 for the full marked up draft chapter.

An issue that has been the subject of ongoing discussion between Neighbourhood Forum 5 and Council is the definition of boarding houses under the Wollongong Local
Environmental Plan 2009 (Standard Template definitions). A “boarding house means a building that:

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

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

The issue that the current template definition presents for some residents is that dwelling houses (defined under the Local Environmental Plan as “a building containing only one dwelling”) are being leased out to large groups of students and causing disruption such as noise and parking. It is acknowledged that such an arrangement in concentration can impact the amenity of an area; this is particularly relevant to the residential area near the University.

Neighbourhood Forum 5 requested that Council further clarify by way of a new definition in the Development Control Plan what it considers to be a boarding house. During initial discussions Neighbourhood Forum 5 suggested that boarding houses would be where a group of people that were not owners rented a house.

Council officers expressed concern about attempting to define non-owner occupiers in the form of renters. Such a definition has the potential to negatively impact owners and occupiers of rental housing which is used to provide accommodation both long term or short term, for those not in a position to buy property.

If Council were to take this approach then all non-owner occupier groups renting a property would be renting a “boarding house” not a “dwelling house”. This would mean that the dwelling house in question would be in breach of the original consent for a dwelling house. This would have significant impacts on families renting or owners that no longer wished to reside in the dwelling and chose to rent it out. It would also preclude share accommodation in a dwelling that was large enough to accommodate it.

This led to a further suggestion by Neighbourhood Forum 5 to have a boarding house definition in the Development Control Plan to mean “a building, which is, or was a dwelling houses in which the owner does not reside and which is occupied by three or more tertiary education students whether or not they have independent leases”.

The problem with this definition (and variations thereof) is that it relies on specifically identifying tertiary education students and Council being aware of how and when leases are arranged or entered into.
It would not be prudent to determine who can and cannot rent a dwelling house based on whether or not they are tertiary students, renters or otherwise, as it is considered that this could be a form of discrimination.

The other consideration is Council’s assessment process. Applications are assessed based on land use. The land use is defined in the Local Environmental Plan and then the relevant chapters of the Development Control Plan are used to assess the development application. When an applicant lodges a development application for a dwelling house Council does not require the applicant to identify if the applicant will be living in the house or whether they propose to rent it and to whom.

The above definition submitted by Neighbourhood Forum 5 along with legal advice (unsigned and undated) during a pre-consultation meeting was reviewed by Council’s legal advisor who provided the following advice:

1. The proposed clarification is not consistent with the terms of the definition of "boarding house" in the Local Environmental Plan. If placed in the Development Control Plan, it would likely fall foul of section 74C(5) of the Environmental Planning and Assessment Act 1979 (as previously detailed).

2. The definition in the Local Environmental Plan is not restricted to dwelling houses. It does not identify whether the "owner" is required to occupy the relevant building. The restriction sought in relation to "tertiary education students" (which invites a further definition - what is tertiary education - TAFE, Business College, Distance Education, Full Time, Part Time etc.) is not contained in the definition.

3. The definition would capture a family renting a house in which, for example, the parent and two children were engaging in "tertiary education".

4. The definition would capture the not uncommon scenario where a house is owned by a company, and three adult children (all engaged in "tertiary education") live in that house with their parents.

5. The question of whether a shared house arrangement should be characterised as a boarding house will always be a question of fact and degree, and historical evidence of use will often need to be marshalled.

6. It is certainly accepted (and borne out by case law) that persons who are in short term living arrangements can, on occasions, create a different form of use and impact than situations where a house is a permanent domicile.

7. However, the suggested definition will not assist in the endeavour of attempting to draw a brighter line between acceptable and unacceptable land uses.

It is not Council’s intention or desire to restrict the flexible use of dwelling houses for renters or owners. Therefore it was recommended that no further clarification be provided in the Development Control Plan as to what, in Council’s opinion is considered a boarding house. Notwithstanding that Council cannot adjust, clarify or amend a definition in a Development Control Plan that is part of the Standard Template Local Environmental Plan.
It was recommended that should the community be aware of instances where dwelling houses have been illegally modified to accommodate additional rooms (for the purpose of a boarding house or otherwise) this should be reported to Council to enable an investigation. Any issues arising from anti-social behaviour will need to be directed to the Police.

Council endorsed the revised chapter for exhibition on 13 May 2013.

**Chapter E16 Bushfire Management**

Chapter E16 Bushfire Management was initially included in Stage 2 of the Development Control Plan review and was exhibited from 4 July to 19 August 2011. Concerns were raised relating to bushfire management practices on Council owned land that protected/benefited private development. The chapter was subsequently deferred until such time as Council could determine how and when it would manage Asset Protection Zones on land which was proposed to be dedicated to Council as part of a development application. It was considered appropriate that these changes be re-exhibited rather than included as post exhibition changes.

The Bush Fire Management chapter applies to all bush fire affected land in the Wollongong Local Government Area. The chapter addresses Council’s requirements when a Development Application is lodged on bush fire prone land. It has been reviewed in order to ensure that the information in the chapter was relevant to the lodgement of a Development Application and provides clear controls relating to that development. The chapter refers to the appropriate legislation where necessary and ensures that the chapter does not duplicate information provided in overriding State policy or legislation.

The revised draft chapter now includes a clause relating to Asset Protection Zones on Council managed land. This clause enables Council officers to manage and assess Development Applications that propose to dedicate land to Council that are affected by Asset Protection Zones. The intent of this clause is to highlight that Council will generally not accept land proposed to be dedicated if it contains Asset Protection Zones however, it may consider dedication where the land has a management plan covering responsible parties and maintenance arrangements as detailed in the new clause 11 of the draft chapter E16 Bushfire Management.

Council endorsed the revised chapter for exhibition on 13 May 2013.

**Chapter E17 Preservation and Management of Trees and Vegetation**

Chapter E17 Preservation and Management of Trees and Vegetation was initially included in Stage 2 of the Development Control Plan review and was exhibited from 4 July to 19 August 2011. A number of issues were raised that warranted a more detailed review of the chapter. Of particular concern was the inclusion of the Tree Management Permit Application process in a chapter that applies to Development Applications only. A Tree Management Permit is a process separate to a Development Application and this needed to be reviewed thoroughly prior to the chapter being adopted.
Council has two application processes that have been established to deal with the assessment and approval for trees/vegetation removal, consistent with the requirements of the Wollongong Local Environment Plan 2009:

1. **Tree Management Permit** - generally for individual/small scale tree removal and pruning in urban areas, including risk to life and property and dead and dying tree removal.

2. **Development Application** - through either a Complying Development Certificate (assessed under the State Environmental Planning Policy - Exempt and Complying Development Codes) or a Development Application assessed under Wollongong Development Control Plan where trees or vegetation are to be removed in association with or to facilitate development of the site.

The revised draft chapter was rewritten concurrent to the re-introduction of the Tree Management Permit Policy which would commence upon the adoption of this chapter. The Tree Management Permit Policy will be a Council Policy that describes the application and assessment process. It is intended that the Tree Management Permit Policy will come into force with the adoption of the revised Chapter E17 - Preservation and Management of Trees and Vegetation.

The revised draft Preservation and Management of Trees and Vegetation chapter will apply to all Development Applications that involve damage or removal to trees or other native vegetation, does not include the Tree Management Permit process which is a separate approval for existing development seeking to manage trees not associated with development.

The chapter sets out Council requirements for Development Applications that include removal of trees that do not fall within the scope of the Tree Management Permit Policy or do not meet the full requirements of the State Environmental Planning Policy - Exempt and Complying Development Codes.

The draft chapter removed repetition from any State Environmental Planning Policies or Acts. It also removed controls that pertain to the assessment of a Tree Management Permit. This is to be contained in the Tree Management Permit Policy. The draft chapter clarified the application of Tree Management Permit Policy and refers the applicant to view Council’s full policy.

The threshold of three Tree Management Permit applications (up to 15 trees in total) at any one time is considered by Council officers to be the reasonable limit for the majority of residential scaled properties across the city, after which land clearing becomes a consideration which should be managed via a Development Application process.

The intent of the draft chapter is to focus on the requirement for a development application, where tree removal is proposed to facilitate development or for the large scale removal of trees or any other situation where trees need to be maintained on a regular/ongoing basis. This will reduce the misuse of or need for multiple Tree Management Permits on a property.
The Tree Management Permit process focuses on developed land for small scale tree pruning and removal where it is being used to maintain the site’s vegetation; operate independently of the Development Control Plan and facilitate efficient outcomes for the users without confusing the two processes.

Council on 13 May 2013 endorsed the revised draft chapter with the draft Tree Management Permit Policy for exhibition.

Proposal

The three draft DCP chapters and the draft Tree Management Permit Policy were exhibited between 24 May and 15 July 2013. During the exhibition period two submissions from Neighbourhood Forum 5 were received. These submissions related to chapters C3 Boarding Houses and the Tree Management Permit Policy and the issues raised are discussed below.

Chapter C3 Boarding Houses

As a result of the exhibition one of the submissions received from Neighbourhood Forum 5 related to the C3 Boarding Houses chapter and it requested that Council:

1. Clarify their understanding of the definition of a boarding house;
2. Require the prevention of new boarding houses within 150m of another, not merely that is should be considered;
3. Include controls in a B3 zone that boarding houses should comply with Chapter D13 Wollongong City Centre and B4 Development in Business Zones for setbacks; and
4. Include a requirement for adjoining owner to be given 24 hour contact details.

As noted, the chapter only applies in areas where boarding houses are a permissible use under the LEP and where the State Environmental Planning Policy Affordable Housing (2009) does not apply. Therefore the controls within the chapter can only be applied for proposed boarding houses in R2 Low Density Residential zones that are further than 400m from B2 Local Centres or B4 Mixed Use zones and boarding houses within B3 Commercial Core zone.

In relation to Neighbourhood Forum 5’s first point, boarding houses are defined by the Wollongong Local Environmental Plan 2009, which contains standard definitions applied across the State. The Development Control Plan (DCP) cannot propose a new definition, regardless of the intent or purpose of that definition, for boarding houses that is inconsistent with the definition within the Wollongong Local Environmental Plan 2009 and State Environmental Planning Policy because the Local Environmental Plan and State Environmental Planning Policies override the Development Control Plan. Boarding Houses provide for affordable housing and are encouraged by State planning policies.

It is therefore not considered appropriate to further clarify the boarding house definition within the Development Control Plan.
In relation to Neighbourhood Forum 5’s second point, proposed Clause 3.1 of the exhibited Chapter provides controls to guide the appropriate location of boarding houses and sub-clause 2 states:

“Clustering of boarding houses should be avoided so as to reduce the amenity impacts on residential areas. A separation distance of 150m should be considered from existing boarding houses in areas not covered by the SEPP”

A DCP, as emphasised in the recent amendments to the Environmental Planning and Assessment Act must be flexible, and should not be used as a preventative document. The proposed control is to highlight the issues that can be caused if boarding houses are clustered and ensure that the applicant addresses the provision of appropriate levels of services and amenities to reduce the impacts on the local residents. It is therefore not considered appropriate to the change the intent of the control to prevent boarding houses from being established in close proximity to another should the applicant adequately address concerns of the Council and community.

In relation to Neighbourhood Forum 5’s third point, development in the City Centre is assessed using Chapter D13 already, as is development with a business zone assessed under Chapter B4 Development in Business zone. Chapters such as the boarding house chapter are used for specific controls relating to the use when those controls are not stated in the site specific chapter. The requirements for setbacks are included in the D13 Wollongong City Centre and the B4 Development in Business Zones and it is not considered necessary to reiterate the controls in Chapter C3 Boarding Houses.

In relation to Neighbourhood Forum 5’s fourth point, the requirement to provide 24 hour contact details exists, through the provision of a management plan as part of the Development Approval and also as a requirement for registration under the new Boarding Houses Act 2012.

Other changes to Chapter C3 Boarding Houses, post exhibition, are minor in nature and are for the purpose of clarification only. These changes involve the clarification of existing controls and do not change. Attachment 1 provides a marked up copy (excluding grammatical errors corrected) of the chapter including amendments completed post exhibition (highlighted in yellow).

It is noted that due to the parking shortfall in many low density residential areas (especially those around the University of Wollongong), that a future change to Chapter E3 Car Parking, Access, Servicing, and Loading Facilities may be considered to increase the on-site parking requirement for boarding houses assessed against the Development Control Plan.

The changes to the chapter as exhibited propose stronger locational controls and provide greater consistency between the Development Control Plan, Local Environmental Plan and State Policy. The new controls within the revised Chapter aim to address concerns raised by Neighbourhood Forum 5 relating to the design of boarding houses, neighbourhood amenity and the location of boarding houses close to transport routes and services. The revised DCP chapter provide reasonable controls,
which if complied with, will reduce adverse impacts on neighbouring properties (refer to Attachment 3).

It is recommended that the revised chapter be adopted.

**Chapter E16 Bush Fire Management**

There were no submissions received commenting on the Bush Fire Management chapter. Post-exhibition changes to Chapter D16 Bushfire Management are minor and consist of corrections to grammatical and spelling errors only. Attachment 2 is a marked up version of the chapter and there are no post exhibition changes proposed to this chapter.

As noted, the Bush Fire Management chapter applies to all bush fire affected land in the Wollongong Local Government Area. The chapter addresses Council’s requirements when a Development Application is lodged on bush fire prone land. It has been reviewed in order to ensure that the information in the chapter was relevant to the lodgement of a Development Application and provides clear controls relating to that development.

It is recommended that the revised chapter be adopted.

**Chapter E17: Preservation and Management of Trees and Vegetation**

There were no community submissions received relating to the exhibited Chapter E17 - Preservation and Management of Trees. A submission was received in relation to the Tree Management Permit Policy from Neighbourhood Forum 5 and it requested that Council include a requirement for neighbours to be notified of application for Tree Management Permits.

As noted, the revised draft chapter was rewritten concurrent to the re-introduction of the Tree Management Permit Policy which would commence upon the adoption of this chapter. The Tree Management Permit Policy will be a Council Policy that describes the application and assessment process. It is intended that the Tree Management Permit Policy will come into force with the adoption of the revised Chapter E17 - The Preservation and Management of Trees and Vegetation.

The revised draft Preservation and Management of Trees and Vegetation chapter will apply to all Development Applications that involve tree or vegetation removal but does not include the Tree Management Permit process, which is a separate approval for existing development seeking to manage trees not associated with development.

Council officers have considered this request for neighbour notifications and advise that this would be unrealistic for each and every tree management permit. It is current practice to notify neighbours in cases of significant tree overhangs to the property line or trees on fence lines. It is also current practice to provide notification to local Ward Councillors and Council’s Customer Service team of prominent tree removal consents.

In response to Neighbourhood Forum 5’s suggestion, it is proposed to provide additional notification to adjoining residents of approved tree removals over 20 metres in height.
due to the potential effect on the local amenity and environment of such mature trees. This new requirement has been included in the draft Tree Management Permit policy.

At Council’s 13 May 2013 meeting, Council requested that three additional tree species be added to the exempt species list. These included:

1. *Koelreuteria paniculata* (Golden Rain Tree);
2. *Celtis occidentalis* (Hackberry or Sugarberry); and
3. *Nageia falcatus* (Yellowood).

Due to the strong similarity in appearance between *Nageia falcatus* (Yellowwood) and the local native *Podocarpus elatus* (Illawarra Plum pine) it is recommended that only the *Koelreuteria paniculata* and *Celtis occidentalis* be added to the exempt species list.

Although there have been no submissions received on Chapter E17 Preservation and Management of Trees and Vegetation, there have been some minor amendments post exhibition that serve to clarify the application of the chapter further and reinstate some of the deleted information, such as definitions, for the purpose of ensuring adequate information in the chapter. Refer to Attachment 3 for a marked up copy of the chapter, post exhibition changes are highlighted in yellow.

**Consultation and Communication**

The three chapters that form part of Stage 3 of the Wollongong Development Control Plan review have been evaluated internally and the feedback has been incorporated into the draft chapters that were exhibited.

The review of Chapter C3 Boarding Houses included pre-exhibition discussions with Neighbourhood Forum 5 and the revised draft Preservation and Management of Trees chapter and the draft Tree Management Permit Policy have been discussed with the Environment and Sustainability Reference Group.

The exhibition of the draft chapters allowed the community the opportunity to review and provide feedback on the amended chapters. The draft chapters were exhibited between 24 May and 15 July 2013. Advertisements were placed in the Illawarra Mercury and Advertiser and information made available on Council’s website and at all Council’s libraries.

Two submissions were received from Neighbourhood Forum 5 and the issues raised have been discussed in this report.

The three chapters will assist the community to understand what is expected of development in Wollongong. Community input is vital but it is considered just as important that the chapters be a reflection of the current standards at a local level and state level, so that Council provides similar opportunities. Where appropriate, flexibility can be applied for those that develop under a Local Environmental Plan and Development Control Plan as opposed to a State Environmental Planning Policy.
Planning and Policy Impact

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

It specifically delivers on core business activities as detailed in the Land Use Planning Service Plan 2012-2013 being the review of the Wollongong Development Control Plan.

The White Paper and draft Exposure Bills for the new Planning Act were released on Tuesday 16 April 2013 for exhibition. The reforms will have implications for Council's Local Environmental Plans, Development Control Plan and Section 94/94A Contributions which will be merged to form a new planning document called a Local Plan.

However, it is unlikely that changes will occur to Council's planning policy within the next two to three years given the need for State policies, regional and sub-regional strategies to be in place to guide the preparation of the development of Local Area Plans.

Conclusion

Stage 3 of the review of the Wollongong Development Control Plan 2009 has been completed reviewing chapters C3 Boarding Houses, E16 Bushfire Management and E17 Preservation and Management of Trees and Vegetation and the Tree Management Permit Policy. The draft chapters and policy were exhibited and two submissions were received.

These submissions have been considered and it is recommended that the revised draft chapters be endorsed and a notice be placed in the newspaper advising of adoption. It is also recommended that the Tree Management Permit Policy be adopted by Council.
Council at its meeting on 12 November 2012 resolved to prepare a draft Planning Proposal to rezone 53 Pioneer Road and 203-207 Rothery Street Bellambi from R2 Low Density Residential to B1 Neighbourhood Centre and increase the floor space ratio from 0.5:1 to 0.75:1. The draft Planning Proposal was exhibited between 6 May 2013 and 7 June 2013. Two submissions were received during the exhibition period.

It is recommended that the draft Planning Proposal be finalised as the proposed B1 Neighbourhood Centre zone better suits the existing small-scale retail and commercial development located at 53 Pioneer Road and will provide Bellambi with an area zoned for a small neighbourhood centre, providing retail and business services in an accessible location.

**Recommendation**

1. The Planning Proposal to rezone 53 Pioneer Road, Bellambi (Lot 11 DP 1084344), 207 Rothery Street, Bellambi (Lot 2 DP 38303), 205 Rothery Street, Bellambi (Lot 3 DP 38303) and 203 Rothery Street, Bellambi (Lot A DP 158987), to B1 Neighbourhood Centre, and increase the floor space ratio to 0.75:1, be finalised under delegation issued by the Department of Planning and Infrastructure.

2. A letter be sent to those who made submissions thanking them for their submission and advising them of the outcome of the Planning Proposal.

**Attachments**

1. Location Map
2. Zoning Map
3. Floor Space Ratio Map

**Report Authorisations**

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

A rezoning request was received in March 2012 seeking to rezone 53 Pioneer Road Bellambi (Lot 11 DP 1084344) from R2 Low Density Residential to B1 Neighbourhood Centre to better reflect its historic and current land use. The property, which has an area of 1,295m², contains an approved small commercial building with a gross floor area of 505m². This building contains a pharmacy, small supermarket, hair salon, beautician, medical and pathology centre and 17 car parking spaces on the site entry is from Rothery Street and exiting from Pioneer Road. The property being 53 Pioneer Road is located on the corner of Pioneer Road and Rothery Street Bellambi (Refer to Attachment 1).

The site has been used for commercial purposes since at least 1972 (DA 1972/306 – Mixed grocery shop and five car parks). The site was previously zoned 3(a) General Business under Illawarra Planning Scheme Ordinance (1968) and 3(d) Neighbourhood Business under Wollongong Local Environmental Plan 38 (1984). This zone included 53 Pioneer Road, 207, 205 and 203 Rothery Street Bellambi, being Lot 11 DP 1084344, Lot 2 DP 38303 Lot 3 DP 38303 and Lot A DP 158987 respectively.

These properties were rezoned to 2(b) Medium Density Residential under Wollongong Local Environmental Plan 1990 for reasons unknown. This was translated to the current zoning (R2 Low Density Residential) under Wollongong Local Environmental Plan 2009.

The range of permitted uses on the site has been restricted by the R2 Low Density Residential zone under the Wollongong Local Environmental Plan 2009. The current uses on the site are no longer permitted in the R2 Low Density Residential Zone and rely on existing use rights.

The properties at 207 and 205 Rothery Street contain dwelling houses and 203 Rothery Street contains a neighbourhood shop and dwelling. These properties are located directly east of 53 Pioneer Road (refer to Attachment 1). Surrounding development consists of residential properties, the Bellambi Bowling Club to the north-east and a service station to the south-west.

Given the historic zoning of these properties for business; the existing commercial uses at 53 Pioneer Road and 203 Rothery Street; the absence of a town centre in Bellambi and the area’s high level of accessibility, it was considered appropriate to review the zoning of the four properties together. On 12 November 2012 Council resolved that:

1. A draft Planning Proposal be prepared for 53 Pioneer Road, Bellambi (Lot 11 DP 1084344); 207 Rothery Street, Bellambi (Lot 2 DP 38303), 205 Rothery Street, Bellambi (Lot 3 DP 38303) and 203 Rothery Street, Bellambi (Lot A DP 158987) to rezone the land from R2 Low Density Residential to B1 Neighbourhood Centre and increase the Floor Space Ratio from 0.5:1 to 0.75:1.

2. The draft Planning Proposal be forwarded to the NSW Department of Planning and Infrastructure for a Gateway determination and if approved exhibited for a minimum period of twenty eight (28) days.
A Gateway Determination was issued for the draft Planning Proposal on 14 January 2013 giving a timeframe of nine months for completion of the Planning Proposal. The draft Planning Proposal was exhibited from 6 May to 7 June and two submissions were received. These submissions are discussed in the Consultation and Communication section of this report.

On the 14 May 2013, Council received correspondence from the Department of Planning and Infrastructure conferring Council with authorisation to exercise delegation for the making of this Planning Proposal. This means Council does not have to send the draft Planning Proposal (if endorsed by Council) to the Department of Planning and Infrastructure for finalisation, but can liaise directly with Parliamentary Counsel to make the Local Environmental Plan amendments.

Proposal

The proposal seeks to amend the Land Zoning Map and Floor Space Ratio Map of the Wollongong Local Environmental Plan 2009 for 53 Pioneer Road and 207, 205 and 203 Rothery Street Bellambi as follows:

- Amend the Land Zoning map from R2 Low Density Residential to B1 Neighbourhood Centre (Attachment 2); and
- Amend the Floor Space Ratio map from 0.5:1 to 0.75:1 (Attachment 3).

This relates to a rezoning of 3,071m² of land. This is comparable to the neighbourhood centres in the adjacent suburb of East Corrimal, the Railway Street neighbourhood centre has 2,759.2m² of land zoned B1 Neighbourhood Centre and the Murray Road neighbourhood centre has 3,831.6m² of B1 zoned land. The suburbs have a similar catchment size. Bellambi has a population of 4,011 and East Corrimal has a population of 3,159 (ABS 2011 Census). It is noted that Bellambi currently does not have a town or neighbourhood centre, apart from a small area of B1 zoned land (1,500m²) provided in the west at the suburb’s border with Russell Vale. This area contains the Russell Vale Veterinary Clinic and is not centrally accessible (by foot) for many Bellambi residents.

Rezoning the sites to B1 Neighbourhood Centre would recognise the existing uses at 53 Pioneer Road, Bellambi and allow for change of uses within the existing commercial complex, redevelopment or expansion. The current residential zone permits small neighbourhood shops but does not permit other retail or commercial services such as medical centres or hair salons and the existing uses at 53 Pioneer Road are now prohibited and rely on existing use rights.

Dwelling houses are not permitted in the B1 Neighbourhood Centre zone and the existing dwellings at 207, 205 and 203 Rothery Street would rely on existing use rights should the zoning change to B1 Neighbourhood Centre. It is noted however that Shop top housing is a form of residential development permitted in the B1 Neighbourhood Centre zone.
Existing use rights place more restrictions on the expansion of commercial and light industrial premises than residential development. Under the Environmental Planning and Assessment Regulation 2000 an existing use may be enlarged, expanded or altered with development consent however extra restrictions apply for commercial uses, including that expansion is restricted to no greater than 10%.

The proposed increase in floor space ratio control from 0.5:1 to 0.75:1 is consistent with other neighbourhood centres in Wollongong. Changing this control would increase the density of the four properties and allow for the expansion of the neighbourhood centre in the future.

The height limit of 9 metres will not change under this draft Planning Proposal.

The proposed rezoning would allow for the clustering of small retail and commercial services in this area which is accessible to many residents of the suburb and reinstate the previous business zoning across the sites.

Consultation and Communication

Consultation was carried out in accordance with the Gateway Determination requirements.

The draft Planning Proposal was exhibited from 6 May and 7 June 2013. Letters were sent to all landowners in Bellambi (599 letters in total). Advertisements were also placed in the local newspaper. The draft Planning Proposal documentation was made available on Council’s website, in Wollongong and Corrimal libraries and at the Customer Service Centre in the administration building.

Two submissions were received; one from a community member, objecting to the proposal and one submission was received by a public authority who raised no objection to the proposal.

The objection raised concerns that rezoning would allow the demolition of residential properties and expand businesses in an area which is already overused for parking.

The submission also states that increasing the floor space ratio to allow for business expansion would be at the expense of providing parking, thereby endangering users of the intersection. The submission also argued that Corrimal Stocklands was only 1.4 kilometres away and the current usage of the properties was sufficient for local use only.

In response to these concerns it is noted that the proposed rezoning would not require the removal of the existing residences as they would benefit from existing use rights. Existing use rights do limit expansion of development however should demand arise to provide more services to meet the needs of the local community commercial development could, if the planning proposal proceeds, replace residential dwellings at 207-203 Rothery Street, Bellambi. It is further noted that No. 203 currently contains a neighbourhood shop.
Any future development would be subject to traffic and parking assessment as part of any development application. The purpose of a neighbourhood centre is to provide for the day to day needs of nearby residents and the proposed location of the neighbourhood centre is accessible to many residents without the use of a car, which is difficult to achieve for Corrimal Stocklands. The site is surrounded by residential development, is relatively flat in terms of topography and has good pedestrian and cycle links. The site is also located close to the Bellambi Bowling Club and bus stops. In addition, the planning proposal recognises the existing valued commercial complex which is currently a prohibited use in the R2 Low Density Residential zone and allows for future renewal or expansion within this complex when it becomes necessary.

A submission was received from the NSW Department of Education and Communities stating that they did not oppose the amendment.

It is noted that the owners of 203-207 Rothery Street (2 landowners) were notified of the proposal (as it directly affects these properties) and no responses were received from these landowners. As stated previously, the dwellings upon the site benefit from existing use rights.

### Planning and Policy Impact

#### White Paper – New Planning System for NSW

The exhibition period for the White Paper and draft Exposure Bills for the new Planning Act closed on 28 June 2013. The planning reforms will have implications for Council’s Local Environmental Plans, Development Control Plan and Section 94/94A Contributions which will be merged to form a new planning document called a Local Plan.

However, it is unlikely that changes will occur to Council’s planning policy within the next two to three years given the need for State policies, regional and sub-regional strategies to be in place to guide the preparation of the development of Local Area Plans.

It is not known what form the Local Plan will take or the precise implications for current Planning Proposals. It is possible that some forms of commercial development in business zones could become complying or code assessable development. The preparation of the Local Plan and its provisions will involve significant community consultation.

#### Illawarra Regional Strategy

The Illawarra Regional Strategy emphasises the importance of the commercial centres hierarchy. The higher order retail centre serving the Bellambi suburb is the Corrimal Town Centre. The Illawarra Regional Strategy does not specifically refer to Bellambi. However, it would be consistent with the intent of the commercial centres hierarchy to allow a small town centre as defined in the Illawarra Regional Strategy permitting retail, including shops, health and other services in the suburb of Bellambi, given its sizeable population catchment. This small centre, similar in size to other B1 zoned
neighbourhood centres is proposed around the existing commercial complex at 53 Pioneer Road and is located within walking distance for most residents of the suburb. It is envisaged that the centre would provide for the day to day convenience needs of local residents and some employment. The proposed neighbourhood centre zoning is not expected to adversely impact on neighbouring retail centres as residents of Bellambi would still be reliant on higher order centres such as Corrimal for most shopping. Therefore, the proposal is consistent with the commercial centres hierarchy within the Illawarra Regional Strategy.

Wollongong Retail Centres Study (2004 Hill PDA)

To inform the preparation of the draft Wollongong Local Environmental Plan, the Wollongong Retail Centre Study was completed in 2004. The study reviewed the City’s existing and emerging retail centres to assist Council in addressing the challenge of future growth and to establish retail centres hierarchy to guide future retail development.

The strategy did not refer to the site because the site was not zoned for the purpose of a neighbourhood centre. The study identifies that the Corrimal trade area services Corrimal, Tarrawanna, Bellambi and Towradgi. The study reinforces the roles of the retail hierarchy and warns against out-of-centre retail development.

The proposal is not considered to be out-of-centre development as it is too small an area and does not have the catchment population to attract higher order uses such as supermarkets. The study states that a population of 10,000 to 20,000 is required for a successful supermarket. The B1 Neighbourhood Centre zoning recognises the small nature of the centre and the objectives of the zone are to provide for the day to day needs of local residents.

Local convenience centres are described within the Retail Centre Study as generally having a retail floor area of less than 2,000m², for example the Austinmer, Primbee and Towradgi Neighbourhood Centres. The proposed Bellambi Centre is only slightly larger at 3,071m² and is of similar size to other neighbourhood centres in the northern suburbs. The study recommends a catchment of 700-1,000 dwellings within 500m in order for a small centre to be economically sustainable. The subject site is considered to meet this criterion as it services a sizable catchment and is considered suitable for a small local convenience centre because it is accessible for pedestrians, close to bus stops, the Bellambi Bowling Club, has exposure to a busy local road (Pioneer Road) and increases choice for local residents.

Wollongong 2022

Wollongong 2022 is a long term plan that identifies where the community wants to be in the future and outlines the community’s priorities and aspirations and how these will be achieved.

This report contributes to the Wollongong 2022 Objective 2.1 Local employment opportunities are increased within a strong local economy under the Community Goal 2: We have an innovative and sustainable economy.
This report also contributes to the Wollongong 2022 Community Goal 5: *We are a healthy community in a liveable city,* specifically objective 5.1: *There is an increase in the physical fitness, mental health and emotional wellbeing of all our residents,* and the associated strategies:

- **Strategy 5.1.3 - Residents have improved access to affordable and timely medical services.**
- **Strategy 5.1.4 - Flexible services are provided and can adapt to changing community needs and service demands.**
- **Strategy 5.1.6 - The long term needs of the community, including our people and our places, are effectively planned for.**
- **Strategy 5.1.7 - Urban areas are created to provide a healthy living environment for community.**

This Planning Proposal contributes to the achievement of these goals, objectives and strategies as it seeks to provide Bellambi with a small neighbourhood centre including health services in an accessible area, encouraging walking and providing some new employment opportunities. There are also environmental benefits to reducing car trips by providing day to day goods and services within walking distance from people’s homes. Rezoning the existing shops in the area and the neighbouring properties will allow for future expansion of the neighbourhood centre should future demand occur.

The Delivery Program 2012-17 and Annual Plan 2012-13 assists in the delivery of Wollongong 2022. This proposal delivers 5.1.5.1 *Assess rezoning submissions and progress supported Planning Proposals.*

**Conclusion**

There is no neighbourhood centre in the suburb of Bellambi east of the railway line and the nearest large commercial centre is Corrimal over 1.7 km away. The existing shops on Pioneer Road serve the daily needs of local residents and provide a useful service within walking distance to these residents. The current R2 Low Density Residential zoning on the site does not permit the existing land uses, which were approved under previous planning controls and now rely on existing use rights. This severely limits future redevelopment or expansion of these shops and it is considered appropriate to rezone the site to B1 Neighbourhood Centre to allow a wider range of commercial uses to service the local community.

It is recommended that the Planning Proposal to rezone 53 Pioneer Road and 207, 205, and 203 Rothery Street from R2 Low Density Residential to B1 Neighbourhood Centre and increase the floor space ration from 0.5:1 to 0.75:1 be finalised. This will provide the suburb of Bellambi with a small convenience centre providing goods and services to local residents in an accessible area.
ITEM 8  WOLLONGONG CITY COUNCIL PLACE MANAGEMENT STRATEGY

This report provides recommendations to Council regarding the adoption of a Place Management framework, with the goal of enhancing integration and deployment of Council planning, asset management and service delivery programs.

Recommendation

Council adopt -

1. Place Management principles as an overarching framework for planning and delivery of business outcomes.

2. Place Management business practices, including the delegation of responsibility for identified “places” within the Wollongong local government area to relevant Senior Managers, to achieve business outcomes.

Attachments

There are no attachments for this report.

Report Authorisations

Report of: Jenny Thompson, Manager Library and Community Services
Authorised by: Greg Doyle, Director Corporate and Community Services – Creative, Engaged and Innovative City

Background

At its meeting of 11 March 2013, Council requested for a report investigating the use of Place Management principles within the Wollongong Local Government Area, including the merit of appointing a Place Manager for each of the three Council Wards.

The term “Place Management” is used variously within government and local government, to describe a function or activity as well as a strategic approach to governance within a defined locality. From its inception in 1980’s Town Centre Management in the United Kingdom, to its present manifestations, there are numerous models of Place Management, which have achieved varying degrees of sustainability and success. Within Wollongong LGA a number of Place Management programs and projects have been implemented since the late 1990’s/early 2000’s, including NSW Government programs such as Families First and Strengthening Local Communities and the joint Wollongong City Council – NSW Department of Premier and Cabinet Southern Suburbs Place Management program: 2000-2007. Although the current Wollongong CBD City Centre Management program reflects some elements of Place Management models, this program was not conceived as an exercise in Place Management and does not represent this paradigm.
A review of government initiatives within NSW and Australia that have adopted a Place Management approach to their business, including those within Wollongong LGA, reveals a diversity of purposes, approaches and outcomes. Despite this diversity, a number of common themes in relation to Place Management emerge from the literature, including:

- the role of Place Management in improving local economic and business capacity, project delivery, community and cultural life and/or integrated service provision
- embedding Place Management principles and modus operandi into the ways that government does business, is a critical adjunct to the creation of designated Place Manager roles
- Place Management requires sustained investment and a longitudinal approach, rather than being conceived as a short-term program producing immediate gains

The experiences of local government agencies in implementing Place Management highlight further issues and opportunities:

- Place Management must be guided by a robust plan with measurable outcomes – linked to Community Strategic Plan outcomes
- planning and operational streams of Council activity must be linked together to achieve place outcomes – organisational structure should support and reflect place-based approaches to Council business
- stakeholder identification, engagement, liaison and relationship management is key to the success of Place Management
- there is a risk of mismatch between Place Manager roles and priorities as a member of Council and their role as an advocate on behalf of their “place”
- effective Place Management relies on staff having seniority, delegation, access to Executive and legitimacy across Council work teams
- the diversity of “places”, local issues and dynamic agendas for Place Management means that there is no “one size fits all” approach to Place Management and that a variety of different skills, knowledge and personal attributes is required for Place Management, depending on project, issues, locale and a range of other factors.

**Proposal**

Research into the adoption of Place Management as a framework for management of projects and community issues included consideration of the viability of creating discrete Place Manager positions within Council. The function, location, management and situation within the organisational structure of Place Manager positions were explored in detail, as were opportunities to identify funding from within the existing Council budget to resource additional positions within the organisational establishment.
The range of issues associated with employment and deployment of Place Managers, along with the imperative for financial sustainability at the present time are contra-indicative to the creation of new Place Manager positions within Council. It is therefore proposed that Council does not pursue this option.

At the same time, there is obvious merit in adopting a Place Management approach to the way Council does business, to enhance integration and deployment of Council planning, asset management and service delivery programs. It is therefore proposed that Council:

1. Adopts Place Management principles as an overarching business framework, including:
   - a holistic view of “place” as a business paradigm
   - implementing cross-cutting approaches to planning and deployment of projects, programs and services that impact on local communities
   - identifying outcomes and accountabilities in relation to nominated “places” and their management
   - recognising the critical role that timely and relevant information and communication play in achievement of place management outcomes
   - a focus on sustainability and long-term outcomes for designated “places

2. Adopts Place Management practices as the way of doing business in Council, including:
   - focusing Place Management efforts on a number of selected “places” within Wollongong LGA, based on Wollongong 2022 strategic priorities, supporting effective implementation of Town and Village Plans and achievement of major capital projects and allowing for effective response to emerging local needs
   - allocating responsibility and accountability for designated “places” to Senior Managers, who will act as the point of contact for Council and community
   - employing effective internal systems and processes to support a cross-cutting approach to planning and deployment of place management projects
   - adopting project management methodologies that facilitate a structured and clearly identify and make provision for effective engagement with, stakeholders

The deployment of a Place Management approach by Council in planning, project delivery and management of identified locales within the Wollongong LGA, will enable the needs of Council and community to be addressed, within the parameters of the organisation’s commitment to financial sustainability.

At this time it is not proposed to pursue the creation of discrete Place Manager positions to achieve Place Management outcomes. The adoption and deployment of Place management principles and practices across Council is proposed as a more effective model.
Consultation and Communication

General Manager
Manager Environmental Strategy and Planning
Manager Community Cultural and Economic Development
Manager Property and Recreation
Manager Infrastructure Strategy and Planning
Economic Development Manager

A literature review and research into the experiences of other local government areas in relation to place management were conducted.

Discussions with Councillors, a survey of Councillors to determine their needs and aspirations in relation to Place Management and a Councillor Workshop to explore the issue were also conducted.

Planning an Policy Impact

This report relates to the commitments of Council as contained within Wollongong 2022 Community Strategic Plan as follows:

Community Goal 1: We Value and Protect our Environment
1.6.2 Urban density and expansion, such as West Dapto, are carefully planned to reflect the principles of ecological sustainable development and balance economic, social and environmental considerations

Community Goal 2: We have an innovative and sustainable economy
2.1.2 Wollongong’s Central Business District continues to expand as the regional centre for commercial services, health services and other high order services, retail, entertainment and dining to stimulate and retain local employment
2.1.6 Major new urban growth areas such as West Dapto are managed effectively to balance employment and population growth
2.3.1 Wollongong’s City Centre is revitalised and active

Community Goal 3: Wollongong is a creative, vibrant city
3.4.2 Using community cultural development practices, our places and spaces reflect the creativity and identity of our people

Community Goal 4: We are a connected and engaged community
4.3.2 Quality district level services, libraries and facilities are available to local communities
Community Goal 5: We are a healthy community in a liveable city

5.1.1 We work in partnership to build on opportunities to strengthen vulnerable communities

5.1.5 The long term needs of the community, including our people and our places, are effectively planned for

5.1.6 Urban areas are created to provide a healthy living environment for our community

5.3.3 Well maintained assets that meet the needs of current and future communities are provided

Financial Implications

This proposal will be fully funded from within existing resources.

Conclusion

The adoption of Place Management principles and practices will enhance Wollongong City Council’s achievement of planned outcomes and capacity to respond effectively to emerging needs.
ITEM 9  TENDER  T13/17  -  WOLLONGONG CITY FLOODPLAIN RISK MANAGEMENT STUDY AND PLAN

This report recommends acceptance of a tender for the preparation of a Floodplain Risk Management Study and Plan for the Wollongong City Catchment in accordance with the requirements of the Local Government Act 1993 and the Local Government (General) Regulation 2005.

Recommendation

1. In accordance with the Local Government (General) Regulation 2005, Clause 178 (1) (a), Council accept the tender of Web McKeown and Associates for consulting services for Wollongong City Floodplain Risk Management Study and Plan, in the sum of $128,255, excluding GST.

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

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

Attachments

Catchment Plan

Report Authorisations

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

Background

In March 2013, Council finalised the Wollongong City Flood Study. The study showed there were areas within the catchment that are significantly inundated by flood waters. The aim of the Floodplain Risk Management Study and Plan is to investigate the flooding issues and to determine cost effective solutions (if any) to the flooding problems in accordance with the NSW Government's Floodplain Development Manual (2005).

Five tenders were received and the report recommends Council accept the tender submitted by Web McKeown and Associates.

Tenders were invited by the open tender method with a close of tenders of 10.00 am on 9 July, 2013.
Five tenders were received by the close of tenders and all tenders have been scrutinised and assessed by a Tender Assessment Panel comprising representatives of the Infrastructure, Property Recreation, Governance Information and Finance Divisions. The Tender Assessment Panel assessed all tenders in accordance with the following assessment criteria as set out in the formal tender documents:

1. Referees (mandatory)
2. Cost to Council (30%)
3. Project schedule (25%)
4. Demonstrated experience in undertaking projects of similar size and scope (20%)
5. Staff qualifications and experience (20%)
6. Strengthening of local economic capacity (5% - mandatory)

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

<table>
<thead>
<tr>
<th>Tenderer</th>
<th>Ranking</th>
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<tbody>
<tr>
<td>Webb McKeown and Associates</td>
<td>1</td>
</tr>
<tr>
<td>BMT WBM Pty Ltd</td>
<td>2</td>
</tr>
<tr>
<td>GHD Pty Ltd</td>
<td>3</td>
</tr>
<tr>
<td>Cardno (NSW/ACT) Pty Ltd</td>
<td>4</td>
</tr>
<tr>
<td>Worley Parsons Services</td>
<td>5</td>
</tr>
</tbody>
</table>

Whilst Web McKeown and Associates did not submit the lowest tender they showed consistency across all assessment criteria and excelled in Criteria 3 - Project schedule, Criteria 4 - Demonstrated experience in undertaking projects of similar size and scope, and Criteria 5 – Staff qualifications and experience. These three assessment criteria in total outweighed the cost factor. Also Web McKeown and Associates prepared the Wollongong City Flood Study, so their local knowledge in the catchment scored higher than the other consultants. This will ultimately save Council time and money because the other consultants would have required time to familiarise themselves with the models and the catchment. Web McKeown and Associates also offered twice the
number of floodplain mitigation options to be assessed at no additional cost, which is a key component of the proposed study.

**Proposal**

Council engage Webb McKeown and Associates to carry out the consulting services for Wollongong City Floodplain Risk Management Study and Plan in accordance with the scope of works and technical specifications developed for the project.

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

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

**Consultation and Communication**

1. Members of the Tender Assessment Panel consisting of representatives from Infrastructure, Property Recreation, Governance Information and Finance Divisions
2. Nominated Referees

**Planning and Policy Impact**

This report relates to the commitments of Council as contained within the Strategic Management Plans:

Wollongong 2022 Community Goal and Objective – This report contributes to the Wollongong 2022 Objective 1.1.3 under the Community Goal 1.

It specifically delivers on core business activities as detailed in the Natural Area Management Service Plan 2013-14.

**Risk Assessment**

The risk in accepting the recommendation of this report is considered low based on the following –

- This tender process has fully complied with Council’s tendering procedures and the Local Government Act 1993.

The recommended tenderer, Webb McKeown and Associates, has successfully completed a number of projects of similar size and scope for Council.
**Financial Implications**

It is proposed that the total project be funded from the following source/s as identified in the Delivery Program 2012-17 and Annual Plan 2013-14:

(33% Council and 67% State Government Stormwater Services Funding).

**Conclusion**

Webb McKeown and Associates has submitted an acceptable tender to carry out the consulting services for Wollongong City Floodplain Risk Management Study and Plan. Council should endorse the recommendations of this report.
ITEM 10  COMMUNITY TRANSPORT - BROKERAGE OF TAXI VOUCHER SERVICES TO WOLLONGONG RADIO CABS

This report seeks Council approval for exemption from the Procurement Policy in relation to brokerage of Wollongong Radio Cabs to deliver taxi voucher services for Council’s Community Transport project. The request for exemption affords compliance with Section 55 of the NSW Local Government Act.

Recommendation

As per section 55 of the Local Government Act, Council endorse the brokerage of Wollongong Radio Cabs to deliver taxi voucher services.

Attachments

There are no attachments for this report.

Report Authorisations

Report of: Jenny Thompson, Manager Library and Community Services
Authorised by: Greg Doyle, Director Corporate and Community Services - Creative, Engaged and Innovative City

Background

Wollongong City Council delivers community transport services across the Wollongong and Shellharbour local government areas, in partnership with Shellharbour City Council, under a funding program administered by Transport for NSW. The current funding agreement expires on 30 June 2015.

Council has operated a taxi voucher scheme as a service component of its community transport program for older people and people with a disability since 2009. The program provides subsided taxi transport to eligible clients via taxi vouchers, which clients use to purchase the service of a local taxi. Wollongong Radio Cabs, the only provider of taxi services in the Wollongong and Shellharbour local government areas, has supplied taxi services under the taxi voucher scheme since its inception.

The projected annual expenditure on the taxi voucher program is in the range of $400,000-$450,000 and under Council’s Procurement Policy, contracting for a service at this level of financial commitment requires a tender process. To gain exemption from the tender process for contracts greater than $150,000, in compliance with Section 55 of the NSW Local Government Act, a resolution of Council is required.
The request for exemption to deviate from Council’s Procurement Policy and Procedures is based on the following criteria:

- Wollongong Radio Cabs is the sole provider of taxi services in the Wollongong and Shellharbour Local Government areas, from the southern end of Helensburgh, south to the Minnamurra Bridge.
- Wollongong Radio Cabs is based in Wollongong and operates as a co-operative, with 114 taxi driver members. Some of the members are multiple taxi plate licensees.
- Wollongong Radio Cabs is capable of undertaking the service to Council’s standards and in accordance with service specifications.

Proposal

Council endorses an exemption to deviate from the Procurement Policy and Procedures for the contracting of the taxi voucher service, based on the fact that there are no other taxi providers in the local government area. This will enable Council’s community transport service to continue to utilise the services of Wollongong Radio Cabs.

Council endorsed a similar exemption on 14 December 2010, which expired on 30 June 2013.

Consultation and Communication

Finance Division - Supply Chain and Logistics
Corporate Support Services - Governance and Information

Planning and Policy Impact

This report contributes to the achievement of Wollongong 2022 Community Strategic Plan as follows:

Goal 5: We are a healthy community in a liveable city

5.1 There is an increase in the physical fitness, mental health and emotional wellbeing of all our residents.

5.5 Participation in recreational and lifestyle activities is increased.

It specifically addresses the Annual Plan 2013-14 Key Deliverables:

5.5.3 Healthy, active ageing programs are promoted in partnership with government agencies and community organisations which forms part of the Five Year Action Plan.

5.5.3.1 Deliver a range of programs for older people.
Goal 6: We have sustainable, affordable and accessible transport

6.3: Transport disadvantaged communities have increased access to services.

5 Year Action 6.3.1.1: Deliver a range of programs for older people.

Financial Implications

The endorsement of an exemption from tender for the provision of taxi voucher services has no financial implications for Council.

Community transport services are fully funded by federal and state government. The provision of a taxi voucher scheme is a component of Council’s service agreement with Transport for NSW and has been provided for within the current and forward budget, up until June 2015.

Conclusion

This report seeks an exemption from Council’s Procurement Policy to enable the continued brokerage of Wollongong Radio Cabs to deliver the community transport taxi voucher scheme, in compliance with Section 55 of the NSW Local Government Act.
ITEM 11  PROPOSED ACQUISITION OF SPLAY CORNERS - INTERSECTION OF KEMBLA STREET AND STEWART STREET, WOLLONGONG

It has been identified that splay corners need to be acquired from Lot 1 DP 152892 No 94 Kembla Street and Lot 300 DP 827624 No 27A Stewart Street, Wollongong to facilitate future roadworks at the intersection of Kembla and Stewart Streets, Wollongong.

This report seeks Council approval to the acquisitions.

Recommendation

1 Pursuant to Section 177 of the Roads Act 1993, Council make application to the Minister for Local Government and the Governor for the compulsory acquisition of a splay corner at Lot 1 DP 152892 No 94 Kembla Street, Wollongong, as shown on the attachment to this report.

2 If agreement is reached with the owner of the land prior to the compulsory acquisition application being finalised, authority be granted to the General Manager to finalise the negotiations.

3 Council acquire the splay corner from Lot 300 DP 827624 No 27A Stewart Street, Wollongong, as shown on the attachment to this report, on the following conditions.
   a Compensation in the amount of $2,250 (GST exc) be paid for the land.
   b Council be responsible for all costs in the matter.
   c Council be responsible for the reinstatement of fencing to the new boundary.

4 Upon acquisition, the splay corners be dedicated as public road in accordance with Section 10 of the Roads Act 1993.

5 Authority be granted to affix the Common Seal of Council to the compulsory acquisition documents, plan of survey, transfer documents and any other documents required to give effect to this resolution.

Attachments

Plan showing land proposed to be acquired from Lot 1 DP 152892 No 94 Kembla Street, Wollongong and Lot 300 DP 827624 No 27A Stewart Street, Wollongong.
Report Authorisations

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

Background

It has been identified that splay corners need to be acquired from Lot 1 DP 152892 No 94 Kembla Street and Lot 300 DP 827624 No 27A Stewart Street, Wollongong to facilitate future road works at the intersection of Kembla and Stewart Streets, Wollongong. Both splay corners are 3m x 3m with an area of 4.5m² each and the land is zoned B4 Mixed Use.

A market valuation of the splay corner at No 27A Stewart Street was obtained and following negotiation, agreement was reached with the owner, the Illawarra Retirement Trust, for Council to acquire the land for $2,250 (GST exc) with Council to be responsible for all costs in the matter.

Due to the presence of a large fig tree, pedestrians were previously crossing over the private property of No 94 Kembla Street to walk around the corner. In late 2012, the owner of the property fenced his boundary and consequently there is not enough room for pedestrians to walk on the footpath. They are forced to walk around the tree on the road which poses a significant risk to the public.

A market valuation of the splay corner was obtained and an offer of $4,500 (GST exc) made to the owner in October 2012 to acquire the land. The owner responded requesting $20,250 (GST exc). In March 2013, in an effort to reach agreement, Council increased its offer to $6,000 (GST exc), however, the owner rejected that offer and has not responded to subsequent correspondence.

As the fig tree is causing a major hazard to pedestrians, this matter needs to be resolved. Therefore, it is considered appropriate that an application for compulsory acquisition of the splay corner be made to the Minister for Local Government and the Governor.

Proposal

Pursuant to its powers under Section 177 of the Roads Act 1993, it is proposed that Council initiate action under the Land Acquisition (Just Terms Compensation) Act 1991 to acquire the splay corner at Lot 1 DP 152892 No 94 Kembla Street, Wollongong, as shown on the attachment to this report.

It is also proposed Council acquire a splay corner from Lot 300 DP 827624 No 27A Stewart Street, Wollongong on the following conditions:

a Compensation in the amount of $2,250 (GST exc) be paid for the land.
b  Council be responsible for all costs in the matter.

c  Council be responsible for the reinstatement of fencing to the new boundary.

Upon the acquisition of both splay corners, it is proposed they be dedicated as public road in accordance with Section 10 of the Roads Act 1993.

Consultation and Communication

Owners of Lot 1 DP 152891 No 94 Kembla Street and Lot 300 DP 827624 No 27A Stewart Street, Wollongong.

Opteon (South East Regional NSW) Pty Ltd – valuers.

Infrastructure, Strategy and Planning Manager

Planning and Policy Impact

Wollongong 2022 Community Goal and Objective – This report contributes to the Wollongong 2022 objective “Provide statutory services to appropriately manage and maintain our public spaces” under the Community Goal “We are a healthy community in a liveable city”.

It specifically delivers on core business activities as detailed in the Property Services Service Plan 2013-14.

Financial Implications

The valuation by Opteon assessed the amounts of compensation payable and formed the basis of Council’s offers to the landowners.

In the event that the portion of land from No 94 Kembla Street is acquired by compulsory acquisition without agreement with the landowner, the amount of compensation will be determined by the Valuer General in accordance with the Land Acquisition (Just Terms Compensation) Act 1991. Council is legally obliged to pay this amount, along with all other costs including valuation and legal costs, unless the owner lodges an objection with the Land and Environment Court.

Conclusion

As the subject splay corners are an integral component of future road works at this intersection, it is recommended that the acquisitions as set out in this report be approved.
The June 2013 draft Quarterly Review Statement reports on the progress made to achieve Council’s Wollongong 2022 Strategic Management Plans, in particular the Delivery Program 2012-17 and Annual Plan 2012-13. It addresses the financial and operational performance of Council for the fourth quarter of the 2012-13 financial year. This is the fourth Quarterly Review Statement since the endorsement of the Wollongong 2022 Strategic Management Plans under the Integrated Planning and Reporting Framework.

The draft Quarterly Review Statement also includes the Budget Review Statement.

**Recommendation**

The June 2013 draft Quarterly Review Statement be adopted.

**Attachments**

June 2013 Draft Quarterly Review Statement

**Report Authorisations**

Report of:  Kerry Hunt, Executive Manager Strategy  
Authorised by:  David Farmer, General Manager

**Background**


This report provides an overview of the purpose of the draft Quarterly Review Statement and includes significant achievements against the priority areas as identified in the Wollongong 2022 Delivery Program 2012-17 and Annual Plan 2012-13.

The draft quarterly overview reports on highlights and progress of key projects for the six Community Goals from the Wollongong 2022 Community Strategic Plan. The organisational performance is reported through the inclusion of the executive key performance indicators.
Highlights from this quarter include:

- Commencement of the first stage of the Shone Avenue, West Dapto road and bridge upgrade. The works costing $56 million are part funded by an interest free loan from the NSW State Government, an infrastructure grant from the Australian Government and Council.

- Installation of an accessibility platform at Dapto Heated Pool.

Council also received recognition of its work during the June quarter. These were:

- The Regeneration and New Development Award at the National Trust of Australia (NSW) Heritage Awards in May 2013 for the North Beach Bathers’ Pavilion.

- OOSCHAS Award (peak body for Out of School Hours Services in NSW) from the Network of Community Activities for work consulting and collaborating with children in developing the Wollongong 2022 Community Strategic Plan.

### Consultation and Communication

All members of the Executive and Senior Management have had input into the production of the June 2013 draft Quarterly Review Statement.

### Planning and Policy Impact


### Financial Implications

Full financial performance details and implications on Council’s financial position are contained within the attached Budget Review Statement.

### Conclusion

This June 2013 draft Quarterly Review Statement has been prepared following input and assistance from all Divisions within the organisation. It is submitted for consideration by Council.
The July 2013 financial reports show a positive result over a range of indicators.

The Operating Result (pre capital) shows a $0.9M favourable variance against the year to date budget. The favourable variance is largely due to timing of a range of income and expenditure items compared to the phased budget. The budget has been phased using a combination of month end cut off dates, prior year patterns and specific timing, where available, that may not reflect actual expenditure patterns particularly in the early months of the year. These patterns will be refined through the coming months.

The Funds (cash) result for July shows an unfavorable variance of $1.2M. This is predominantly due to the lower than anticipated proportion of funded projects progressed during the month.

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

Council has expended $2.2M on its capital works program representing 3% of the annual budget. The year to date budget for the same period was $2.6M

**Recommendation**

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

**Attachments**

1. Income, Expense and Funding Statements – July 2013

**Report Authorisations**

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

**Background**

This report presents the Income and Expense Statement, Balance Sheet and Cash Flow Statement for July 2013. Council’s current budget has a Net Funding (cash) deficit of $11.3M, an Operating Deficit [Pre Capital] of $24.5M and a capital expenditure of
$73.4M. At the end of July, Council remains on target to the operational components of this result. The following table provides a summary view of the organisation’s overall financial results for the year to date.

<table>
<thead>
<tr>
<th>KEY MOVEMENTS</th>
<th>Original Budget</th>
<th>YTD Forecast</th>
<th>Actual</th>
<th>Variation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operating Costs $M</td>
<td>(243.6)</td>
<td>(17.8)</td>
<td>(17.8)</td>
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<tr>
<td>Operating Revenue $M</td>
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<td>15.7</td>
<td>16.6</td>
<td>0.9</td>
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<tr>
<td><strong>Operating Result [Pre Capital] $M</strong></td>
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<td>(2.1)</td>
<td>(1.2)</td>
<td>0.9</td>
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<tr>
<td>Capital Grants &amp; Contributions $M</td>
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<tr>
<td><strong>Operating Result $M</strong></td>
<td>(4.4)</td>
<td>(0.7)</td>
<td>0.8</td>
<td>1.5</td>
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<tr>
<td>Operational Funds Available for Capital $M</td>
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<td>2.3</td>
<td>2.4</td>
<td>0.1</td>
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<tr>
<td>Capital Works $M</td>
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<td>2.2</td>
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<tr>
<td>Transfer to Restricted Cash</td>
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<td>0.3</td>
<td>-</td>
<td>-</td>
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<tr>
<td><strong>Contributed Assets</strong></td>
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<tr>
<td>Funded from:</td>
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<td></td>
</tr>
<tr>
<td>- Operational Funds $M</td>
<td>28.9</td>
<td>2.3</td>
<td>2.4</td>
<td>0.1</td>
</tr>
<tr>
<td>- Other Funding $M</td>
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<td>2.3</td>
<td>0.5</td>
<td>(1.8)</td>
</tr>
<tr>
<td>Total Funds Surplus/(Deficit) $M</td>
<td>(11.3)</td>
<td>1.8</td>
<td>0.6</td>
<td>(1.2)</td>
</tr>
</tbody>
</table>

Financial Performance

The Total Funds result as at 26 July 2013 is unfavourable against the phased budget largely due to the progress of funded capital projects. While overall capital expenditure is close to the phased budget, more of this relates to Council funded works compared to projects that have external funding attached.

Capital Budget

Council has expended $2.2M on its capital works program representing 3% of the annual budget of $73.4M. The year to date budget for the same period was $2.6M.

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

Liquidity

Council’s cash and investments decreased during July 2013 to holdings of $103.1M compared to $116.8M at the end of June 2013. This reflects normal trends for this time of the year as Council awaits the first rate instalment in August.

Council’s cash, investments and available funds positions for the reporting period are as follows:
CASH, INVESTMENTS & AVAILABLE FUNDS

<table>
<thead>
<tr>
<th></th>
<th>Actual 2012/13</th>
<th>Original Budget 2013/14</th>
<th>Actual Ytd 26 July 2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Cash and Investments</td>
<td>$116.8</td>
<td>100.7</td>
<td>103.1</td>
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<tr>
<td>Less Restrictions:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>External</td>
<td>$66.1</td>
<td>66.6</td>
<td>69.5</td>
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<tr>
<td>Internal</td>
<td>$22.2</td>
<td>20.1</td>
<td>22.6</td>
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<tr>
<td>Total Restrictions</td>
<td>88.3</td>
<td>86.8</td>
<td>92.1</td>
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<tr>
<td>Available Cash</td>
<td>$28.5</td>
<td>13.9</td>
<td>11.0</td>
</tr>
<tr>
<td>Adjusted for:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Current payables</td>
<td>(23.2)</td>
<td>(21.9)</td>
<td>(15.6)</td>
</tr>
<tr>
<td>Receivables</td>
<td>26.2</td>
<td>21.2</td>
<td>36.7</td>
</tr>
<tr>
<td>Net Payables &amp; Receivables</td>
<td>3.0</td>
<td>(0.7)</td>
<td>21.1</td>
</tr>
<tr>
<td>Available Funds</td>
<td>$31.5</td>
<td>13.2</td>
<td>32.1</td>
</tr>
</tbody>
</table>

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

The available funds remain above Council’s Financial Strategy target of 3.5% to 5.5% of operational revenue [pre capital]. Based on the Adopted 2013/14 Annual Plan, the target range for Available Funds is between $7.7M and $12.0M. Actual Available Funds at 26 July 2013 are higher primarily due to the early payment of the Federal Assistance Grant ($8.7M), underspend of Council funded capital ($2.5M) and general operational savings carried forward from the 2012/13 financial year.

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

Receivables are the amount of money owed to Council or funds that Council has paid in advance. Non-current rates debtors are included in this amount to measure Available Funds. At July 2013, receivables totalled $36.7M, compared to receivables of $30M at July 2012. The major fluctuations relate to the timing of rates payments which are accrued for July before the actual payments are due, and a high level of prepayments (shown as Other on the balance sheet) reflecting annual payments made in advance.

Payables

Payables (the amount of money owed to suppliers) of $15.6M were owed at July 2013 compared to payables of $15.9M in July 2012. The majority of payables relate to goods and services and capital projects delivered but not yet paid for and rating income received in advance. Council has continued to improve its performance in paying its creditors on time during this financial year with 92% of payments being made on time in July 2013 compared to the target of 85%.

Debt

Council continues to have financial strength in its low level of borrowing. Council’s Financial Strategy includes provision for additional borrowing in the future and Council will consider borrowing opportunities from time to time to bring forward the completion of capital projects where immediate funding is not available. In 2009/10, Council borrowed $26M interest free to assist in the delivery of the West Dapto Access Plan. More recently, Council has been successful in an application for $20M under the Local Government Infrastructure Renewal Scheme that will be used over a five year period to
accelerate the Citywide Footpaths and Shared Path Renewal and Missing Links Construction Program.

The industry measure of debt commitment is the Debt Service Ratio that measures the proportion of revenues that is required to meet annual loan repayments. Council’s low level of debt means that Council’s Debt Service Ratio at the end of July 2013 was 1.02%. This is exceptionally low in comparison to the Local Government’s benchmark ratio of <10% and well within Council’s own longer term target of <4%. It is noted that non-cash interest expense relating to the amortisation of the income recognised on the West Dapto Access Plan Loan is not included when calculating the Debt Service Ratio.

**Assets**

The Balance Sheet shows that $2.4B of assets are controlled and managed by Council for the community as at 26 July 2013. The 2013/14 capital works program includes projects such as the West Dapto Access Strategy, the Crown Street Mall upgrade, Whytes Gully new landfill cell, other civil asset renewals including roads, car parks and buildings and purchase of library books. At the end of July, capital expenditure amounted to $2.2M.

**Planning and Policy Impact**

This report relates to the commitments of Council as contained within the Strategic Management Plans:

Wollongong 2022 Community Goal and Objective – This report contributes to the Wollongong 2022 objective *our local council has the trust of the community* under the Community Goal *we are a connected and engaged community*.

It specifically delivers on core business activities as detailed in the Financial Services Service Plan 2013/14.

**Conclusion**

The results compared to budget for the early months of the year can be distorted by the phasing methodology applied to the budget compared to actual project and program progress. The results for July 2013 are generally within projections over a range of financial indicators and it is expected that Council will achieve the forecast annual results.
ITEM 14 STATEMENT OF INVESTMENTS - JULY 2013

This report provides an overview of Council’s investment portfolio performance for the month of July 2013.

Council’s average weighted return for July 2013 was 4.79% which was above the benchmark return of 2.96%. The result was primarily due to solid returns received on the term deposits, and the positive marked to market valuation of investments in Council’s portfolio. The remainder of Council’s portfolio continues to provide a high level of consistency in income and a high degree credit quality and liquidity.

Recommendation

Council receive the Statement of Investments for July 2013.

Attachments

1. Statement of Investments – June 2013
2. Investment Income Compared to Budget 2012-13

Report Authorisations

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

Background

Council is required to invest its surplus funds in accordance with the Ministerial Investment Order and Division of Local Government guidelines. The Order reflects a conservative approach and restricts the investment types available to Council. In compliance with the Order and Division of Local Government guidelines, Council has adopted an Investment Policy which was endorsed by Council on 13 August 2012. The Investment Policy provides a framework for the credit quality, institutional diversification and maturity constraints which Council’s portfolio can be exposed to. Council’s investment portfolio is controlled by Council’s Finance Division and external investment advisors, Oakvale Capital Limited, to ensure compliance with the Investment Policy. Council’s Governance Committee role of overseer provides for the review of the Investment Policy prior to submission to Council and review of the Investment Strategy and monthly Statement of Investments.

Council’s Responsible Accounting Officer is required to sign the complying Statement of Investments contained within the report, certifying that all investments were made in
Ordinary Meeting of Council 26 August 2013

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

During July, Council was advised by its current investment advisor that it will not be able to provide services after July 2013 as it is ceasing operations and moving into voluntary administration. While Council’s Investment Strategy does not specifically state the need for an advisor, it does include the role in its governance process to assist with Investment Strategy development, provide monthly valuation of investments, calculate investment accruals and provide advice on investment decisions or actions if investments are downgraded.

Prior to procuring a new supplier for this service, it is considered opportune to review the current requirements and ensure they reflect the restricted investment practices now available to Council. Such review will also need to consider the potential impacts of proposed changes by the Independent Review Panel that, if implemented, would see a move to investments being managed by the State through T-Corp.

It is proposed that Council manage without an advisor while this review is being carried out for a period of up to three months. It is anticipated that the day to day management of the portfolio would not be disrupted, however, Council would not be able to provide up to date valuation on the grandfathered investments such as the CBA Zero Coupon, Mortgage Backed Securities or Floating Rate Note on a monthly basis. The short term movement in the valuation of these assets during that time should not be significant. Council will continue to monitor and advise any material variations to these investments through other sources.

In addition to Investment Policy roles, Council’s advisor has also provided Council with access to an investment settlement service (Austraclear) through a proxy arrangement. Their administrator is currently offering to continue this service until the end of November. Austraclear is fully owned by the Australian Securities Exchange and provides Council with clear benefits including:

- All securities are held in Council’s legal name and on its own account,
- Simultaneous exchange of cash and security, eliminating settlement risks and third party risks,
- A central location for all of Council’s securities, removing time delays and costs in relation to auditor reports and holding certificates of ownership.

As part of the review, it will need to be determined whether Council should seek another supplier to replace Oakvale through a proxy arrangement or set up an Austraclear account in Council’s own right.

Council’s investment holdings as at 26 July 2013 were $101,343,132 (Statement of Investments attachment) [27 July 2012 $73,645,152].

During July, Council posted a weighted average return of 4.79% (annualised) compared to the benchmark return of 2.96% (annualised UBS Warburg Bank Bill Index). As at July, year to date interest and investment revenue of $379,385, was recognised
compared to a July year to date budget of $333,968. Council’s above benchmark investment portfolio returns were primarily solid returns received on the term deposits and the positive marked to market valuation of investments in Council’s portfolio. The performance of the remainder of Council’s portfolio continues to provide a high level of consistency in income and a high degree credit quality and liquidity.

Council’s CBA Zero Coupon Bond experienced a no change in valuation for July. As this bond gradually nears maturity, movements in interest rates will have less of an impact on the securities valuation. While there will be short term fluctuations along the way, the investments valuation will gradually increase to its $4M maturity value. Council’s Westpac floating rate note had an increase in value of $2,560 for July.

Council holds two Mortgaged Backed Securities (MBS) that recorded an increase in value of $9,107. These investments continue to pay higher than normal variable rates. While the maturity dates are outside Council’s control, our investment advisors have indicated that capital is not at risk at this stage and have recommended a hold strategy due to the illiquid nature of the investment.

The NSW T-Corp Long-Term Growth Facility recorded an increase in value of $46,992 in July. The fluctuation is a reflection of the current share market volatility both domestically and internationally.

Following its August 2013 meeting, the RBA decided to reduce the official cash rate from 2.75% down to 2.50%. The RBA advised that it would continue to assess the outlook and adjust policy as needed to foster sustainable growth in demand and inflation outcomes consistent with the inflation target over time. The current inflation rate is consistent with the 2 to 3% target.

This report complies with Council’s Investment Policy which was endorsed by Council on 13 August 2012. Council’s Responsible Accounting Officer has signed the complying Statements of Investments contained within the report, certifying that all investments were made in accordance with the Local Government Act 1993 and the Local Government Regulation 2005.

Planning and Policy Impact

This report relates to the commitments of Council as contained within the Strategic Management Plans:

Wollongong 2022 Community Goal and Objective – This report contributes to the Wollongong 2022 objective our local community has the trust of the community under the Community Goal we are a connected and engaged community.

It specifically delivers on core business activities as detailed in the Financial Services Service Plan 2013-14.
An electronic meeting of the City of Wollongong Traffic Committee was held on the 15 August 2013 to consider the demolition of the Port Kembla Copper Stack involving an exclusion zone with road closures of Darcy and Military Roads, Wentworth, Church, Marne, Reservoir, Electrolytic and Fitzwilliam Streets, and Second Avenue, and Gloucester Boulevarde which must be determined by Council.

The meeting also considered the temporary road closures in relation to Spring into Corrimal to be held on Sunday 8 September 2013 which must be determined by Council.

**Recommendation**

In accordance with the powers delegated to Council, the minutes and recommendations of the electronic meeting of the City of Wollongong Traffic Committee held on 15 August 2013 in relation to Regulation of Traffic be adopted.

**Attachments**

There are no attachments for this report.

**Report Authorisations**

Report of: Mike Dowd, Manager Infrastructure Strategy and Planning

Authorised by: Peter Kofod, Director Infrastructure & Works – Connectivity, Assets and Liveable City

**Background**

**PORT KEMBLA**

1 Traffic Management for demolition of Port Kembla Copper Stack – Thursday 5 September 2013 (TMP ref: Z13/156235)

**Background:**

On Thursday 5 September 2013 Port Kembla Copper has arranged to demolish the 200 m high stack as part of the work on its site. The approvals from other statutory authorities require Port Kembla Copper to set up an exclusion zone around the site of the demolition work and to arrange for the closure of the affected public roads.
Port Kembla Copper has submitted a Traffic Management Plan to Council for the closure of Darcy and Military Roads, Wentworth, Church, Marne, Reservoir, Electrolytic and Fitzwilliam Streets, and Second Avenue, and Gloucester Boulevarde. The closures are under the supervision of the NSW Police and will take effect from 7 am to 1 pm on Thursday 5 September 2013.

PROPOSAL SUPPORTED (UNANIMOUSLY):
The road closures be approved in accordance with the submitted traffic management plan and Council’s standard conditions for road closures.

CORRIMAL
2 Princes Highway between Railway and Collins Streets – Spring into Corrimal – Sunday 8 September 2013 (TMP ref: Z13/157752)

Background:
The traffic management company appointed for the management of traffic during the Spring into Corrimal festival lodged the traffic management plans for the event with very short notice. Accordingly, an electronic meeting of the Committee was necessary to process the application in time.

The traffic arrangements are the same as for previous years where buses and taxis are to be diverted via Underwood Street around the closure of the Princes Highway. The road closures will take effect from 5 am – 6 pm.

PROPOSAL SUPPORTED (UNANIMOUSLY):
The road closures be approved in accordance with the submitted traffic management plan and Council’s standard conditions for road closures.

Planning and Policy Impact
This report relates to the commitments of Council as contained within the Strategic Management Plans:

Wollongong 2022 Community Goal and Objective – This report contributes to the Wollongong 2022 Objective 5.5 Participation in recreational and lifestyle activities is increased under Community Goal 5 – We are a healthy community in a liveable city.
An electronic meeting of the City of Wollongong Traffic Committee was held on 6 August 2013.

Item 1 in relation to Regulation of Traffic on public roads is recommended for approval by Council.

**Recommendation**

In accordance with the powers delegated to Council, the minutes and recommendations of the Electronic Meeting of the City of Wollongong Traffic Committee held on 6 August 2013 in relation to Regulation of Traffic be adopted.

**Attachments**

There are no attachments for this report.

**Report Authorisations**

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

**Background**

**OTFORD**

1. **Station Road and Lady Wakehurst Drive – Coastal Classic – request for alternative date (TMP ref: Z13/29855)**

   **Background:**

   Maximum Adventure Pty Ltd has approval for a local road closure of Station Road, Otford for the running of the Coastal Classic from Station Road to Lady Wakehurst Drive and then through the Royal National Park walking trails on Saturday, 7 September 2013 from 6 am to 10 am. The organisers have requested an alternative date be approved for Saturday, 28 September 2013 as a contingency for adverse weather. The organisers have advised that 7 September 2013 is still the preferred date and can be held at the same time as the upcoming Federal Election, which uses the Otford Public School in Station Road as a polling place.
PROPOSAL SUPPORTED (UNANIMOUSLY):

The proposed road closure for Station Road be approved for the alternative date of Saturday 28 September 2013 as a contingency for adverse weather, in accordance with the submitted traffic management plans and Council’s standard conditions for road closures.

Planning and Policy Impact

This report relates to the commitments of Council as contained within the Strategic Management Plans:

Wollongong 2022 Community Goal and Objective – This report contributes to the Wollongong 2022 Objective 5.5 *Participation in recreational and lifestyle activities is increased* under the Community Goal 5 – *We are a healthy community in a liveable city.*
ORDINARY MEETING OF COUNCIL

at 6.00 pm

Monday 12 August 2013

Present

Lord Mayor – Councillor Bradbery OAM (in the Chair), Councillors, Connor, Brown, Takacs, Martin, Merrin (until 9.37 pm), Blicavs, Colacino, Crasnich, Curran and Petty

In Attendance

General Manager – D Farmer, Director Corporate and Community Services – Creative, Engaged and Innovative City – G Doyle, Director Infrastructure and Works – Connectivity, Assets and Liveable City - P Kofod, Director Planning and Environment – Nature, City and Neighbourhoods – A Carfield, Manager Governance and Information – L Kofod, Manager Finance – B Jenkins, Manager Property and Recreation – P Coyte, Manager Environmental Strategy and Planning – R Campbell, Manager Community Cultural and Economic Development – T Buchanan and Manager Infrastructure Strategy and Planning – M Dowd

Apologies

Min No.

157 COUNCIL’S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Connor that the apologies tendered on behalf of Councillors Kershaw and Dorahy be accepted.
INDEX

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disclosures of Interest</td>
<td>1</td>
</tr>
<tr>
<td>Disclosures of Interest</td>
<td>1</td>
</tr>
<tr>
<td>Petition – Ban the Bag Illawarra</td>
<td>1</td>
</tr>
<tr>
<td>Confirmation of Minutes of Ordinary Meeting of Council 22 July 2013</td>
<td>1</td>
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<td>Confirmation of Minutes of Extraordinary Meeting of Council 29 July 2013</td>
<td>2</td>
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<tr>
<td>Public Access Forum – Installation of Dust Monitors at Port Kembla and Demolition of Port Kembla Copper Stack</td>
<td>2</td>
</tr>
<tr>
<td>Public Access Forum – Ban on Single-Use Plastic Bags</td>
<td>3</td>
</tr>
<tr>
<td>Public Access Forum – Financial Sustainability Update</td>
<td>4</td>
</tr>
<tr>
<td>Public Access Forum – Concerns about possible Health Impacts – Demolition of Port Kembla Copper Stack</td>
<td>4</td>
</tr>
<tr>
<td>ITEM E Lord Mayoral Minute - Acknowledgement of Service to Council - Peter Kofod (CM202/13)</td>
<td>5</td>
</tr>
<tr>
<td>ITEM F Lord Mayoral Minute - Acknowledgement of University of Wollongong and TAFE Illawarra Team Winning the 2013 Solar Decathlon (CM202/14)</td>
<td>5</td>
</tr>
<tr>
<td>Additional Item – Matter of Great Urgency</td>
<td>7</td>
</tr>
<tr>
<td>Demolition of Port Kembla Copper Stack</td>
<td>7</td>
</tr>
<tr>
<td>ITEM A Notice of Motion - Councillor Curran - Continued Concern Regarding Proposed NSW Planning Legislation (CM194/13)</td>
<td>8</td>
</tr>
<tr>
<td>ITEM B Notice of Motion - Councillor Martin - Permanent Air Quality Monitoring at Gloucester Boulevard, Port Kembla (CM195/13)</td>
<td>10</td>
</tr>
<tr>
<td>ITEM C Notice of Motion - Councillor Merrin - Asbestos Disposal Facility in Wollongong (CM196/13)</td>
<td>10</td>
</tr>
<tr>
<td>ITEM D Notice of Motion - Councillor Merrin - Reduce Single-Use Plastic Bags in Wollongong (CM197/13)</td>
<td>11</td>
</tr>
<tr>
<td>ITEM</td>
<td>Description</td>
</tr>
<tr>
<td>--------</td>
<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>ITEM 1</td>
<td>Smoke-Free Arts Precinct (CM192/13)</td>
</tr>
<tr>
<td>ITEM 2</td>
<td>Illawarra Regional Food Strategy (CM144/13)</td>
</tr>
<tr>
<td>ITEM 3</td>
<td>Destination Wollongong - Council Independent Board Appointment (CM191/13)</td>
</tr>
<tr>
<td>ITEM 4</td>
<td>Live Music Taskforce - Community Member Nominee (CM199/13)</td>
</tr>
<tr>
<td>ITEM 5</td>
<td>Revoking of Policy - Rentals - Illawarra Community Housing Trust Ltd (CM160/13)</td>
</tr>
<tr>
<td>ITEM 6</td>
<td>Revoking of Policy - Camping on Land Owned and Controlled by Council (CM162/13)</td>
</tr>
<tr>
<td>ITEM 7</td>
<td>June 2013 Financials (CM200/13)</td>
</tr>
<tr>
<td>ITEM 8</td>
<td>Statement of Investments - June 2013 (CM190/13)</td>
</tr>
<tr>
<td>ITEM 9</td>
<td>Minutes of the City of Wollongong Traffic Committee meeting held 17 July 2013 and Electronic Meeting held 30 July 2013 (CM193/13)</td>
</tr>
<tr>
<td>ITEM 10</td>
<td>Financial Sustainability Update (CM201/13)</td>
</tr>
</tbody>
</table>
DISCLOSURES OF INTEREST

Councillor Martin declared a non-pecuniary, non-significant conflict of interest in Item A due to her employment by the Department of Planning and Infrastructure and, given that the Notice of Motion specifically refers to a matter pertaining to the new Act, Councillor Martin advised that she would leave the Chamber during consideration and voting on the Item.

Councillor Martin also declared a non-pecuniary, non-significant conflict of interest with respect to Port Kembla Copper as she has had a long-term professional relationship with the Director, and through the Director, the Board of Port Kembla Copper, whilst working on a project at Port Kembla Primary School.

PETITION – BAN THE BAG ILLAWARRA

Councillor Merrin tabled a petition from Ban the Bag Illawarra, with over 1,300 signatures, calling on Council to introduce a ban on plastic shopping bags throughout the Wollongong local government area. With free plastic bags readily available in shops, many consumers do not think twice about using plastic bags instead of bringing their own. The bags are polluting waterways, killing marine life, littering parks and streets, and adding tonnes of non-degradable waste to our landfill sites. The group believes the Illawarra could slash single-use plastic bag consumption with many flow-on benefits to the community and environment.

Councillor Merrin advised that the group was calling on Council to obtain legislative approval from State Government so that a ban can be introduced in the Wollongong local government area.

COUNCIL’S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Merrin seconded Councillor Takacs that the petition be received.

CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 22 JULY 2013

COUNCIL’S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Blicavs that the Minutes of the Ordinary Meeting of Council held on Monday, 22 July 2013 (a copy having been circulated to Councillors) be taken as read and confirmed.
CONFIRMATION OF MINUTES OF EXTRAORDINARY MEETING OF COUNCIL HELD ON MONDAY, 29 JULY 2013

COUNCIL’S RESOLUTION – MOVED Councillor Brown seconded Councillor Blicavs that the Minutes of the Extraordinary Meeting of Council held on Monday, 29 July 2013 (a copy having been circulated to Councillors) be taken as read and confirmed, subject to the addition of the following statement to Councillor Petty’s disclosure of pecuniary interest ‘A copy of the Special Disclosure of Pecuniary Interest tabled by Councillor Petty will be appended to the official copy of the minutes, and retained in Council’s records system’.

An AMENDMENT was MOVED by Councillor Petty seconded Councillor Curran that the Minutes of the Extraordinary Meeting of Council held on Monday, 29 July 2013 (a copy having been circulated to Councillors) be taken as read and confirmed, subject to –

1 The addition of the following statement to Councillor Petty’s disclosure of pecuniary interest ‘A copy of the Special Disclosure of Pecuniary Interest tabled by Councillor Petty will be appended to the official copy of the minutes, and retained in Council’s records system’.

2 Item 8 include the following wording ‘Moved Councillor Petty seconded Councillor Curran that Council make a note as to the reason for the change from the staff’s recommendation’.

Councillor Petty’s AMENDMENT on being PUT to the VOTE was LOST.

Councillor Brown’s MOTION was PUT and CARRIED UNANIMOUSLY.

PUBLIC ACCESS FORUM – INSTALLATION OF DUST MONITORS AT PORT KEMBLA AND DEMOLITION OF PORT KEMBLA COPPER STACK

Ms H Hamilton advised of her support for the installation of dust monitors in Port Kembla. However, she said residents of Port Kembla were more concerned about the lack of monitors right now, with the pending explosion and then the dropping of the Port Kembla Copper stack proposed for 6 September. Also, there are no monitors to measure the dust kept in the stack by a heavy plug at the top, which could release heavy metals, sulphuric acid or deadly asbestos when it drops.

She further stated that residents had not been informed of their legal rights, or whether they live in or out of the Exclusion Zone. Residents do not even know where the Zone begins or ends, or what expert decided on those boundaries. Residents were also still trying to establish which level of
Government is legally responsible for their safety and health and that of pets and properties. Ms Hamilton said that the installation of dust monitors was urgent and their installation should take place prior to the demolition of the stack. In conclusion, she wished to know what Minister, Government Department or Authority would hold the ultimate legal responsibility for adverse outcomes following the demolition.

PUBLIC ACCESS FORUM – BAN ON SINGLE-USE PLASTIC BAGS

Ms A Prior supported the banning of single-use plastic bags in the Illawarra. She said such a ban had already occurred in South Australia, the ACT, Western Australia, Northern Territory and Tasmania. She stated that each year, 50 million bags do not end up in the bin, but enter the Australian environment, including the ocean. The bags do not biodegrade and tiny particles are mistaken for food by small fish. The plastic remains in the body of small fish, which are then eaten by larger fish and this continues all the way up the food chain to humans. Banning single-use plastic bags from the Illawarra will reduce the number of bags which end up in the ocean and will help make the fish we eat healthier and less toxic.

Ms Prior also said that tourists come to the Illawarra to enjoy the beaches and other natural attractions. With 90% of marine litter being plastic, research had shown that litter was the key factor which determines whether tourists have a good experience. In conclusion, Ms Prior said that it was estimated that 100,000 marine animals were killed by plastics each year and she asked Council to give favourable consideration to banning single-use plastic bags from the Wollongong local government area.

Ms C Lee, on behalf of Ban the Bag Illawarra, said that the group’s ultimate aim was to have single-use plastic shopping bags banned, not only throughout the Wollongong local government area, but also throughout New South Wales. Along with taking a legislative approach to make this happen, she said that there needed to be work done in the community and with businesses to build awareness and an understanding of why this change is needed. The group was happy to work with Council, the Chambers of Commerce and individual retailers to help educate the public and business community.

Ms Lee said that the reality is there are alternatives to plastic shopping bags. Target, Aldi, Bunnings and a number of stores throughout the Illawarra have shown that it is possible for customers to adjust to shopping without plastic bags. In conclusion, Ms Lee said that Wollongong prides itself as being a City of Innovation and with Fremantle being the first local
council in Australia to implement a ban; she asked whether Wollongong could be the first New South Wales Council to introduce a ban, further positioning itself as a leader in environmental sustainability.

PUBLIC ACCESS FORUM – FINANCIAL SUSTAINABILITY UPDATE

Dr R Robinson said that in relation to financial sustainability, Council in 2007 took a politically ‘soft option’ and contributed significantly to incorrect business principles that have led to today’s messy challenge. He said that whilst he endorsed much of what was presented in tonight’s report on this matter, he asked that the following adjustments be considered, which embrace active community participation –

1 Council staff produce four financial models with quantifiable outcomes and estimated rates of return.

2 Councillors take these financial and prioritised models to a number of community workshops that will provide –
   - Information and teaching of community participants so that they will understand and be informed. More than one workshop is expected to be necessary.
   - Workshop outcomes containing informed community preferences be fed back to staff for remodelling where necessary.
   - A second round of Councillor / community workshops examine the staff review of improving operational and service efficiencies.
   - Workshop outcomes containing informed community preferences be fed back to staff for remodelling, where necessary.
   - The ‘why’ of final recommendations be presented to the community and explained or adjusted where necessary.

PUBLIC ACCESS FORUM – CONCERNS ABOUT POSSIBLE HEALTH IMPACTS – DEMOLITION OF PORT KEMBLA COPPER STACK

Mr P Nolan advised that he was against the approval given for the demolition of the Port Kembla Copper stack. In particular, he was concerned that asbestos particles could be released into the atmosphere and subsequently endanger the health of residents of Port Kembla.

Mr Nolan had been told that a solution, in terms of stabilising the stack, would be to insert steel rods down the middle and then pour in concrete. In conclusion, Mr Nolan said that the demolition should not proceed and that if it did, that the approving authority would be ultimately responsible for endangering the lives of residents, whilst at the same time, devaluing properties in Port Kembla.
COUNCIL’S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Crasnich that all speakers be thanked for their presentation and invited to table their notes.

DEPARTURE OF COUNCILLOR

During discussion and prior to voting on Item E, Councillor Crasnich departed and returned to the meeting, the time being from 6.42 pm to 6.43 pm.

ITEM E – LORD MAYORAL MINUTE - ACKNOWLEDGEMENT OF SERVICE TO COUNCIL - PETER KOFOD

COUNCIL’S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Bradbery that on behalf of the community, Council express its gratitude to Peter Kofod for 36 years of dedicated service to the City of Greater Wollongong and his stewardship of our City’s infrastructure.

Councillors also acknowledged Mr Kofod’s service by acclamation.

ITEM F – LORD MAYORAL MINUTE - ACKNOWLEDGEMENT OF UNIVERSITY OF WOLLONGONG AND TAFE ILLAWARRA TEAM WINNING THE 2013 SOLAR DECATHLON

COUNCIL’S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Bradbery that, as proud sponsors of Team UOW (collaborative effort of the University of Wollongong and TAFE Illawarra students and staff), Wollongong City Council congratulates the following team members for their outstanding efforts in winning the Solar Decathlon 2013 in Datong China with their entry of the Illawarra Flame House. Wollongong City Council would like to acknowledge this outstanding effort which positions our region as world leaders in sustainable technology and affirms our status on the international stage as a “City of Innovation”:

Students
- Lloyd Niccol – Engineering and Commerce
- Scott Redwood – Engineering
- Michael Whitehouse – Informatics
- Jack Breen - Faculty Commerce
- Emily Ryan – Commerce
- Fiona Hudson – Creative Arts and Communications
Minute No

- Eva Guo – Engineering
- Rui Yan – Engineering
- Daniel Jones – Commerce and Heath and Behavioural Sciences
- Chelsea Cook – Creative Arts
- Jason Hamilton – Commerce
- Matthew Fuller – TAFE Architectural Technology
- David Everitt – Engineering
- Nalin Piyaratna – Engineering
- Darren Koppel – Science Health and Medicine
- Chris Nicolson – Engineering
- Christopher Pearson – Engineering
- Gavin Treseder – Engineering and Informatics
- Vincent Tang – Engineering and Commerce
- James Macquire – Engineering
- Terry McKenzie – Engineering
- Ryan Dobbs – TAFE Architecture Technology
- Charlie Prior – Engineering
- Lachlan Roder – Engineering
- Fiona Sparks – Commerce and Law
- Teiya Thornberry – Commerce
- Eli Taylor – Science
- Laia Ledo – Engineering
- Brooke Henderson - Engineering
- Nathanael Charlesworth – Commercial Cookery
- Massimo Fiorentini – Engineering
- Evan Huang – Beihang Exchange Student
- Dan Meng – Beihang Exchange Student
- Daniel Daly – Engineering
- Ziyan su – Beihang Exchange Student
- Nicholas Underhill – Arts

Staff

- Paul Cooper – Sustainable Buildings Research Centre
- Marty Burgess – TAFE Management Representative
- Alexandra McPaul – Interior Design
- Tim McCarthy – Deputy Faculty Advisor
- Zhenjun Ma- Academic Support and International Liaison Officer
ADDITIONAL ITEM - MATTER OF GREAT URGENCY

Councillor Curran advised that she wished to put forward a motion which she considered to be urgent as a result of concerns raised by members of the Port Kembla community regarding Port Kembla Copper’s scheduled demolition of the stack and the lack of community consultation and knowledge about the conditions of consent.

The Lord Mayor deemed the matter to be of great urgency.

164 COUNCIL’S RESOLUTION - RESOLVED on the motion of Councillor Merrin seconded Councillor Petty that Council consider a matter of great urgency.

In favour Councillors Connor, Brown, Takacs, Merrin, Blicavs, Colacino, Crasnich, Curran, Petty and Bradbery

Against Councillor Martin

DEPARTURE OF COUNCILLOR

During discussion and prior to voting on the Matter of Great Urgency Councillor Connor departed and returned to the meeting, the time being from 7.00 pm to 7.01 pm.

DEMOLITION OF PORT KEMBLA COPPER STACK

MOVED Councillor Curran seconded Councillor Petty that –

1 Council write to Port Kembla Copper and NSW Minister for Planning and Infrastructure, The Hon. Brad Hazzard MP, requesting that the date for demolition of the Port Kembla Copper stack be postponed until Port Kembla Copper and NSW Planning and Infrastructure can demonstrate that the conditions of project approval have been complied with and commitments by Port Kembla Copper honoured.

2 If the Minister does not take such action within the next seven (7) days, Council immediately take action to obtain an injunction to restrain the demolition from proceeding.

Variation The variation moved by Councillor Bradbery to Part 1 (the deletion of the word ‘demanding’ and replacement with the word ‘requesting’) was accepted by the mover and seconder.
COUNCIL’S RESOLUTION - An AMENDMENT was MOVED by Councillor Brown seconded Councillor Connor that Council write to the Minister for Planning and Infrastructure, The Hon Brad Hazzard MP, requesting confirmation that all planning requirements and conditions relating to the demolition of the Port Kembla Copper stack, including the removal and disposal of any hazardous substances, are being complied with.

Variation The variation moved by Councillor Takacs, ie the addition of the words ‘including the removal and disposal of any hazardous substances’ was accepted by the mover and seconder.

Councillor Brown’s AMENDMENT on being PUT to the VOTE was CARRIED.

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

Councillor Brown’s AMENDMENT then BECAME the MOTION.

The MOTION on being PUT to the VOTE was CARRIED.

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

DEPARTURE OF COUNCILLOR

Due to a prior Disclosure of Interest, Councillor Martin was not present during debate and voting on Item A.

ITEM A – NOTICE OF MOTION - COUNCILLOR CURRAN - CONTINUED CONCERN REGARDING PROPOSED NSW PLANNING LEGISLATION

COUNCIL’S RESOLUTION - RESOLVED on the motion of Councillor Curran seconded Councillor Takacs that -

1 Council write to the Premier for New South Wales, The Hon. Barry O'Farrell MP, requesting he commit to a rewriting of the Planning Bill 2013 Exposure Draft and a re-exhibition of any proposed legislation, citing the major points of Council’s previous submissions on the Planning Legislation.
2 A copy of the letter be forwarded to all Members of the NSW Parliament for their attention.

3 Council write to Local Government NSW urging the Chief Executive to make representations to the Premier that any new planning legislation which attracts the level of criticism from reputable bodies such as ICAC and the Law Society of NSW should not be passed by Parliament until further extensive rewriting and consultation has occurred with ICAC, the Law Society of NSW and those who have to primarily implement the Act, ie local government.

4 Copies of the above letters be provided to Councillors by way of the Information Folder.

Variation The variations moved by –

- Councillor Brown (the addition of the words to Part 1 ‘citing the major points of Council’s previous submissions on the Planning Legislation’; and
- Councillor Merrin (the addition of the words at the end of Part 3 ‘ICAC, the Law Society of NSW and’;

were accepted by the mover and seconder.

In favour Councillors Connor, Brown, Takacs, Merrin, Curran, Petty and Bradbery

Against Councillors Blicavs, Colacino and Crasnich

DEPARTURE OF COUNCILLORS

During discussion and prior to voting on Item B, the following Councillors departed and returned to the meeting –

- Councillor Blicavs from 7.42 pm to 7.43 pm,
- Councillor Brown from 7.43 pm to 7.46 pm,
- Councillor Colacino from 7.44 pm to 7.47pm, and
- Councillor Takacs from 7.53 pm to 7.55 pm.
ITEM B - NOTICE OF MOTION - COUNCILLOR MARTIN - PERMANENT AIR QUALITY MONITORING AT GLOUCESTER BOULEVARD, PORT KEMBLA

COUNCIL’S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Martin seconded Councillor Connor that -

1 Council seek the support of the NSW Office of Environment and Heritage and the Environmental Protection Authority to establish a permanent air quality monitor in Port Kembla.

2 In response to the increased industrial activity in and around Port Kembla, Council, as a matter of priority, work with the above Government agencies, local industry and the Port Kembla Pollution Committee to establish the best location for the monitor.

3 Council calls on the State Government to formulate an "Illawarra Air Particles Action Plan", similar in style and context to the Upper Hunter Air Particles Action Plan 2013, administered by the NSW Environment Protection Authority.

Variation The variation moved by Councillor Connor (the addition of Part 3) was accepted by the mover.

DEPARTURE OF COUNCILLOR

During discussion and prior to voting on Item C, Councillor Petty departed and returned to the meeting, the time being from 8.03 pm to 8.05 pm.

ITEM C - NOTICE OF MOTION - COUNCILLOR MERRIN - ASBESTOS DISPOSAL FACILITY IN WOLLONGONG

COUNCIL’S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Merrin seconded Councillor Curran that -

1 A report be submitted to the Council meeting on 9 September 2013, investigating the feasibility of collecting and disposing of asbestos waste at Council's Whyte's Gully Waste Facility.

2 The report consider the environmental, social and economic costs and benefits of providing such a facility for the residents of Wollongong.
ITEM D – NOTICE OF MOTION - COUNCILLOR MERRIN - REDUCE SINGLE-USE PLASTIC BAGS IN WOLLONGONG

169 COUNCIL RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Merrin seconded Councillor Takacs that –

1 Council -

a Acknowledge the efforts taken by many local businesses and residents to reduce the number of single-use or non-biodegradable plastic bags used throughout the Wollongong local government area;

b Acknowledge that single-use plastic bags are a major litter problem in our parks and waterways, and can result in the deaths or injury of many turtles, marine mammals, birds and other animal species - this to be included in Council's weekly newspaper notices, newsletter and the Council website, along with educational materials;

c Write to the State and Federal Governments urging them to introduce legislation that would ban non-biodegradable single-use plastic shopping bags;

d Ensure all Council owned or controlled business and commercial activities, and Council owned or controlled venues, eliminate the availability of non-biodegradable plastic shopping bags;

e Receive a report on the cost of the installation of gross litter traps at all appropriate stormwater and watercourse outlets to the ocean and Lake Illawarra over the medium term;

f Receive a report that explores options for Council to sponsor a trial program for retailers to place a price on plastic bags;

g Contact major local retailers to encourage them to collaborate with Council voluntarily in a staged approach to reduce, and ultimately eliminate, plastic shopping bags from the Wollongong local government area; this programme to be evaluated after two years.

2 Council’s Waste and Resource Recovery Strategy be amended to reflect these changes.

Variation The variation moved by Councillor Takacs (Part 1 (e) to replace the words ‘commit to’ with the words ‘Receive a report on the cost of’) was accepted by the mover.

The variation moved by Councillor Brown (Part 1 (f) to replace the words ‘Introduce a trial cooperative programme in the northern suburbs of Wollongong, to place a small price on plastic bags sold by retailers;’ with
the words ‘Receive a report that explores options for Council to sponsor a trial program for retailers to place a price on plastic bags’) was accepted by the mover and seconder.

CALL OF THE AGENDA

170 COUNCIL’S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Connor that the staff recommendations for Items 1, 3, 5 and 6, 8 and 9 inclusive, be adopted as a block.

A PROCEDURAL MOTION was MOVED by Councillor Merrin seconded Councillor Crasnich that the meeting adjourn for a five minute break. At this stage, the time being 8.28 pm, the meeting was adjourned.

The meeting resumed at 8.34 pm with all Councillors in attendance, with the exception of Councillors Blicavs and Curran who both returned at 8.35 pm, during consideration of Item 2.

ITEM 1 – SMOKE-FREE ARTS PRECINCT

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 170).

COUNCIL’S RESOLUTION – Council undertake community engagement regarding a proposal to make the Arts Precinct, or parts thereof, a smoke-free zone.

A PROCEDURAL MOTION was MOVED by Councillor Petty seconded Councillor Crasnich that a one minute extension be granted to Councillor Takacs to address the meeting in relation to Item 2.
ITEM 2 - ILLAWARRA REGIONAL FOOD STRATEGY

COUNCIL’S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Takacs seconded Councillor Brown that -

1. Council adopt the 'Illawarra Regional Food Strategy' (Attachment 1 of the report) as a commitment to the principles of food security and local food system sustainability.

2. Council note that an 'Illawarra Regional Food Strategy Action Plan' (Attachment 2 of the report) has been developed as an internal document that will provide the basis for selecting and resourcing actions and projects for Council’s Delivery Program, consistent with Wollongong 2022.

ITEM 3 - DESTINATION WOLLONGONG - COUNCIL INDEPENDENT BOARD APPOINTMENT

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 170).

COUNCIL’S RESOLUTION –

1. Council endorses the appointment of Mr Lube Markovski as a Council-appointed Independent Director to the Board of Destination Wollongong.

2. Council extend the terms of all the Directors for another twelve months: Anita Mulrooney, Sue Baker Finch, Wayne Morris, the current vacancy and the Council Director position held by Councillor Leigh Colacino.

3. From 2014-15 Council implement a two year rotation for Destination Wollongong Board appointees, with the replacement or re-nomination of two independent Directors annually.

ITEM 4 - LIVE MUSIC TASKFORCE - COMMUNITY MEMBER NOMINEE

COUNCIL’S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Martin seconded Councillor Crasnich that Council endorse the appointment of ten community representatives to the Live Music Taskforce, as determined by the Assessment Panel.
ITEM 5 - REVOKING OF POLICY - RENTALS - ILLAWARRA COMMUNITY HOUSING TRUST LTD

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 170).

COUNCIL’S RESOLUTION – Council policy “Rentals – Illawarra Community Housing Trust Ltd” be revoked.

ITEM 6 - REVOKING OF POLICY - CAMPING ON LAND OWNED ANDCONTROLLED BY COUNCIL

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 170).

COUNCIL’S RESOLUTION – Council policy “Camping on Land Owned and Controlled by Council” be revoked.

DEPARTURE OF COUNCILLOR

During discussion and prior to voting on Item 7, Councillor Colacino departed and returned to the meeting, the time being from 8.53 pm to 8.54 pm.

ITEM 7 - JUNE 2013 FINANCIALS

COUNCIL’S RESOLUTION - RESOLVED UNANIMOUSLY on the motion of Councillor Brown seconded Councillor Blicavs that the report be received and noted.

ITEM 8 - STATEMENT OF INVESTMENTS - JUNE 2013

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 170).

COUNCIL’S RESOLUTION – Council receive the Statement of Investments for June 2013.
ITEM 9 - MINUTES OF THE CITY OF WOLLONGONG TRAFFIC COMMITTEE MEETING HELD 17 JULY 2013 AND ELECTRONIC MEETING HELD 30 JULY 2013

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 170).

COUNCIL’S RESOLUTION - In accordance with the powers delegated to Council, the minutes and recommendations of the City of Wollongong Traffic Committee meeting held 17 July 2013 and the electronic meeting held 30 July 2013 in relation to Regulation of Traffic be adopted.

DEPARTURE OF COUNCILLORS

During discussion and prior to voting on Item 10, Councillor Curran departed and returned to the meeting, the time being from 9.23 pm to 9.25 pm.

At this stage, the time being 9.37 pm, Councillor Merrin departed the meeting and was not present during the vote taken for Item 10.

ITEM 10 - FINANCIAL SUSTAINABILITY UPDATE

COUNCIL RESOLUTION - RESOLVED on the motion of Councillor Blicavs seconded Councillor Colacino that Council endorse a comprehensive Financial Sustainability Review that considers service levels, efficiency opportunities and revenue increases. This Program to also include strategies for extensive community engagement in the development of these options.

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

Against Councillor Petty

THE MEETING CONCLUDED AT 9.38 PM

Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on 26 August 2013.

Chairperson
Submissions in Reply Report – Draft Dune Management Strategy for the Patrolled Swimming Areas of 17 Beaches

Contents

Introduction ................................................................................................................................................ 1
Part A - Submission Issues by Category ...................................................................................................... 3
  Council Dune Management ..................................................................................................................... 3
  Vegetation .............................................................................................................................................. 4
  Legislation and Approval process ............................................................................................................ 7
  Specific Management options ............................................................................................................... 10
  New Suggested Options ....................................................................................................................... 16
  Strategy Approach ................................................................................................................................. 17
  Whole of Beach .................................................................................................................................... 24
  Community Engagement ............................................................................................................................ 25
  Beaches as an Asset ................................................................................................................................. 26
  View of Beach ...................................................................................................................................... 27
  Snakes or Vermin ................................................................................................................................. 27
  Outside Study Area ...................................................................................................................................... 27
Part B – Internal Review ........................................................................................................................... 28
  Severity of Issues .................................................................................................................................. 28
  Draft Strategy Options .......................................................................................................................... 29
Attachment 1: Community feedback form ................................................................................................. 38

Introduction

The draft Dune Management Strategy for the Patrolled Swimming Areas of 17 Beaches (draft Strategy) was prepared to address community concern about deterioration of sightlines for lifeguard/lifesaver operations, a reduction in beach amenity from increased scarping and seaward spread of dune vegetation. The draft Strategy was considered at the Council meeting on 11 June 2013, which resolved to place the draft Strategy on public exhibition for 28 days.

Public Exhibition Arrangements

The draft Strategy was placed on exhibition for a period of 28 days from 17 June to 14 July 2013 and submissions were accepted until 22 July 2013. The exhibition was promoted via Council’s website and Facebook page, advertised twice in the Advertiser, hard copies were available in all Council libraries, key stakeholders and relevant government departments were provided with a hard copy. Media articles relating to the draft Strategy were published in the Illawarra Mercury, Advertiser and Bulli Times, and its contents were discussed during talkback sessions on ABC radio. Submissions were invited to be returned either via email, letter or by an online feedback form. The draft Submissions in Reply Report was provided to the members of the Council’s Estuary and Coastal Zone Management Committee (ECZMC).
Submissions Received

63 submissions were received, as shown in Table 1.

Table 1: Submissions by Respondent Type

<table>
<thead>
<tr>
<th>Group</th>
<th>No. submissions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residents</td>
<td>39 from 41 residents (some residents provided a joint submission)</td>
</tr>
<tr>
<td>Tourists</td>
<td>1</td>
</tr>
<tr>
<td>ECZMC Scientific Advisor</td>
<td>1</td>
</tr>
<tr>
<td>Agencies – Office of Environment and Heritage (OEH), Trade &amp; Investment (Crown Lands), Southern Rivers Catchment Management Authority (SRCMA)</td>
<td>3</td>
</tr>
<tr>
<td>Organisations – Surf Life Saving – Towradgi, City, Austinmer, Bellambi Surf Life Saving Clubs and Surf Life Saving Illawarra (SLSI)</td>
<td>5</td>
</tr>
<tr>
<td>Organisations – Beach Care Illawarra, Northern Illawarra Residents Action Group, Illawarra Birders, Illawarra Branch - National Parks Association of NSW, Australian Professional Ocean Lifeguard Association Incorporated and a distributor for Surveyor Lifeguard Towers in Australia</td>
<td>9 from 6 organisations (some submitted multiple submissions)</td>
</tr>
<tr>
<td>Anonymous</td>
<td>5</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>63</strong></td>
</tr>
</tbody>
</table>

The 63 submissions were received in the formats shown in Table 2. The community feedback form responses, both written and online, were replies to the questions detailed in the Attachment.

Table 2: Submissions by Format Type

<table>
<thead>
<tr>
<th>Type of response</th>
<th>No. submissions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Feedback Form – written</td>
<td>10</td>
</tr>
<tr>
<td>Community Feedback Form – online survey</td>
<td>20</td>
</tr>
<tr>
<td>Email</td>
<td>26</td>
</tr>
<tr>
<td>Letter</td>
<td>7</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>63</strong></td>
</tr>
</tbody>
</table>

A summary of all the issues raised in the submissions, are included in Part A of this document. In addition to the above submissions, advice from Council officers was also taken into account in the review of the draft Strategy, and these are included in the Issues tables below.

Dunecare program

The online survey also asked about willingness to participate in a Dunecare Program. Surf Life Saving Illawarra recommended that all Surf Life Saving Clubs (SLSCs) be given an opportunity to work with Council on this program, Towradgi SLSC also specifically expressed interest, and 16 residents (from 14 submissions) would like to be involved in the program.

Internal Review

Some additional proposed changes to the draft Strategy are included in Part B of this document, including consideration of combined options for all beaches in the Multi Criteria Analysis, and some amendments to the severity of issues.
**Part A - Submission Issues by Category**

The comments received relating to each category and subcategory of issue are summarised in the following tables, followed by Council’s response and the resulting changes that will be made to the draft Strategy. The number of comments that referred to each subcategory issue is identified in brackets.

**Council Dune Management**

<table>
<thead>
<tr>
<th>Subcategory</th>
<th>Comments</th>
<th>Response</th>
<th>Changes</th>
<th>Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Past mismanagement (13)</td>
<td>A large number of submissions expressed concerns that Council has not previously undertaken sufficient maintenance of the dunes following planting work undertaken in the mid-1980s. In particular, concerns were expressed that Council has not followed the Coastal Dune Management Manual and Council’s Sight Line Strategy, that the wrong species of vegetation have been planted on the dunes, and that the vegetation has extended outside the area where it was originally planted. Concern was expressed about Bushcare groups working in the dunes without proper community consultation and having a vegetation management plan for each beach. A comment was made about a past agreement between Corrimal SLSC, Council and the NSW Government relating to maintenance and trimming of vegetation in front of the SLSC, which has not been followed.</td>
<td>Council recognises that the current distribution and extent of vegetation on the dunes is a function of past management activities, including the extensive dune revegetation works carried out in the mid-1980s. This dune revegetation work was undertaken in response to major storms that eroded beaches and damaged coastal infrastructure in the 1960s and 70s. In response to concerns about storm impacts on beaches and the infrastructure behind them, and to minimise sand drift onto roads, reserves and properties behind the dunes, extensive dune stabilisation and revegetation works were undertaken during the mid-1980s. This work, jointly funded by Council and the NSW Public Works Department, was undertaken by the NSW Soil Conservation Service. The Implementation Plan for the draft Strategy details how dune vegetation will be managed in the future. The Implementation Plan includes preparation of an LGA wide Council Dune Management Procedure that will detail the Council wide roles and responsibilities for the range of dune management activities. Site specific vegetation management plans (VMPs) will be prepared for each of the patrolled beach management areas. The beach specific VMPs will detail the type and location of vegetation that will be installed, as well as a management strategy for the existing vegetation. Vegetation management will be undertaken by a combination of Council’s Dune Crew, bush restoration contractors and Dunecare volunteers. Although the dune vegetation can buffer assets and infrastructure from coastal erosion, Council is responding to the impacts of this coastal hazard protection work on recreational amenity. The draft Strategy aims to achieve both goals (i.e. adequate recreational amenity and ongoing coastal hazard protection) by:</td>
<td>No</td>
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<td></td>
<td></td>
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<tr>
<td>Future maintenance (3)</td>
<td>The issue was raised as to who undertakes vegetation management in the dunes, that there should be a review of the service level for the Dune Crew or the work should be undertaken by contractors and that Council should allocate adequate budget to dune management and maintenance. Council needs to ensure there is ongoing maintenance after options are implemented to prevent the re-occurrence of an unsatisfactory situation.</td>
<td>Following re-profiling or removal of vegetation from the frontal zone of the dune, only suitable low growing species will be planted in the appropriate areas of the dune, as identified in the site specific VMP that will be prepared for the management area of each patrolled beach. Follow up maintenance will be undertaken to treat regrowth of inappropriate species and to maintain unvegetated portions of the beach that will be established following the dune re-profiling work.</td>
<td>No</td>
<td></td>
</tr>
</tbody>
</table>
Table 4. Vegetation

<table>
<thead>
<tr>
<th>Subcategory</th>
<th>Comments</th>
<th>Response</th>
<th>Changes</th>
<th>Actions</th>
</tr>
</thead>
</table>
| Coastal Wattle (5) | Statements that Coastal Wattle (*Acacia longifolia* subsp. *sophorae*) is a weed. These statements are:  
  - That it is a declared weed and is banned in other states including South Australia and Victoria, and overseas;  
  - Planting of Coastal Wattle is illegal according to state and federal law;  
  - The species was not present prior to the 1970s, the species is not native as it was not present on the Wollongong coastline at settlement. Examples provided in the draft Strategy to justify its natural local occurrence are of species records from outside the Illawarra region;  
  - That the ‘Coastal Dune Management Manual’ states it is a weed; and  
  - That it was introduced to the local area in the 1940’s and 1950’s by schools celebrating National Wattle Day.  
Other comments relating to Coastal Wattle are:  
  - GHD has not quantified what percentage of Coastal Foredune Scrub is comprised by Coastal Wattle along the Illawarra Coastline.  
  - It was also stated that it is curious that Coastal Wattle persists in many places if it undergoes senescence and dies out to be replaced by other plants, as reported in the draft Strategy. There was also a comment that dead patches of Coastal Wattle are not necessarily natural dieback and may have been sprayed. | An in-depth assessment of the community concerns around the presence of Coastal Wattle in the dunes was undertaken as part of the draft Strategy. *Acacia longifolia* subsp. *sophorae* is listed in the NSW Coastal Dune Management Manual as a suitable species to plant in dunes. OEH has advised Council that it is documented by the Royal Botanic Gardens that *Acacia longifolia* subsp. *sophorae* is native to the NSW south coast and is typically located on headlands, sand dunes (including foredunes) and adjacent alluvial flats. The plant would have been present in this area prior to the arrival of Europeans, along with other characteristic coastal foredune scrub species.  
The vegetation present in the 1970s was not the natural state of the dunes. Council has reviewed historical photos of Wollongong beaches from the early 20th century that show the presence of extensive stands of vegetation present behind the beaches.  
The specific examples of Coastal Wattle listed in the draft Strategy are north and south of the Illawarra (including Sydney, Shellharbour and South Coast), and it would be very unusual for the species to have such a disjunct distribution between northern and southern NSW.  
Coastal Wattle is not declared as a noxious weed in Australia. However, it has been identified as an environmental weed in Western Australia which is outside of its natural range, and in NSW, Victoria and South Australia where it is endemic. The environmental weed status generally refers to the occurrence of Coastal Wattle in heath and woodland communities behind the dunes, but not in the dunes which is its natural habitat.  
The consultants were not tasked as part of preparation of the draft Strategy to quantify the species occurrence to that level of detail.  
The Coastal Dune Management Manual on page 83 shows a typical dune profile for NSW and species to be found on the hind dune, foredune and incipient foredune. Coastal Wattle is shown as being found on the foredune. The manual states that ‘the presence of a stable dune system provides a natural defence mechanism against... hazards’. The one warning note in the manual is that the Acacias die after 8-10 years so this could leave bare areas exposing the dunes to erosion if there is a monoculture of them. Council will include further detail on the issue of monocultures in the draft Strategy and amend the management option related to subspecies of *Acacia longifolia*. | No | |
| Positive roles (11) | Role in coastline protection  
Support for a vegetated dune system as it is providing an important role in protecting our coastline and infrastructure. Management of the dunes should have regard to infrastructure protection as a high priority. Removal of vegetation will accelerate erosion and increase the risk of sand being lost onto roads and assets. | Council agrees that dune vegetation provides some degree of coastal protection. There are management options in the draft Strategy relating to removal of inappropriate vegetation, including vegetation from the frontal zone that has spread onto the beach, and removal of noxious and invasive weeds. At some beaches, due to the current eroded dune profile, it is not possible to remove the vegetation from the frontal zone and re-profile the dune without placing infrastructure at greater risk from coastal hazards. | Yes | Additional text will be added to Section 5.2 outlining previous dune stabilisation projects and old photographs of beach conditions at different time periods will be included. |
<table>
<thead>
<tr>
<th>Subcategory</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Agreement that the solution to the current problems should not involve widespread clearing as the vegetation is important for long term protection of assets and this will become increasingly important as the effects of climate change increase. Lifesavers should patrol on the beach where there are line of sight issues, rather than remove or trim vegetation. OEH stated that the increased dune heights and volume since pre-1980 noted in Section 6 is a snapshot in time and not necessarily representative of the pre-clearing natural beach system. Council should be wary of undermining past successful projects that have improved coastal resilience.</td>
<td>For those beaches where it may be possible under present beach conditions, removal of vegetation from the frontal zone will be investigated as detailed in the Implementation Plan. Prior to undertaking work, a Review of Environmental Factors (REF) will be prepared, including coastal hazard risks, and relevant approvals will be sought. Council lifeguards are on the beach six days a week, and mostly patrol from the sand, but need somewhere to go during inclement weather when there are unlikely to be people swimming, but they still need to observe the water.</td>
<td>Council supports the advice from OEH to include more information on the original state of the dunes and will include this in Section 5.2, including old photographs that show previous vegetation on the dunes.</td>
<td>Section 6.1 General (dune morphology assessment section) will be amended to include: “It should be noted that these observations record beach characteristics at a point in time and may not represent conditions at other times.”</td>
<td></td>
</tr>
<tr>
<td><strong>Biodiversity role</strong> Management of the dunes should have regard for long term biodiversity as a high priority. Previous revegetation programs have been beneficial and are closer to the natural state that would have been present pre settlement.</td>
<td>Noted. A balance has to be achieved in the high-use areas of the 17 patrolled swimming beaches. Any vegetation removal will be confined to the patrolled area of the beach, which is a very small proportion of the overall beach area and dune habitat in the LGA. The objectives of the draft strategy are around safety and recreational amenity, which is why ecology was given a lower value in the Multi Criteria Analysis (MCA). In other areas of the beach, the objectives could be different.</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Views</strong> Vegetation should not be removed to maintain a private/scenic view.</td>
<td>Supported. The draft Strategy is not addressing private views.</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Surf conditions</strong> The vegetation has not changed surf conditions</td>
<td>Noted. The draft Strategy is not intended to address surf conditions, but is focusing on the safety issue of line of sight for lifeguards and lifesavers.</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Vegetation and dune morphology (16)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Scars</strong> Based on observation and photos from local beaches, comments are made that vegetated beaches e.g. with Acacia as the dominant vegetation on the dune have more frequent and severe scarping compared to non-vegetated beaches such as North Beach, Austinmer and Thirroul where a seawall is located at the back of the beach. In addition, it is stated that scars on beaches recovered more quickly when there was no vegetation on the beach. Conversely, other comments, also based on observation on local beaches and photos, were made that scarping has also occurred on beaches where there is no vegetation or where Spinifex grass is the major vegetation type at the front of the dunes. Other comments refer to the collapse of the cycleway north of Waniora Point at Bulli.</td>
<td>One of the consultant’s tasks in preparing the draft Strategy was to assess the types and distribution of vegetation on the dunes and dune morphodynamics to assist in development of management options. Based on analysis of 1. information extracted from aerial photos, and 2. on-ground surveys, the draft Strategy details observations on the current dune profile and changes in the dune profiles over time. Council wrote to OEH to seek comment on whether Coastal Wattle or other native vegetation growing close to the high water mark can interfere with normal coastal processes and create scars. The response from OEH was: Foredune vegetation species were not considered to have a significant impact on normal coastal processes. Steep scars can form regardless of the presence of vegetation and while it is true that vegetated scars can retain scars for a longer period, ultimately the scarp will return to a stable slope. Historical photos of Port Kembla and City beaches show the presence of large scars occurring when minimal or no vegetation was present on the dunes. Council also has recent photographs for several beaches showing scars occurring at the front of dunes with bare sand or Spinifex. A scar has been present for several months this year at City Beach.</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subcategory</td>
<td>Comments</td>
<td>Response</td>
<td>Changes</td>
<td>Actions</td>
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<td>-------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
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<td>---------</td>
</tr>
<tr>
<td>Effects on surf breaks</td>
<td>Surfers have reported there have been changes over time at popular surf breaks which are not as effective as they were in the past due to depletion of offshore sand reserves. They attribute these changes to the increases in vegetation at the adjoining beach causing accumulation of sand due to its trapping by vegetation.</td>
<td>A significant portion of this scarp is located several metres in front of the vegetation, with no vegetation roots seen in the face of the scarp. This supports the argument that even if vegetation is removed from the frontal zone and it is left bare or replaced with Spinifex, scarps will still occur as part of natural coastal processes. Although not discussed in the draft Strategy, other issues have occurred at some unvegetated beaches such as the need after storms, for Council to remove sand from the car parks behind Austimner and Thirroul beaches and the Thirroul promenade, and place it back onto the beach. Conversely, after large storms like in 1974, all of the sand was removed from Thirroul beach showing the exposed cobbles normally present underneath the sand. Many beaches in Sydney and along the northern NSW and southern Queensland coast have also experienced problems with erosion and scarping, independent of the amount of vegetation on the beach. As part of the Implementation Plan, Council is undertaking a Beach and Dune Monitoring Program to assess changes in vegetation cover, dune volume and shape, scarp location and any other issues following implementation of management options identified in the draft Strategy. Vegetated and unvegetated beaches sites will be monitored. Published literature show that there are long term cycles in sand volume of beaches related to El Nino Southern Oscillation (ENSO) cycles. Addressing this comment would require a detailed study of bathymetric changes and is beyond the scope of the draft Strategy.</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Vegetation encroachment causing scarps</td>
<td>Comments were made that there has been encroachment of vegetation beyond where it was planted in the dunes in the mid 1980s that has facilitated and increased the frequency and severity of formation of scarps, reduced beach amenity and created safety issues. Comments also state that all vegetation should be removed back to the original fence line along all beaches to reduce scarps and re-profile to make a gentle sloping beach with a wide beach berm. Some comments make statements about the relationship between dune vegetation and scarping and that the presence of vegetation creates a self-perpetuating reflective beach. These comments refer to the research work of Professors Simon Hasslet and Ted Bryant.</td>
<td>Council considers that scarping is a natural process and that vegetation removal will not prevent scarping. Historical changes in dune profiles based on analysis of aerial photos have been assessed as part of the report, and show that large scarps previously occurred on beaches prior to the revegetation work, particularly after the 1974 storm. The removal of vegetation management options in the draft Strategy are aimed at addressing line of sight issues and amenity issues associated with loss of beach width due to vegetation growth. Council will monitor beaches where vegetation removal is undertaken. The monitoring program will also assess changes in beach condition after storms and this will help inform future work at other beaches. The Coastal Erosion Emergency Action Plan details actions to be undertaken prior, during and after storm events, which includes response to occurrence of scarps.</td>
<td>No</td>
<td></td>
</tr>
</tbody>
</table>

No
One submission included a purported direct quote from a Southern Coastcare Association of Tasmania report: “Dune revegetation in Tasmania was previously based on the INCORRECT notion that all dunes are naturally well vegetated and stable and that active dune movement was the result of poor land management. As a consequence large areas of active dunes have been stabilised by planting beaches. This can severely affect the dynamics of the movement of sand on the beach and foredune. Their rapid vertical growth and rates of spread trap large amounts of sand”.

The complete paragraph in the Coastcare report makes reference to Marram grass (a non-native plant) being the vegetation that was planted in the dunes and this information was not included in the direct quote detailed in the submission. “Dune revegetation in Tasmania was previously based on the incorrect notion that all dunes are naturally well vegetated and stable and that active dune movement was the result of poor land management. As a consequence large areas of active dunes have been stabilised by planting Marram grass, including most south-eastern beaches and the north-eastern coast around Waterhouse.

Marram grass (and to a lesser extent Sea Spurge) can severely affect the dynamics of the movement of sand on the beach and foredune. Their rapid vertical growth and rates of spread trap large amounts of sand. They form much taller and steeper dunes than native species would in the same situation. In some instances, unnatural foredunes formed by Marram grass threaten wetlands behind the dunes by interfering with drainage”.

<table>
<thead>
<tr>
<th>Impacts on beach amenity (8)</th>
<th>Access</th>
<th>Overgrown vegetation is creating access problems.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-social behaviour</td>
<td>Vegetation creates an area that attracts anti-social behaviour.</td>
<td></td>
</tr>
<tr>
<td>Litter</td>
<td>Vegetation traps litter which would be a good thing but it is never cleared. Dumping of large litter items occurs as well.</td>
<td></td>
</tr>
<tr>
<td>Useable beach area</td>
<td>Vegetation has encroached seaward at most beaches, facilitating formation of scarps and reducing beach amenity. At Corrimal there has been a loss of 75% of the beach and 90m of useable beach width.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Access</th>
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<td></td>
</tr>
</tbody>
</table>

### Legislation and Approval process

**Table 5: Legislation and Approval Process**

<table>
<thead>
<tr>
<th>Subcategory</th>
<th>Comments</th>
<th>Response</th>
<th>Changes</th>
<th>Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>PolicyActs (4)</td>
<td>Native Vegetation Act 2003</td>
<td>Removal of native vegetation may require consent under the Native Vegetation Act, although not when carried out by, or on behalf of Council when in compliance with Part 5 of the Environmental Planning and Assessment Act 1979. Consultation with the SRCMA is encouraged to discuss specific plans.</td>
<td>Advice noted. During the preparation of the approvals process section of the draft Strategy, SRCMA was consulted in relation to the Native Vegetation Act. A representative from SRCMA is on the EZCMC. Council will continue to liaise with SRCMA during implementation of the management options.</td>
<td>No</td>
</tr>
</tbody>
</table>

Advice noted. During the preparation of the approvals process section of the draft Strategy, SRCMA was consulted in relation to the Native Vegetation Act. A representative from SRCMA is on the EZCMC. Council will continue to liaise with SRCMA during implementation of the management options.

### NSW Coastal Policy 1997

Advice from OEH that the draft Strategy was consistent with the NSW Coastal Policy, in particular with reference to the principles of ESD, and a suggestion to include more details on the Policy objectives in Section 3.2.2.

Advice noted. Section 3.2.2 will be updated to include:

> "Of particular relevance to the issues and management options identified in this Strategy, the NSW Coastal Policy identifies the following objectives:
> - To manage the coastline and estuarine environments in the public interest to ensure their health and vitality"
<table>
<thead>
<tr>
<th>Subcategory</th>
<th>Comments</th>
<th>Response</th>
<th>Changes</th>
<th>Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coastal Policy Review</td>
<td>Suggestion that Section 7.2 should also consider the review of the Coastal Policy currently being undertaken by the Coastal Ministerial Taskforce. Coastal Crown Lands Policy 1991 Recommendation from Crown Lands to include the Coastal Crown Lands Policy 1991 in Section 3.</td>
<td>Council has to plan under the existing legislation as it is unclear when the Stage 2 Coastal Reforms will be completed. Advice noted.</td>
<td>No</td>
<td>Changes will be made to Section 3 to include this Policy. The following text will be added: “The Coastal Crown Lands Policy 1991 applies to all Crown land up to 1km landward and 3 nautical miles seaward from the low water mark in NSW, whether reserved, dedicated, under tenure, or under trusteeship”. This will be followed by the list of objectives as set out in the Policy. Yes</td>
</tr>
<tr>
<td>Approval pathway (4)</td>
<td>General A comment that all work in the coastal zone should consider the Coastal Policy and SEPP 71 Coastal Protection. A comment that Table 9 – Reduce dune height by re-profiling description, assumes that approvals will be given. Works on Crown Land Details provided on the status of Crown Land contained within the study areas.</td>
<td>These are included in Section 3, but this can be reinforced in Section 7.2. Advice appreciated and supports Council’s collation of land tenure information for the study areas.</td>
<td>Yes</td>
<td>In the introductory paragraph to Section 7.2, the following text will be added: “Consideration of the NSW Coastal Policy 1997 and the principles of SEPP 71 Coastal Protection”. The sentence about assuming approvals have been obtained in Table 9, will be removed and replaced with: ‘This management option requires a Review of Environmental Factors’. No</td>
</tr>
<tr>
<td>Subcategory</td>
<td>Comments</td>
<td>Response</td>
<td>Changes</td>
<td>Actions</td>
</tr>
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<tr>
<td>Crown Lands referrals/consents</td>
<td>Development not requiring consent - The majority of options do not require reference to Crown Lands and can be undertaken under the Infrastructure SEPP (ISEPP) as landscaping and/or environmental management. Council should determine if the ISEPP is applicable for dune re-profiling before commencement of any works. Development requiring consent - where Council is both trustee and consent authority, the DA must be accompanied by a letter of support for the proposed development. Council then references Crown Lands at least 14 days prior to determination of the DA, including the supporting letter, to obtain comment. Crown Lands then submits its comments to be taken into account by Council when determining the DA. Part of Corrimal Beach is under direct management of Crown Lands and any proposed works will required authorisation and any works required a DA will also require Owners Consent prior to lodgement of a DA.</td>
<td>Noted and specific clarification appreciated. This will inform the planning and approval process for the implementation of each option. Advice from Council’s Legal Counsel is that dune re-profiling fits into landscaping (which includes earthworks) under the ISEPP.</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>General</td>
<td>Surveys for nesting shorebirds should be undertaken before any removal of vegetation from dunes. Advice that the organisation has been involved in surveys of local shorebird habitat for many years and is happy to be consulted to assist in management. In Section 7.2 the assessment process for each option should include Fisheries and Heritage approvals and beach macro fauna as part of ecology. Each site should be referred to Fisheries to check if the legislation is triggered. Re-profiling would impact the area below that which is under Council control and DPI and DEH will need to be consulted. Costs associated with implementation constraints have not been considered and these can be costly and cause considerable time delays.</td>
<td>A REF will be prepared prior to undertaking any work to implement any management option. Surveys will be undertaken in areas that are likely to contain nesting shorebirds. Projects will be scheduled to be undertaken outside the nesting season. The Fisheries Management Act 1994 is referred to in Section 3.1.10 of the draft Strategy. All REFs undertaken for any management options will assess the need for such an approval. A Trade and Investment (Fisheries) and DEH representative are on the CCMC and have been sent a copy of the draft Strategy. Various representatives from DEH have provided comment on the draft Strategy. All future REFs will consider the current legislation and implementation constraints.</td>
<td>Yes</td>
<td>The last sentence of Section 3.1.10 will be changed to: “Activities may trigger the need for a permit from the Minister for Primary Industries”. A paragraph on cultural heritage will be added under Section 3.1.6 National Parks and Wildlife Act 1974:- “Aboriginal objects, relics and places are protected under the NPW Act. It is an offence to knowingly destroy, deface or damage an Aboriginal object or place. The Act also specifies the details of the Aboriginal Heritage Information Management System database, which contains information and records regarding Aboriginal objects whose existence and location have been reported to the Director-General”.</td>
</tr>
<tr>
<td>If works are below mean high water mark or outside those vested in Council, Division 12 of the Infrastructure SEPP cannot be used. In the future implementation section on page 143 - all of the proposed works will require a level of environmental assessment.</td>
<td>Council’s Legal Counsel was consulted as to what approvals were needed for the proposed works. Agreed regarding comment about future implementation needing a level of environmental assessment, as is outlined in Section 7.2.</td>
<td>Yes</td>
<td>An additional sentence will be included in Section 7.2: “For land below the mean high water mark, appropriate approvals will be sought from Crown Lands”. The dot point relating to environmental assessment on page 143 will be amended by removing “(if necessary)”</td>
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### Table 6: Specific Management Options

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<th>Subcategory</th>
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<tbody>
<tr>
<td>Tower/Buildings (27)</td>
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<tr>
<td>Bulli</td>
<td>Support of the option of a tower at Bulli as this provides good visibility and has the least environmental impacts. Support for Type A tower at Bulli. Non-support of the tower option as vegetation removal is preferred.</td>
<td>Noted. This option is considered in the Implementation Plan.</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Woonona</td>
<td>Support for relocation of the tower at Woonona. Support for a tower or lifeguard room side on to the beach. Non-support for raise the level of the viewing area in the SLSC as it was felt this is not viable as the vegetation will just keep growing. Non-support for relocating the existing tower, as it was felt this would be a waste of money that should be spent on removal of vegetation.</td>
<td>Relocation of the tower, along with removal of vegetation from the frontal zone, is considered in the Implementation Plan. Raising the level of the SLSC at Woonona is not a top option and is not considered. However, discussions are underway with the SLSC to allow shared use of the Council tower.</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Bellambi</td>
<td>Support for a Type A tower at Bellambi. Support for a tower or lifeguard room side on to the beach. Support for a Type B tower north of the creek.</td>
<td>This option is considered in the Implementation Plan.</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Corrimal</td>
<td>Support for relocation of the tower at Corrimal. Suggestion to relocate the tower to the south side of the creek.</td>
<td>This option is considered in the Implementation Plan.</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Towradgi</td>
<td>Support for a relocatable tower at Towradgi, as it was felt this realistic as dune and beach dimensions do not really allow another option. Non-support for building a relocatable tower and preference to use the existing patrol tower.</td>
<td>Pros and cons for the different options were considered when preparing the Implementation Plan.</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Fairy Meadow</td>
<td>Support for a Type A tower at Fairy Meadow. Support for a relocatable tower.</td>
<td>Fairy Meadow has a tower that can be relocated. This is considered as part of the Implementation Plan.</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>City</td>
<td>Support for a Type A tower at City. Support for a tower or lifeguard room side on to the beach. Support for a Type B tower at City.</td>
<td>This is considered in the Implementation Plan.</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Port Kembla</td>
<td>Support for a Type A tower at Port Kembla.</td>
<td>Council is investigating requirements to allow access for SLSC volunteers to the council lifeguard room by the pool; therefore a new tower would not be needed. This is considered in the Implementation Plan</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Windang</td>
<td>Support for a Type B tower at Windang.</td>
<td>Plans have been partly designed for a tower at Windang and this is planned to be built in 2014-15.</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Structural</td>
<td>Too much weighting has been given to structural options that are unrealistic and expensive. Lower cost options should be preferred; SLSC facilities should not be modified as this would be a waste of time and money.</td>
<td>SLSC modifications are not investigated further in the Implementation Plan.</td>
<td>No</td>
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<td>Subcategory</td>
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<tr>
<td><strong>Support</strong></td>
<td>General support for the tower options from the Australian Professional Ocean Lifeguard Association. Support portable towers from SRCMA for safety and coastal hazard reasons.</td>
<td>Noted.</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td><strong>General</strong></td>
<td>Large number of comments relating to general support for relocatable towers for many reasons: towers are the preferred option as they provide a higher vantage point; towers provide protection from the elements; support for towers as the preferred option as it has the lowest impacts compared to options that involve removing vegetation from outside fence lines; towers do not increase risk from coastal hazards for infrastructure behind the beach; support for towers if issues about vandalism, storage and moving can be resolved; and feelings that portable towers are best for line of sight issues.</td>
<td>Noted. Relocating or building a tower is considered in the Implementation Plan.</td>
<td>No</td>
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<tr>
<td><strong>Supportive of towers but feel there is nowhere to put them due to overgrown vegetation.</strong></td>
<td>The location of a tower in the dunes will be investigated on a site by site basis as part of the design and approvals process.</td>
<td>Noted.</td>
<td>No</td>
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<td><strong>Not supportive of structures in the dunes but if there is an issue then removable towers are the best option.</strong></td>
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<tr>
<td><strong>Tower type</strong></td>
<td>Type A tower is not suitable due to its small size (for accommodation) and lower height that Type B, risk of vandalism, reliance on large plant to move them creating risk from sudden weather/surf changes, need for flat wide beaches to accommodate towers. Advocate for use of Type B tower.</td>
<td>Noted. The draft Strategy will be updated with suggested minimum floor plan dimensions for towers.</td>
<td>Yes</td>
<td>The ‘Build a Tower’ option will be updated in Table 9 with suggested minimum floor plan dimensions of 2.5 by 2.5 metres. The reference to Type A and B towers will be removed from Table 9 and Appendix M.</td>
</tr>
<tr>
<td><strong>Small towers could have issues with being washed into the ocean or may need to be dug out and moved. Machinery is also required on the beach to move them.</strong></td>
<td>Noted.</td>
<td>No</td>
<td></td>
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</tr>
<tr>
<td><strong>Support for Type A tower as this would be a cost effective solution if sightline is an issue. This would be a flexible option and would still allow a robust dune system for coastal protection</strong></td>
<td>Noted.</td>
<td>No</td>
<td></td>
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<tr>
<td><strong>Non support</strong></td>
<td>Reasonable number of comments regarding non-support for towers for the following reasons: removal of vegetation/re-profiling should be undertaken instead; towers are a short term and costly solution; moving towers upwards and forwards seems like a costly, unrealistic and temporary solution; if towers are the only option and vegetation is ignored towers will need to be increased in height in the future.</td>
<td>Options relating to towers are suitable to address the safety (sight line) issues, which is a key objective of the draft Strategy. Building/relocation works are considered appropriate in situations where line of sight is the main issue or vegetation works are not possible due to the current dune profile. Where the main issues on the beach include recreational amenity and access, re-profiling or removal of some vegetation is proposed in the management area. Dune re-profiling or removal of vegetation from the frontal zone has been considered as a management option at several beaches. This is based on the results of the MCA which looked at how each option would adequately address the issues at that beach. However, it should be noted that some beaches are currently not suitable for re-profiling or removal of vegetation from the frontal zone due to the heavily eroded dune profile and the coastal hazard risk. These beaches will be monitored and these options will be</td>
<td>No</td>
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<tr>
<td>Subcategory</td>
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<tr>
<td>Re-profile dune/removal of vegetation from frontal zone (21)</td>
<td>Bellambi</td>
<td>There was non-support for re-profiling at Bellambi as it is not felt it is needed at this beach.</td>
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<td></td>
<td>Bull</td>
<td>Support for removal of vegetation from the frontal zone. Support for removal of vegetation from the frontal zone in combination with build a relocatable tower as long as monitoring is undertaken and if erosion is exacerbated vegetation clearing is stopped here and elsewhere on the dunes.</td>
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<td></td>
<td>Woonona</td>
<td>Support for re-profiling the dunes and removal of vegetation from the frontal zone as the preferred options. Also a suggestion that more appropriate less invasive species should be planted in the fenced area so that they do not spread. Support for relocating the tower and removing vegetation seaward of the fence line as long as monitoring is undertaken and if erosion is exacerbated vegetation clearing is stopped here and elsewhere on dunes.</td>
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<tr>
<td></td>
<td>Fairy Meadow</td>
<td>Support for removal of frontal vegetation in combination with relocate tower as long as monitoring is undertaken and if erosion is exacerbated vegetation clearing is stopped here and elsewhere on dunes.</td>
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<td></td>
<td>Towradgi</td>
<td>Towradgi SLSC suggested re-profiling and removal of vegetation was the only option that would solve the issues at this beach. Support from individuals for removal of frontal vegetation. Support for removal of frontal vegetation in combination with build a relocatable tower as long as monitoring is undertaken and if erosion is exacerbated, vegetation clearing is stopped here and elsewhere on the dunes.</td>
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<td></td>
<td>Port Kembla</td>
<td>Any attempts to reshape the dune would be short lived and a waste of time, Council currently removes sand from off the promenade and it is back again very quickly.</td>
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<td></td>
<td>General support</td>
<td>Support for re-profiling and/or removal of frontal vegetation as the preferred option instead of towers. Some individuals considered re-profiling to be the only reasonable option. Surf Life Saving Illawarra supported re-profiling 100-200 metres either side of SLSCs and revegetation with grasses such as Spinifex.</td>
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As detailed in the Implementation Plan, the re-profiling and removal of vegetation from the frontal zone options are not simple or cheap options in comparison to building/moving towers. These options will be costly and will require detailed designs, preparation of a REF including consideration of coastal hazard risks, dune profile surveys and ongoing monitoring and maintenance of the works. There is also no guarantee that the re-profiled beach will not be affected by storms.

As part of review of the draft Strategy, combined options for this beach were included in the MCA to be consistent with the other beaches. Re-profiling is no longer the top option for this beach.

Noted. These options are considered in the Implementation Plan. However, at this site with the current eroded beach profile, removal of vegetation from the frontal zone could increase the risks to infrastructure from coastal hazards. Council will monitor the beach profile to help determine when conditions are suitable to consider this option.

Noted. Removal of vegetation from the frontal zone is considered in the Implementation Plan.

Noted. These options are considered in the Implementation Plan.

Noted. These options are considered in the Implementation Plan. However, with the current eroded dune profile, re-profiling or removal of vegetation from the frontal zone at this beach could increase the risks to infrastructure from coastal hazards. Council will monitor the dune profile to determine when conditions are suitable to consider this option.

Noted. As part of review of the draft Strategy, combined options for this beach were included in the MCA to be consistent with the other beaches. Re-profiling is no longer the top option for this beach.

Where appropriate, re-profiling is considered and will be implemented when beach conditions are appropriate. However, there is no guarantee that the re-profiled beach will not be affected by storms.
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<tr>
<td>Time frame</td>
<td>SLSI did not agree with the timeframe for dune re-profiling and removal of frontal vegetation of needing to be undertaken every 1-3 years.</td>
<td>Re-profiling will take 1-3 years to implement (not be done every 1-3 years).</td>
<td>No</td>
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</tr>
<tr>
<td>Non support</td>
<td>Re-profiling and removal of frontal vegetation was not supported by some individuals due to concerns about intensifying coastal erosion processes or impacts on biodiversity. It was mentioned that the process of scarping is natural and attempting to manage the dunes by re-profiling is not possible as it will all change if you get a storm. An example was given that City Beach was reshaped last year and by the end of the week the beach had scarped again.</td>
<td>A balance is required where sight lines and recreational amenity are issues. The aim of re-profiling is to lower the height of the dune for sight lines, and to reduce the width of vegetation to increase recreational amenity. Any re-profiling will be accompanied by replanting of appropriate species as detailed in the beach specific VMP. Any dune re-profiling will only occur after detailed designs, preparation of a REF including consideration of coastal hazard risk, dune profile surveys and ongoing monitoring and maintenance of the works.</td>
<td>No</td>
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<tr>
<td>Concern from state government</td>
<td>Concern from Crown Lands that dune re-profiling and removal of frontal vegetation carries high coastal hazard risks. Concern from SRCMA about the removal of frontal vegetation without replacement with appropriate species as the frontal dunes act as a vital barrier to protect areas behind the foredune from being exposed to flooding or erosion during storms and high tides. Concern from OEH that scarping is a natural process and re-profiling and vegetation removal is unlikely to reduce the occurrence of scarping. Scarping will always occur in the coastal zone unless engineered structures are implemented or wave climate changes significantly. Dune re-profiling and removal of vegetation is likely to result in scarping closer to assets and infrastructure. Attention should be paid to likely increased coastal hazard risks. Suggested wording changes to the report were provided.</td>
<td>A preliminary investigation of the current hazard line (based on surveyed beach profiles in March 2013), and its distance from infrastructure and calculation of potential beach volume changes from re-profiling and its impact on the hazard line, was undertaken to identify sites with a high level of risk. This information informed the scoring against coastal hazards in the MCA. Detailed investigations of impacts will be considered as part of the REF that will be prepared for implementation of each management option. Removal of vegetation from the frontal zone is intended to increased beach width, not reduce scarping. All vegetation removal works will be accompanied by replanting of appropriate species as detailed in the beach specific VMP. Specific minor wording changes will be made as recommended.</td>
<td>Yes</td>
<td>The following suggested wording changes were provided by OEH and these will be added to the Table 9 of the draft Strategy: “Alternatively further storm events may occur and cause scarping, potentially further inland from the mean high water mark due to the absence of stabilising vegetation” to be included with the ‘Remove vegetation from the frontal zone’ and ‘Reduce dune height by re-profiling’.</td>
</tr>
<tr>
<td>General</td>
<td>SLSI suggested that if Council was concerned about how costly re-profiling and revegetating was that this option should be trialled at one beach and this used to guide future decisions.</td>
<td>If and where these management options are implemented, vegetation, beach and dune morphology will be closely monitored and the information used to inform future works.</td>
<td>No</td>
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<tr>
<td>Concern was raised over how removal of vegetation would be undertaken. Vegetation and the roots should be removed from the swash zone and berm, not just cut off at ground level.</td>
<td>Where vegetation removal from the frontal zone is considered, all of the vegetation will be removed, followed by replanting of appropriate species as detailed in the beach specific VMP.</td>
<td>The suggested wording regarding additions about options being short term and requiring maintenance will be made.</td>
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<tr>
<td>Suggested rewording to Table 9 – Description of management options, for re-profiling and removal of frontal vegetation to include that the options are only short term and would require ongoing maintenance and that over time natural wave/storm action may reshape changes made.</td>
<td></td>
<td></td>
<td>Yes</td>
<td>Suggested wording changes provided will be added to the relevant options in Table 9 of the draft Strategy: “This action is short term only and will require ongoing maintenance. Over time, natural wave processes and storm actions may re-shape any alterations made”.</td>
</tr>
<tr>
<td>Access ways (6)</td>
<td>General</td>
<td>Council will consider access and undertake an assessment of access ways. This option is included in the Implementation Plan. The assessment will consider the current condition and appropriate improvements to maintain access.</td>
<td>No</td>
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<tr>
<td>General</td>
<td>General concerns about unsafe access ways making the beaches no longer user friendly and it difficult for lifesavers to carry out their duties. The need to construct better access, including steps where tracks are currently eroded. Concern that the timber slat walkways are a trip hazard and make it difficult for lifeguard/lifesavers to transport equipment.</td>
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<td>Towradgi</td>
<td>Concern about the lack of access for the SLSC All-Terrain-Vehicle (ATV) to the beach. Suggestion to consider providing access for the ATV at the very northern end of the beach by way of a constructed access route, as at this northern location the rock platform would provide some protection and could ensure that such an access route is functional all year round. City</td>
<td>This will be considered as part of the assessment of access ways as detailed in the Implementation Plan.</td>
<td>No</td>
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<td></td>
<td>Concern that although building a tower will be beneficial, access will still remain a major issue and getting rescue equipment to the beach will be impeded.</td>
<td>Noted. This will be considered in the assessment of access ways as detailed in the Implementation Plan.</td>
<td>No</td>
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<tr>
<td>Weed removal (5)</td>
<td>Support for increased removal of noxious weeds and invasive species. Comments that Bitou Bush should be the priority not native species, and other comments that noxious weeds and Coastal Wattle should be removed and there should be an increased diversity of species planted. OEH suggested to change this option to 'replacement of weeds and invasive species with suitable native species' as there was concern this option did not make it clear that removed weeds would be replaced with suitable native species.</td>
<td>Council is in agreement that a variety of dune species should be planted. The description of this option will be amended to make it clearer that appropriate low-growing native species will be planted as per the beach specific VMP.</td>
<td>Yes</td>
<td>Reworking of option title and description in the executive summary and Table 9 of the draft Strategy: “Replacement of weeds and invasive species with suitable native species”.</td>
</tr>
<tr>
<td>Pruning of vegetation for sight lines (3)</td>
<td>Support for carefully managed pruning of vegetation to improve sight lines. Support for careful pruning of vegetation for sight lines approximately 100m north and south of SLSCLs. Crown Lands recommends a cautionary approach to works in the dune environment was recommended with this option of targeted removal of inappropriate species including tall vegetation in sight lines and weeds to be done first. Low intervention, low risk options such as vegetation works should be undertaken prior to higher intervention and high risk options such as structural works.</td>
<td>Noted. Targeted removal for sight line has been attempted at some beaches and was unsuccessful in improving sight lines. At some beaches, it is the height of the dune and the eroded lower beach profile that is causing the sight line issue. This is why this option does not receive as high a score for improving sight lines.</td>
<td>No</td>
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<tr>
<td>Selective removal of Acacia (4)</td>
<td>Support for selective removal or pruning of Acacia longifolia subsp. longifolia and hybrids, although also commenting that these are valuable pioneer species which provide habitat for birds and enable less hardy plants to become established. Advice from OEH that the use of the term Acacia longifolia subsp longifolia and hybrids is inappropriate as the taxonomic definition of hybrid is ‘the offspring of genetically different parents’. ‘Backcrossing’ is also inappropriate as there is no evidence to support the claim. A more appropriate term may be ‘intermediates’ between Acacia longifolia subspecies. There was debate over which subspecies are present. OEH suggested removing the management option and focusing on the option of ‘removing trees and shrubs affecting line of sight’ and revision of text in Section 5.4 and in the vegetation assessment for each beach. Suggested detailed changes to Section 8.4 provided.</td>
<td>Any vegetation removal will be subject to all appropriate investigations and approvals, and preparation of an REF before any work is undertaken. The reference to hybrids in the text will be removed and changes made to the management option and description based on these recommendations. The recommended species list for planting will also be changed to reflect the need for management for line of sight.</td>
<td>No</td>
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<td></td>
<td>The management option will be reworded to ‘management of subspecies of Acacia longifolia’ and the description of the option changed to put the emphasis on improving line of sight and increasing species diversity in areas where there is a monoculture of subspecies of Acacia longifolia. Replacement of ‘hybrids’ in Sections 6 and 8.4 with ‘subspecies of Acacia longifolia’. Changes will be made to the text in Section 5.4 Acacia longifolia subsp. sophorae as detailed below:-</td>
<td></td>
<td>Yes</td>
<td></td>
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</table>
Text will be added to Section 5.1 describing the rationale of original vegetation work undertaken in the mid-1980s and the species planted.

- Text referring to hybrids in Section 5.4.4 will be deleted.
- Figure 10 showing the foliage of hybrids will be deleted and a figure showing the foliage of A. longifolia subsp. sophorae will be inserted.
- Changes to the text in Section 5.4.7 will be made to further clarify and justify the conclusions made. Reference to hybrids in Figures 12 and 14 will be changed to Coastal Wattle.

The following text will be added to the introduction of Appendix I – Plant Species for replanting:

“For the patrolled beach management zones, Council will consider sight line requirements when selecting suitable species for planting. Note that several patrolled beaches do not have a hind dune and in some patrolled beach management areas tall-growing variants of subspecies of Acacia longifolia have created a sight line problem for lifeguard/lifesavers and exist as a short-term monoculture”.

A note will be inserted relating to Acacia longifolia subsp. sophorae – “A specific management option refers to this species and should be followed where relevant”.

The following species (and their notes) will be removed from the Foredune and crest list: Myoporum acuminatum (Mangrove Boobialla) and Melaleuca armillaris (Honey Bracelet-myrtle).

The following species will be added to the Foredune and crest list: Myoporum boninense subsp. austral (Boobialla).

The following species will be moved from the Foredune and crest list to the Hind dune and creek mouths list: Banksia integrifolia subsp. integrifolia (Coastal Bankia).

The following species will be removed from the Hind dune and creek mouths list: Pittosporum undulatum (Brush Daphne).
### Subcategory: Monitoring (5)

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<th>City</th>
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<td></td>
<td>Support for a monitoring program, including by Crown Lands. Specific mention of support for ongoing monitoring of the beach profile, assessing changes in the beach and dune over time, so that it can be determined when conditions are appropriate to implement an option such as dune re-profiling.</td>
<td>Details of the Beach and Dune Monitoring Program are provided in the Implementation Plan. The monitoring program will involve regular surveys of beach and dune profiles and post storm surveys, regular photo point monitoring and vegetation surveys. The monitoring program will track changes in the dune profile over time and use the data collected for adaptive management to ensure that management decisions, and ongoing beach and dune management actions, are well informed, effective and enduring. Specifically, the monitoring results will be used to assess when work can be undertaken, monitor changes after dune re-profiling or vegetation management is undertaken, as well as monitor changes in dune profile in relation to vegetation and changes in environmental conditions such as wave height and after major storm events.</td>
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</table>

| City | Supports regular monitoring of the beach profile so that options become available for consideration and action as soon as deemed appropriate. | City Beach is one of the survey sites in the monitoring program and will be monitored monthly and after major storm events. This will allow determination of when beach conditions are suitable to implement other options, such as removal of frontal vegetation and re-profiling. |

| Community engagement program (1) | Support for this option. | Noted. |

### New Suggested Options

#### Table 7: New Suggested Options

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<td>Austinmer</td>
<td>The Spinifex at the northern end of the beach is spreading southerly and easterly and should be removed.</td>
<td>This option will be investigated. Spinifex spread at Austinmer Beach is noted in the Implementation Plan, although this species should not impact on the recreational use of the beach compared with dunal shrubs and trees.</td>
</tr>
<tr>
<td>Bulli</td>
<td>All vegetation should be removed from in front of the Bulli SLSC, from 300m west to the shore on the east.</td>
<td>Removal of vegetation from the frontal zone is an option for Bulli Beach, but the current dune profile makes this option not suitable due to risks from coastal hazards.</td>
</tr>
<tr>
<td>Bulli</td>
<td>Restore the sandstone sea wall that is buried under the vegetation at Bulli Beach.</td>
<td>As part of the Implementation Plan, Council is investigating the structural integrity of the seawall and whether it would offer protection from coastal hazards. However, the risk of long term impacts of loss of beach will also have to be considered.</td>
</tr>
<tr>
<td>Corrimal</td>
<td>Recommendation to consider the following for Corrimal Beach: the options from the long list, option 15 should read ‘remove all of the introduced vegetation to the original fence line and level the sand’ or use option 23 ‘improve line of sight for SLSCs by reducing vegetation within 200m either side of the SLSC to a height of less than 4ft in conjunction with option 27 ‘reduce the dune width’ and removing vegetation where it used to be sand.</td>
<td>These options are noted. The original long list of options was reviewed based on stakeholder consultation, desktop study, fieldwork and was refined to a list of options deemed to be most viable and appropriate for the Wollongong LGA. A combined option is now considered for Corrimal where the option is now ‘remove vegetation from the frontal zone and relocate tower’, which would address these concerns about line of sight. However, Council is not aiming to improve line of sight from the SLSC, rather from the tower, as this is used for patrols.</td>
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<td>City</td>
<td>There will eventually be a seawall at City Beach so vegetation retention is not that important.</td>
<td>There are no plans to build a seawall at City Beach. The priority management options identified for this beach, as outlined in the draft Strategy, will be implemented when conditions are appropriate.</td>
</tr>
<tr>
<td>General</td>
<td>Investigate artificial reefs to reduce wave power.</td>
<td>This option is not supported. It would be a costly option and out of the scope of the draft Strategy.</td>
</tr>
<tr>
<td>Clearing of all the vegetation could be done by volunteers. Then the excess sand can be pushed out into the ocean as groynes to let nature disperse it along the beach.</td>
<td></td>
<td>This option is not supported. There is not an excess of sand as the beaches are currently eroded. Any mechanical works undertaken to move sand in the dunes would only be done by Council staff or contractors engaged by Council.</td>
</tr>
<tr>
<td>A maximum height limitation for vegetation should be included.</td>
<td></td>
<td>This option is not viable as it would not be consistent across all beaches as the height of the dune underneath must also be considered on a site by site basis. Any works that involve replanting will only be of low growing species in front of the lifeguard towers, as per the beach specific VMP.</td>
</tr>
<tr>
<td>Council and State Government should not interfere in the affected areas and should let locals manage the sites.</td>
<td></td>
<td>This option is not supported. Council has a responsibility to manage the dunes and is ultimately responsible for work that is undertaken in the dunes. All works will be done in compliance with and under guidance of relevant legislation and policies as listed in Section 3 of the draft Strategy and the Coastal Dune Management Manual.</td>
</tr>
<tr>
<td>The State Government should be requested to review the Coastal Dune Management Manual.</td>
<td></td>
<td>Noted.</td>
</tr>
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</table>

**Strategy Approach**

**Table 8: Strategy Approach**

<table>
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<tr>
<th>Subcategory</th>
<th>Comments</th>
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<tr>
<td>General inadequacy (9)</td>
<td>The no action option was not thoroughly covered.</td>
<td>This was considered at the beginning of the process of developing the draft Strategy, but the safety risks and value to the community of using the beach were considered too high to do nothing.</td>
<td>No</td>
<td></td>
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<tr>
<td>Thoughts that the draft Strategy seems to be missing the main issue which is that the beaches have been planted with inappropriate vegetation that has overgrown the beach and caused the current problems. The draft Strategy options do not go far enough to restore nature’s balance and are too conservative. Expensive and unrealistic options are presented instead of addressing the main problem. Council should be protecting the beaches by removing the introduced vegetation, not assets that were built in the incorrect place.</td>
<td></td>
<td>It should be noted that vegetation was planted originally to address concerns about coastal erosion of beaches following major storms in the 1960s and 70s, and to minimise sand drift onto roads and properties. The cleared dunes of the 1970s are not the ‘natural state’. The natural state was prior to European settlement and since then the beaches have been heavily modified with numerous infrastructure and public and private assets built behind the beaches. The draft Strategy options are aimed at achieving a balance between protection of infrastructure assets and providing a usable beach for the community. Vegetation removal along the entire beach could place properties and infrastructure at risk, and future climate change predictions of sea level rise and increased storms would exacerbate this issue.</td>
<td>No</td>
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<td>There are several management options relating to removal of inappropriate vegetation, including frontal vegetation that has spread seaward, and removal of invasive and noxious weeds. The removal of vegetation from the frontal zone option is not recommended at beaches where the lower beach profile is heavily eroded, as this may increase risk from coastal hazards. For those beaches where it may be possible under present conditions, removal of vegetation from the frontal zone is detailed in the Implementation Plan. Prior to undertaking work, a REF will be prepared, including assessment of coastal hazard risks, and relevant approvals will be sought. It is not considered to be a cheap, easy option and would require ongoing maintenance.</td>
<td>No</td>
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<td>It is agreed that the vegetation is providing new habitat, but overall habitat has been reduced by development, so there is merit in considering the current habitat value. Desktop flora and fauna assessments are standard procedures and provide background information prior to undertaking more specific detailed field assessments. The description of likelihood of a species or community occurring is the standard wording from government listings and directs the local detailed assessment and is therefore still relevant to be included.</td>
<td>No</td>
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<td></td>
<td>These were the most highly weighted criteria in the MCA that was used to rank the options.</td>
<td>No</td>
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<td>The consultant was not tasked to undertake a research study into possible interactions between vegetation and scarping. Undertaking research into a correlation between dune vegetation and scarping would require site-specific studies over a long time period. One of the consultant’s tasks in developing the draft Strategy was to assess the types and distribution of vegetation on the dunes, and dune morphodynamics, to assist in development of management options.</td>
<td>No</td>
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<td></td>
<td></td>
<td>The draft Strategy does not report a correlation between scarping and vegetation. In addition to Thirroul, Ausnimmer and North Wollongong, no scarping was reported from vegetated beaches such as Sandon Point and Windang. A range of factors play a role in the formation of scarps that would need to be considered in more detail, such as changes in sediment type, wave condition, beach state, orientation and presence of headlands, to determine if such a correlation exists. As part of the Implementation Plan, Council is undertaking a Beach and Dune Monitoring Program to assess changes in vegetation cover, dune volume and shape, scarp location and any other issues following implementation of management options identified in the draft Strategy. Vegetated and un-vegetated beach sites will be monitored. Refer to the Vegetation and dune morphology section for more detail.</td>
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<tr>
<td>Missing information/clarity (9)</td>
<td>General</td>
<td>Council has undertaken benchmarking of dune management by other coastal NSW councils, and Shellharbour did not outline similar issues to Wollongong due to the aspect of their beaches.</td>
<td>No</td>
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<td>The report does not state 1. the intent/objectives of the revegetation of the dunes; 2. the original plan and scope of the planting; 3. how far the plantings exceeded the original extent; 4. the impact on surf safety with the loss of beach width, and 5. what is the standard beach width as part of coastal management practices?</td>
<td>Points 1. and 2. The report touches on these matters on pages 1, 29 and 31, but could be expanded to provide more details. Point 3. Section 6 of the report gives information on this issue for the 17 beaches. However, the draft Strategy aims to deal with the current situation, taking into account why vegetation was originally planted, the current amenity and asset protection issues, and the impact of future sea level rise. Point 4. Council encourages beach users to swim between the flags on patrolled beaches. Details on the average numbers of Council lifeguard rescues per season for the 17 beaches are detailed in Section 6. In general, the number of rescues was related to the number of people at each beach. The top three beaches for rescues were North Wollongong, Austinmer and Fairy Meadow. As detailed in Section 5.2 of the draft strategy, the majority of people requiring rescue from rips were swimming outside the flags or on non-patrolled beaches. Point 5. Council has written to OEH and asked if there are guidelines on standard widths of different zones within the dune/beach profile. The advice is that there is no specific guidance as NSW coastal beaches are highly variable so there is no set distance on what distance from the high tide mark dunes should be or what width each beach zone should be. Beach width and height are highly dynamic and strongly influences by wave and wind processes. During coastal storms foredunes, including inland foredunes, are eroded, the vegetation growing on them undermined and sand transported offshore. This can result in the temporary loss of foredunes and periods of reduced beach width. During calm conditions, the foredunes and incipient foredunes rebuild.</td>
<td>Yes</td>
<td>Additional text will be added to Section 5.2 outlining previous dune stabilisation projects and old photographs of beach conditions a different time periods will be included.</td>
<td></td>
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<td>Concerns the issues described in the Executive Summary are incorrect e.g. that scarping is caused by vegetation; and that Coastal Wattle exacerbates recreational amenity where in fact it is a concern because it is spreading and outgrowing other species.</td>
<td>This is a list of issues that were raised by the community during the stakeholder consultation and the remainder of the draft Strategy aims to clarify those assumptions. Concerns were raised that Coastal Wattle has spread and is now impacting on recreational amenity.</td>
<td>No</td>
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<td>SRCMA comments that the dune re-profiling option was not clearly defined and also that dune morphology descriptions and terminology are unclear e.g. frontal zone as opposed to incipient dune and foredune.</td>
<td>The extent of dune re-profiling and removal of vegetation from the frontal zone options would vary greatly on a site by site basis. A detailed site plan with dune topography will be prepared at the implementation stage at each beach. As such, use of the term frontal zone is generic to describe the area on the beach where vegetation management and dune re-profiling may occur. The extent of this area will vary between beaches.</td>
<td>No</td>
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<td>The variation in costs and timeframes makes it difficult to consider the different options.</td>
<td>Notes. Council cannot provide a better estimate until detailed investigations are undertaken at each beach, as times and costs would vary on a site by site basis.</td>
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<td>Clarification around sources of data, referencing of quotations and some typographical errors were identified. Clarification of the source of the information describing design and re-vegetation of dunes in the 1980s on page 29. It is not clear whether the use of 'several species of Acacia' was recognised at the time or is a recent conclusion.</td>
<td>Council will make these corrections and clarify the data sources mentioned in the submission and amend the draft Strategy accordingly.</td>
<td>Yes</td>
<td></td>
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</table>

Council will ensure all plant names are italicised.

Page 1: in paragraph 2, amend the phrase to insert the word seaward “... vegetation has spread seaward well beyond the original fence boundaries within which it was planted...”.

Section 5.1 will be updated to include beach characteristics from Short (2007).
<table>
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<th>Subcategory</th>
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<td>Page 29: The first paragraph will be re-worded to provide clarification of the source of the information.</td>
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<td>Page 29: Second paragraph, the sentence ‘The interaction between the coastal system evolving and the local community needs to be managed carefully as the coastal system evolution is complex’ will be reworded to ‘Coastal systems such as beaches and dunes are dynamic. As such, the occurrence and severity of features such as scarps and rips is constantly changing over a range of time scales, depending on the prevailing environmental conditions’.</td>
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<td>Page 29: The following sentence will be amended for clarification: “Storm cut erosion or scarps can in just a few hours, dramatically reshape beaches, lower beach levels and erode dunes. In turn, this can result in steep scarps where a gently sloping dune previously existed.” It will be changed to “Storm cut erosion can in just a few hours, dramatically reshape beaches, lower beach levels and erode dunes. In turn, this can result in steep scarps where a gently sloping dune previously existed.”</td>
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<td>Page 31: The first section of the Hazelwood (2007) study text will be changed to: “The results indicated that at Corrimal beach, there was a clear trend from 1988 to the present of the established foredune migrating seaward, and between 1988 and 1993, development of an incipient foredune that has also migrated seaward. The increase in dune development was considered to be due to transport of sand from the nearshore zone and its deposition on the sub-aerial portion of the shoreface during the engineering works in the 1980’s. Sand previously lost from the shoreface due to Aeolian processes had then been trapped on the shore face by the planted vegetation, resulting in an increase in dune elevation, seaward migration of the modified foredune and subsequent development of an incipient foredune”.</td>
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<td>Page 31: The paragraph about the Talbert (2012) study will be amended to include that the study used photogrammetry (not just a series of aerial photography) to describe beach and dune changes.</td>
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<td>Page 40: The comment that the vegetation will “be burnt back by storm surges” will be reworded to “dieback due to salt spray”.</td>
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<td>The term ‘encroachment’ implies vegetation should not do that, however it is a natural process.</td>
<td>Noted. A different term will be considered e.g. ‘spread’.</td>
<td>Yes. All occurrences of the word ‘encroachment’ will be changed to ‘spread’, except where it is referring to a specific comment received during community engagement.</td>
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<tr>
<td>Suggestion that the dune profile shown in Figure 3 is a more natural profile with forest/woodland behind and the dune systems in the Wollongong LGA differ from these natural ones.</td>
<td>Noted. A comment about this difference will be made in the draft Strategy.</td>
<td>Yes. An explanatory note will be added to Figure 3: “Dunes in Wollongong LGA differ from this typical profile due to previous vegetation clearing, sandmining and urban development behind the dunes.”</td>
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<tr>
<td>Suggestion to include references to Bryant studies about Stanwell Park in Section 6.2 and more recent references for characteristics of beaches in Section 5.1.</td>
<td>Noted. Council will investigate appropriate additions.</td>
<td>Yes. Page 50: Council will add descriptions of Stanwell Park beach from Bryant, 1983a, 1983b, 1988.</td>
<td></td>
<td>Council will investigate the images in Appendix J and make any amendments if necessary.</td>
</tr>
<tr>
<td>Appendix J 1977 aerial photographs for Woonona and Windang and possibly others are not correctly georectified.</td>
<td>Noted. Council will investigate this.</td>
<td>Yes. Council will investigate the transects in Appendix K and make any changes if required.</td>
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<tr>
<td>Appendix K - the smoothing procedure for survey transects appears to have adopted a spline that produces unrealistic beach shapes e.g. overhangs.</td>
<td>Noted. Council will investigate this.</td>
<td>Yes. Council will investigate the images in Appendix J and make any changes if required.</td>
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<tr>
<td>Comment over surprise that Marram grass is not included in Appendix I.</td>
<td>Unsupported. This is a weed so has not been included.</td>
<td>No.</td>
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<tr>
<td>Section 5.3 discusses beach width but does not take into account any data beyond 2007.</td>
<td>Noted. Section 6 refers to the most recent data available when discussing dune morphology of each beach. This included 2012 aerial photography and 2013 beach profiles for some beaches.</td>
<td>No.</td>
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<tr>
<td>Macrofauna</td>
<td>Conflicting views noted. The proposed management area of the beach is a very small proportion of the overall beach area and habitat in the LGA, so there will be minimal impact on macrofauna. These matters will be considered as part of the RFP for proposed works. The likelihood of occurrence of species of migratory birds and threatened species predicted to occur are listed in Appendices C and D. The beach fauna that occur landward of the surf zone are mobile and include crustaceans such as crabs, amphipods and isopods. On the lower levels of beach in the surf zone, crustaceans, molluscs and worms generally occur. Local and migratory seabirds generally feed in the intertidal surf zone at low tide. The extent of beach available for feeding will vary with tidal conditions and seabirds will distribute as such. The major documented impacts on beach fauna are anthropogenic and include trampling of habitat such as algal racks, beach raking and driving of vehicles along the beach.</td>
<td>No.</td>
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<tr>
<td>Consultation (8) Concern that the community has not been adequately consulted and Council should listen to the community and follow the majority’s wishes and remove the inappropriate vegetation. Locals have the greatest knowledge and experience about the beaches and should be consulted with as they have often lived/worked/enjoyed the area for decades. Consultants often give the report Council wants and do not listen to the community.</td>
<td>Council has regularly engaged with the community throughout the development of the draft Strategy. There are many conflicting opinions and many community members do not want vegetation removed from the dunes. Council has considered the wide range of comments from community members and is aiming for a balance in the high use patrolled areas of the beach, with achievement of sight lines and recreational amenity whilst also considering the ecological value of the vegetation and its role in protection of infrastructure. Council has engaged with the community using the following</td>
<td>No.</td>
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<tr>
<td>Methods</td>
<td>community survey, stakeholder meetings with the ECZMC, Beach Care Illawarra, Aboriginal Reference Group, Surf Life Saving Illawarra and Council lifeguards, who have worked on the beaches for many years and know the conditions. The consultant ecologist has also lived in the area for a substantial part of his life. All feedback has been taken into account by the consultants and Council during preparation of the draft Strategy.</td>
<td>No</td>
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<tr>
<td>Concerns</td>
<td>Some respondents felt that Council was inconsistent with its actions in relation to predictions of sea level rise. The new Sandon Point SLSC has been built on the shoreline but planned retreat has been recommended for residents of Beach Drive, Woonona. In regards to the draft Strategy the suggestion of moving towers forward seems contrary to the idea of coastal retreat.</td>
<td>No</td>
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<tr>
<td>Climate change/coastal hazards (8)</td>
<td>The key issues mentioned here are safety, access and recreational amenity issues. Coastal hazard risks were considered for every option at every beach within the MCA process.</td>
<td>Yes Minor change on page 15 to state that these are “key recreational issues”.</td>
<td></td>
<td>Minor change on page 15 to state that these are “key recreational issues”.</td>
</tr>
<tr>
<td>Concerns</td>
<td>Community survey, stakeholder meetings with the ECZMC, Beach Care Illawarra, Aboriginal Reference Group, Surf Life Saving Illawarra and Council lifeguards, who have worked on the beaches for many years and know the conditions. The consultant ecologist has also lived in the area for a substantial part of his life. All feedback has been taken into account by the consultants and Council during preparation of the draft Strategy.</td>
<td>No</td>
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<tr>
<td>Concerns</td>
<td>Relocatable towers are not in conflict with the concept of Coastal Retreat which supports the use of temporary/moveable structures, such as that proposed for this option. Sandon Point SLSC rebuilding location has been determined primarily by Aboriginal heritage concerns.</td>
<td>No</td>
<td></td>
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<tr>
<td>Concerns</td>
<td>BCI is an active community group with a keen interest in the issues so Council engaged with the group to gain an understanding of their perspective. Council considered the views of BCI like any other member of the community throughout the process of the development of the draft Strategy.</td>
<td>No</td>
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<tr>
<td>Concerns</td>
<td>Relocatable towers are not in conflict with the concept of Coastal Retreat which supports the use of temporary/moveable structures, such as that proposed for this option. Sandon Point SLSC rebuilding location has been determined primarily by Aboriginal heritage concerns.</td>
<td>No</td>
<td></td>
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<tr>
<td>Concerns</td>
<td>No Bushcare was consulted. Bushcare was not consulted. Bushcare was not consulted. Council's Bushcare groups were notified of the Council survey via email and Possum Post newsletter and Council’s Bushcare Officer was included in the internal staff stakeholder engagement sessions. There is also a Bushcare member on the ECZMC.</td>
<td>No</td>
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<tr>
<td>Concerns</td>
<td>No Bushcare was consulted. Bushcare was not consulted. Bushcare was not consulted. Council's Bushcare groups were notified of the Council survey via email and Possum Post newsletter and Council’s Bushcare Officer was included in the internal staff stakeholder engagement sessions. There is also a Bushcare member on the ECZMC.</td>
<td>No</td>
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<td>No Bushcare was consulted. Bushcare was not consulted. Bushcare was not consulted. Council's Bushcare groups were notified of the Council survey via email and Possum Post newsletter and Council’s Bushcare Officer was included in the internal staff stakeholder engagement sessions. There is also a Bushcare member on the ECZMC.</td>
<td>No</td>
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<tr>
<td>Private views were not considered in the draft Strategy, only the sightlines for patrolled beaches.</td>
<td>No Bushcare was consulted. Bushcare was not consulted. Bushcare was not consulted. Council's Bushcare groups were notified of the Council survey via email and Possum Post newsletter and Council’s Bushcare Officer was included in the internal staff stakeholder engagement sessions. There is also a Bushcare member on the ECZMC.</td>
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<td>Sea level rise should be recognised in Table 5 - factors that affect the development of established foredunes etc.</td>
<td>The text on page 28 is discussing factors that affect the development of the foredune. Sea level rise is a long term process that would be recognised on a different timescale. Council has to manage the current situation as there are risks including safety.</td>
<td>No</td>
<td>Yes</td>
<td>In Section 5.3 (recent studies) a paragraph will be included on the Cardno (2010) Coastal Zone Study and its main findings.</td>
</tr>
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<td>OEH recommended that all actions should consider current and predicted coastal line hazard by referring back to the Coastal Zone Study (Cardno 2010) with particular regard to increased vulnerability and decreased coastal resilience. This is particularly important for re-profiling and vegetation removal.</td>
<td>A preliminary investigation into the risk of impacts from coastal hazards based on eroded beach profiles surveyed in March 2013, and the hazard lines presented in the 2010 Coastal Zone Study, was undertaken to identify where there was a high level of risk. This informed the scores of each option for coastal hazard impacts used in the MCA, with scoring definitions given in Table 12. Detailed investigations of impacts will be considered as part of preparation of an REF where re-profiling or removal of vegetation from the frontal zone is considered.</td>
<td>No</td>
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<td>A comment that the report alludes to the effect of climate change and the effects it may have on beach erosion and that a 2 mm rise in sea level cannot be responsible for 4 m scarps at City Beach. Another factor must be responsible and the only thing that has changed is the vegetation.</td>
<td>The draft Strategy does not claim sea level rise to be the cause of scarping.</td>
<td>No</td>
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<tr>
<td>Aboriginal Heritage (2) Impact on heritage should be included as a criterion in the MCA and costs associated with implementation constraints should be identified (in Executive Summary and Table 8.5.2). AHIMS results are only an indication of where sites have been found during previous excavation. As part of the environmental impact assessment further advice and a permit could be required after completing the Due Diligence Code of Practice for the Protection of Aboriginal Objects.</td>
<td>Early on in the preparation of the draft Strategy it was decided not to include approvals in the MCA process. All REFs undertaken for proposed works will assess the need for further approvals. This includes following the Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW. Costs and time constraints relating to heritage constraints will be assessed as part of the REF. Council's Aboriginal Reference Group was briefed on the project and its members were sent the draft Strategy to comment on. They were also provided with the AHIMS results to help identify any known records that may have been missed. Copies of the draft Strategy were also sent to the Illawarra Local Aboriginal Land Council, Wodi Wodi Elders Council and Wadi Wadi Coomaditchie Aboriginal Corporation.</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Priorities (8) Towradgi should be a priority as the access, amenity and line of sight situation is urgent and has caused many problems for the SLSC.</td>
<td>Council acknowledges there is a significant scarp issue at Towradgi Beach and is considering options for this beach under the current eroded beach profile. Although the dune profile is higher in some parts of the beach, there is also an eroded lower beach profile.</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>City, Woonona and Towradgi beaches should be the priorities and their vegetation should be removed back to the 1980s mark.</td>
<td>Noted. ‘Removal of vegetation from the frontal zone’ is one of the highly ranked options for these beaches.</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Several comments were made in agreement with the draft Strategy priority issues, stating useable beach width, sight lines, beach access and scarping needed urgent attention. There was concern that the severe scarps could lead to deaths. At City Beach the specific concerns were the height of the dunes and effect on line of sight, the volume of vegetation and its encroachment onto the beach and impact on access, the narrowing of the beach area including scarping that has affected operations and the safety aspects of scarping/dune collapse.</td>
<td>Noted. A Wollongong Coastal Erosion Emergency Action Sub Plan, which outlines procedures to be undertaken following coastal erosion events, is included in the draft Strategy.</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>It was also felt that long term biodiversity and infrastructure protection should</td>
<td>Coastal hazard risk has the second highest weighting in the MCA and will be</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subcategory</td>
<td>Comments</td>
<td>Response</td>
<td>Changes</td>
<td>Actions</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>-----------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------</td>
<td>---------</td>
<td>---------</td>
</tr>
<tr>
<td>Severity of key beach</td>
<td>Bellambi</td>
<td>Access is not an issue at Bellambi Beach and has not rated correctly in the severity of issues.</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>issues (3)</td>
<td>Corrimal</td>
<td>Agreement with severity rating of minor for beach access, sight line and recreational amenity at Corrimal Beach.</td>
<td>Noted.</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>Port Kembla</td>
<td>There is no sight line issue at Port Kembla Beach and Council should not be undertaking any options here.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>City</td>
<td>Wollongong City SLSC agrees with the severity ratings for the issues at this beach.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Table 8 - Summary of Key Issues will be amended to indicate the sight line issue rating from the SLSC building and the lifeguard tower. This will also be done for Woonona Beach where the SLSC building and lifeguard tower have different sight line issue ratings, |
|---|---|---|---|---|---|

### Whole of Beach

<table>
<thead>
<tr>
<th>Subcategory</th>
<th>Comments</th>
<th>Response</th>
<th>Changes</th>
<th>Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>[11]</td>
<td>Issues occur along the whole of the beach</td>
<td>Eight submissions emphasised that overgrown vegetation, scarp and safety issues occurs along the whole length of the beaches so works should address the whole length, not just in front of the SLSCs.</td>
<td>Noted. The aim of the draft Strategy was to identify management options for the high use recreational areas of the 17 patrolled beaches to address safety and recreational amenity issues, whilst considering biodiversity values and the role of the dunes on coastal protection. The LGA covers approx. 60km of coastline and it is unreasonable to suggest Council can manage the whole area. Council encourages the public to use the patrolled areas between the flags for swimming; hence the draft Strategy is focussed in this area to facilitate the work of the lifeguards/lifesavers. Rips will always occur on a beach and can move around so beach users should swim between the flags to be safe, as lifesavers are experienced in identifying where the rips are and the safer areas of the beach to swim. The works to be implemented in the management area of each beach will be considered in context of the whole beach, and will involve ongoing monitoring along the beach to track changes and take corrective action if necessary. A Council Dune Management Procedure is included in the Implementation Plan. This will outline roles and responsibilities for different dune management activities.</td>
<td>No</td>
</tr>
</tbody>
</table>

---
<table>
<thead>
<tr>
<th>Subcategory</th>
<th>Comments</th>
<th>Response</th>
<th>Changes</th>
<th>Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Impact of works on the rest of the beach</td>
<td>Three submissions related to the potential impact on the rest of the beach of proposed works within the management zones. There were suggestions that this will funnel water into cleared areas and generate scarping at its extremities, rip generation and the current issues will remain as rest of the beach will still be reflective. Suggestion that the vegetation along the whole length of beach is removed back to fence line.</td>
<td>Noted. The implementation of dune works in localised areas, such as removal of vegetation from the frontal zone and reducing dune height by re-profiling, will be considered in the context of the whole beach, in terms of beach and dune morphodynamics and patterns of vegetation cover along each beach. Prior to undertaking any dune re-profiling work, the current dune profile will be surveyed and this information used to determine coastal hazard risks and to determine the lateral extent of the work that needs to be undertaken, such that the edges are not exposed to storm action. This will ensure that an appropriate balance can be achieved to satisfy both beach amenity and safety concerns, and provide an adequate level of coastal protection. The Beach and Dune Monitoring Program includes ongoing monitoring of beaches to track changes with time and take corrective action if necessary.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>City Beach</td>
<td>Wollongong City SLSC recommended that the whole of beach from Flagstaff Hill to Little Oilies needs to be addressed and monitored as the entire stretch is interrelated.</td>
<td>Noted. Dune works at City Beach will be considered in the context of the whole beach unit from the northern end of City Beach to Coniston, in terms of beach and dune morphodynamics and patterns of vegetation cover along the beach. The Beach and Dune Monitoring program includes monitoring of this entire stretch monthly and after storms.</td>
<td>No</td>
<td></td>
</tr>
</tbody>
</table>

Community Engagement

Table 10: Community Engagement

<table>
<thead>
<tr>
<th>Subcategory</th>
<th>Comments</th>
<th>Response</th>
<th>Changes</th>
<th>Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dunecare (23)</td>
<td>Government support for Bushcare/Landcare</td>
<td>The SRCMA recommends continuing to support Bushcare/Landcare.</td>
<td></td>
<td>No</td>
</tr>
</tbody>
</table>

Surf Life Saving Club Involvement
Surf Life Saving Illawarra and Towradgi SLSC expressed support for SLSCs being involved in a Dunecare program maintaining vegetation at their beach. It was suggested an area 200m either side of SLSC houses and Council Lifeguard Towers. This included an offer to use their own equipment at no cost to Council. Bellambi SLSC would like to be involved in Dunecare, but not if it is organised by Council.

Participation in Dunecare
In addition to SLSCs, a further 16 individuals expressed interest in joining the Dunecare Program.

Interest of SLSCs noted. The Dunecare Program will set out specific operational guidelines for the activities of volunteers working in the dunes.

Interest noted. These members of the community will be invited to be part of the Dunecare Program which will set out guidelines and involve working with the volunteers, as described above.
Specific recommendations about the content/functions of the Dunecare Program included: that the Program include education about dunal vegetation; identification of areas that need improvement (e.g. access, weed management, discourage vandalism); consideration of involvement of Work for the Dole and periodic detention programs; and species to be planted should include a range of coastal species like Banksias, Coast Tea Trees and Myoporum. Specific locations mentioned included Stanwell Park, Thirroul, Sandon Point, Bulli, Woonona, Bellambi, Corrimal, Towradgi, Fairy Meadow, City, Port Kembla and Windang.

Recommendations noted. All of these recommendations, including plant species for revegetation, will be considered as part of the Dunecare Program.

Two individuals stated they do not support Bushcare working near the beach and undertaking dune planting. It was suggested they should focus on previous damage to Puckeys, Port Kembla and Sandon Point.

Comments noted. The Dunecare Program will have different objectives to the Bushcare Program, focusing on maintenance of the dune vegetation to ensure ongoing maintenance of sightlines, access and recreational amenity. It will set out specific guidelines for the volunteer’s work at each beach, including planting areas and species lists.

Wollongong City SLSC would like to be involved in any City Beach specific management plan.

Council will engage with relevant SLSCs prior to undertaking management options near their facilities.

Both the SRCMA and Crown Lands expressed the ongoing need for community education in relation to increasing understanding of the important functions of dunes and their associated vegetation, including in relation to climate variability.

Advice noted. Community education is detailed in the Implementation Plan. This will include making information available on the Council website, signage at beaches undergoing dune management works and media articles, in partnership with SRCMA and OEH. This will depend on the availability of internal budgets and external grant funding.

A member of the community recommended an ongoing education campaign supported by the state government, to provide an alternative source of information than Beach Care Illawarra.

Noted. Any education program implemented will be based on scientific advice from the relevant authorities and will be relevant to the local condition and history of our dunes.

Council recognises that beaches are important for our lifestyle and local economy. It is for these reasons that sight line and beach amenity received high weightings in the MCA that was used to score the management options. However, Council also has to consider the role that dunes play in providing protection of infrastructure assets behind the beach, hence a balance has to be reached.

Table 11: Beaches as an Asset

<table>
<thead>
<tr>
<th>Subcategory</th>
<th>Comments</th>
<th>Response</th>
<th>Changes</th>
<th>Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>(2) Sandy beaches should be considered as an asset as they are important for recreation, tourism and the local economy. Council should be focusing on protecting this natural asset.</td>
<td>Council recognises that beaches are important for our lifestyle and local economy. It is for these reasons that sight line and beach amenity received high weightings in the MCA that was used to score the management options. However, Council also has to consider the role that dunes play in providing protection of infrastructure assets behind the beach, hence a balance has to be reached.</td>
<td>No</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## View of Beach

**Table 12: View of Beach**

<table>
<thead>
<tr>
<th>Subcategory</th>
<th>Comments</th>
<th>Response</th>
<th>Changes</th>
<th>Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>[2] Views for safety outside patrol hours</td>
<td>There should be maintenance of views from the paths behind the dunes for safety outside of patrol hours. The location noted was Bulli. Private views Views are an amenity which should be managed as a valuable resource. The location noted was Sandon Point.</td>
<td>Council agrees that safety is an important issue but recommends swimming only at patrolled areas within patrol hours. Creation of a view for personal benefit was not considered. The draft Strategy is focused on maintaining the dunes and vegetation behind the flagged swimming areas of the 17 patrolled swimming beaches to enable the lifeguards and lifesavers to monitor the public using the beach.</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>

## Snakes or Vermin

**Table 13: Snakes or Vermin**

<table>
<thead>
<tr>
<th>Subcategory</th>
<th>Comments</th>
<th>Response</th>
<th>Changes</th>
<th>Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>[5]</td>
<td>The vegetation is attracting snakes and vermin. Brown snakes have been seen at Corrimal and Woonona. Bulli was mentioned in relation to vermin.</td>
<td>Council has a Vertebrate Pest Management Strategy which includes a rabbit control program. Snakes are protected under the <em>National Parks and Wildlife Act</em> 1974. If snakes are sighted the local NPWS office or WIRES can be contacted who may be able to relocate the snake to a more appropriate location.</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>

## Outside Study Area

**Table 14: Outside Study Area**

<table>
<thead>
<tr>
<th>Subcategory</th>
<th>Comments</th>
<th>Response</th>
<th>Changes</th>
<th>Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>[1] Bellambi and Windang</td>
<td>Concern that Bellambi and Windang dunes are fire hazards due to large patches of dead wattle. “Wattle that regerminates rapidly has a four year life span, dying leaving fuel for fires.” Concern that there has been over planting of wattle between Towradgi Creek and Bellambi Lagoon which has meant that at the weak spot, Bellambi Lagoon entrance, large amounts of sand have been taken from the sand dune.</td>
<td>These particular sites identified are not within the priority management areas assessed as part of the draft Strategy. However, this issue will be considered as part of the broader issues of management of vegetation on the beaches outside the flagged swimming areas. Council currently has bush restoration contractors undertaking weed control work in the dunes at Bellambi and Windang.</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>
Part B – Internal Review

Severity of Issues
A number of amendments have been proposed to the draft Strategy following a review by Council officers. These are outlined below.

In the draft Strategy, the key recreational issues (sight line, recreational amenity and beach access) at each beach at the time of the study (Table 15) were rated. During a review of the severity of issues in the draft Strategy it was noted for Woonona that the sight line rating of moderate was from the tower, whereas from the SLSC, the rating would be severe. At Port Kembla, the sight line rating provided in the draft Strategy was moderate. However, based on the map in the draft Strategy of the beach area not visible, this rating has been changed to severe. It should also be noted that this refers to the sight line from the SLSC, used by the lifesavers, whereas visibility from the Council lifeguard tower is good. Nine beaches were considered to have issues, and the Implementation Plan identifies beach specific management options for them.

Table 15: Severity of issues at all beaches.

<table>
<thead>
<tr>
<th>Beach</th>
<th>Sight Line Issue</th>
<th>Recreational Amenity Issue</th>
<th>Beach Access Issue</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stanwell Park</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Coalcliff</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Scarborough</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Coledale</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Austinmer</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Thirroul</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Sandon Point</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Bulli</td>
<td>Moderate</td>
<td>Moderate</td>
<td>Moderate</td>
</tr>
<tr>
<td>Woonona</td>
<td>Moderate from tower</td>
<td>Severe from SLSC</td>
<td>Moderate</td>
</tr>
<tr>
<td>Bellambi</td>
<td>Minor</td>
<td>Minor</td>
<td>Moderate</td>
</tr>
<tr>
<td>Corrimal</td>
<td>Minor</td>
<td>Minor</td>
<td>Minor</td>
</tr>
<tr>
<td>Towradgi</td>
<td>Severe</td>
<td>Severe</td>
<td>Moderate</td>
</tr>
<tr>
<td>Fairy Meadow</td>
<td>Moderate</td>
<td>Moderate</td>
<td>Moderate</td>
</tr>
<tr>
<td>North Wollongong</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>City</td>
<td>Severe</td>
<td>Severe</td>
<td>Severe</td>
</tr>
<tr>
<td>Port Kembla</td>
<td>Nil from tower</td>
<td>Severe from SLSC</td>
<td>Moderate</td>
</tr>
<tr>
<td>Windang</td>
<td>Minor</td>
<td>Nil</td>
<td>Nil</td>
</tr>
</tbody>
</table>
Draft Strategy Options

The following amendments are proposed to the management options and Multi Criteria Analysis (MCA):

- inclusion of the combined management option of ‘build a tower and remove vegetation from frontal zone’ aimed at addressing issues of sight line, recreational amenity and beach access, for Bellambi, Corrimal and Port Kembla which did not have this combined option; and
- inclusion of the combined management option of ‘raise level of observation area in SLSC and remove vegetation from frontal zone’ aimed at addressing the same issues for Bellambi, which did not have this combined option.

Including the combined options in the MCA resulted in changes to the order of the management options for these three beaches. As can be seen in Table 16 (original summary table) and Table 17 (new summary table), these combined management options will address more issues than the previous top three options for these three beaches. The approximate initial costs and time to implement presented in the draft Strategy have also been updated based on further investigations during the preparation of the Implementation Plan.

The original and new MCAs for Bellambi, Corrimal and Port Kembla beaches are provided in Tables 18 to 23. The new combined options are highlighted in yellow.
## Table 16: Original beach specific management options (listed north to south)

<table>
<thead>
<tr>
<th>Beach</th>
<th>Management Option</th>
<th>Sight Line</th>
<th>Recreational Amenity</th>
<th>Beach Access</th>
<th>Approximate initial cost</th>
<th>Total Time to Implement</th>
<th>Implementation constraints</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bulli</td>
<td>Build a tower</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Type A) $30,000</td>
<td>Less than 6 months</td>
<td>Risk of impacts from coastal hazards currently high. Further site investigations (e.g. structural integrity of buried seawall) and ongoing monitoring required to inform timing for implementation.</td>
</tr>
<tr>
<td></td>
<td>Build a tower and remove vegetation from frontal zone</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$50,000-$100,000. Also see above for tower cost.</td>
<td>6-12 months</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Raise level of observation area in SLSC</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>$100,000-$500,000</td>
<td>1-3 years</td>
<td></td>
</tr>
<tr>
<td>Woonona</td>
<td>Relocate existing tower and remove vegetation from frontal zone</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>Less than $10,000</td>
<td>Less than 6 months</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Relocate existing tower</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>$100,000-$500,000</td>
<td>1-3 years</td>
<td></td>
</tr>
<tr>
<td>Bellambi</td>
<td>Reduce dune height by re-profiling</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$100,000-$500,000</td>
<td>1-3 years</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Raise level of observation area in SLSC</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>$10,000-$50,000</td>
<td>Less than 6 months</td>
<td>At this site the option means relocate to the first floor, no extension.</td>
</tr>
<tr>
<td></td>
<td>Build a tower</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Type A) $30,000</td>
<td>Less than 6 months</td>
<td>Type A) Less than 6 months</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Type B) $150,000</td>
<td>6-12 months</td>
<td>Type B) 6-12 months</td>
</tr>
<tr>
<td>Cornimal</td>
<td>Reduce dune height by re-profiling</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$100,000-$500,000</td>
<td>1-3 years</td>
<td>Risk of impacts from coastal hazards currently high. On-going monitoring required to inform timing for implementation.</td>
</tr>
<tr>
<td></td>
<td>Remove vegetation from frontal zone</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$50,000-$100,000</td>
<td>6-12 months</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Relocate existing tower</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Less than $10,000</td>
<td>Less than 6 months</td>
<td></td>
</tr>
<tr>
<td>Towradgi</td>
<td>Build a tower and remove vegetation from frontal zone</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$50,000-$100,000. Also see below for tower costs.</td>
<td>6-12 months</td>
<td>Risk of impacts from coastal hazards currently high. On-going monitoring required to inform timing for implementation.</td>
</tr>
<tr>
<td></td>
<td>Build a tower</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Type A) $30,000</td>
<td>Less than 6 months</td>
<td>Type A) Less than 6 months</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Type B) $150,000</td>
<td>6-12 months</td>
<td>Type B) 6-12 months</td>
</tr>
<tr>
<td></td>
<td>Reduce dune height by re-profiling</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$100,000-$500,000</td>
<td>1-3 years</td>
<td>Risk of impacts from coastal hazards currently high. On-going monitoring required to inform timing for implementation.</td>
</tr>
<tr>
<td></td>
<td>Remove vegetation from frontal zone</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$50,000-$100,000</td>
<td>6-12 months</td>
<td></td>
</tr>
<tr>
<td>Fairy Meadow</td>
<td>Relocate existing tower and remove vegetation from frontal zone</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$50,000-$100,000</td>
<td>6-12 months</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Reduce dune height by re-profiling</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$100,000-$500,000</td>
<td>1-3 years</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Relocate existing tower</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Less than $10,000</td>
<td>Less than 6 months</td>
<td></td>
</tr>
<tr>
<td>Wollongong City</td>
<td>Reduce dune height by re-profiling</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$100,000-$500,000</td>
<td>1-3 years</td>
<td>Risk of impacts from coastal hazards currently high. On-going monitoring required to inform timing for implementation.</td>
</tr>
<tr>
<td></td>
<td>Build a tower</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Type A) $30,000</td>
<td>Less than 6 months</td>
<td>Type A) Less than 6 months</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Type B) $150,000</td>
<td>6-12 months</td>
<td>Type B) 6-12 months</td>
</tr>
<tr>
<td></td>
<td>Build a tower and remove vegetation from frontal zone</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$50,000-$100,000. Also see above for towers costs.</td>
<td>6-12 months</td>
<td>Risk of impacts from coastal hazards currently high. On-going monitoring required to inform timing for implementation.</td>
</tr>
<tr>
<td>Port Kembla</td>
<td>Reduce dune height by re-profiling</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$100,000-$500,000</td>
<td>1-3 years</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Build a tower</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Type A) $30,000</td>
<td>Less than 6 months</td>
<td>Type A) Less than 6 months</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Type B) $150,000</td>
<td>6-12 months</td>
<td>Type B) 6-12 months</td>
</tr>
<tr>
<td></td>
<td>Improve beach access ways</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>$10,000-$50,000</td>
<td>Less than 6 months</td>
<td></td>
</tr>
</tbody>
</table>

Note: Severity scales for issues: ● Severe ● Moderate ● Minor

Type A tower could accommodate 1-2 people, is made of fiberglass and has a lower elevation. Type B tower could accommodate 2-3 people, is made of aluminum on a pre-cast slab base and would offer a higher elevation.

*Indicative cost.
<table>
<thead>
<tr>
<th>Beach</th>
<th>Management Option</th>
<th>Sight Line</th>
<th>Recreational Amenity</th>
<th>Beach Access</th>
<th>Approximate initial cost*</th>
<th>Total Time to Implement ^</th>
<th>Implementation constraints</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bulli</td>
<td>Build a tower</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>$150,000</td>
<td>1-3 years</td>
<td>Risk of impacts from coastal hazards currently high. Further site investigations (e.g. structural integrity of buried seawall) and on-going monitoring required to inform timing for implementation.</td>
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<tr>
<td></td>
<td>Build a tower and remove vegetation from frontal zone</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$150,000 and $50,000-$100,000</td>
<td>1-3 years</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Raise level of observation area in SLSC</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>$100,000-$500,000</td>
<td>1-3 years</td>
<td></td>
</tr>
<tr>
<td>Woonona</td>
<td>Relocate existing tower and remove vegetation from frontal zone</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$10,000-$50,000 and $50,000-$100,000</td>
<td>6-12 months</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Relocate existing tower</td>
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<td>No</td>
<td>No</td>
<td>$10,000-$50,000</td>
<td>6-12 months</td>
<td></td>
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<td></td>
<td>Raise level of observation area in SLSC and remove vegetation from frontal zone</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$100,000-$500,000</td>
<td>1-3 years</td>
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<td>Bellambi</td>
<td>Build a tower and remove vegetation from frontal zone</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$150,000 and $50,000-$100,000</td>
<td>1-3 years</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Raise level of observation area in SLSC and remove vegetation from frontal zone</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$10,000-$50,000</td>
<td>6-12 months</td>
<td>At this site the option means relocate to the first floor, no extension, and $50,000-$100,000</td>
</tr>
<tr>
<td></td>
<td>Reduce dune height by re-profiling</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$100,000-$500,000</td>
<td>1-3 years</td>
<td></td>
</tr>
<tr>
<td>Corrimal</td>
<td>Relocate existing tower and remove vegetation from frontal zone</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$10,000-$50,000 and $50,000-$100,000</td>
<td>6-12 months</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Reduce dune height by re-profiling</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$100,000-$500,000</td>
<td>1-3 years</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Remove vegetation from frontal zone</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$50,000-$100,000</td>
<td>6-12 months</td>
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<tr>
<td>Towradgi</td>
<td>Build a tower and remove vegetation from frontal zone</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$150,000 and $50,000-$100,000,</td>
<td>1-3 years</td>
<td>Risk of impacts from coastal hazards currently high. On-going monitoring required to inform timing for implementation.</td>
</tr>
<tr>
<td></td>
<td>Build a tower</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>$150,000</td>
<td>1-3 years</td>
<td>Risk of impacts from coastal hazards currently high. On-going monitoring required to inform timing for implementation.</td>
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<tr>
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<td>Reduce dune height by re-profiling</td>
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<td>Yes</td>
<td>Yes</td>
<td>$100,000-$500,000</td>
<td>1-3 years</td>
<td>Risk of impacts from coastal hazards currently high. On-going monitoring required to inform timing for implementation.</td>
</tr>
<tr>
<td></td>
<td>Remove vegetation from frontal zone</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$50,000-$100,000</td>
<td>6-12 months</td>
<td></td>
</tr>
<tr>
<td>Fairy Meadow</td>
<td>Relocate existing tower and remove vegetation from frontal zone</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$10,000-$50,000 and $50,000-$100,000</td>
<td>6-12 months</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Reduce dune height by re-profiling</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$100,000-$500,000</td>
<td>1-3 years</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Relocate existing tower</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>$10,000-$50,000</td>
<td>6-12 months</td>
<td></td>
</tr>
<tr>
<td>Wollongong City</td>
<td>Reduce dune height by re-profiling</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$100,000-$500,000</td>
<td>1-3 years</td>
<td>Risk of impacts from coastal hazards currently high. On-going monitoring required to inform timing for implementation.</td>
</tr>
<tr>
<td></td>
<td>Build a tower</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>$150,000</td>
<td>1-3 years</td>
<td>Risk of impacts from coastal hazards currently high. On-going monitoring required to inform timing for implementation.</td>
</tr>
<tr>
<td>Port Kembla</td>
<td>Build a tower and remove vegetation from frontal zone</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$150,000 and $50,000-$100,000</td>
<td>1-3 years</td>
<td>Risk of impacts from coastal hazards currently high. On-going monitoring required to inform timing for implementation.</td>
</tr>
<tr>
<td></td>
<td>Reduce dune height by re-profiling</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$100,000-$500,000</td>
<td>1-3 years</td>
<td></td>
</tr>
</tbody>
</table>

Note. Severity scales for issues
- Severe
- Moderate
- Minor
- Nil

*Indicative cost.
^Subject to approvals and funding.

Table 17: New beach specific management options (listed north to south)

- At Woonona the sight line issue is moderate from the tower and severe from the surf club.
- At Port Kembla the sight line issue is nil from the tower and severe from the surf club.
# Table 18: Original MCA for Bellambi Beach

<table>
<thead>
<tr>
<th>Criteria</th>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
<th>F</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maintain current management</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>Raise level of observation area in SLSC</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>9.38</td>
</tr>
<tr>
<td>Build a tower</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>-1</td>
<td>1</td>
<td>6.75</td>
</tr>
<tr>
<td>Relocate existing tower</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Remove trees and shrubs affecting line of sight</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>-2</td>
<td>1</td>
<td>1.88</td>
</tr>
<tr>
<td>Additional management of noxious and invasive weed species</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>1.25</td>
</tr>
<tr>
<td>Remove vegetation from frontal zone</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>-1</td>
<td>1</td>
<td>6.25</td>
</tr>
<tr>
<td>Reduce dune height by re-profiling</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>0</td>
<td>-3</td>
<td>3</td>
<td>5.88</td>
</tr>
<tr>
<td>Build seawall</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Remove Acacia longifolia subsp. longifolia and hybrids</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>3.75</td>
</tr>
<tr>
<td>Improve beach access ways</td>
<td>0</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>-1</td>
<td>0</td>
<td>4.06</td>
</tr>
</tbody>
</table>

**Note:** Management Options with negative scores were discarded as they indicate actions worse than the current management action.
Table 19: New combined options for Bellambi Beach included in MCA

<table>
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<tr>
<th>Criteria</th>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
<th>F</th>
<th>Sub Total</th>
<th>Rank</th>
<th>Sub Total</th>
<th>Rank</th>
<th>Sub Total</th>
<th>Rank</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sight line Beach access Recreational amenity Coastal hazards impacts Ecology Pests and vermin</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.13</td>
<td>1.56</td>
<td>2.19</td>
<td>2.06</td>
<td>0.05</td>
<td>0.90</td>
<td>TOTAL</td>
<td>11</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Raise level of observation area in SLSC</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>Sub Total</td>
<td>9.38</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Build a tower</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>-1</td>
<td>1</td>
<td>Sub Total</td>
<td>9.38</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Relocate existing tower</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Sub Total</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Remove trees and shrubs affecting line of sight</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>Sub Total</td>
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<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
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<td>Additional management of invasive and invasive weed species</td>
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<td>3</td>
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<td>Sub Total</td>
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<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Remove vegetation from frontal zone</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>Sub Total</td>
<td>3.13</td>
<td>1.56</td>
<td>2.19</td>
<td>2.06</td>
<td>0.05</td>
</tr>
<tr>
<td>Reduce dune height by re-profiling</td>
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<td>2</td>
<td>2</td>
<td>2</td>
<td>0</td>
<td>3</td>
<td>Sub Total</td>
<td>6.25</td>
<td>3.13</td>
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<td>4.06</td>
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<tr>
<td>Build seawall</td>
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<td>Sub Total</td>
<td></td>
<td></td>
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<td></td>
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</tr>
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<td>Management of subspecies of Acacia longifolia</td>
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<td>0.00</td>
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</tr>
<tr>
<td>Improve beach access ways</td>
<td>0</td>
<td>3</td>
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<tr>
<td>Build a tower and remove vegetation from frontal zone</td>
<td>3</td>
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<td>1</td>
<td>Sub Total</td>
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<td>1.56</td>
<td>2.19</td>
<td>2.06</td>
<td>0.05</td>
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<td>1</td>
<td>Sub Total</td>
<td>9.38</td>
<td>1.56</td>
<td>2.19</td>
<td>2.06</td>
<td>0.05</td>
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</table>

Note: Management Options with negative scores were discarded as they indicate actions worse than the current management actions.
### Table 20: Original MCA for Corrimal Beach

<table>
<thead>
<tr>
<th>Criteria</th>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
<th>F</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
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<td></td>
<td></td>
<td></td>
</tr>
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<td>0.00</td>
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<td>-1.25</td>
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</tr>
<tr>
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<td>Rank</td>
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</tr>
<tr>
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<td>0.00</td>
<td>0.00</td>
<td>1.25</td>
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<td>1.88</td>
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<td>Remove vegetation from frontal zone</td>
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<td>3.13</td>
<td>4.38</td>
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<td>-1.25</td>
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<tr>
<td>Reduce dune height by re-profiling</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Sub Total (TOTAL)</td>
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<td>3.13</td>
<td>4.38</td>
<td>0.00</td>
<td>-1.88</td>
<td>0.00</td>
<td>11.88</td>
</tr>
<tr>
<td>Build seawall</td>
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<td></td>
<td></td>
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</tr>
<tr>
<td>N/A</td>
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<td>Sub Total (TOTAL)</td>
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</tr>
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<td>Remove Acacia longifolia subsp. longifolia and hybrids</td>
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<td>0.00</td>
<td>1.25</td>
<td>0.00</td>
<td>4.38</td>
</tr>
<tr>
<td>Improve beach access ways</td>
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<td></td>
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<td>0.00</td>
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</table>

Note: Management Options with negative scores were discarded as they indicate actions worse than the current management score.
Table 21: New combined option for Corrimal Beach included in MCA

<table>
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<tr>
<th>Criteria</th>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
<th>F</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sight line</td>
<td>3.13</td>
<td>1.56</td>
<td>2.19</td>
<td>2.50</td>
<td>0.00</td>
<td>0.00</td>
<td>9.55</td>
</tr>
<tr>
<td>Beach access</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Recreational amenity</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
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</tr>
<tr>
<td>Coastal hazards impacts</td>
<td>0.00</td>
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<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
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<tr>
<td>Pests and vermin</td>
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<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
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<th>D</th>
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<th>F</th>
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<tbody>
<tr>
<td>Raise level of observation area in SLSC</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>Sub Total</td>
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<td>N/A</td>
<td>N/A</td>
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<th>D</th>
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<th>F</th>
<th>Total</th>
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<tbody>
<tr>
<td>Relocate existing tower</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<th>D</th>
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<th>F</th>
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<tbody>
<tr>
<td>Remove trees and shrubs affecting line of sight</td>
<td>1</td>
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<td>0</td>
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<td>2</td>
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<td>Remove vegetation from frontal zone</td>
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<td>2</td>
<td>0</td>
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<td>9.38</td>
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<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
<th>F</th>
<th>Total</th>
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<tr>
<td>Reduce dune height by re-profiling</td>
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<td>2</td>
<td>2</td>
<td>0</td>
<td>-3</td>
<td>3</td>
<td>3.13</td>
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<tr>
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<td>4.38</td>
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<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
<th>F</th>
<th>Total</th>
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<tbody>
<tr>
<td>Build seawall</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<td>Sub Total</td>
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<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<th>F</th>
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<td>0.00</td>
<td>0.00</td>
<td>1.25</td>
<td>0.00</td>
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<table>
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<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
<th>F</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Improve beach access ways</td>
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<td>0</td>
<td>0</td>
<td>-1</td>
<td>0</td>
<td>4.06</td>
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<td>4.06</td>
<td>4.06</td>
<td>0.00</td>
<td>-0.63</td>
<td>0.00</td>
<td>4.06</td>
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<table>
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<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
<th>F</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Relocate existing tower and remove vegetation from frontal zone</td>
<td>3</td>
<td>2</td>
<td>2</td>
<td>0</td>
<td>-2</td>
<td>2</td>
<td>9.38</td>
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<td>9.38</td>
<td>3.13</td>
<td>4.38</td>
<td>0.00</td>
<td>-1.25</td>
<td>0.00</td>
<td>15.63</td>
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</table>

Note: Management Options with negative scores were discarded as they indicate actions worse than the current management strategy.
Table 22: Original MCA for Port Kembla Beach

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<tr>
<th>Criteria</th>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
<th>F</th>
<th>TOTAL</th>
<th>Rank</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maintain current management</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.00</td>
<td>8</td>
</tr>
<tr>
<td>Raise level of observation area on SLSC</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Build a tower</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>-1</td>
<td>1</td>
<td>6.75</td>
<td>2</td>
</tr>
<tr>
<td>Relocate existing tower</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Remove trees and shrubs affecting line of sight</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>-2</td>
<td>2</td>
<td>1.88</td>
<td>6</td>
</tr>
<tr>
<td>Additional management of noxious and invasive weed species</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1.25</td>
<td>7</td>
</tr>
<tr>
<td>Remove vegetation from frontal zone</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>-1</td>
<td>2</td>
<td>3.13</td>
<td>5</td>
</tr>
<tr>
<td>Reduce dune height by re-profiling</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>0</td>
<td>-3</td>
<td>3</td>
<td>51.88</td>
<td>1</td>
</tr>
<tr>
<td>Build seawall</td>
<td>3</td>
<td>2</td>
<td>-3</td>
<td>-3</td>
<td>-2</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Remove Acacia longifolia subsp. longifolia and hybrids</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>-2.81</td>
<td>4</td>
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<tr>
<td>Improve beach access ways</td>
<td>0</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>-1</td>
<td>1</td>
<td>3.75</td>
<td>3</td>
</tr>
</tbody>
</table>

Note: Management Options with negative scores were discarded as they indicate actions worse than the current management actions.

Port Kembla

This assessment has assumed patrol is from Clubhouse and not tower near pool.
Table 23: New combined option for Port Kembla Beach included in MCA

<table>
<thead>
<tr>
<th>Criteria</th>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
<th>F</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sight line</td>
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<td>1.06</td>
<td>3.19</td>
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<td>9.05</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>Recreational amenity</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>Coastal hazards impacts</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.00</td>
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<tr>
<td>Ecology</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.00</td>
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<tr>
<td>Pests and vermin</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.00</td>
</tr>
</tbody>
</table>

- **Maintain current management**
  - Sub Total: 0.00 0.00 0.00 0.00 0.00 0.00 0.00
  - Rank: 9

- **Raise level of observation area in DSLC**
  - Sub Total: 0.00 0.00 0.00 0.00 0.00 0.00 0.00
  - Rank: N/A

- **Build a tower**
  - Sub Total: 9.38 0.00 0.00 0.00 -0.63 0.00 8.75
  - Rank: 3

- **Relocate existing tower**
  - Sub Total: 0.00 0.00 0.00 0.00 1.25 0.00 1.25
  - Rank: N/A

- **Remove trees and shrubs affecting line of sight**
  - Sub Total: 3.13 0.00 0.00 0.00 -1.25 0.00 1.88
  - Rank: 7

- **Additional management of non-native and invasive weed species**
  - Sub Total: 0.00 0.00 0.00 0.00 0.63 0.00 0.63
  - Rank: 6

- **Remove vegetation from frontal zone**
  - Sub Total: 0.00 1.95 2.19 0.00 -0.63 0.00 3.13
  - Rank: 2

- **Reduce dune height by re-profiling**
  - Sub Total: 6.25 3.13 4.38 0.00 -1.88 0.00 11.88
  - Rank: 5

- **Build seawall**
  - Sub Total: 9.38 3.13 -6.56 -7.50 -1.25 0.00 -2.81
  - Rank: 4

- **Management of subspecies of Acacia longifolia**
  - Sub Total: 3.13 0.00 0.00 0.00 0.63 0.00 3.75
  - Rank: 1

- **Improve beach access ways**
  - Sub Total: 0.00 4.09 0.00 0.00 -0.63 0.00 4.06
  - Rank: 1

- **Build a tower and remove vegetation from frontal zone**
  - Sub Total: 9.38 1.95 2.19 0.00 -0.63 0.00 12.50
  - Rank: 1

Note: Management Options with negative scores were discarded as they indicate actions worse than the current management action.
Wollongong City Council
Draft Wollongong Dune Management Strategy
For the Patrolled Swimming Areas of 17 Beaches

Community Feedback Form

Wollongong City Council is giving you the opportunity to provide comment on the Draft Wollongong Dune Management Strategy for the Patrolled Swimming Areas of 17 Beaches. Please read the accompanying Frequently Asked Questions and Answers before filling in this form. Please return to Council by 14 July 2013.

1. A range of proposed management options are presented in the Strategy. Do you have any general comments about the proposed management options?

______________________________________________________________________________________________________________________________________________________________________________________________________________________________

______________________________________________________________________________________________________________________________________________________________________________________________________________________________

______________________________________________________________________________________________________________________________________________________________________________________________________________________________

2. Do you have an interest in a particular beach?

☐ Yes

☐ No

Beach(es)

______________________________________________________________________________________________________________________________________________________________________________________________________________________________

______________________________________________________________________________________________________________________________________________________________________________________________________________________________

______________________________________________________________________________________________________________________________________________________________________________________________________________________________

3. If yes, do you have any comments on the proposed management options for this beach?

______________________________________________________________________________________________________________________________________________________________________________________________________________________________

______________________________________________________________________________________________________________________________________________________________________________________________________________________________

______________________________________________________________________________________________________________________________________________________________________________________________________________________________
4. Are there any other options that you think should be considered to address the objectives of the strategy?

☐ Yes  ☐ No

Comments

5. Would you be interested in joining a dune care volunteer program assisted by Council to help achieve the objectives of the Strategy?

☐ Yes  ☐ No

Comments

6. Do you have any other comments?
If you would like a reply to your submission please fill in the section below:

Name: 
Address: 
Suburb:   Postcode: 
Telephone:   Email: 

Please return submissions to:

Environmental Strategy and Planning
Wollongong City Council
Locked Bag 8821
Wollongong NSW 2500

Telephone: 02 4227-7111
Facsimile: 02 4227-7277
Email: records@wollongong.nsw.gov.au

Information about your submission.
In accordance with the Local Government Act 1993, your submission including any personal information such as your name and address, will be made available for public inspection. You may request, in the form of a statutory declaration, that Council suppress the personal information in your submission from public inspection, if you consider that the personal safety of any person would be affected if the information was not suppressed. Any such request will be dealt with in accordance with the Privacy and Personal Information Act 1988. You may also make an anonymous submission however if you choose to do so Council will be unable to contact you any further as to the outcome of your submission. Additionally, anonymous submissions will be considered however it should be noted that the lack of information as to the respondent’s place of living may affect Council’s consideration of the potential impact of the subject proposal. Note: If Council receives a submission from any person who is legally required to provide a disclosure of any reportable political donation and / or gift under section 147 of the Environmental Planning and Assessment Act 1979, Council is legally required to publicly disclose all relevant details of the reportable political donation or gift onto Council’s website. This will include the name and residential address of the person who provided the political donation or gift onto Council’s website for full viewing by the general public.
IMPLEMENTATION PLAN FOR DUNE MANAGEMENT STRATEGY

Contents
1. Background .......................................................................................................................... 1
2. Multi Criteria Analysis Results ......................................................................................... 2
3. Severity and Attendance .................................................................................................. 4
4. Additional Information ................................................................................................. 6
   Stanwell Park .................................................................................................................. 6
   Coalcliff ......................................................................................................................... 6
   Austinmer ....................................................................................................................... 6
   Thirroul ......................................................................................................................... 6
   Bulli ............................................................................................................................... 6
   Woonona ...................................................................................................................... 7
   Bellambi ........................................................................................................................ 7
   Corrimal ........................................................................................................................ 7
   Towradgi ....................................................................................................................... 7
   Fairy Meadow .............................................................................................................. 7
   Wollongong City .......................................................................................................... 8
   Port Kembla ................................................................................................................ 8
   Windang ....................................................................................................................... 8
5. LGA Wide Dune Management Options ........................................................................... 8
   Maintain Management ............................................................................................... 8
   Beach and Dune Monitoring Program ......................................................................... 8
   Community Engagement Program ............................................................................... 9
   Coastal Erosion Emergency Action Plan ...................................................................... 9
   Species List for Planting ............................................................................................. 10
   Council Dune Management Procedure ....................................................................... 10
6. Options for the Management Areas of the 17 Patrolled Beaches .................................. 10
   Management of Subspecies of *Acacia longifolia* ..................................................... 10
   Additional Management of Noxious and Invasive Weed Species* ................................ 11
   Volunteer Dunecare Program* ................................................................................... 11
   Assessment of Access Ways ....................................................................................... 11
7. Beach Specific Options to be Progressed ...................................................................... 12
8. Implementation Plan Overview .................................................................................... 14
1. Background

In the first half of the 20th Century, many of Wollongong’s beaches were largely un-vegetated due to previous clearing of the dune vegetation for grazing and urban development. Sand mining also occurred at several beaches including Perkins, Corrimal and Stanwell Park beaches. During a storm in the 1960s, infrastructure at City Beach was undermined. Several beaches were also heavily eroded during storms in the 1970s. Primarily in response to concerns about storm impacts on beaches and the infrastructure behind them, and to minimise sand drift onto roads, reserves and properties behind the dunes, extensive dune stabilisation and revegetation works were undertaken during the mid-1980s. This work, jointly funded by Council and the NSW Public Works Department, was undertaken by the NSW Soil Conservation Service. Ten beaches underwent substantial dune stabilisation and re-vegetation works which involved re-shaping and replanting the existing un-vegetated foredune. The existing dunes were sectioned into uniform rectangular areas and fenced to prevent further sand loss and provide protection from damage caused by pedestrian access. Chain and timber pedestrian beach access paths were constructed between these sections. At the completion of the engineering works, the landward dune face was planted with shrubs and trees (*Lomandra longifolia*, *Westringia fruticosa*, *Banksia integrifolia*, *Leptospermum laevigatum*, and several species of Acacia), and the seaward dune face was planted with Spinifex and Marram grasses. On-going maintenance of the dunes including weed control, fence and track maintenance has been undertaken by Council’s Dune Crew.

The dune restoration works were successful and are providing ongoing protection of beaches and infrastructure against coastal hazards due to storms. However, subsequent increases in dune and vegetation heights, and the seaward extension of vegetation from the areas where the original planting work was undertaken on the beaches are conflicting with the recreational use of the beaches, and requires management.

The need to prepare a management strategy for the dunes and beaches in the Wollongong Local Government Area (LGA) arose during preparation of the Draft Wollongong Coastal Zone Management Plan (CZMP), which was completed in 2012. During the exhibition of the draft CZMP, strong community concerns were raised about coastal dune management. These concerns focused on the degradation of sight lines due to excessive dune and vegetation heights reducing the ability of lifeguards and lifesavers to properly observe people on the beach, the occurrence of dune scarping after storms, and the effect of dune vegetation extending seaward in reducing the amenity of beach users. At the Council Meeting on 9 July 2012, Council resolved to ‘proceed with preparing a Dune Management Strategy to address the beach amenity, vegetation management and access issues raised by the community in their submissions’.

The draft Wollongong Dune Management Strategy for the Patrolled Areas of 17 Beaches (the draft Strategy) included a set of management options to address the deterioration of sight lines for lifeguard/lifesaver operations, the reduction in beach amenity and access issues at the patrolled beaches. At the Council Meeting on 11 June 2013, Council resolved to place the draft Strategy on public exhibition for 28 days, which occurred from 17 June to 14 July 2013, during which time 63 submissions were received. The content of the submissions were assessed and changes were made to the draft Strategy where appropriate, or considered as part of the Implementation Plan.

Several divisions of Council have a role or interest in the management of Wollongong beaches. These include Environmental Strategy and Planning Division (Environmental Planning & Conservation Services), Property and Recreation Division (Beach Services), City Works Division (Dune Crew), Infrastructure Strategy and Planning Division, and Project Delivery Division.

This document details the steps undertaken in preparing the Implementation Plan for the Wollongong Dune Management Strategy for the Patrolled Swimming Areas of 17 Beaches.
2. Multi Criteria Analysis Results

The draft Strategy Multi Criteria Analysis (MCA) scored management options for individual beaches. Table 1 provides a summary of the most highly ranked options for beaches with issues of sight line, recreational amenity and access.
<table>
<thead>
<tr>
<th>Beach</th>
<th>Management Option</th>
<th>Sight Line</th>
<th>Recreational Amenity</th>
<th>Beach Access</th>
<th>Approximate initial cost</th>
<th>Total Time to Implement</th>
<th>Implementation constraints</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bulli</td>
<td>Build a tower</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>$150,000</td>
<td>1-3 years</td>
<td>Risk of impacts from coastal hazards currently high. Further site investigations (e.g. structural integrity of buried seawall) and ongoing monitoring required to inform timing for implementation.</td>
</tr>
<tr>
<td></td>
<td>Build a tower and remove vegetation from frontal zone</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$150,000 and $50,000-$100,000</td>
<td>1-3 years</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Raise level of observation area in SLSC</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>$100,000-$500,000</td>
<td>1-3 years</td>
<td></td>
</tr>
<tr>
<td>Woonona</td>
<td>Relocate existing tower and remove vegetation from frontal zone</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$10,000-$50,000 and $50,000-$100,000</td>
<td>6-12 months</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Relocate existing tower</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>$10,000-$50,000</td>
<td>6-12 months</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Raise level of observation area in SLSC and remove vegetation from frontal zone</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$100,000-$500,000</td>
<td>1-3 years</td>
<td></td>
</tr>
<tr>
<td>Bellambi</td>
<td>Build a tower and remove vegetation from frontal zone</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$150,000 and $50,000-$100,000</td>
<td>1-3 years</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Raise level of observation area in SLSC and remove vegetation from frontal zone</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$10,000-$50,000</td>
<td>6-12 months</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Reduce dune height by re-profiling</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$100,000-$500,000</td>
<td>1-3 years</td>
<td></td>
</tr>
<tr>
<td>Corrimal</td>
<td>Relocate existing tower and remove vegetation from frontal zone</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$10,000-$50,000 and $50,000-$100,000</td>
<td>6-12 months</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Reduce dune height by re-profiling</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$100,000-$500,000</td>
<td>1-3 years</td>
<td></td>
</tr>
<tr>
<td>Towradgi</td>
<td>Build a tower and remove vegetation from frontal zone</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$150,000 and $50,000-$100,000</td>
<td>1-3 years</td>
<td>Risk of impacts from coastal hazards currently high. On-going monitoring required to inform timing for implementation.</td>
</tr>
<tr>
<td></td>
<td>Build a tower</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>$150,000</td>
<td>1-3 years</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Reduce dune height by re-profiling</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$100,000-$500,000</td>
<td>1-3 years</td>
<td>Risk of impacts from coastal hazards currently high. On-going monitoring required to inform timing for implementation.</td>
</tr>
<tr>
<td></td>
<td>Remove vegetation from frontal zone</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$50,000-$100,000</td>
<td>6-12 months</td>
<td></td>
</tr>
<tr>
<td>Fairy</td>
<td>Relocate existing tower and remove vegetation from frontal zone</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$10,000-$50,000 and $50,000-$100,000</td>
<td>6-12 months</td>
<td></td>
</tr>
<tr>
<td>Meadow</td>
<td>Reduce dune height by re-profiling</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$100,000-$500,000</td>
<td>1-3 years</td>
<td></td>
</tr>
<tr>
<td>Wollongong</td>
<td>Relocate existing tower and remove vegetation from frontal zone</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$10,000-$50,000</td>
<td>6-12 months</td>
<td></td>
</tr>
<tr>
<td>City</td>
<td>Reduce dune height by re-profiling</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$100,000-$500,000</td>
<td>1-3 years</td>
<td>Risk of impacts from coastal hazards currently high. On-going monitoring required to inform timing for implementation.</td>
</tr>
<tr>
<td></td>
<td>Relocate existing tower</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>$10,000-$50,000</td>
<td>6-12 months</td>
<td></td>
</tr>
<tr>
<td>Port Kemb</td>
<td>Build a tower and remove vegetation from frontal zone</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$150,000 and $50,000-$100,000</td>
<td>1-3 years</td>
<td>Risk of impacts from coastal hazards currently high. On-going monitoring required to inform timing for implementation.</td>
</tr>
<tr>
<td></td>
<td>Reduce dune height by re-profiling</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$100,000-$500,000</td>
<td>1-3 years</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Build a tower</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>$150,000</td>
<td>1-3 years</td>
<td></td>
</tr>
</tbody>
</table>

Note: Severity scales for issues
- Severe
- Moderate
- Minor
- Nil

At Woonona the sight line issue is moderate from the tower and severe from the surf club. At Port Kembla the sight line issue is nil from the tower and severe from the surf club.

*Indicative cost.

*Subject to approvals and funding.
3. Severity and Attendance

To assist in the prioritisation process for implementation of the management options, the severity of issues and/or beach usage was first considered. In the Strategy, the key recreational issues (sight line, recreational amenity and beach access) at each beach at the time of the study were rated. The level of severity for each key recreational issue is defined in Table 2, and ratings for each beach are provided in Table 3. Nine beaches were considered to have issues, and the Implementation Plan identifies beach specific management actions for these sites.

Table 2. Key recreational issues index.

<table>
<thead>
<tr>
<th></th>
<th>Severe</th>
<th>Moderate</th>
<th>Minor</th>
<th>Nil</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sight Line</td>
<td>Approximately 75-100% of patrol view is not visible</td>
<td>Approximately 25-75% of patrol view is not visible</td>
<td>Approximately 0-25% of patrol view is not visible</td>
<td>Flagged area visible at all times</td>
</tr>
<tr>
<td>Beach Access</td>
<td>75-100% of beach access ways, width and grade not suitable for use</td>
<td>25-75% of beach access ways, width and grade not suitable for use</td>
<td>25% of beach access ways, width and grade not suitable for use</td>
<td>All beach access ways, width and grade suitable for use</td>
</tr>
<tr>
<td>Recreational Amenity</td>
<td>No beach at high tide and/or scarps present (&gt;2m height). Beach and dune not readily recoverable</td>
<td>Minimal beach width at high tide and/or moderate scarps Beach and dune could recover over time</td>
<td>Moderate beach width at high tide and/or scarps present which are readily recoverable</td>
<td>No/negligible impact on beach width or scarping</td>
</tr>
</tbody>
</table>

Table 3. Severity of issues at all beaches.

<table>
<thead>
<tr>
<th>Beach</th>
<th>Sight Line Issue</th>
<th>Recreational Amenity Issue</th>
<th>Beach Access Issue</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stanwell Park</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Coalcliff</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Scarborough</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Coledale</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Austinmer</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Thirroul</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Sandon Point</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Bulli</td>
<td>Moderate</td>
<td>Moderate</td>
<td>Moderate</td>
</tr>
<tr>
<td>Woonona</td>
<td>Moderate from tower</td>
<td>Severe from club</td>
<td>Moderate</td>
</tr>
<tr>
<td>Bellambi</td>
<td>Minor</td>
<td>Minor</td>
<td>Moderate</td>
</tr>
</tbody>
</table>
Beach attendance estimates are recorded by Council lifeguards during the patrolled swimming season, which runs from the commencement of the September school holidays until the conclusion of the April school holidays. Mean beach attendance for the patrolled swimming season was calculated based on data collected over the past four swimming seasons, since 2009-10 (Figure 1). City Beach was one of the most highly used beaches and has the most severe issues. Bulli, Woonona, Fairy Meadow and Port Kembla all have issues rated as moderate, but there was no significant difference between these beaches for mean beach attendances.

<table>
<thead>
<tr>
<th>Beach</th>
<th>Sight Line Issue</th>
<th>Recreational Amenity Issue</th>
<th>Beach Access Issue</th>
</tr>
</thead>
<tbody>
<tr>
<td>Corrimal</td>
<td>Minor</td>
<td>Minor</td>
<td>Minor</td>
</tr>
<tr>
<td>Towradgi</td>
<td>Severe</td>
<td>Severe</td>
<td>Moderate</td>
</tr>
<tr>
<td>Fairy Meadow</td>
<td>Moderate</td>
<td>Moderate</td>
<td>Moderate</td>
</tr>
<tr>
<td>North Wollongong</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>City</td>
<td>Severe</td>
<td>Severe</td>
<td>Severe</td>
</tr>
<tr>
<td>Port Kembla</td>
<td>Nil from tower</td>
<td>Severe from club</td>
<td>Moderate</td>
</tr>
<tr>
<td>Windang</td>
<td>Minor</td>
<td>Nil</td>
<td>Nil</td>
</tr>
</tbody>
</table>

Figure 1. Average beach attendance at Wollongong’s 17 patrolled beaches. Error bars are standard deviation.
4. Additional Information

Additional information about site specific issues that are not necessarily addressed in the top three management options for each beach, or may help to inform the Implementation Plan, is detailed below. This information has come from the Strategy, submissions on the draft Strategy, or internal Council investigations.

### Stanwell Park

<table>
<thead>
<tr>
<th>Source</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategy</td>
<td>Views to the north of the club may be impacted in the future from tall growing species, especially Tea Tree and Coastal Banksia.</td>
</tr>
</tbody>
</table>

### Coalcliff

<table>
<thead>
<tr>
<th>Source</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategy</td>
<td>Banksias on the slopes below the surf club may impede views in the future. An exotic Rubber Plant to the south of the club should be removed as it will disrupt the road surface.</td>
</tr>
</tbody>
</table>

### Austinmer

<table>
<thead>
<tr>
<th>Source</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Submissions</td>
<td>Austinmer Surf Life Saving Club (SLSC) were concerned that the spinifex at the northern end of the beach is spreading southerly and easterly, and have suggested that this should be removed.</td>
</tr>
</tbody>
</table>

### Thirroul

<table>
<thead>
<tr>
<th>Source</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategy</td>
<td>To the north of the patrolled swimming area, an incipient dune has formed and there are concerns that this restricts access along the beach at high tide.</td>
</tr>
</tbody>
</table>

### Bulli

<table>
<thead>
<tr>
<th>Source</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategy</td>
<td>Beach access is obstructed by overgrown vegetation and steep scarps. Investigation into the structural integrity of the seawall at this site would be useful to inform which management options are suitable, as the seawall may offer protection to infrastructure from coastal hazards.</td>
</tr>
<tr>
<td>Submissions</td>
<td>Suggestions to restore the sandstone seawall in front of the SLSC. The SLSC are planning renovations to extend the building to the south. This is expected to commence next year. Temporary facilities will be required for lifeguards/lifesavers as the building will be inaccessible. When the entrance of Wharton’s Creek opens it can flow to the north, creating a steep scarp. Managing the creek entrance could help improve this issue.</td>
</tr>
</tbody>
</table>
### Woonona

<table>
<thead>
<tr>
<th>Source</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategy</td>
<td>The access paths are overgrown with vegetation.</td>
</tr>
<tr>
<td>Internal WCC</td>
<td>Council is currently working on arrangements to allow the SLSC lifesavers access to the tower. A storage area is required for Council equipment in the club building. The existing tower requires structural improvements before it would be safe to move it forward.</td>
</tr>
</tbody>
</table>

### Bellambi

<table>
<thead>
<tr>
<th>Source</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategy</td>
<td>Beach access is obstructed by overgrown vegetation.</td>
</tr>
<tr>
<td>Submissions</td>
<td>Bellambi Surf Club would like removal of the introduced vegetation.</td>
</tr>
<tr>
<td>Internal WCC</td>
<td>The top options in the draft Strategy were build a tower or move the Council lifeguards to the first floor of the building. Considerations were given to whether vandalism of a tower could be a problem, as there have been issues in the past. The surf club building is some distance from the water and a tower would have the benefit of providing a shorter response time for rescues.</td>
</tr>
</tbody>
</table>

### Corrimal

<table>
<thead>
<tr>
<th>Source</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Internal WCC</td>
<td>A suggested location for relocating the tower (in addition to that identified in the Strategy) is to the south side of Towradgi Creek entrance, as this may offer a better view along the beach. Towradgi Creek creates scarping when it opens.</td>
</tr>
</tbody>
</table>

### Towradgi

<table>
<thead>
<tr>
<th>Source</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Submissions</td>
<td>It was suggested that it might be possible to maintain an emergency access path for an All-Terrain Vehicle (ATV) near the pool, as this area is somewhat protected from erosion by the rocks. Towradgi SLSC would prefer to use the current tower and remove vegetation or re-profile the dune so line of sight can be achieved from this location.</td>
</tr>
<tr>
<td>Internal WCC</td>
<td>Scarping is particularly severe at this site. The tower has recently been renovated.</td>
</tr>
</tbody>
</table>

### Fairy Meadow

<table>
<thead>
<tr>
<th>Source</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategy</td>
<td>The access path is narrow.</td>
</tr>
<tr>
<td>Internal WCC</td>
<td>A site inspection found the tower would not need to be moved forward if the area around the fence was cleared of vegetation and reshaped in a stretch approximately 5m wide. The sand has currently built up around the fence. There are several dead Banksias at the back of the dunes that require removal. The SLSC have trouble getting their trailer down the access path. Widening the track would require a Review of Environmental Factors (REF), as vegetation would have to be removed from along one side.</td>
</tr>
</tbody>
</table>
Wollongong City

<table>
<thead>
<tr>
<th>Source</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategy</td>
<td>Several <em>Acacia saligna</em> at the back of the dunes have been recently removed but there is likely to be a seedbank and on-going weeding of seedlings will be required.</td>
</tr>
<tr>
<td>Submissions</td>
<td>Wollongong City SLSC suggested investigating the extent of the rubble so this does not delay the implementation of options in the future and also to undertake regular monitoring of the beach. There was concern that scarping and access will be an on-going issue.</td>
</tr>
<tr>
<td>Internal WCC</td>
<td>Scarping is particularly severe at this site and there is a need to keep an emergency access path open.</td>
</tr>
</tbody>
</table>

Port Kembla

<table>
<thead>
<tr>
<th>Source</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategy</td>
<td>The beach access path is degraded. There is room in the Council lifeguard tower to accommodate the lifesavers without the need for a new tower. Storage and improvements to the access steps are required. This would involve lockable storage cupboards, improving the surface on the stairs to make them less slippery and improved security on the pool access way.</td>
</tr>
<tr>
<td>Internal WCC</td>
<td></td>
</tr>
</tbody>
</table>

Windang

<table>
<thead>
<tr>
<th>Source</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Internal WCC</td>
<td>Parts of the design and work to obtain approvals for the construction of a tower at this location have already been completed.</td>
</tr>
</tbody>
</table>

5. LGA Wide Dune Management Options

The following recommended options are not confined to the management areas of the 17 patrolled beaches. These options would benefit dune management across the local government area (LGA), as well as in the management areas.

Maintain Management

A variety of dune management activities are currently undertaken by Council. Some of these activities include; weed removal, revegetation, maintenance of vegetation around access paths, repair of fences, emergency management, renewal and maintenance of assets. This work is spread across all the beaches in the LGA and is generally undertaken by the dune crew. These dune management activities will continue to be undertaken as part of Council’s on-going works schedule.

Beach and Dune Monitoring Program

The Strategy illustrates that the coastal system is complex, affected by many factors and changes dramatically over time. The monitoring program will improve Council’s understanding of the behaviour of the Wollongong beaches to inform future management decisions, as well as monitor the impact of management options and inform any necessary corrective actions. Stakeholder consultation during preparation of the draft Strategy, and submissions received, showed that there is support from State Government agencies and community members for a monitoring program.
The monitoring program will involve regular beach and dune profile surveys and photopoint monitoring. Further monitoring will be carried out when storms cause significant changes to the profiles. Photopoint monitoring will be undertaken at all beaches except Coalcliff, Scarborough and Coledale, which do not have management issues. Beach and dune profile surveys will be undertaken at Thirroul, Woonona-Bellambi, Towradgi-Fairy Meadow and City-Coniston. This program commenced in July 2013.

Implementing the management options of dune re-profiling or removal of vegetation from the frontal zone will change the current beach, dune and vegetation profiles. To assess the effectiveness of these actions, monitoring of the indicators detailed below will be undertaken, before and after work is carried out at the beach.

The specific aim of the monitoring program is to assess if there are any changes in the dune vegetation cover and composition over time, and how do these relate to dune volume and shape, erosion scarp location, and beach width? This will require recording the location of the vegetation front, the dune toe, the high water mark, and the erosion scarp (after a storm event) during the beach/dune surveys. Vegetation surveys will also be undertaken at regular intervals at the dune profile survey transects.

Community Engagement Program
The Strategy notes that there are a diverse range of opinions in the community regarding coastal processes and the potential impacts of management options. A community engagement program could take a variety of forms from communicating knowledge about the local beaches to involving the community in monitoring or data gathering.

A community engagement program focusing on education will be developed. Council is also developing a Volunteer Dunecare Program to involve the community in maintenance of the dune areas near the SLSCs.

Coastal Erosion Emergency Action Plan
Scarping is an issue on many of the LGA’s beaches. This has raised concerns about the ability of lifeguards and lifesavers to get emergency equipment on to the beach, reduced public ability to access the beach for recreation, and personal safety issues such as scarp collapse or the possibility of people being trapped between a scarp and the ocean.

Scarping is a natural process and implementation of the management actions in the draft Strategy cannot guarantee that there will be no further occurrence of scraping. Therefore, a Wollongong Coastal Erosion Emergency Action Plan has been included in the Strategy. This outlines procedures to be undertaken prior, during and following the cessation of a Coastal Erosion Emergency.

In summary, this plan details that Council should monitor the progress of the erosion and provide information to the community through signage and media, and then take necessary risk mitigation action. Prior to likely erosion events, the local SLSCs should be informed and possible actions taken to close beaches/pools. Beach access ways may be closed and signage placed as a precaution. During the event, actions should be guided by issues relating to safety of staff. Where practical, access ways should be closed off and the community advised of hazards. Damage to assets should be monitored and repairs undertaken if permissible. After the erosion event, Council should inspect access ways and close and place warning signage where necessary. Work to repair and reopen access ways should be prioritised and fitted into Council’s work program. Where scarps are over 1.5m, extent of scarps should be documented and a risk assessment undertaken. If the risk is unacceptable Council should either: regrade the scarp; fence and signpost the scarp until it recovers; or close the beach until the risk is reduced.

Council will investigate implementation of this action plan. This will include roles and responsibilities for closing access ways and beaches, warning the community, signage, risk assessment of scarps and regrading if necessary.
Species List for Planting
Concern has been raised by the community about the suitability of the species planted on the dunes. A suitable species list for planting on the incipient dune, foredune and crest and hind dune and around creek entrances has been prepared. This list will be used for future dune management works by Council’s Dune Crew, bush restoration contractors and Dunecare volunteers.

Council Dune Management Procedure
Several community submissions on the draft Strategy expressed concern over Council’s past management of the beaches and dunes, as well as a desire to see improved future maintenance. Management of the dunes and beaches is complex due to the natural processes impacting on these areas. Divisions involved in managing and/or undertaking work in these areas include: City Works, in particular the Dune Crew; Property and Recreation, in particular Recreation Services; Environmental Strategy and Planning; Infrastructure Strategy and Planning; and Project Delivery.

To aid the implementation of the Strategy, and improve the future maintenance of the dune area, a holistic approach to dune management is recommended by the development of a Dune Management Procedure that clearly outlines roles and responsibilities. This would provide clarity on activities that are undertaken over the whole beach and dune area including:

- Operational procedure and guidelines for vegetation management (weed and native) including suitable vegetation species to plant in different areas of the dunes.
- Operational procedure/process for replacement of fences.
- Operational procedure/process for maintenance of pathways.
- Maintenance of options implemented as part of the Implementation Plan.

6. Options for the Management Areas of the 17 Patrolled Beaches

The following options are recommended as being beneficial for the management areas of the 17 patrolled beaches.

Management of Subspecies of Acacia longifolia*
Concern has been raised by the community about vegetation, particularly subspecies of Acacia longifolia. These concerns include: the Acacia longifolia is blocking sight lines for lifeguards and lifesavers; has extended seaward beyond the area it was originally planted; and that it was growing as a monoculture at several beaches. The Strategy noted that this species had grown to an unsatisfactory height at City, Fairy Meadow, Towradgi, Corrimal, Bellambi, Woonona and Bulli beaches. At Stanwell Park, it was suggested that sightline problems from vegetation may arise in the future and will require management.

Subspecies of Acacia longifolia in the management areas will be managed to improve sight lines, reduce monocultures and increase biodiversity. These activities will include removal of dead plants, plants of excessive height and seedlings, and their replacement with appropriate low growing species.
Additional Management of Noxious and Invasive Weed Species*
During development of the Strategy a flora survey was undertaken in each management area, and species list with relative abundance provided. These surveys showed that nearly all management areas contained noxious weeds and invasive species.

Additional removal of weeds and replacement with appropriate native species is recommended for the management areas. Beaches where weeds are particularly abundant throughout the management area are Bulli, Woonona, Bellambi, Corrimal, Port Kembla and Windang. The Strategy also notes specific locations where certain weeds should be targeted for removal.

Volunteer Dunecare Program*
During development of the Strategy, surf lifesaving members from some SLSCs, expressed an interest in being involved in management of the dune areas around their clubs. Consequently, as part of the public exhibition of the draft Strategy, a question on the feedback form asked whether the community would be interested in joining a volunteer program and if there were any suggestions about the program content. A list of interested SLSCs and individuals has been collated from the submissions and will be contacted once the program is developed.

Council is currently developing a Dunecare volunteer program to allow interested community members to help achieve the objectives of the Strategy. The program is based on the Bushcare model but with objectives focused on management of the dune vegetation to ensure the maintenance of sight lines and recreational amenity. The program will involve a Council supervisor working with the volunteers, and guidelines on what activities can be undertaken, where and when. The volunteer program model is being prepared by the Natural Areas Management team, with input from Environmental Planning and Recreation Services, who have regular contact with the SLSCs.

*These three vegetation management options will be guided by beach specific vegetation management plans (VMPs). For each beach, the VMP will detail the species present (both native and weeds) and their distribution across the dune, based on a field survey. Based on this assessment, the entire management zone will be divided into work zones based on the vegetation present. For each work zone, details will be documented for what vegetation management activities will be undertaken and the staging of the work activities within and between zones. For each work zone, the following information will be documented in the beach specific VMPs:

- The species present (native and weed) requiring management.
- The methods to be used for each species.
- A list of appropriate species for replanting in each zone.
- The procedure for installing plants.
- Ongoing maintenance requirements.

Assessment of Access Ways
During the consultation process for the draft Strategy, concern about access way conditions was raised for several beaches.

To ensure that beach access is adequately addressed, an assessment of access ways in each management area is recommended. This assessment will determine high usage tracks and identify any issues with infrastructure, width and grade. This will involve site assessment, and liaising with the SLSCs and lifeguards who use the access ways, to determine suitable widths and grade to get necessary equipment or rescue vehicles to the beach. Remedial works of access ways can then be prioritised and fitted into Council’s works schedule.
7. Beach Specific Options to be Progressed

The top three management options identified for each beach in the Strategy were considered noting the implementation constraints and the particular issues they address. Options that could be implemented now, or may be considered in the future, were carried forward for inclusion in the Implementation Plan (Table 4).
<table>
<thead>
<tr>
<th>Beach</th>
<th>Severity</th>
<th>Management Option</th>
<th>Investigate Implementation</th>
<th>Justification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bulli</td>
<td>moderate</td>
<td>1 Build a tower</td>
<td>Possibly</td>
<td>Is viable, but should be pursued after the assessment of the condition of the seawall in front of the SLSC. Temporary lifeguard amenities (site shed) with observation of the beach will be required when SLSC renovations commence, therefore Bulli options will be considered after this.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2 Build a tower and remove vegetation from frontal zone</td>
<td>Possibly</td>
<td>Risk of impacts from coastal hazards is currently high. Requires monitoring of beach profile to determine if this option is possible in the future. The seawall may offer some protection. This option will be considered following an assessment of the status of the seawall for protection against coastal hazards.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3 Raise level of observation area in SLSC</td>
<td>No</td>
<td>Building a tower would be a lower cost option and would achieve a similar outcome.</td>
</tr>
<tr>
<td>Woonona</td>
<td>moderate</td>
<td>1 Relocate existing tower and remove vegetation from frontal zone</td>
<td>Yes</td>
<td>Is viable under the current beach conditions as the risk to coastal infrastructure is not severe.</td>
</tr>
<tr>
<td></td>
<td>severe</td>
<td>2 Relocate existing tower</td>
<td>No</td>
<td>Included in Option 1.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3 Raise level of observation area in SLSC and remove vegetation from frontal zone</td>
<td>No</td>
<td>Option 1 addresses the same issues.</td>
</tr>
<tr>
<td>Bellambi</td>
<td>minor -</td>
<td>1 Build a tower and remove vegetation from frontal zone</td>
<td>Yes</td>
<td>Is viable under the current beach conditions as the risk to coastal infrastructure is not severe.</td>
</tr>
<tr>
<td></td>
<td>moderate</td>
<td>1 Raise level of observation area in SLSC and remove vegetation from frontal zone</td>
<td>No</td>
<td>Is viable under the current beach conditions as the risk to coastal infrastructure is not severe. ‘Raise level of observation area’ refers to relocating the Council lifeguards to the first floor. Internal consultation determined that a tower was the preferable option. This would reduce response time as the SLSC is some distance from the beach.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3 Reduce dune height by re-profiling</td>
<td>No</td>
<td>Option 1 addresses the same issues.</td>
</tr>
<tr>
<td>Corrimal</td>
<td>minor</td>
<td>1 Relocate existing tower and remove vegetation from frontal zone</td>
<td>Yes</td>
<td>Is viable under the current beach conditions as the risk to coastal infrastructure is not severe.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2 Reduce dune height by re-profiling</td>
<td>No</td>
<td>Option 1 addresses the same issues.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3 Remove vegetation from frontal zone</td>
<td>No</td>
<td>Option 1 addresses the same issues.</td>
</tr>
<tr>
<td>Towradgi</td>
<td>severe -</td>
<td>1 Build a tower and remove vegetation from frontal zone</td>
<td>No</td>
<td>Council has recently renewed the existing tower, therefore the preference is to use the existing facility and not construct a new tower. Refer to comment below for Option 3 – remove vegetation from frontal zone.</td>
</tr>
<tr>
<td></td>
<td>moderate</td>
<td>2 Build a tower</td>
<td>No</td>
<td>Council has recently renewed the existing tower, therefore the preference is to use the existing facility and not construct a new tower. Refer to comment below for Option 3 – remove vegetation from frontal zone.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3 Remove vegetation from frontal zone</td>
<td>No</td>
<td>Option 1 addresses the same issues.</td>
</tr>
<tr>
<td>Fairy Meadow</td>
<td>moderate</td>
<td>1 Relocate existing tower and remove vegetation from frontal zone</td>
<td>Yes</td>
<td>Is viable under the current beach conditions. Depending on the extent of the vegetation removal, the tower may not need to be relocated.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2 Reduce dune height by re-profiling</td>
<td>No</td>
<td>Option 1 addresses the same issues.</td>
</tr>
<tr>
<td>Wollongong City</td>
<td>severe</td>
<td>1 Reduce dune height by re-profiling</td>
<td>Possibly</td>
<td>Risk of impacts from coastal hazards is currently high, placing the SLSC, function centre and pathways at risk. Requires monitoring of the beach profile to determine if this option is possible in the future.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2 Build a tower</td>
<td>Yes</td>
<td>Is viable.</td>
</tr>
<tr>
<td>Port Kembla</td>
<td>moderate - severe</td>
<td>1 Build a tower and remove vegetation from frontal zone</td>
<td>Possibly</td>
<td>Risk of impacts from coastal hazards is currently high. Requires monitoring of the beach profile to determine if this option is possible in the future.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2 Reduce dune height by re-profiling</td>
<td>No</td>
<td>Option 1 addresses the same issues.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3 Build a tower</td>
<td>No</td>
<td>Included in Option 1.</td>
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## 8. Implementation Plan Overview

<table>
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<td>Capital</td>
<td>Operational</td>
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<td>Build a tower</td>
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<td>Investigate extent of rubble</td>
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<td>Reduce dune height by re-profiling or removal of vegetation from frontal zone and reshaping</td>
<td>Design and approvals</td>
<td>Implementation</td>
<td>TBC</td>
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<td>2 Towradgi Beach</td>
<td>Removal of vegetation from frontal zone and reshaping</td>
<td>Design and approvals</td>
<td>Implementation</td>
<td>TBC</td>
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<td>3 Woonona Beach</td>
<td>Removal of vegetation from frontal zone and reshaping</td>
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<td>TBC</td>
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<tr>
<td>4 Port Kembla Beach</td>
<td>Improve facilities to allow shared access to tower</td>
<td>X</td>
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<td></td>
<td>Improve access path</td>
<td>X</td>
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<tr>
<td>5 Bulli Beach</td>
<td>Assess status of seawall for protection against coastal hazards</td>
<td>X</td>
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<td>Temporary site facilities while club building is extended</td>
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<td>6 Fairy Meadow Beach</td>
<td>Widen main access path</td>
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<td>7 Bellambi Beach</td>
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<td>8 Corrimal Beach</td>
<td>Relocate tower</td>
<td>Design and DA</td>
<td>X</td>
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<td>Construction</td>
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<td>9 Windang Beach</td>
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<td>Construction</td>
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<td>Additional Management of Noxious and Invasive Weed Species</td>
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<td>Management of Subspecies of Acacia longifolia</td>
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<td>Assessment of Access Ways</td>
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Abbreviations for approvals: DA development application, SEE statement of environmental effects, REF review of environmental factors.

* Part funding for this option may be available through an external grant. TBC - implementation of these options will depend on the outcomes of monitoring or other studies.
FIGTREE TOWN CENTRE STUDY
DISCLAIMER

This Study is for the confidential use only of the party to whom it is addressed (the client) for the specific purposes to which it refers. We disclaim any responsibility to any third party acting upon or using the whole or part of its contents or reference thereto that may be published in any document, statement or circular or in any communication with third parties without prior written approval of the form and content in which it will appear. This Study and its attached appendices are based on estimates, assumptions and information sourced and referenced by McGregor Coxall and its sub consultants. We present these estimates and assumptions as a basis for the reader’s interpretation and analysis. With respect to forecasts we do not present them as results that will actually be achieved. We rely upon the interpretation of the reader to judge for themselves the likelihood of whether these projections can be achieved or not. If financial models have been included, they have been prepared from the best information available at the time of writing, no responsibility can be undertaken for errors or inaccuracies that may have occurred both with the programming or the financial projections and their assumptions. In preparing this Study we have relied upon information concerning the subject property and/or study area provided by the client and we have not independently verified this information except where noted in this Study.
Terminology

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Name</th>
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<tr>
<td>LEP</td>
<td>Local Environment Plan</td>
</tr>
<tr>
<td>DCP</td>
<td>Development Control Plan</td>
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<tr>
<td>ESD</td>
<td>Ecologically Sustainable Design</td>
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<td>WSUD</td>
<td>Water Sensitive Urban Design</td>
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Figures

Figure 1.01 - Location Plan  2
Figure 1.02 - Town Centre Boundary  2
Figure 1.03 - Proposed Town Centre Boundary  2
Figure 1.04 - Town and Village Planning Process Diagram  3
Figure 3.01 - Contextual positioning  12
Figure 3.02 - Local Features  15
Figure 3.03 - Arrival Points  15
Figure 3.04 - LEP 2009 Land Use Zones  16
Figure 3.05 - Existing Land uses  16
Figure 3.06 - Building Frontages  17
Figure 3.07 - Figure Ground  17
Figure 3.08 - Existing Building Heights  18
Figure 3.09 - LEP 2009 Height of Buildings  18
Figure 3.10 - LEP 2009 FSR Ratio’s  19
Figure 3.11 - Existing Community Heart  20
Figure 3.12 - Community Heart Surroundings  20
Figure 3.13 - Pedestrian Movement  21
Figure 3.14 - Vehicular Movement  21
Figure 3.15 - Public Transport  22
Figure 3.16 - Flooding  23
Figure 3.17 - Local Environment  23
Figure 4.01 - Flooding at Figtree Town Centre  28
Figure 4.02 - The Avenue Culvert  28
Figure 4.03 - Flood plain Risk Management Plan - MATRIX  28
Figure 4.04 - Flood Mitigation Scheme Option  29
Figure 4.05 - Raised Building  29
Figure 5.01 - Develop within the constraints  34
Figure 5.02 - Mitigate against the Flooding  34
Figure 5.03 - Focus on the Community  34
Figure 5.04 - Precinct 1: Develop within the Constraints  35
Figure 5.05 - Precinct 1: Mitigate against the Flooding  35
Figure 5.06 - Precinct 1: Focus on the Community  35
Figure 5.07 - Precinct 2: Develop within the Constraints  37
Figure 5.08 - Precinct 2: Mitigate against the Flooding  37
Figure 5.09 - Precinct 2: Focus on the Community  37
Figure 5.10 - Precinct 3: Develop within the Constraints  39
Figure 5.11 - Precinct 3: Mitigate against the Flooding  39
Figure 5.12 - Precinct 3: Focus on the Community  39
Figure 6.01 - Community Consultation  42
Figure 6.02 - Community Consultation  43
Figure 7.01 - Town Centre Boundary  46
Figure 8.01 - Recommendations Diagram  51
Executive Summary

Figtree Town Centre like so many town centres both globally and nationally is facing increased challenges through the growth of the shopping mall, greater demand for convenience shopping and the deterioration of the traditional high street. It is through the phenomenal growth of online retailing, the rise of mobile retailing, the speed and sophistication of the major national and international retailers, the modern and immersive experiences offered by today’s new breed of shopping mall, combined with the economic downturn that have all conspired to change today’s town centre.

Essential to acknowledging the challenges facing town centres today is understanding what principles make a ‘vital town centre’. To do this, eight principles were identified assisting the study process and ultimately aiming to establish a socially, economically and environmentally resilient town centre. These key principles are:

- Principle 1: A Unique Identity;
- Principle 2: Street Vibrancy;
- Principle 3: Urban Composition;
- Principle 4: A Community Heart;
- Principle 5: Accessible and Well Connected;
- Principle 6: A Balanced Environment;
- Principle 7: Policy and Governance;
- Principle 8: Community Ownership;

These principles underpin the study process and form a key step in understanding Figtree Town Centre today and the initiatives required to regenerate one of the Illawarra Regional Strategy’s designated ‘Major Towns’. It is through these principles that the true challenges facing Figtree Town Centre have been exposed, re-directing the study process towards a more community focused approach rather than a development approach. As it’s Figtree Town Centre’s exposure to both medium and high risk flooding that has highlighted the constraints to development and the limitations to producing a viable master plan.

Strategy Overview

This understanding came about through testing the development opportunities for each town centre Precincts. Key points to note during this process are as follows;

Precinct 1
- Development within Precinct 1 is not achievable due to the significant flooding implications currently imposed at this site;
- Mitigation against the flooding offers the greatest benefits for Precinct 1. However, the investment required to mitigate against the flooding outweighs the demand for new development within Figtree Town Centre;
- A recreational master plan should be undertaken, to identify the needs of the community that can be accommodated within Figtree Oval;

Precinct 2
- With Figtree Town Centre already containing a Westfield Shopping Centre, it is recommended that ‘the town centre remain contained and consolidated within the confines of the existing planning zones’;
- Mitigation against the flooding offers the greatest benefits for Precinct 2 at a high cost. Extending the town centre boundary is not considered appropriate due to the Wollongong Retail Study [2004];
- It is unlikely community buildings facilities could be contained on the Precinct 2 due to the sites close locality to Figtree Oval and...
the significant development restrictions imposed on medium risk flood zones.

**Precinct 3**
- Developing within the constraints is achievable under current planning controls. However, at present there is a lack of developer demand within the town centre.
- Mitigation against the flooding offers the greatest benefits for Precinct 2 all be it at a high cost. This option would require variation to zoning and height and floor space controls.
- Although the Community focus option looks to balance residential development with community space, a combination of the lack of developer demand for land, the site being a designated tourism zone and the significant development restrictions imposed on the site result in this option unlikely to occur.

**Planning Overview**
During the course of the study, the extent of the town centre boundary was reviewed. This was in response to community feedback, the urban design analysis and a stakeholder request to extend the Neighbourhood Centre zoning in Precinct 2.

Figtree Town Centre is currently defined as three (3) separate precincts. This reflects land zoned as Local Centre and Neighbourhood Centre, and in the case of Precinct 3, land which supports uses which could be carried out in a Neighbourhood Centre. Dividing these lands into three precincts raises a level of uncertainty in understanding the way these areas connect and interrelate.

This study and the supporting planning document in Appendix A propose to redefine the boundary of the Figtree Town Centre to incorporate ‘Figtree Town Centre Support’ [refer to Appendix A. The ‘Support’ area is considered fundamental to strengthening the connections between each of the existing three precincts, and is expected to become vital to the health and coherence of the town centre. The distances within the redefined Town Centre still provides great potential for a flourishing, robust and sustainable hub.

By introducing this refined boundary, it acknowledges the lands linking the three Town Centre Precincts and ensure they will be considered in context of future design controls for this area. The intention is not to rezone lands in the ‘Support’ area.

**Concluding Comments**
Figtree Town Centre offers a unique environment that provides the community with a series of natural assets that separate it from the Illawarra regions neighbouring centres. These assets are Figtree Oval and Allans Creek, which if revitalised offer the potential to enhance Figtree Town Centre’s identity and establish a community heart.

Figtree Oval has the potential to improve the recreational offering within the town centre establishing a destination for organised sports groups, improving passive surveillance within the open space. Where as Allans Creek provides an opportunity to link the open spaces within the locality together through a Riparian Greenway, re-associating the Figtree community with a natural asset that can be enjoyed and used.

It is these two components that hold the key to unlocking Figtree Town centre, initiating a change that allows the community to embrace and enjoy the natural environment that makes Figtree distinctly unique.
1.0 Introduction
1.0 Introduction

1.1 BACKGROUND

Wollongong City Council has been reviewing the planning controls for commercial centres and other precincts (as part of a periodic review) with the aim of informing a master planning process to guide future development, infrastructure investment and community development programs.

The Figtree Town Centre Study is nominated as a priority for 2012-13 financial year, and Council is committed to delivering this study in accordance with Wollongong 2022 Annual Plan [2012-13].

In response to this prioritisation, McGregor Coxall has been commissioned by Wollongong City Council to prepare a Master Plan and Implementation Strategy for Figtree Town Centre. The key aim of the Study is to assist in defining the role and identity of Figtree Town Centre; guide built form over the next 30 years; and address public domain, open space and transportation requirements.

1.2 FIGTREE TOWN CENTRE

Figtree is located approximately 3km south west of Wollongong City Centre adjacent to the F6 Freeway and dissected by the Princes Highway. Land surrounding Figtree is largely comprised of low density residential but also contains large public open space areas and some light industrial land uses. Figtree Town Centre is located approximately 2.5km to the north of the Unanderra Town Centre.

1.3 STUDY BOUNDARY

Figure 1.02 illustrates the existing Figtree town centre study boundary designated for this master plan project, which includes Precinct 1 - 3. To ensure a comprehensive town centre master plan it was recommended that the study boundary extend to incorporate key support areas, shown in Figure 1.03. For further information on this recommendation please refer to Appendix 1.
1.4 REPORT STRUCTURE

The master plan report structure reflects the design process undertaken in preparing this Master Plan and Implementation Strategy for Figtree Town Centre. The following sections form the structure of this document:
- Section 2 looks to understand the complexities comprising a 21st Century town centre and the key principles that make a vital town centre;
- Section 3 applies the key principles that comprise a vital town centre against Figtree Town Centre;
- Section 4 further investigates the impact flooding has on the town centre and proposes possible mitigation options;
- Section 5 proposes key strategies that look to recommend the key priorities for Figtree Town Centre;
- Section 6 summarises the key conclusions and recommendations for Figtree Town Centre;

1.5 THE MASTER PLAN PROCESS

The Town and Village Planning Process Flowchart below has been developed by Wollongong City Council to broadly define the process for delivering Figtree Town Centre Master Plan and Implementation Strategy. This particular project covers Stage 1 of the Town and Village Planning Process, with the intention of informing Stage 2 - Implementation.

**Stage 1 - Study**

1. Senior Management Steering Committee established
2. Project Control Group established
3. Urban Design Consultant Engaged
4. Prepare Urban Design Analysis
5. Draft Concept Master Plan and Implementation Strategy prepared and reported to council
6. Public Exhibition of draft concept Master Plan and Implementation Strategy
7. Submissions considered and report to council prepared with recommendations

**Stage 2 - Implementation**

Planning Policy
1. Prepare draft policy changes
2. Public Exhibition of draft policy changes [planning proposal and / or DCP amendments]
3. Submissions considered and planning proposal and / or DCP finalised and reported to council / councillor briefing
4. Council endorse and adopt planning proposal and / or amended DCP and final policy notified

Infrastructure
1. Public works considered as part of the long term capital planning process. Identify and prioritise.
2. Public works prioritised through delivery and operational planning process.
3. Detailed design and consultation project approvals.
4. Construct

Community Capacity Building
1. Identify need.
2. Map assets and build partnerships
3. Create program
4. Deliver programs and measure outcome

**FIGURE 1.04 - TOWN AND VILLAGE PLANNING PROCESS DIAGRAM**

TOP Flow Chart Diagram
2.0 Understanding the 21st Century Town Centre
2.0 Understanding the 21st Century Town Centre

2.1 THE CHALLENGES FACING TOWN CENTRES TODAY

In order for any town centre to thrive in the future it is important to understand and identify the challenges facing town centre's today. With the increased growth of the shopping mall and the deterioration of the traditional high street, town centre's are now catering for a different shopper mind-set.

The phenomenal growth of online retailing, the rise of mobile retailing, the speed and sophistication of the major national and international retailers, the modern and immersive experiences offered by today's new breed of shopping mall, combined with the economic downturn have all conspired to change today's town centre. Key factors that have impacted on the traditional town centre high street are as follows;

- **Boom to Bust** - Over the past few decades we have enjoyed a boom in retail and property values, fuelled by easy credit and rising standards of living. The Global Financial Crisis (GFC) has exposed the underlying weaknesses in the economy, resulting in a number of declining town centre high streets. Shops are falling by the wayside as they fail to meet the expectations of today's consumer.

- **The Shopping Mall** - The lack of economic resilience within the traditional high street has been exposed by the modernised shopping mall which has changed beyond recognition over the past 10 years. With convenience being the new 'buzz' word for the consumer, the shopping mall has catered for this through a compact internalised shopping arrangement that is managed like a business rather than a collection of independent retailers.

- **The Rise of the Supermarkets** - The traditional supermarket which sold groceries and food has modernised its offering to cater for the convenience of each consumer. Supermarkets have expanded their reach into homewares, stationary, books, flowers etc. All of these retail items, once the preserve of specialists on our high streets are now being sold in volume, and with real sophistication, by the generalists.

- **Technological Advances** - New technological developments now mean that the internet is one of the key threats to retail on our high streets. Fewer shops are required in our town centres as the typical consumer can now shop online without leaving the comfort of their own home.

- **Vehicular Dominance** - Town centres, shopping malls and retail outlets have all been designed around the vehicle, catering for mass car parking, wide road carriageways and high volumes of traffic. The vehicle has fuelled the convenience culture creating a car dependent society that associates easy car access, ample car parking and convenient shopping as the norm.

Although the current consumer has new expectations that have been created in terms of value, service, entertainment and experience, town centres and high streets have the physical characteristics to offer something different. As Gordon Cullen states in a Concise Townscape, “Take all the elements that go to create the environment: buildings, trees, nature, water, traffic, advertisements and so on, and to weave them all together in such a way that drama is released.” A town centre’s distinctly unique characteristics can if appropriately designed separate it from the replicated experiences of the shopping mall, bringing together architecture, the public domain and a variety of uses.

Essential to this high street renaissance is establishing a greater flexibility in planning policy and fostering a community ownership of the town centre. Council can engender this through encouraging the temporary use of town centre spaces, transforming the communities perception of a space, whilst incentivising the revitalisation and redevelopment of a town centre from a more permanent perspective.
2.2 PRINCIPLES THAT MAKE UP A VITAL TOWN CENTRE

By acknowledging what challenges are facing today’s town centres, it is equally important to understand “What principles make up a vital and vibrant town centre”. To do this, we have identified eight principles which co-exist to make a vital town centre. The principles of a vital town centre that we describe and illustrate in the following pages are the essential components to a successful town centre environment, founded on new urbanist thinking and accepted principles of good urban and town centre design.

By understanding the urban design principles that make up a vital town centre, we can analyse and identify any particular areas where it is lacking, thus informing the town centre master planning process. Although the key principles proposed will guide the master planning process, it must be noted that in reality, these boundaries inter-relate with each other, reinforcing the complex relationships that interplay in creating a vital town centre.

Principle 1: Unique Identity

The identity of a town centre comes from its individuality or distinction from other places, which form the basis of it being recognised as a separate entity. This uniqueness or individuality can come from a town centre’s physical setting, activities and meaning for the local community. Thus the urban character and sense of arriving into a town centre are key elements that form a unique identity.

Character

The character and identity of a town centre is rooted in its urban structure, quality of urban spaces and the patterns of movement and activity that exist. A town centre’s character can be expressed through the form of urban blocks, the scale and size of the buildings and the spaces they create.

Sense of Arrival

Equally as important to a town centre’s character is the sense of entering into a particular area. Successful town centres ensure that key access routes into a district offer individuals a sense of arriving to a collective entity or place, which may be achieved by physical separation or distinctiveness within the built form and spatial environment.

Principle 2: Street Vibrancy

Successful town centres typically have animation, vitality, and an urban ‘buzz’. By promoting people to the street, animation and vitality is created. To create this vitality and vibrancy, a close grain of vibrant uses should be accommodated which respond to the surrounding public domain.

Close Urban Grain and Diversity

Town centres that offer a close grain mix of uses, benefit the economy by encouraging a well connected catchment of customers to local businesses. A finer grain mix of uses within a town centre offers a viable alternative to large single use blocks, as its diversity ensures town centre streets are more resilient to economic uncertainty.

Flexibility and Adaptability

The built form and public domain needs to be flexible and adaptable to cater for a variety of functions. The adaptability of individual buildings and public spaces is important not only to allow for physical change but also cultural and social change. The most successful places are products of growth over time, shaped by and able to accommodate changing economic conditions, development aspirations and cultural differences.
Principle 3: Urban Composition

"Bring half a dozen buildings together and an art other than architecture is made possible. Several buildings begin to happen in the group, which would be impossible for the isolated building. We may walk through and past the buildings and as a corner is turned an unsuspected building is suddenly revealed" (Cullen 2002). Essential to a well composed town centre is its street definition, sense of enclosure and legibility, ensuring a user is guided through a town's key focus areas.

**Definition and Enclosure**

Streets and public domain have a symbiotic relation with the built form and its density. If appropriately designed the urban environment can take a positive form and possess a sense of enclosure to the public domain.

**Legibility**

The articulation of the built form and its relationship with the spaces that bound it are crucial to ensuring a legible network of town centre streets. By manipulating the nuances of scale and style, of texture and colour, as well as character a route can have a strong and memorable identity that reflects its importance within a hierarchy, encouraging legibility.

Principle 4: A Community Heart

A community heart forms an essential component to a vital town. Typically a community heart consists of an eclectic mix of uses and activities that is supported by a quality public domain. The concentration of uses and appropriate public domain can establish a gathering point for social interaction that can be deemed as the community heart due to its affiliation with the town centre population.

**Focal Point for Social Interaction**

The community heart acts as a focal point for social interaction, offering a variety of potential different uses and activities during the day and night. Essentially this focal point evokes a sense of place and ownership for the town centre community.

**Community Use**

Successful community hearts tend to be civic spaces, squares or a high street, where a variety of functions can be catered for, such as markets, festivals, theatre and relaxation for meeting others. It is imperative that a large proportion of the community heart is public and freely accessible at all times, to all users.

Principle 5: Accessible and Well Connected

Cars form a dominant characteristic in many town centre’s today, however the most vital town centres reconcile the importance of the pedestrian and cyclist, reducing the dominance of the vehicle and prioritising pedestrians, cyclists and modes of public transport.

**A Network of Pedestrian Accessible Routes**

“Emphasising walking as a viable mode of transportation with a strong impact on health is leading towards a more sustainable city and town centre, where energy consumption and a focus on a lively city during the day and night are part of the new city strategies” (Gehl 2009). The way a town centre is designed can contribute to an individuals propensity to be physically active - to walk instead of drive. This can have a direct influence on improved health outcomes.
Good Public Transport Links

Good public transport can reduce vehicular use within a town centre, supporting the retention of open space, encourage traffic calming, promote walking and cycling, enhance social sustainability and encourage a more compact town centre that is easily accessed and used.

Principle 6: A Balanced Environment

Essential to any vital town centre is the balance between hard and soft landscape, ensuring a symbiotic relationship between the urban and natural environment. As town centres expand, natural habitats are enveloped by the urban environment, altering the natural ecosystems and bringing the urban environment into direct contact with the natural environment.

Public Domain

A quality public domain beyond providing an aesthetic component for town centres, can create an ongoing series of systems, patterns and interactions between living things. Thus a vital town centre offers a public domain that responds to the user requirements and local ecosystems, creating a more balanced environment.

Environmental Sustainability

A vital town centre must be sustainable by responding to its environment and ecosystems within it, ensuring a resilience to extreme weather conditions. Additionally, through the appropriate planting of trees and vegetation, carbon dioxide can be sequestered, winds speeds can be reduced, shelter belts are established and dust pollution can be filtered. These considerations are essential for any vital town centre.

Principle 7: Policy and Governance

“Sustainable communities and town centres are characterised by leadership, and strong governance frameworks that are transparent, accountable and adaptable”. They enable active partnerships to build capacity and achieve a shared vision, and deliver a variety of stakeholder benefits. [Green Star - Communities, 2012]

The correct governance and policy for a town centre is essential to ensuring its vitality and viability. For this to happen, local, state and federal government require a clear and inclusive governance model, incentivising the successful implementation of development within a town centre.

Principle 8: Community Ownership

“Sustainable communities are liveable. They are diverse, affordable, inclusive and healthy. They enhance social interaction and ownership, are safe and caring and improve people’s wellbeing” [Green Star - Communities, 2012]. In creating a vital town centre, the master planning process must incorporate the community and establish an understanding of their current and anticipated demands of the town centre.

A vital town centre requires a community that is actively involved in ensuring their town centre is vital and vibrant. A vital town centre encourages community cohesion through engagement processes that allow stakeholders and the community to have a say in the evolution of their communities, from policy development, to ongoing revitalisation, evaluation and adaptive management.
3.0 Understanding Figtree Town Centre
3.0 Understanding Figtree Town Centre

3.1 CONTEXTUAL POSITIONING

This section establishes an understanding of Figtree Town Centre both physically, economically and environmentally by assessing it against the key principles that make a ‘Vital Town Centre’. The analysis work produced in this study is supported by the Figtree Town Centre - Desktop Analysis [2013] produced by Wollongong City Council.

Figtree Town Centre is made up of three Precincts. This study considers these nominated precincts and Figtree Oval that connects them. Figtree is located approximately 3km south west of Wollongong City Centre and 2.5km north of Unanderra Town Centre. Figtree Town Centre is bordered by Cordeaux Heights to the south and Mangerton to the north. The trade area of Figtree is considered to extend north to Gymea, east to Constable, south to Unanderra, Farmborough, and the Port Kembla Steel works; and west towards the escarpment of Mt Kembla and Cordeaux Heights.

Regional Connections

Figtree Town Centre is well served by the regional bus network with connections available to Wollongong City Centre, University of Wollongong, Mt Keira, Mangerton, Unanderra, Kembla Heights and Dapto. The F6 Freeway runs adjacent to the town centre and connects to Sydney in the north and the NSW South Coast. The Princes Highway dissects the town centre and provides connections to regional centres in the north and south.

Open Space Connections

Vast amounts of open space surrounds Figtree Town Centre and a number of potential links exist. Allans Creek, which flows through Figtree Town Centre also flows through a number of adjacent open spaces including Harry Graham Park to the west and Sid Parrish Park to the South. These potential connections present a unique opportunity for Figtree Town Centre to develop sustainable links with surrounding residential neighbourhoods.

3.2 ECONOMIC POSITIONING

In understanding Figtree’s physical context it’s equally important to understand Figtree’s economic positioning within the Illawarra Region. To key elements of the economy are Figtree’s retail/commercial market and its housing market.

Retail and Commercial

Figtree Town Centre contains approximately 25,000sqm of retail floorspace, with the majority of the centre’s capacity being located in Westfield, which is strengthened by its close proximity to the Princes Highway.

- No rail access limits potential growth;
- Limited growth potential in trade area;
- Potential undersupply of retail floorspace – Westfield Figtree is performing 21% better than the median for similar sized shopping centres. This over trading may indicate an undersupply of certain types of retail floorspace in the area;

Housing

Demand for housing in Figtree is flat based on the following indicators;

- Low house prices – Median house price is currently $410,000 which is $82,025 lower than the median for the Wollongong LGA;
- Low unit prices – Median unit price in 2012 was $334,000 which is $29,750 lower than the median for the Wollongong LGA;
- Below average capital growth in residential property – Median sales prices for dwellings has risen on average by 4.3% per annum since 2003 compared to 5.1%p.a. across the LGA.

Although Figtree Town Centre’s housing market is underperforming there are some positive signs that market activity is increasing, due a small number of units sold for over $500,000 in 2012.
3.0 UNDERSTANDING FIGTREE TOWN CENTRE

FIGTREE TOWN CENTRE STUDY

Revision F
3.3 IDENTITY

A key priority for the master plan is to identify and direct the town centre to deliver a clear identity and character, which represents the community and history. The below headings offer an understanding to what is identifiable in Figtree Town Centre.

Character

Figtree Town Centre is dominated by formal and informal car parks and spaces which are poorly defined by a disconnected built form. The Key Characteristics of Figtree Town Centre are as follows;

- Image 1 - The major intersection of the Princes Highway, The Avenue and Bellevue Road presents a hostile pedestrian environment, with crossing points prioritised for vehicular movement. The built form fronting the road does little to define the space or mark the arrival to Figtree Town Centre.
- Image 2 - A small collection of retail premises are located on the southern side of Bellevue Road. Their setbacks however, do little to define the street edge or activate the pedestrian environment.
- Image 3 - The informal car parking on the vacant lots behind the Crinis Fruit Market offer little to the town centre beyond overflow parking.
- Image 4 - The Westfield Shopping Centre dominates Figtree Town Centre and provides its major attractor. The vast at grade parking areas which surround the building provide no activation or definition of space.
- Image 5 - The Wollongong Hellenic Club, which backs onto Allans Creek is a major asset for Figtree Town Centre.
- Image 6 - The Figtree Community Hall is a well utilised public asset within the town centre. Its location within Figtree Oval presents many opportunities to further integrate it into the community.
- Image 7 - Figtree Oval presents an extremely valuable and well used public open space with the playing fields in high demand from a number of sporting groups. The peripheral passive open space however, is less utilised with large areas unused by the community.
- Image 8 - Allans Creek, which flows around the periphery of Figtree Oval is presently highly degraded and presents a significant flood risk to Figtree Town Centre.
3.0 UNDERSTANDING FIGTREE TOWN CENTRE

Limited Individuality and Distinctiveness

The focal point of Figtree Town Centre is the Westfield Shopping Centre. Other dispersed elements which are identified within the town centre are Crinis Fruit Market and Wollongong Hellenic Club. Figtree Oval presents an under-activated public asset while the degraded Allans Creek provides the opportunity to connect to adjacent open spaces.

No Sense of Arrival

The entry points into Figtree Town Centre lack a sense of arrival. The Princes Highway South entrance is dominated by the major intersection of the Princes Highway and The Avenue. When coupled with the adjacent Westfield carpark the result is a vast, undefined space. The entry points from the north and east similarly lack spatial definition and a sense of arrival.

FIGURE 3.02 - LOCAL FEATURES

FIGURE 3.03 - ARRIVAL POINTS

TOP: Key character features existing in Figtree Town Centre today.
BOTTOM: Entry points into Figtree Town Centre.
3.4 STREET VIBRANCY

A key priority for the master plan is to guide built form, which promotes street vibrancy and activates the pedestrian environment. The below headings offer an understanding to what street vibrancy exists in Figtree town centre today.

LEP Land Use Zones

Figtree Town Centre has a variety of designated Land Uses as described by the LEP. The Westfield site is designated as B2 Local Centre while the two smaller retail/commercial pockets are zoned B1 Neighbourhood Centres. A SP3 Tourism zone contains the Hellenic Club site and adjacent commercial lots. Recreation and residential zones complete the town centre.

Existing Land Uses

The existing land uses of Figtree town centre are primarily Retail, both small and large scale. Other uses include Commercial, Community, both public and private and Residential. Two inconsistent Land Uses appear with the McDonalds site being zoned residential and the residential development in the SP3 Tourism zone.

FIGURE 3.04 - LEP 2009 LAND USE ZONES
TOP: Land Use Zones in LEP 2009
FIGURE 3.05 - EXISTING LAND USES
BOTTOM: Existing Land Uses
Edges
There are no truly active edges found within the Figtree Town Centre. This is primarily due to the vast amounts of at grade car parking fronting the pedestrian realm as well as the inherent nature of the Westfield Shopping centre being inward focussed. The Crinis Fruit Market and adjacent retail uses provide some activation to the streetscape.

Excessive Space
Figtree Town Centre is dominated by big bulk buildings that provide little spatial definition or activity between their frontages. The majority of the space around the buildings is dedicated to car parking, presenting little in the way of pedestrian amenity. There is little to no opportunity for community interaction provided by any of these spaces.
3.5 URBAN COMPOSITION

A key priority for the master plan is to create high quality streets through appropriate scale and massing. The below headings offer an understanding to what the urban composition of Figtree Town Centre is today.

Existing Building Heights

The existing building heights range from 3-9 metres [1-3 storeys], sitting primarily in the middle of this range. The recent residential development located on the Princes Highway presents the only buildings over 10 metres. This predominance of low built form leads to a lack of definable space, especially when coupled with the vast amount of space between buildings.

Permissible LEP 2009 Building Heights

The 2009 LEP allows for an increase in building heights across the town centre. The B2 Local Centre zone has a permissible height of 15 metres while the two Neighbourhood Centre zones and the SP3 Tourism zone permit a maximum height of 12 metres. These permissible heights allow for greater spatial definition and an improved legibility in the town centre.
Floor Space Ratio [FSR]
The current LEP 2009 FSR’s are not fully exploited by the existing built form. The greatest potential exists in the 1.5:1 FSR zones as each lot currently has an FSR value between 0.35:1 - 1:1. Coupled with the permissible building heights there is an opportunity within the existing LEP to improve the definition and legibility at key locations.

Street Form
There is presently little definition of the streets within Figtree Town Centre. A combination of low built form and the width of the Princes Highway, especially at the junction of The Avenue and Bellevue Road (image 1), leads to a poor environment for pedestrians. The lack of built form along both sides of the street also makes it difficult to create a legible street form. A lack of vegetation, in particular street trees, also increases the hostility of the street scape and the alienation of pedestrians. The vast scale of car parking areas throughout the town centre, as seen in image 2 below, lead to permeable undefined edges with no activation. This further degrades the character of the streets, intensifying the hostile environment.
3.6 COMMUNITY HEART

A key priority for the master plan is to identify opportunities to define a community heart and build on the focal points that exist. The below headings offer an understanding to what focal points for social interaction exist within Figtree Town Centre today.

Limited Focal Point for Social Interaction

The primary attractor of the Figtree town centre is the Westfield Shopping Centre. This privatised space provides the only real place for social interaction within the town centre. The Crinis Fruit Market and the Wollongong Hellenic Club are also identified as important community assets and meeting places however, both are privately owned spaces.

Poor Frontage to the Community Focal Point

As is the case with the majority of ‘big box’ shopping centres such as Westfield, their inward focus is detrimental to the surrounding land uses. In the case of Figtree, the carpark associated with Westfield dominates the street scape of the town centre and does little to define space, create legibility or establish an active public domain.
3.7 ACCESS AND MOVEMENT

A key priority for the master plan is to promote pedestrian links, cycling and greater use of the local public transport system. The below headings offer an understanding to what access and movement patterns exist in Figtree Town Centre today.

Isolated and Disconnected Plots

There is very little opportunity to move between the various plots of Figtree Town Centre. The crossing points that do exist along the Princes Highway are heavily prioritised for vehicular movement. There is a lack of protection from environmental elements at crossing points which further adds to the sense of disconnection throughout the town centre.

Vehicular Prioritisation

Vehicular movement, particularly along the Princes Highway and The Avenue is the dominating feature of Figtree Town Centre. The traffic creates a hostile pedestrian environment and at present the vehicle receives total priority. Car parking areas dominate the open space throughout the town centre removing opportunities for community interaction.
Limited Public Transport Links

Public transport in Figtree Town Centre is limited to the local bus network. Comprehensive connections are available throughout the region to Wollongong Centre, University of Wollongong, Mt Keira, Mangerton, Unanderra, Kembla Heights, Dapto etc. A small section of cycleway was installed as part of the recent upgrade to the Prince Highway/The Avenue junction.
3.8 ENVIRONMENT

A key priority for the master plan is to ensure the vision for the town centre responds to the existing environmental conditions, offering a balanced environmental experience for the local community. The below headings offer an understanding to the environmental characteristics existing within Figtree Town Centre today.

Flooding

Allans Creek presents a significant flood risk to Figtree Town Centre. With the exception of the northern lots on the eastern side of the Princes Highway, all of the Town Centre is impacted by flooding to various degrees. The area shown in red is the High Risk Flood Zone and new development is excluded from this area. For further information please refer to the Allans Creek Flood Study.

Poor Environmental Quality

Due to the dominance of vehicular parking, much of the open space within the town centre is impermeable hardscape. The lack of streetscape planting amplifies this imbalance of hard and soft landscape and leads to a poor environmental quality throughout. Figtree Oval presents a significant asset to the environmental quality of the town centre.
3.9 COUNCIL CONSULTATION

A key priority for the master plan is to ensure the vision for the town centre responds to the council’s aspirations, ensuring the master plan process considers relevant policies and governance. Essential to understanding the council’s aspirations is undergoing a council workshop process.

Council and Councillor Workshop 01

Workshops were held with Councillors and council staff at Wollongong City Council on 18th January, 4th February, 18th February and 26th February 2013. The workshops were facilitated by Michael Cowdy and Matthew Ritson from McGregor Coxall.

The aim of the workshops was to present the teams understanding of Figtree Town Centre and initial strategies to gain feedback and input through a workshop process. Participants worked in groups and key ideas were relayed back to the group. Key points discussed at the workshops were as follows:

- Westfield forms the predominant retail heart of Figtree Town Centre, however it is agreed that the shopping mall has stifled any opportunities to broaden the retail offering within the centre;
- Talks with Westfield are important to understand the opportunity to improve the shopping mall’s integration with Figtree Oval;
- Properties along Arrow Avenue are being acquired or raised to mitigate the flood risk on local properties;
- A pedestrian walkway along Allans Creek offers an amazing opportunity to connect the local open spaces together;
- The Community Hall is well used;
- Flooding is a key constraint within Figtree Town Centre and a greater understanding of these issues is required;
- There is an opportunity to widen the culverts to mitigate the flood risk areas within Figtree Town Centre. A key issue with this is the cost required to implement such mitigation measures;
- Access across Allans Creek should be improved;
- Allans Creek should form a key recreation opportunity for the town centre;
- A community heart should be focussed within Figtree Oval and around the existing Community Hall.
3.10 COMMUNITY CONSULTATION

A key priority for the master plan is to ensure the vision for the town centre responds to the communities aspirations, ensuring a level of community ownership in the master plan process. Essential to understanding the communities aspirations is undergoing a community workshop process. For a more detailed understanding of the community consultation feedback please refer to the Figtree Town Centre study Community Engagement Summary Report.

Community Workshops

During November and December 2012, Council engaged with the community to ask about their ‘vision’ for the future of the town centre, and to better understand how the town centre functions. A range of ideas and concepts for the town centre were discovered through conversations with the community, and the feedback gathered has informed the preparation of Figtree Town Centre study.

Council staff conducted around 230 conversations with local schools and businesses, residents, local social and community groups and local service providers.

- A total of 37 surveys were completed with over 91% of respondents living in Figtree or one of 10 surrounding suburbs targeted in the consultation.
- 6 submissions were received.
- Hundreds of ideas were shared.

What we asked the community

- Three consultation exercises were used at face to face forums including ‘Where do you visit?’, ‘Where do you feel safe/unsafe?’ and based on the 6 goals of Wollongong 2022: ‘What is your key priority for the future of Figtree town centre?’
- Survey questions asked what they valued most about the town centre, what things they would like to see improved and what is something new or different they would like included in the town centre in the future.

What the community told us

- The community most valued the variety of shops and facilities in the town centre.
- Overwhelmingly, the community wished to retain and enhance the recreational facilities such as parks, children’s playground and tennis courts for health and family reasons.
- The community told us they wanted to see public amenities and facilities improved in the future, as well as public transport, traffic and parking improvements.
- The most common top priority for a new element in Figtree Town Centre was the creation of a public outdoor space.
- It was recognised that all Wollongong 2022 goals were important and interconnected.
- More than 84% of visits to Figtree Town Centre occur during the day.
- The top place to visit with the town centre was Precinct 1 - Westfield (37% of responses) followed by Precinct 2 - Crinis Fruit Market and surrounding buildings (28% of responses). Precinct 3 was considered by many not to be part of Figtree Town Centre.
- Overall, youth indicated that they felt safe in the three Precincts (66% overall), with Precinct 2 (Crinis Fruit Market) reporting the highest proportion of ‘safe’ responses (72%). 60% responses indicated they felt unsafe in Figtree Oval and Park.
- The majority of people who visited Figtree Town Centre last, came by car (78%).
4.0 Flooding at Figtree Town Centre
4.0 Flooding at Figtree Town Centre

4.1 FLOODING ISSUES

As identified in the previous section, Figtree Town Centre is exposed to a high level of flooding. As expressed in the Councillor Workshop 01, further investigation was required to understand the implications of flooding within Figtree Town Centre.

The following section provides a more detailed understanding of the flooding implications in Figtree Town Centre and the potential opportunities that could be further explored.

Allans Creek Flood Study

A review of the Allans Creek Flood Study (Lawson and Treloar, 2006) was undertaken with reference to the impacts of flooding on Figtree Town Centre. The flood study has found that there was significant flooding in the Figtree Town Centre as shown in Figure 4.01.

Flooding impacts are dominated by two major constraints at Figtree Town Centre:

- The Princess Highway road crossing
- The Avenue road crossing

The Avenue crossing, in particular, is a major factor in flooding for the town centre (Figure 4.02). Due to the relatively small size of the culvert cells it is assumed to be 100% blocked during storm events. This causes significant back-watering throughout the town centre during large storm events.

The crossing at Princes Highway is also a constraint on flood flows and has a significant impact on flooding upstream of the Princes Highway. The creek breaks its banks immediately upstream of the road crossing and water flows along Arrow Avenue causing significant flooding along this overland flow path. This continues to flow through the Figtree Town Centre west of Belle Vue Rd. Flows in this vicinity are complex and are affected by:

- Overland flows along Arrow Avenue
- Existing buildings and street frontages
- Backwatering from The Avenue culverts interacting with overland flows along Arrow Avenue

Within high flood risk zones commercial and residential development is not permitted and within medium flood risk zones essential community facilities is not permitted. This impacts significantly on the Figtree Town Centre restricting development throughout large parts of the town centre.

In the Floodplain Risk Management Study, Lawson and Treloar (2006) looked at a regional scheme to improve flooding in the Figtree Town Centre and surrounding properties. Lawson and Treloar’s flood mitigation option focused on the road crossing constraints at Princes Highway and The Avenue. Flood mitigation works required a number of structural actions including significant upgrades to at least 5 bridges/culverts as well as ‘creek improvement works’ primarily to improve conveyance.

Improving and alleviating flows in one location (e.g. Figtree Town Centre) needs to be considered in a catchment wide context to ensure that the flooding is not worsened elsewhere. For example alleviating culvert constraints to reduce flooding at Figtree Town Centre can cause flooding downstream, as the areas upstream of the culverts can act as de-facto detention basins reducing peak flows and flood levels downstream.

The option that Lawson and Treloar investigated involved extensive works as their primary focus was on a regional scale solution (rather than for one particular site or land area).
The works involved upgrades to the Princes Highway Bridge, The Avenue Culverts, three sets of F6 freeway culverts and obstructions to flows on the F6. The total estimated cost of these works was $33M.

Based on these works benefits accrued to a number of properties and the total value of these benefits was approximately $14M. Due to the low benefit/cost the option was not recommended to proceed. This option did not include the value of improving the development potential of Council owned land. It was not documented whether these works would mitigate flooding impacts on Figtree Town Centre although it would be expected that there would be benefits to a number of properties in the Figtree Town Centre, including Council’s. It is also likely that the flood study did not look at what works would be required to improve flooding options at one particular property (or a small number of properties). The emphasis was on maximising regional flooding benefits.

Hence one option to understand the potential for alleviating flooding at Figtree Town Centre would be to undertake an analysis of what flood mitigation works would be required to relieve flooding at one or a few particular properties which requires less works, but provides benefits to particular properties. This may reduce the cost and extent of the flood mitigation works required.

There are also likely to be a number of additional options that could be explored including looking at the option of using Figtree Park as a formalised detention basin to assist in for any attenuation of flows through the town centre and to offset the impacts of improved flows through culverts at The Avenue for example.

The flood study has significant implications for Figtree Town Centre which are not easily resolved. There are a number of options to further progress options for improvement works to Figtree Town Centre including:

1. Option 1: Engage a flood study consultant to further pursue investigations into flood mitigation options with a specific objective to improve flooding within Figtree Town Centre and with options to use Figtree Park as a detention basin. This study will further inform the potential for re-development at the site.

2. Option 2: accept the flooding within Figtree Town Centre and the restrictions to development and do not develop the town centre further. Permitted recreational development uses and non-urban development can occur. Development potential may change in the medium to long term if future flood mitigation works were undertaken.

3. Option 3: Develop in medium risk zones. Development control could be incorporated into a town centre DCP to influence the development form. However it is likely that development in these zones will be compromised in terms of urban design due to the need to overcome the impacts of flooding. Development in these zones will likely have raised site floor levels (for an example of impact on urban design refer Figure 4.05)

4. Option 4: Develop in medium risk zones and in zones where Council owns land it can control the development outcomes by taking an active role in the development of the site. This could occur for example on the Bellevue Rd site. Blue Mountains City Council partnering with Coles to develop its Blue Mountains Cultural Centre and Library is a good example of such a partnership.
4.2 OPPORTUNITIES

Multi-Purpose Riparian Corridors

The creek is a major natural asset of the Figtree Town Centre. It has significant natural value. It is currently significantly detached from the town centre and Figtree Park. It has very little active frontages to the creek line or activity centres along the creek line. The creek is currently under pressure from historical and continuing urbanisation within the catchment including (please refer to the photographs below):

- Erosion to bed rock in a number of places
- Bank erosion including significantly unstable banks
- Significant invasive non-native plant growth
- Limited riparian zone
- Poor water quality

There is significant opportunity to enhance both the passive recreation values of the creekline and the health of the stream by developing a multi-purpose riparian corridor along the creek line.
A multipurpose riparian corridor adopts the concept of using the landscape along the creekline for multiple uses including:

- Native vegetation for habitat for flora and fauna and stream health
- Passive recreation, including the use of recreation nodes
- Pedestrian and cyclist transport corridors
- Stormwater management including water quality improvement and flood mitigation

Examples of precedent images of different uses within a multipurpose riparian corridor are shown on the right.

Currently the creekline within the town centre is already being used for a number of different recreational and community purposes indicating it already plays a role in the local community’s use of Figtree Town Centre.

The creation of a multi-purpose riparian corridor should also be integrated with

- any options to alleviate or mitigate options for flooding within the Allans Creek catchment
- a wider ‘Greenway’ pedestrian and cycling corridor along the creekline extending upstream of Princes Highway. This allows linking Council’s open space along the creekline
- future plans for land that becomes available due to the program of voluntary purchasing of houses along the west side of the creekline upstream of the Princes Highway.

Allans Creek presents an amazing opportunity for Figtree and its community. It equally presents a challenge for future development opportunities. This master plan process must test and understand the development implications within the town centre precincts due to Figtree’s propensity for high levels of flooding. Through this exercise an appropriate solution can be proposed that balances the communities requirements with the viability of developing within Figtree Town Centre.
5.0 Strategising Figtree Town Centre
5.0 Strategising Figtree Town Centre

5.1 STRATEGIC OPTIONS

With Figtree Town Centre being characterised by high and medium flood risk zones, there are limited opportunities to provide a quality built form and public domain response within the defined town centre. This major constraint has led to three strategic options being identified which look to inform the future direction of Figtree Town Centre. These options are as follows:

- Develop within the Constraints
- Mitigate against the Flooding
- Focus on the Community

#1 Develop within the Constraints

Although the majority of land within Figtree Town Centre is prevalent to various categories of flood risk, there is an opportunity to still develop within the medium and low risk zones. This strategic option looks to develop within these zones and understand the development implications imposed on buildings within these zones.

#2 Mitigate against the Flooding

The town centre is characterised by Allans Creek which, although a valuable natural asset, is the major reason for the town centre’s propensity to flood. This strategic option looks to prioritise the mitigation measures and recreational opportunities along Allans Creek, minimising the flood risk zones within the town centre and establishing improved benefits for the local community and future developers.

#3 Focus on the Community

Due to the environmental constraints experienced within Figtree Town Centre and the limited economic growth expected in the coming years, a key strategy could be to focus on prioritising the community and concentrating recreational facilities within key locations of the town centre. This option would see the focus on Figtree Town Centre moving away from development opportunities and rather prioritise the next stages of the town centre’s evolution on its natural assets. If appropriately designed and implemented, these natural assets could unlock future demand for future development and initiate the appropriate mitigation measures to minimise the town centre’s flood risk.
5.2 TESTING THE PRECINCTS

To further understand the implications of the three strategic options, they have been tested on the three town centre precincts, informing the master plan process on identifying the appropriate strategic direction for Figtree Town Centre.

Precinct 1 - Westfield and Figtree Oval

#1 Develop within the Constraints

With the majority of the Westfield Shopping Centre and Figtree Oval being affected by both high and medium flood risk zones the key opportunities for developing within the constraints are as follows;

- Proposing new community uses to the south of the Princes Highway.
- Improve the recreational playing fields in Figtree Oval, ensuring a range of playing fields can be accommodated.
- Re-orientate the Westfield frontage towards Figtree Oval, establishing an improved relationship between the community heart and the retail heart;
- Propose a new riparian greenway and cycle path along Allans Creek connecting through to the neighbouring parks;
- Provide a community space that accommodates a range of activities alongside the community hall;
- Propose temporary interventions within the community space including pop-up cafes and food vendors;

This option is not achievable due to the significant flooding implications currently imposed at this site.

#2 Mitigating against the Flooding

This option looks to propose the appropriate mitigation measures required to minimise the existing flood risk zones. Allowing Allans Creek to become a natural feature for the community and incentivising development within the precinct. The key opportunities for this option are as follows;

- The culverts located on the Princes Highway and The Avenue can be redesigned to accommodate a larger through-flow of water;
- Figtree Bowling Club can be relocated presenting an opportunity site for more appropriate town centre uses;
- Concentrate community facilities and commercial uses along the south of the Princes Highway, creating a new community heart to Figtree Town Centre;
- Improve the recreational playing fields in Figtree Oval, ensuring a range of playing fields can be accommodated;
- Re-orientate the Westfield frontage towards Figtree Oval, establishing an improved relationship between the community heart and the retail heart;
- Propose a new riparian greenway and cycle path along Allans Creek connecting through to the neighbouring parks;

Although this solution offers the greatest benefits for Precinct 1 the investment costs required to mitigate against the flooding outweighs the demand for new development within Figtree Town Centre.

#3 Focus on the community

This option looks to focus on improving the recreational offering within Figtree Oval, through proposing appropriate community oriented solutions that can be implemented without the investment costs required to mitigate against the flooding. This will also focus on delivering a clear identity for Figtree Town Centre that is more than a retail offering. The key opportunities for this option are as follows;

- Improve the recreational playing fields in Figtree Oval, ensuring a range of playing fields can be accommodated;
- Re-orientate the Westfield frontage towards Figtree Oval, establishing an improved relationship between the community heart and the retail heart;
- Propose a new riparian greenway and cycle path along Allans Creek connecting through to the neighbouring parks;
- Provide a community space that accommodates a range of activities alongside the community hall;
- Propose temporary interventions within the community space including pop-up cafes and food vendors;

For this option to be further developed it is recommended that a Figtree Oval Recreational Master Plan be undertaken, to identify the needs of the community that can be accommodated within the space.
Precinct 2 - Bellevue Road
For the purpose of this analysis the residential zoned land to the south west [38-40 Princes Highway] and north west [22-32 Princes Highway] currently occupied by McDonald’s has been considered. This does not imply inclusion of this land in the town centre, but reflects the importance of considering the relationship between these sites.

#1 Develop within the Constraints
Precincts 2 is subject to both high and medium flood risk zones, which limits its potential for development in particular residential development, at ground level. With these major constraints an option to develop the precinct is limited to a big bulk goods building. Big bulk retailers can more often accommodate the costs required to ensure flood damage is minimised and so present a valid opportunity to develop the precinct. The key opportunities for this option are as follows;
- Proposed activated pedestrian connection linking Precinct 2 to Westfield;
- Building 1 [B1] could be a potential location for a big bulk retailer (Council can impose strict design guidelines to ensure the developer creates quality frontages along key movement corridors);
- Building 2 [B2] has the potential to be redeveloped into a new mixed use building that accommodates the development controls imposed on a medium risk zone;
- A shared surface connection located between building 2 and the Crinis Grocer could ensure good access to the Precinct for both vehicles and pedestrians;

The option of extending the Figtree Town Centre to include the adjacent residential land is not concerned appropriate, as per the Wollongong Retail Study [2004] it is recommended that ‘the town centre remain contained and consolidated within the confines of the existing planning zones’. With Figtree Town Centre already containing a Westfield Shopping Centre, another big bulk retailer could further inhibit the future growth of Figtree Town Centre. Additionally this option presents a highly compromised urban environment that doesn’t comply with the principles that contribute to make a ‘vital centre’. Introducing a big bulk retailer would require a rezoning from residential to local centre.

#2 Mitigate against the Flooding
The limitations in developing Precinct 2 can be reduced through implementing the appropriate mitigation measures along Allans Creek, minimising the high and medium flood risk zones. If this option was selected the key opportunities for the precinct are as follows;
- The culverts located on the Princes Highway and The Avenue can be redesigned to accommodate a larger through-flow of water;
- Propose an activated pedestrian connection linking Precinct 2 to Westfield;
- Proposed buildings can be orientated and designed to maximise the quality of space encouraging greater developer incentives within the precinct and residential land uses adjacent to the town centre could be supported;
- A shared surface connection between building 2 and the Crinis Grocer can ensure good access to the Precinct for both vehicles and pedestrians;

Although this solution offers the greatest benefits for Precinct 2 the investment costs required to mitigate against the flooding outweighs the demand for new development within Figtree Town Centre. The option extending the Figtree Town Centre to include the adjacent residential lands is not considered appropriate due to the Wollongong Retail Study [2004].

#3 Focus on the Community
This option tests the development opportunities for Precinct 2 within the medium risk flood zone and identifies potential community benefits for the town centre. The key opportunities for this option are as follows;
- Building 1 [B1] can be appropriately redeveloped into a new mixed use building that accommodates the development controls imposed on a medium risk zone;
- Buildings 2 [B2] and 3 [B3] can be developed into residential development. However due to the flood specific development controls imposed on any new buildings the ability to achieve residential uses on this site is heavily compromised by the need for flood free access;
- The Crinis Grocer building is retained ensuring a building edge alongside the Princes Highway;
- A large swathe of undevelopable land is located in the centre of the precinct to accommodate the high flood risk area. This space could accommodate a range of recreation uses bringing a community focus to the precinct;
- A shared surface connection located between building 1 and the Crinis Grocer can ensure good access to the Precinct for both vehicles and pedestrians;

This option although achievable with current planning controls may prove to be unrealistic due to the significant development restrictions imposed on medium risk flood zones. Also with Figtree Oval being located adjacent to Precinct 2 it is unlikely that this space would be identified as a quality community function.
FIGTREE TOWN CENTRE STUDY

5.0 STRATEGISING FIGTREE TOWN CENTRE

FIGURE 5.07 - PRECINCT 2: DEVELOP WITHIN THE CONSTRAINTS

TOP: Sketch Plan

FIGURE 5.08 - PRECINCT 2: MITIGATE AGAINST THE FLOODING

MIDDLE: Sketch Plan

FIGURE 5.09 - PRECINCT 2: FOCUS ON THE COMMUNITY

BOTTOM: Sketch Plan

Revision F
Precinct 3 - London Drive

#1 Develop within the Constraints
Precinct 3 is subject to the least amount of flood risk due to only part of the site being designated a high and medium flood risk zone. For that reason this option presents the greatest opportunity to develop within Figtree Town Centre. If this option was selected the key opportunities for the precinct are as follows;

- The Hellenic Club can be retained and enhanced to accommodate for a range of community uses.
- A series of bridge links can be proposed that re-connect Precinct 3 to Figtree Oval;
- The west of the site will be redeveloped into a series of residential plots. However due to the flood specific development controls imposed on any new buildings the quality of the buildings will be heavily compromised;
- A new pedestrian spine could be proposed, linking Precinct 3 and its surroundings to Figtree Oval;
- A new riparian greenway and cycle path along Allans Creek has the potential to allow good connections to Figtree Oval and the neighbouring parks;

This option is achievable under current planning controls. However, for the site to accommodate residential uses the precinct would have to be rezoned, which at the present moment would be a longer term approach due to the lack of developer demand within the town centre. A mixed use zoning would be able to accommodate there uses.

#2 Mitigate against the Flooding
The limitations in developing Precinct 3 can be reduced through implementing the appropriate mitigation measures along Allans Creek, minimising the high and medium flood risk zones, If this option was selected the key opportunities for the precinct are as follows;

- The Hellenic Club could be relocated to accommodate for a higher density of commercial and residential uses;
- A series of bridge links can be proposed that re-connect Precinct 3 to Figtree Oval;
- A new community space could be proposed to the east of the site providing an expansion of greenspace from the Allan’s Creek corridor;
- New access roads off Princes Highway can align with adjacent road network, integrating the Precinct 3 seamlessly into its surrounding context;
- An active pedestrian connection through the heart of the site can link the new centre to its natural surroundings;
- A new riparian greenway and cycle path along Allans Creek will allow good connections to Figtree Oval and the neighbouring parks;

Although this solution offers the greatest benefits for Precinct 3 the investment costs required to mitigate against the flooding outweighs the demand for new development within Figtree Town Centre. This option would require variation to zoning and height and floor space controls.

#3 Focus on the Community
This option tests the development opportunities for Precinct 2 within the available developable land and identifies potential community benefits for the town centre. The key opportunities for this option are as follows;

- The Hellenic Club can be retained and enhanced to accommodate a range of community uses;
- A series of bridge links can be proposed that re-connect Precinct 3 to Figtree Oval;
- The west of the site offers limited development opportunities for residential development due to the high and medium flood risk zones, creating an opportunity for a key community space;
- A new pedestrian spine could be proposed, linking Precinct 3 and its surroundings to Figtree Oval;
- A new riparian greenway and cycle path along Allans Creek has the potential to allow good connections to Figtree Oval and the neighbouring parks;

Although the option looks to ensure a community focus to the precinct, a combination of the lack of developer demand for land, the site being a designated tourism zone and the significant development restrictions imposed on the site result in this option unlikely to occur. Changes to zoning would be required to facilitate residential development across this precinct. At this stage, demand to drive residential development on this site is not identified.

5.3 STRATEGY OVERVIEW

From this comprehensive testing phase of the Figtree Town Centre Study it is understood that Town Centre offers little to no development opportunities at present due to a combination of high flood risk land and a flat economy. Key points to note during this testing phase are as follows;

Precinct 1
- Development within Precinct 1 is not achievable due to the significant flooding implications currently imposed on this site;
- Mitigation against the flooding offers the greatest benefits for Precinct 1. However, the investment required to mitigate against the flooding outweighs the demand for new development within Figtree Town Centre;
- A recreational master plan should be undertaken, to identify the needs of the community that can be accommodated within Figtree Oval;

Precinct 2
- With Figtree Town Centre already containing a Westfield Shopping Centre, it is recommended that the town centre remain contained and consolidated within the confines of the existing planning zones;
- Mitigation against the flooding offers the greatest benefits for Precinct 2. However, at present there is a lack of developer demand within the town centre;
- Extending the town centre boundary is not considered appropriate due to the Wollongong Retail Study [2004];
- It is unlikely community buildings facilities could be contained on the Precinct 2 due to the sites close locality to Figtree Oval and the significant development restrictions imposed on medium risk flood zones;

Precinct 3
- Developing within the constraints is achievable under current planning controls. However, at present there is a lack of developer demand within the town centre;
- Mitigation against the flooding offers the greatest benefits for Precinct 2. However, at present there is a lack of developer demand within the town centre;
- Although the Community focus option looks to balance residential development with community space, a combination of the lack of developer demand for land, the site being a designated tourism zone and the significant development restrictions imposed on the site result in this option unlikely to occur.
5.0 STRATEGISING FIGTREE TOWN CENTRE

FIGURE 5.10 - PRECINCT 3: DEVELOP WITHIN THE CONSTRAINTS

FIGURE 5.11 - PRECINCT 3: MITIGATE AGAINST THE FLOODING

FIGURE 5.12 - PRECINCT 3: FOCUS ON THE COMMUNITY
6.0 Community Consultation
6.0 Community Consultation

6.1 COMMUNITY ENGAGEMENT SUMMARY

To inform the refinement of the draft Figtree Town Centre Study, a second stage of consultation was undertaken to discuss the range of ideas and concepts presented by the Figtree Town Centre draft Study: Stage 2 – Refining the Town Centre Study.

The draft Town Centre Study was exhibited from 25 March to 3 May 2013. The community were asked to provide feedback on the Strategies, principles and recommendations put forward by the draft Study.

Council carried out a range of conversations with the community through kiosks near Crinis Fruit Market and adjoining specialty retailers, face to face discussions with business owners and community groups, schools and government agencies.

9 written submissions (including 3 completed surveys) and hundreds of conversations have shaped the refinement of the Figtree Town Centre Study.

The key message from consultation was an overarching support for the key strategies and recommendations identified in the draft Study. Overall, the response provided by the community was positive, with general support given to strategies and recommendations put forward by the draft Study.

Feedback from Youth

Council staff visited Figtree Public School to seek the ideas and thoughts of children on the draft Study, in particular, possible uses for a community space near Figtree Oval. Children were asked to draw what their community space may look like. The most popular theme was ‘Play’, followed by ‘Spaces for the community’ and ‘Formal Sporting areas’ and the third most noted theme of ideas was ‘Events’.

The top overall 10 ideas included: markets/fete/fun fair (20 responses), a bike path/track/motor bike track (10), laser tag/ skirmish/paintball which could be temporary (10), an activity centre and pool (10), a better park with upgraded children’s play area (8), picnic areas, shade huts/shelter (7), trees/plantings (6), outdoor movies/cinemas (6), BBQs (5) and a stage for music/temporary concerts (5).

Feedback from Community Conversations

The community were invited to share their thoughts on the draft Study for Figtree Town Centre. Council conducted a number of activities in order to engage with the community including holding a community kiosk in the town centre on Saturday 6 April, meeting with Neighbourhood Forum 5 sub-committee, meeting land owners and retailers.

Conversations identified a range of ideas, themes and commentary on the draft Study. Overall, the feedback has been divided into four most popular themes:

- Community Space
- Allans Creek and Figtree Oval
- Crinis Fruit Market and specialty retail stores – Precinct 2
- Traffic and parking

i. Community Space

The conversations demonstrated that the community wanted to see a space for the community to meet and socialise.

![Community Workshop photographs](FIGURE 6.01- COMMUNITY CONSULTATION)

FIGTREE TOWN CENTRE STUDY
Revision F
outside of Westfield.

ii. Allans Creek and Figtree Oval
In conversations, the community were supportive of connecting open spaces along a green riparian corridor with walk/cycle path in Figtree. The community identified the need to maintain the creek.

iii. Crinis Fruit Market and specialty retail stores – Precinct 2
A significant number of comments related to the importance of this precinct, wanting to beautify the precinct and create a space for the community. Traffic congestion and pedestrian access to Westfield were raised as issues.

iv. Traffic and Parking
A significant number of comments related to traffic congestion on The Avenue, Princes Highway and Bellevue Road. The community identified a need for better pedestrian connections across the Princes Highway and a bike lane through the town centre.

Conclusion
The consultation process identified a range of ideas, actions and aspirations of the Figtree community to inform the development of a Figtree Oval Recreational Master Plan.

This feedback informed the strategies and recommendations put forward by the draft Study and have assisted staff to refine the Town Centre Study.

Following adoption of the Figtree Town Centre Study the information provided by the community will remain relevant. A large number of ideas put forward by the community do not rely on the Council or a Study process to be actioned, and therefore, could be happening NOW. The information presented in this document will be shared across the Divisions of Council, key stakeholders and industry within the Figtree area to assist in sharing the wonderful ideas and aspirations of the community and to promote a consistent approach to delivering outcomes for the community.
7.0 Zoning and Town Centre Boundary Review
7.0 Zoning and Town Centre Boundary Review

7.1 REVIEW SUMMARY

To inform the process, a review of zoning and town centre boundaries was undertaken, please refer to Appendix A. In considering the zoning and town centre boundary implications for Figtree Town Centre, the following is recommended.

Having consideration to the history of zonings, the Wollongong Retail Centre Study and site constraints, it is recommended that the land zoned to accommodate the retail/commercial functions of the Figtree Town Centre remain unchanged. That is, the areas zoned B1 Neighbourhood Centre and B2 Local Centre identified within the three Figtree Town Centre Precincts are maintained with no extension to these recommended.

While it is recognised that there are a number of sites with historic zoning within and adjacent to the Figtree Town Centre which now conflicts with current land uses, it is not recommended that zones be formalised in accordance with established/constructed land use. This is primarily due to the flooding constraints evidenced across the majority of these sites, and the lack of developer demand to transform/guide a future use. Over time, and should appropriate developer demand be presented to Council, the rezoning of sites, particularly those currently zoned Special Uses (Tourism) could be considered.

The current boundary of Figtree Town Centre is awkward. Three separate Precincts which do not interrelate. It is proposed to redefine the boundary of the Figtree Town Centre to incorporate ‘Figtree Town Centre Support’. The ‘Support’ area is considered fundamental to strengthening the connections between each of the existing three Precincts, and is expected to become vital to the health and coherence of the Town Centre. The redefined Town Centre provides great potential for a flourishing, robust and sustainable hub.

By introducing this refined boundary, it acknowledges the lands linking the three Town Centre Precincts and ensure they will be considered in context of future design controls for this area. Land included in ‘Figtree Town Centre Support’ will not be rezoned.
8.0 Key Conclusions and Recommendations
8.0 Key Conclusions and Recommendations

8.1 CONCLUSION

Figtree Town Centre like so many town centres both globally and nationally are facing increased challenges through the increased growth of the shopping mall and the deterioration of the traditional high street. This master plan process aims to set in motion a strategy that responds to these challenges and incrementally transforms Figtree Town Centre into a vibrant and vital town centre for the community to enjoy and use.

Originally conceived to be a Town Centre Master Plan project the analysis based on the principles that make a ‘Vital Town Centre’ has exposed the true challenges facing Figtree Town Centre. The vast amounts of high to medium risk flooding within the town centre study area, constrain the potential to develop within Figtree Town Centre, limiting the viability of a town centre master plan.

Although the existing planning controls provide capacity for growth, the town centre at present offers little demand for this growth. What this study process has highlighted is that the future success of Figtree Town Centre does not lie in preempting its evolution through a master plan, but rather ensuring a focus on the community and improving the recreational opportunities within the centre.

Figtree Town Centre offers a unique environment that provides the community with a series of natural assets that separate it from the Illawarra region’s neighbouring centres. These assets are Figtree Oval and Allans Creek, which if revitalised offer the potential to enhance Figtree Town Centre’s identity and establish a community heart.

Figtree Oval has the potential to improve the recreational offering within the town centre establishing a destination for organised sports groups, improving passive surveillance within the open space. Where as Allans Creek provides an opportunity to link the open spaces within the locality together through a riparian greenway, re-associating the Figtree community with a natural asset that can be enjoyed and used.

It is these two components that hold the key to unlocking Figtree Town Centre, initiating a change that allows the community to embrace and enjoy the natural environment that makes Figtree distinctly unique.

8.2 RECOMMENDATIONS

The recommendations stated below are based on the outcomes of the study process and look to assist Wollongong City Council in prioritising the future interventions that can lead to the transformation of Figtree Town Centre. The recommendations are as follows:

- Updated Wollongong DCP to illustrate inclusion of Figtree Oval and Park as part of the Town Centre to reflect the endorsed Figtree Town Centre Study.

Develop a recreational Master Plan for Figtree Oval and Park to:

- Identify opportunities for community meeting spaces; [1]
- Ensure the enhancement of sporting, social, environmental and recreational needs;
- Investigate opportunities to improve the creek for recreational uses; [2]
- Explore the extension of the cycle and walking track along Allans Creek, to establish a green corridor that links the open spaces with Figtree together to increase connectivity. [2]
- Identify opportunities to improve the pedestrian connections between Figtree Oval and Westfield; [3]
- Look to re-orientate the Westfield Shopping centre improving its address to Figtree Oval; [4]
- Investigate the opportunities for a community space and landscape are located adjacent to the existing community hall; [5]
- Explore open space linkages and improve pedestrian crossings along the Allans Creek; [6]
- Council to liaise with RMS to consider ways to create increased pedestrian amenity and safety of the Princes Highway within Figtree Town Centre; [7]
- Investigate opportunities to mitigate against the high risk flooding; [8]
- Investigate parking capacity to support recreation activities; [9]

8.3 IMPLEMENTATION

The Figtree Town Centre Implementation Strategy has been developed in parallel with the Figtree Town Centre Study. At this stage the recommendations of this study forms the actions of the implementation strategy. Following the completion of Figtree Recreation Master Plan, the implementation strategy will be updated with more detailed actions aligned with delivering key planning, infrastructure and community capacity building outcomes.
8.0 KEY CONCLUSIONS AND RECOMMENDATIONS

FIGURE 8.01 - RECOMMENDATIONS DIAGRAM

FIGTREE TOWN CENTRE STUDY
Revision F

TOP Sketch Plan
Appendix A - Zoning and town Centre Boundary Review
During the course of the study, the extent of the town centre boundary was reviewed as were the areas defined and zoned as town centre. This was in response to community feedback, the urban design analysis and a stakeholder request to extend the Neighbourhood Centre zoning in Precinct 2.

This study has been prepared to consider the extent of land zoned for a Neighbourhood Centre or Local Centre within Figtree Town Centre, zoning anomalies and the extent of area included in the town centre boundary.

1 Review of the extent of land zoned Neighbourhood Centre/ Local Centre

The key challenge for the future planning and development of Figtree is to ensure that its dependence on road access is managed, and that the integrity and role of Wollongong City Centre as the Regional Centre is not jeopardised.

1.1 Wollongong Retail Centre Study 2004
The Wollongong Retail Centre Study was carried out in 2004, at that time, Precinct 3 did not exist as a business zone. The B1 zone in Precinct 3 was created through the adoption of Wollongong LEP 2009 in 2010. The land identified now as Precinct 3 was zoned part residential and part tourism.

Business / shops existed in this location and this is acknowledged in the Wollongong Retail Centre Study through reference to Hungry Jacks. This is relevant when considering the recommendations of the Retail Centre Study which look at containing and consolidating retail activity within the town centre.

Wollongong Retail Study recommendations:
- it is appropriate to contain and consolidate retail activity within the existing land zoned to support town centre;
- growth of peripheral sales (bulky goods retailing) be contained within the existing town centre zones (then referenced as the 3(d) Commercial zone); and
- special emphasis be directed toward consolidation and development of a more cohesive built form (refer page 76).

1.2 Retail Recommendation
Having consideration to the history of zonings, the Wollongong Retail Centre Study, and site constraints, the extension of the current land zoned B1 Neighbourhood Centre, or B2 Local Centre is not considered appropriate.

Figure 1.1_Historic Zoning Maps
2 Town Centre Zone Anomalies – Precinct 3 and adjacent Special Uses zones

As noted in Section 3.3 of the Figtree Town Centre Study (Street Vibrancy), there are a number of land use zone anomalies. These relate in particular to Precinct 3.

2.1 History of zones in Precinct 3
- Unzoned/deferred under Wollongong LEP 38
- Changed to special uses tourism in Wollongong LEP 1990 (historically all clubs were zoned Tourism)
- Northern most site rezoned to 2B under Wollongong LEP 1990
- Additional uses permitted under Schedule 2 (Amendment 131) under Wollongong LEP 1990 to permit Liquor shop
- Additional uses permitted under Schedule 2 (Amendment 174) under 1990 LEP to permit other shops
- Wollongong Retail Centre Study was carried out while Precinct 3 was zoned residential and special uses tourism.
- Precinct 3 transferred to B1 Local Centre and Special Uses on translation to Wollongong LEP 2009 to reflect the established use on the site
- Likely Wollongong Retail Centre Study was carried out while Precinct 3 was zoned residential and special uses tourism
- Precinct 3 became part of the ‘Town Centre’ through creation of Wollongong DCP 2009

2.2 Current zonings
- Objectives of B1 Neighbourhood Centre are: to provide retail, business and community uses to use the local people; and allow for residential accommodation while maintaining active retail and business.
- Objectives of SP3 Tourism are: provide a variety of tourist-orientated development and related uses.
- The current land uses are Hellenic Club (tourism/community use), retail/fast food and a pet food barn.
- The land is close to the park/oval RE1 and adjoining tourism land SP3, Westfield B2, surrounding low density residential R2.

The Figtree Town Centre Study by McGregor Coxall tested Precinct 3 against ‘Develop against the Constraints’, ‘Mitigate against the Flooding’ and ‘Focus on the community’.

The study identifies ‘Develop against the Constraints’ as the most achievable out of the three options. This option included retaining the Hellenic Club and enhancing a range of community uses and reintroducing residential at the site, and a riparian greenway and cycle path along Allans Creek connecting green spaces and parks. Bridges link Precinct 3 to Figtree Park/Oval and potential residential development to the west of the plot (quality of buildings may be compromised by strict flood constraints.

The study does note that for this option to be carried through, the site would need to be rezoned to permit residential land uses which they suggest would be a longer term approach due to the lack of developer demand within the town centre.

The current zone of B1 does allow residential development in the form of shop top housing and seniors housing, however, that does not respond to the recommendations presented by McGregor Coxall.
Land Use Zones which allow residential development with some community use and shop top housing include:

- **B4 mixed use** – tourist and visitor accommodation, flats, shop top housing, seniors accommodation
- **B2 Local centre** – hotel/motel, multi-dwelling, flats, seniors, shop top housing
- **R3 Medium Density Residential** – community facilities, shop top housing, neighbourhood shops, flats, semi-detached, seniors accommodation
- **B1 Neighbourhood Centre** – shop top housing, seniors accommodation, community facilities
- **R1 General Residential** – community facilities, neighbourhood shops, seniors, shop top housing

<table>
<thead>
<tr>
<th>Lot &amp; DP</th>
<th>Address</th>
<th>Zoning</th>
<th>Current Use</th>
<th>Comments/ Recommendation</th>
</tr>
</thead>
</table>
| Lot 1, 2 & 3 DP 839750 | 55-59 Princes Hwy | SP3 Tourism | Hellenic Club & kitchen joinery | Low/ med/ high flood risk  
Opportunity to consider rezoning to B4 – Mixed Use  
No known catalyst for rezoning at this stage.  
Heritage item |
| Lot 4, 5 & 6 DP 788652 | 47 Princes Hwy | SP3 Tourism | Saturacorp Corp - Liquor | Low/ med/ high flood risk  
Opportunity to consider rezoning to B4 – Mixed Use  
No known catalyst for rezoning at this stage. |
| Lot 101 DP 1014730 | 45 Princes Hwy | B1 Kebab and Subway Take away shops | Low flood risk  
Opportunity to consider rezoning to B4 – Mixed Use  
No known catalyst for rezoning at this stage. |
| Lot 102 DP 1014730 | 41 Princes Hwy | B1 Hungry Jacks. Owner Morison, McDonald and others | Uncategorised flood risk  
Opportunity to consider rezoning to B4 – Mixed Use |
| Lot 103 DP 1014730 | 43 Princes Hwy | B1 Roadway & Pet Food Barn. Owner – Walrot Pty Ltd | Low/ med/ high flood risk  
Opportunity to consider rezoning to B4 – Mixed Use |
| Lot 45 DP 847121 | 1-3 Princes Hwy | SP3 Tourism | Eye care specialist Owner - Lee | Medium / high flood risk  
High flood risk across majority of site with flood affected access/ egress.  
Formalising the land use would conflict with Council’s flood risk management principles.  
No action – retain existing zoning.  
Review zoning following medium to long term flood mitigation works for Allans Creek. |
| Lot 1 SP 77237 | 5-7 Princes Hwy | SP3 Tourism | Flats – various owners | Medium / high flood risk  
High flood risk across majority of site with flood affected access/ egress.  
Formalising the land use would conflict with Council’s flood risk management principles.  
No action – retain existing zoning.  
Review zoning following medium to long term flood mitigation works for Allans Creek. |
| Lot 5 DP 1136414 | 9 Princes Hwy | SP3 Tourism | WCC Baby Health Clinic | Medium / high flood risk  
High flood risk across majority of site with flood affected access/ egress.  
Formalising the land use would conflict with Council’s flood risk management principles.  
No action – retain existing zoning.  
Review zoning following medium to long term flood mitigation works for Allans Creek. |

In considering the zoning anomalies, there are two clear objectives:
i. To consider land uses which do not conflict with flooding restrictions on site
ii. To consider land uses which do not conflict with the Wollongong Retail Centre Study

2.3 Zoning Recommendations
At this stage, given the flooding constraints across Precinct 3 and land south of Allans Creek zoned special uses, it is not recommended that zones be formalised in accordance with established / constructed land uses.

When developer demand presents opportunities for renewal of sites, further consideration can be given to the opportunities and constraints of these sites.

3 Defining the boundary of Figtree Town Centre

Figtree Town Centre is currently defined as three (3) separate precincts. This reflects land zoned as Local Centre of Neighbourhood Centre, and in the case of Precinct 3, land which supports uses which could be carried out in a Neighbourhood Centre. Dividing these lands into three precincts raises a level of uncertainty in understanding the way these areas connect and interrelate.

3.1 Boundary Review
For the purposes of defining Figtree Town Centre, it is important to acknowledge the principles that make up a vital town centre (as per Section 2.2 of the Study) and in doing this, the different elements/ spaces contributing to the way the town centre functions. A town centre is more than just retail and commercial land uses, but the interrelationship between a range of social, economic, environmental and aesthetic elements which create an interesting place to spend time.

In considering the boundary of Figtree Town Centre, three strategies have been considered:

1. Retaining the Precincts – limiting the town centre to land zoned Local Centre or Neighbourhood Centre. This would see the reduction in land identified within Precinct 3.
2. Consolidating the Centre – to reduce the area defined as the town centre to be restricted to Precincts 1 and 2 (Westfield and adjacent Bellevue Street precinct)
3. Include Supporting Areas – identify and incorporate supporting lands which form a link between the three precincts to acknowledge the importance and role of these lands (which are not zoned Local Centre or Neighbourhood Centre) in the way Figtree Town Centre functions.

For each strategy above, a range of options were considered. These are illustrated over page.

3.2 Recommended Boundary Amendment
It is proposed to redefine the boundary of the Figtree Town Centre to incorporate 'Figtree Town Centre Support'. The ‘Support’ area is considered fundamental to strengthening the connections between each of the existing three precincts, and is expected to become vital to the health and coherence of the town centre. The distances within the redefined Town Centre still provides great potential for a flourishing, robust and sustainable hub.
By introducing this refined boundary, it acknowledges the lands linking the three Town Centre Precincts and ensure they will be considered in context of future design controls for this area. The intention is not to rezone lands in the ‘Support’ area.
1. Retaining the Precincts

Existing Precincts maintained

2. Consolidating the Town Centre

Town Centre is limited to Local Centre zoned land (Westfield Site)

3. Include Supporting Areas

Town Centre includes Precincts and extends a Town Centre Support area to include the Oval.

Precinct 3 is reduced to include Neighbourhood Centre zoned land only

Town Centre limited to Precinct 1 and 2 including the links between

Town Centre includes Precincts and extends to include a support area (McDonalds site) due to importance of corner treatment and entry to the town centre.

Town Centre includes Precincts and extends to include a support area (McDonalds site and Bowling Club).

Figure 3.1_Town Centre Boundary Options
4 Conclusion

In considering the zoning and town centre boundary implications for Figtree Town Centre, the following is recommended.

Having consideration to the history of zonings, the Wollongong Retail Centre Study and site constraints, it is recommended that the land zoned to accommodate the retail/commercial functions of the Figtree Town Centre remain unchanged. That is, the areas zoned B1 Neighbourhood Centre and B2 Local Centre identified within the three Figtree Town Centre Precincts are maintained with no extension to these recommended.

While it is recognised that there are a number of sites with historic zoning within and adjacent to the Figtree Town Centre which now conflicts with current land uses, it is not recommended that zones be formalised in accordance with established/constructed land use. This is primarily due to the flooding constraints evidenced across the majority of these sites, and the lack of developer demand to transform/guide a future use. Over time, and should appropriate developer demand be presented to Council, the rezoning of sites, particularly those currently zoned Special Uses (Tourism) could be considered.

The current boundary of Figtree Town Centre is awkward. Three separate Precincts which do not interrelate. It is proposed to redefine the boundary of the Figtree Town Centre to incorporate ‘Figtree Town Centre Support’. The ‘Support’ area is considered fundamental to strengthening the connections between each of the existing three Precincts, and is expected to become vital to the health and coherence of the Town Centre. The redefined Town Centre provides great potential for a flourishing, robust and sustainable hub.

By introducing this refined boundary, it acknowledges the lands linking the three Town Centre Precincts and ensure they will be considered in context of future design controls for this area. Land included in ‘Figtree Town Centre Support’ will not be rezoned.

Figure 4.1_Recommended Figtree Town Centre Boundary
Figtree Town Centre draft Study
Community Engagement Summary Report

Stage 2 – Refining the Town Centre Study
March – May 2013
CONTENTS

Executive summary
01 Introduction
02 Who was consulted?
03 What we asked and how we asked it
04 What the community told us
   4.1 Formal Submissions
   4.2 Figtree Oval and community space ideas - children
   4.3 Feedback from the community
05 Conclusion

Appendix A - Survey
Executive Summary

To inform the refinement of the draft Figtree Town Centre Study, a second stage of consultation was undertaken to discuss the range of ideas and concepts presented by the Figtree Town Centre draft Study: Stage 2 – Refining the Town Centre Study.

The draft Town Centre Study was exhibited from 25 March to 3 May 2013. The community were asked to provide feedback on the strategies, principles and recommendations put forward by the draft Study.

Council carried out a range of conversations with the community through kiosks near Crinis Fruit Market and adjoining specialty retailers, face to face discussions with business owners and community groups, schools and government agencies.

9 written submissions (including 3 completed surveys) and hundreds of conversations have shaped the refinement of the Figtree Town Centre Study.

The key message from consultation was an overarching support for the key strategies and recommendations identified in the draft Study. Overall, the response provided by the community was positive, with general support given to strategies and recommendations put forward by the draft Study.

Feedback from Youth

Council staff visited Figtree Public School to seek the ideas and thoughts of children on the draft Study, in particular, possible uses for a community space near Figtree Oval. Children were asked to draw what their community space may look like. The most popular theme was ‘Play’, followed by ‘Spaces for the community’ and ‘Formal Sporting areas’ and the third most noted theme of ideas was ‘Events’.

The top overall 10 ideas included: markets/fete/fun fair (20 responses), a bike path/track/motor bike track (10), laser tag/skirmish/paintball which could be temporary (10), an activity centre and pool (10), a better park with upgraded children’s play area (8), picnic areas, shade huts/shelter (7), trees/plantings (6), outdoor movies/cinemas (6), BBQs (5) and a stage for music/temporary concerts (5).

Feedback from Community Conversations

The community were invited to share their thoughts on the draft Study for Figtree Town Centre. Council conducted a number of activities in order to engage with the community including holding a community kiosk in the town centre on Saturday 6 April, meeting with Neighbourhood Forum 5 sub-committee, meeting land owners and retailers.

Conversations identified a range of ideas, themes and commentary on the draft Study. Overall, the feedback has been divided into four most popular themes:

i. Community Space
ii. Allans Creek and Figtree Oval
iii. Crinis Fruit Market and specialty retail stores – Precinct 2
iv. Traffic and parking

The conversations demonstrated that the community wanted to see a space for the community to meet and socialise outside of Westfield.
ii. Allans Creek and Figtree Oval
In conversations, the community were supportive of connecting open spaces along a green riparian corridor with walk/cycle path in Figtree. The community identified the need to maintain the creek.

iii. Crinis Fruit Market and specialty retail stores – Precinct 2
A significant number of comments related to the importance of this precinct, wanting to beautify the precinct and create a space for the community. Traffic congestion and pedestrian access to Westfield were raised as issues.

iv. Traffic and Parking
A significant number of comments related to traffic congestion on The Avenue, Princes Highway and Bellevue Road. The community identified a need for better pedestrian connections across the Princes Highway and a bike lane through the town centre.

Conclusion

The consultation process identified a range of ideas, actions and aspirations of the Figtree community to inform the development of a Study for Figtree Town Centre.

This feedback informed the strategies and recommendations put forward by the draft Town Centre Study and have assisted staff to refine the Study and inform a Recreational Study for Figtree Oval.
STAGE 2 – REFINING THE TOWN CENTRE STUDY

01 Introduction
The purpose of this report is to discuss the range of ideas and concepts discovered through undertaking consultation with the community and key stakeholders about the Figtree Town Centre draft Study. Community input was sought between 25 March and 3 May 2013. 9 written submissions (including 3 surveys) and hundreds of conversations were held with the community.

02 Who was consulted?
A Community Engagement Strategy was developed to outline how Council would engage with individuals, community groups, Government agencies and non-Government organisations on the Figtree Town Centre draft Study. Between March and May 2013, Council undertook consultation with the community in order to gain feedback on the draft Study strategies and recommendations.

Based on understanding the community make up, a range of consultation was undertaken, targeting key groups within the community, and involving in the first round of consultation.

The following groups were consulted:

- Residents and landowners of Figtree and a targeted catchment area of Farmborough Heights, Cordeaux Heights, Mt Kembla, Mt Keira, Unanderra, Mt St Thomas, Mangerton, Coniston, Spring Hill, Kembla Grange and West Wollongong.
- Business owners
- Local Service providers
- Local public school (Primary)
- NSW Government Agencies
- Meetings with sub-committee of Neighbourhood Forum 5

03 What we asked and how we asked it
The community were invited to share their thoughts on the strategies and recommendations for the future of Figtree outlined in the draft Town Centre Study.

What we asked
Through a range of activities, the community was asked to provide feedback on what they thought about the draft Study and more specifically, the Strategies, Principles and recommendations put forward by the draft Study.

How we asked
Council conducted a number of activities in order to engage with the community. Methods of engagement included:

- Postcard (copy below) delivered to every home in Figtree and a targeted catchment area of Farmborough Heights, Cordeaux Heights, Mt Kembla, Mt Keira, Unanderra, Mt St Thomas, Mangerton, Coniston, Spring Hill, Kembla Grange and West Wollongong.
- Letter forwarded to property owners in Figtree and the targeted area living out of area;
- Letters to Government Agencies;
- Letters to key stakeholders;
- Letters to a range of community organisations and interested community members;
- Notice in local newspapers;
- All information and survey available on Council’s web page; and
- All information available in hard copy at Council’s Administration Building and Libraries – Warrawong, Wollongong, Dapto, Unanderra.

Face to Face Activities included:
- Weekend kiosk – outside Crinis Fruit Market cafe (Saturday 6 April);
- Attendance at one local public school (primary);
- One-on-one meetings with key stakeholders;
- Meetings with a sub-committee of the Neighbourhood Forum 5 group;
- Workshop with Council’s Project Control Group;
- Meeting with government agencies (RMS, local MPs office)

How we Engaged in Conversation

We made conversation around three key recommendations outlined in the draft Town Centre Study which were used at face to face forums.

1. Community Space
The draft Study recommends an outdoor community space near the Community Hall in Figtree Park. This recommendation was the focus of many conversations with business owners, tenants and the community during consultation.
2. Allans Creek and Figtree Oval
The draft Study identifies Allans Creek as a major natural asset of the town centre. The plan recommends significant opportunities to enhance both passive recreation values of the creek line and the health of the stream by developing a multi-purpose riparian corridor along the creek line. This recommendation includes further investigation for passive and active recreational use of Figtree Oval while investigating soft flood mitigation works of Allans Creek.
An exercise was undertaken with local school children, asking them if they use Figtree Oval and to write/draw ideas to demonstrate what they would like to see in this space to make it safe and inviting for everyone to use.

3. Improved pedestrian connections
The draft Study recommends improving pedestrian connections through the town centre, including exploring open space linkages along a green corridor, the establishment of a link between Figtree Oval and Westfield Shopping Centre and improved pedestrian crossings along the Princes Highway.

04 What the community told us

4.1 Formal Submissions
Nine (9) written submissions (including three surveys) were received.
- Department of Primary Industries, Office of Water
- Sydney Water
- Department of Transport, Roads and Maritime Services (RMS)
- Neighbourhood Forum 5
- 1 submission from local resident
- 1 submission from a large commercial business – ALDI
- 3 online surveys
The following matters were raised for consideration:

<table>
<thead>
<tr>
<th>Matters raised</th>
<th>Comment</th>
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<tbody>
<tr>
<td>- Supports Council in planning for the future of town centres and investigating strategies to improve transport within the town centre and alternative modes of transport.</td>
<td>Support is noted. Promoting a range of ways to access and move around the town centre is critical to the success of the Study.</td>
</tr>
<tr>
<td>- Any detailed design work of any proposed works to a classified road network will need to be sent to RMS for assessment.</td>
<td>Noted. Council and RMS are continuing to discuss traffic flow and efficiency through the town centre. It is acknowledged that the Princes Highway is in RMS control with authority to amend and change speed zones.</td>
</tr>
<tr>
<td>- The Princes Highway is a major north-south link through the town centre and RMS would not support any proposal that would reduce the efficiency for through traffic.</td>
<td></td>
</tr>
<tr>
<td>- RMS is responsible for all speed zoning in NSW. Any proposed changes would need to be submitted to RMS for assessment. RMS view the speed zone on the Princes Highway at Figtree as appropriate and would not support reduction of the speed zones on the Princes Highway.</td>
<td></td>
</tr>
<tr>
<td>Matters raised</td>
<td>Comment</td>
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<tr>
<td>Any proposed additional pedestrian crossing locations on the Princes Highway would need to be referred to RMS for assessment. Council should undertake further investigation of pedestrian desire lines through the town centre.</td>
<td>Noted. The Study prioritises pedestrian movements through the town centre and encourages the reduction of short vehicle trips. Pedestrian movement is focused between Westfield and Figtree Oval and across the Princes Highway to Precinct 2. The Study presents a long term vision to improve pedestrian amenity and crossing locations on the Princes Highway. This strategy would need to be supported by relevant traffic studies and the RMS.</td>
</tr>
<tr>
<td>RMS supports an increase in pedestrian and cyclist connectivity between the precincts and major attractors in the town centre with the view of reducing short vehicle trips within the town centre.</td>
<td></td>
</tr>
<tr>
<td>Any proposed development behind Crinis building in Precinct 2 will need to address vehicular access issues prior to receiving development consent. RMS is unlikely to permit direct access from this site to the Princes Highway.</td>
<td>Noted. This area could be further explored through a second stage traffic plan. Stormwater flows in the town centre have been investigated through the Allans Creek Flood Management Plan. Further stormwater flow studies would be required for any proposed development in Precinct 2 and identified flood risk areas.</td>
</tr>
<tr>
<td>RMS supports further investigation by Council regarding the management of stormwater flows around the town centre.</td>
<td></td>
</tr>
<tr>
<td>Requests Council to defer adoption of a Figtree Town Centre Study until full co-operation can be obtained from Westfield.</td>
<td>Noted.</td>
</tr>
<tr>
<td>Investigate opportunities to reduce the impact of flooding in the area.</td>
<td>Council is currently investigating suitable options to reduce the impact of flooding on the town centre.</td>
</tr>
<tr>
<td>Prepare a Master Plan for Figtree Oval Park to up-grade facilities and include open space links and pedestrian crossings, taking into account its potential as a retention basin.</td>
<td>Study recommends the preparation of a Recreational Master Plan for Figtree Oval which will address these matters.</td>
</tr>
<tr>
<td>Review residential zoning to increase densities near the town centre.</td>
<td>Residential densities have not been considered as part of the Figtree Study due to the current high flood risk in the area. There is a need to test flood reduction measures along Allan’s Creek. The Study has recommended future zoning changes to Precinct 3 area to include mixed use.</td>
</tr>
<tr>
<td>Review zonings in London Drive (Precinct 3) to rationalise them as proposed by Neighbourhood Forum 5.</td>
<td></td>
</tr>
<tr>
<td>I like the idea of improving the connectivity between Westfield and the Figtree Community Centre and oval.</td>
<td>Support is noted. Providing pedestrian access to and from public facilities and encouraging active and passive recreation is critical to the success of the Study.</td>
</tr>
<tr>
<td>I like the idea of improvements that focus on Allan’s Creek.</td>
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<tr>
<td>Matters raised</td>
<td>Comment</td>
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<tr>
<td>- More focus is needed on improving the truly hostile pedestrian environment around the intersection of Bellevue Rd and the Highway. I HATE that part of Figtree as a pedestrian.</td>
<td>Concerns are noted. The Study recommends improving pedestrian crossings along the Princes Highway and also recommends re-prioritising the vehicular dominance of the Princes Highway and introducing traffic calming within the town centre. This could include a diagonal pedestrian crossing opportunity at the traffic lights on the intersection of the Princes Highway and Bellevue Road.</td>
</tr>
<tr>
<td>- I would like to see more pedestrian facilities be created by changing the way the traffic lights work on Bellevue Rd and the highway. If both lights could be red simultaneously so that pedestrians can walk diagonally across the intersection (like intersection at Kembla and Crown Sts) this could help pedestrian flow.</td>
<td></td>
</tr>
<tr>
<td>- What would be great would be for a short period of the traffic light cycle to have no cars along the Highway and no fences along the Crinis Building near Bellevue Rd so pedestrian have a good chance of crossing everywhere in safety.</td>
<td></td>
</tr>
<tr>
<td>- Priority should be to the pedestrian, not the car in Figtree. People should be encouraged to use public transport. Cars going to Wollongong should use the Corrimal St corridor via The Avenue or Five Islands Rd and Springhill Rd to avoid travelling through Figtree via the Princes Highway.</td>
<td>Study recommends a focus on active and public transport options within the town centre and reducing the vehicular dominance of the town centre. Recommended vehicular entry routes into Wollongong Centre to reduce traffic congestion in town centres will be discussed with RMS.</td>
</tr>
<tr>
<td>- ALDI seeks to establish within the Figtree Town Centre as part of its expansion throughout NSW</td>
<td>Site of 38-40 Princes Highway (currently zoned residential) is included in the Study as part of Precinct 2 which is tested for a number of possible uses including bulk retail.</td>
</tr>
<tr>
<td>- The lack of appropriately zoned and sized land for retail development as well as a lack of vacant commercial spaces presents a significant barrier for supermarkets despite population and employment growth demonstrating a genuine need for additional supermarket facilities.</td>
<td>The extension of the town centre to include adjacent residential lands is not considered appropriate.</td>
</tr>
<tr>
<td>- An ALDI located at Figtree would complement the existing hierarchy of shopping centres.</td>
<td>The Study notes that this option presents a highly compromised urban environment that doesn’t comply with the principles that contribute to make a ‘vital centre’.</td>
</tr>
<tr>
<td>- Site of 38-40 Princes Highway, Figtree should be included in the draft Study for business/commercial use.</td>
<td>The key challenge for the future planning and development of Figtree is to ensure that its dependence on road access is managed, and that the integrity and role of Wollongong City Centre as the Regional Centre is not jeopardised.</td>
</tr>
<tr>
<td>- The draft Study should identify the possible use of 38-40 Princes Highway Figtree for retail premises.</td>
<td>Consistent with the recommendations from the Wollongong Retail Study (2004):</td>
</tr>
<tr>
<td>Matters raised</td>
<td>Comment</td>
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</tr>
<tr>
<td><em>it is appropriate to contain and consolidate retail activity within the existing land zoned to support town centre;</em> growth of peripheral sales (bulky goods retailing) be contained within the existing town centre zones (then referenced as the 3(d) Commercial zone); and _special emphasis be directed toward consolidation and development of a more cohesive built form (refer page 76).</td>
<td></td>
</tr>
<tr>
<td>Study recommendations would not result in significant increases to water and wastewater demand in the local town centre.</td>
<td></td>
</tr>
<tr>
<td>Noted. The Study does not seek to increase the permitted capacity (floor space) in the town centre.</td>
<td></td>
</tr>
<tr>
<td>All future planning proposals and developments will be reviewed on a case by case basis.</td>
<td></td>
</tr>
<tr>
<td>Relevant Council and State policy will guide the management of riparian lands.</td>
<td></td>
</tr>
<tr>
<td>It would be helpful if Studies identified whether the management of the riparian land is to be in accordance with Council’s DCP Chp 23, or the Office of Water controlled activities guidelines.</td>
<td></td>
</tr>
<tr>
<td>Noted. The Study does not seek to increase the permitted capacity (floor space) in the town centre.</td>
<td></td>
</tr>
<tr>
<td>Allans Creek is degraded (e.g. unstable banks, limited riparian zone and a significant invasive non-native plant growth). The Office of Water encourages the rehabilitation of Allans Creek with a natural creek system and fully structured native riparian vegetation along the creek.</td>
<td></td>
</tr>
<tr>
<td>Noted. The Study recommends a Recreational Master Plan to explore opportunities for Figtree Oval and Allans Creek. The Study also recommends further investigation be undertaken in stormwater runoff and mitigation options to test the opportunity to revitalise the natural waterway and riparian vegetation with cycle and pedestrian access.</td>
<td></td>
</tr>
<tr>
<td>Recommended that stormwater runoff be treated before it is discharged into the riparian corridor.</td>
<td></td>
</tr>
<tr>
<td>Any proposed cycle and pedestrian pathways and the locating of recreational uses along Allans Creek should seek to preserve existing native riparian vegetation and minimise disturbance and harm to the riparian corridor.</td>
<td></td>
</tr>
<tr>
<td>An outdoor community space near the Community Hall at Figtree Oval is an excellent idea and something that is very much needed in Figtree. My top three priorities for this community space are 1. Children’s play, 2. Space for markets, festivals or other community uses, and 3. Landscaping.</td>
<td></td>
</tr>
<tr>
<td>Support for an outdoor community space near the Community Hall and a shared pathway along Allans Creek to increase activity at Figtree Oval noted.</td>
<td></td>
</tr>
<tr>
<td>I would use this outdoor community space to meet with family and friends, celebrate events and exercise.</td>
<td></td>
</tr>
<tr>
<td>Out of the options to increase activity in and around Figtree Oval and make it a space for everyone, the top priority is a shared pathway along Allans Creek.</td>
<td></td>
</tr>
<tr>
<td>I can contribute to making Figtree a better place to live, work and visit through my skill of town planning, being a local for 43 years, talking to people and I get the big</td>
<td></td>
</tr>
<tr>
<td>Matters raised</td>
<td>Comment</td>
</tr>
<tr>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>- I heard about this Town Centre Study through a letter from Council, Council’s website and word of mouth.</td>
<td>Support for an outdoor community space in Figtree is noted. Further investigation into a community space and a detailed design would be required to ensure all aspects such as parking requirements, a space which is welcoming to children, teenagers and adults alike and easy/safe access from entry points are considered. The traffic matters raised will be referred to RMS and Westfield for consideration.</td>
</tr>
<tr>
<td>- I think an outdoor community space near the Community Hall needs to be well thought through and my opinion would depend on what would was built there. If it attracted youth with nothing else to do it could make the space more detrimental than good. Access to the Baby Health Clinic, and sufficient park would need to be considered.</td>
<td></td>
</tr>
<tr>
<td>- My top three priorities for a community space near the Community Hall are 1. Children’s play, 2. Space for markets, festivals or other community uses, and 3. Landscaping.</td>
<td></td>
</tr>
<tr>
<td>- I would use this outdoor community space to meet with family and friends and for children to play.</td>
<td></td>
</tr>
<tr>
<td>- Out of the options to increase activity in and around Figtree Oval and make it a space for everyone, the top priority is creating a space for the community and easy access to Westfield from Figtree Oval.</td>
<td></td>
</tr>
<tr>
<td>- I heard about this Town Centre Study through passing the kiosk set up outside Crinis Fruit Market.</td>
<td></td>
</tr>
<tr>
<td>- The traffic around Figtree needs to be fixed especially: 1. Exiting Westfield – may be an idea for traffic to exit directly onto the Highway opposite Bellevue Road. 2. Turning right from The Avenue to the Highway – traffic lights are not in favour of this traffic as it is stopped at the intersection at Bellevue Road. Traffic lights should be synced in their favour. 3. Sometimes the traffic exiting Westfield onto The Avenue gets right of way over traffic coming from Coniston. Please have a look at this.</td>
<td></td>
</tr>
<tr>
<td>- The above map is really bad for describing things. Why not use a proper map?</td>
<td></td>
</tr>
<tr>
<td>- There is a need for more places for people to sit and relax and spend time with the kids in Figtree. My top three priorities for a community outdoor space near the Community Hall are 1. Temporary food and drink kiosks, 2. Paved area, and 3. Seating.</td>
<td>Support for an outdoor community space in Figtree for adults and children to sit and relax in, and easy access from Figtree Oval to Westfield to increase activity at Figtree Oval noted.</td>
</tr>
<tr>
<td>- I would use this outdoor community space to meet with family and friends and relax.</td>
<td></td>
</tr>
<tr>
<td>- Out of the options to increase activity in and around Figtree Oval and make it a space for everyone, the top priority is Easy access to Westfield from Figtree Oval.</td>
<td></td>
</tr>
<tr>
<td>- I heard about this Town Centre Study through Council’s website.</td>
<td></td>
</tr>
</tbody>
</table>
4.2 Figtree Oval and community space ideas - children

Council staff visited Figtree Public School to seek the ideas and thoughts of children on the draft Study, in particular Figtree Oval.

Questions asked regarding this space included:
- Do you visit Figtree Oval?
- What things might make the space more exciting and accessible?
  What would make you want to go there?

11 or 22% children currently go to Figtree Oval. The reason why children went to the park was to play formal sports. The reasons why children did not visit the park included: it is boring and there is nothing to do, the toilets are dirty and Westfield is overcrowded.

As a large group, children were also asked what they would like to see in the new park. Children voiced that they would like a clean rubbish-free park which was a child-friendly space but also somewhere for the whole community to belong to, a park which was respected and equipment is ‘not wrecked’, a park to play sport, play in the creek and everything is combined in the one area. Children also said that children should have more say in what the new park may look like.

Children were asked to write and draw what they would like to see in Figtree Oval and Park. Hundreds of ideas were shared and these ideas were grouped into themes. The most popular theme was ‘Play’ with 53 responses or 53% of ideas shared. The ‘Play’ theme included suggestions such as a better/upgraded children’s play area, giant swings/swinging chairs, a maze and exercise equipment.

The second most noted popular theme was ‘Events’ with 49 responses or 21% of ideas for this Figtree Oval. The ‘Events’ theme included ideas such as markets, fete or a fun fair, outdoor movies/cinema and a stage/ space for temporary concerts.

The third most noted theme of ideas for Figtree Oval was a tie between ‘Spaces for the community’ and ‘Formal Sporting areas’ both with 40 responses or 17% of ideas. The ‘Spaces for the community’ theme included shade huts/shelter/picnic areas, BBQs, trees/plantings and ‘fix up the creek and make it look nice’. The ‘Formal Sporting areas’ included an activity centre with pool, laser tag/ paintball (which could be temporary), a space to play Basketball, tennis or archery, a netball ring, and soccer fields with facilities for tournaments.

The top overall 10 ideas included: markets/fete/fun fair (20 responses), a bike path/track/motor bike track (10), laser tag/skirmish/paintball which could be temporary (10), an activity centre and pool (10), a better park with upgraded children’s play area (8), picnic areas, shade huts/shelter (7), trees/plantings (6), outdoor movies/cinemas (6), BBQs (5) and a stage for music/temporary concerts (5).
4.3 Feedback from the community

The community were invited to share their thoughts on the draft Study for Figtree Town Centre. Council conducted a number of activities in order to engage with the community including holding a community kiosk in the town centre on Saturday 6 April, meeting with the sub-committee of Neighbourhood Forum 5 and meeting land owners of identified key opportunity sites outlined in the draft Study to discuss the plans.

Conversations centred on key recommendations outlined in the draft Figtree Town Centre Study and identified a range of ideas, themes and commentary on the draft Study. Overall, the feedback has been divided into four of the most popular themes:

i. Community Space
ii. Allans Creek and Figtree Oval

iii. Crinis Fruit Market and specialty retail stores – Precinct 2

iv. Traffic and parking

i. **Community Space**

The community were asked what they thought about creating an outdoor community space near the Community Hall and Figtree Oval. The community conversations demonstrated that the community wanted to see a space for the community to meet and socialise outside of Westfield.

A range of comments and ideas reflected the need to create a space for children, teenagers, adults and community groups. Ideas and comments included:

- A community hall that everyone has access to – not just a small part of the community
- Farmers and growers market would be great – like Canberra Exhibition Park
- Figtree craft group has no venue to meet in Figtree – please open up the community hall for everyone.
- A coffee shop or nice cafes
- A space for children to play and parents to relax, have a coffee and keep an eye on their kids
- Seating is essential in such a space in addition to clean workable toilet facilities.
- People need a space to socialise in a public outdoor area but they also need a place to park and footpaths to encourage them to walk or ride to such a space.

**Community Space**

- It would be nice to see cafes like those at Keiraville
- Open up the Community Hall for everyone.
- Want to attract people to use the community space.
- Would be nice to see a space for parents to relax and have a coffee while their children are playing.
- I support this space. It is essential to include seating.
- A Farmers and Growers Market would be great – like the space in Canberra Exhibition Park.

ii. **Allans Creek and Figtree Oval**

The community were asked what they thought about the option of extending the cycle and walking track along Allans Creek, establishing a green corridor that links the open-spaces within Figtree together and the future active and passive recreational uses at Figtree Oval.

The community told us that it was important to improve access across the creek into Figtree Oval and east to the F6 pedestrian overpass. The community also told us that the walk/cycle track along Allan’s Creek north of Figtree Oval was well utilised and to extend this green riparian corridor and walk/cycle path to Figtree Oval would be well received, particularly if this link was unimpeded by the Princes Highway and safe for everyone.

The community said that upgrade of the creek including regular maintenance and cleaning was important.

The community told us that the dog off-leash area at Figtree Oval near Allans Creek is a great place for dog owners to socialise and extending this space would be welcomed.

One concern raised was insufficient parking for the ovals, particularly during scheduled sporting games and training.
iii. **Crinis Fruit Market and specialty retail stores – Precinct 2**

The community, business owners and tenants commented on this precinct noting some people would prefer to shop here than at Westfield and many people in peak traffic times park in Precinct 2 and walk to Westfield to avoid the long traffic queues in Westfield.

A range of comments focussed on the need to improve this precinct as a community hub which is attractive and clean. Comment included the need for amenities such as toilets, bike racks, shelter, a green space or community garden, an ATM and a place for children to play and the elderly to sit and rest like the Fairy Meadow park.

It was noted that the car park congregates a lot of water after heavy rain and traffic banks up at the only exit onto Bellevue Road at peak times due to the close distance to the intersection with the Princes Highway.

iv. **Traffic & Parking**

A significant number of comments related to parking and traffic congestion in Figtree Town Centre.

The Princes Highway intersections with The Avenue and Bellevue Road were noted by local motorists travelling through the town centre as congested with traffic lights not coordinated, particularly after the recently finished RMS upgrade works and during peak times. Some locals voiced that they regularly decide to shop at other centres to avoid the traffic congestion in Figtree and raised concern that the traffic congestion could be dangerous in an emergency.

The McDonalds’ entry/exit and Crinis Fruit Market exit both located on Bellevue Road were commented on as dangerous and should be changed to left turn exits only. Traffic in and around Arrow Avenue is also congested during sporting days.

The community raised concerns on limited pedestrian linkages and access especially East to West (Crinis Fruit Market to Westfield) with limited pedestrian crossings on Bellevue Road and the Princes Highway and no bicycle path through the town centre. It was also noted that the traffic lights on the Princes Highway do not give people sufficient time to cross the road.

A range of comments focussed on Westfield car park circulation and entry/exit points creating poor flow of traffic out of the car park and impractical bus circulation in Westfield. People were supportive of Westfield re-orientating to address Figtree Oval in the future and wanted to see pedestrian links from Westfield to Figtree Oval re-instated.
Conclusion

The consultation process identified a range of ideas, actions and aspirations of the Figtree community to inform the development of a Figtree Oval Recreational Master Plan.

This feedback informed the strategies and recommendations put forward by the draft Study and have assisted staff to refine the Town Centre Study.

Following adoption of the Figtree Town Centre Study the information provided by the community will remain relevant. A large number of ideas put forward by the community do not rely on the Council or a Study process to be actioned, and therefore, could be happening NOW. The information presented in this document will be shared across the Divisions of Council, key stakeholders and industry within the Figtree area to assist in sharing the wonderful ideas and aspirations of the community and to promote a consistent approach to delivering outcomes for the community.
Appendix A
Survey

Town Centre Draft Master Plans 2013
Council is interested to hear your thoughts on the draft Master Plans for Warrawong, Figtree and Unanderra Town Centres.

You can provide comments and feedback on the three draft Master Plans by completing this form. All submissions must be received by Wollongong City Council by 5pm, Friday 3 May 2013.

Q1. I would like to provide comment on:
Please choose all that apply:
- Figtree Town Centre
- Unanderra Town Centre
- Warrawong Town Centre

Figtree Town Centre
The Figtree Town Centre draft Master Plan suggests the importance of identifying a community heart within the town centre. The town centre offers a unique environment that provides the community with a series of natural assets that separate it from neighbouring centres. The assets of Figtree Oval and Allan's Creek offer the potential to enhance Figtree Town Centre's identity and establish a community heart. Figtree Oval has the potential to improve the recreational opportunities within the town centre as well as create an outdoor space for the community near the Community Hall, where as Allan's Creek provides the opportunity to link the open spaces, reconnecting the Figtree community with a natural asset that can be enjoyed and used.
Q2. What are your thoughts on an outdoor community space near the Community Hall? Refer to the sketch above - identified by the yellow box.
Please write your answer here:
_________________________________________________________________________________
_________________________________________________________________________________
_________________________________________________________________________________
_________________________________________________________________________________
_________________________________________________________________________________
_________________________________________________________________________________

Q3. What would you like to see in this outdoor community space?
Please number each box in order of preference from 1 to 11:
☐ Seating
☐ Water bubblers
☐ Landscaping
☐ Trees
☐ Paved area
☐ Children’s Play
☐ Art work
☐ BBQ
☐ Temporary food and drink kiosks
☐ Space for markets, festivals or other community uses
☐ Music

Q4. How would you use this outdoor community space?
Please choose all that apply:
☐ Meet family and friends
☐ Read
☐ Relax
☐ Celebrate events
☐ Other: ____________________________________________________________________

The draft master plan suggests a number of ways to increase activity in and around Figtree Oval and make it a space for everyone.

Q5. Which of the options below would be your top priority for Figtree Oval and why?
Please choose only one of the following:
☐ Shared pathway along Allan's Creek
☐ Sports Facilities
☐ Creating a space for the community
☐ Easy access to Westfield from Figtree Oval
☐ Crossing points along Allan's Creek

Make a comment on your choice here:
_________________________________________________________________________________
_________________________________________________________________________________
_________________________________________________________________________________
Q6. How could you contribute to making Figtree a better place to live, work and visit?  
Please choose all that apply and provide a comment:
- Skill
- Hobby
- Time
- Other: 

Q7. How did you hear about this Town Centre study?  
Please choose all that apply:
- Letter from Council
- Postcard
- Newspaper advertisement
- Council's website
- Library
- Word of mouth
- Other: 

Demographics

Q1. What is the name of the community group you represent?  
Please write your answer here:

Q2. What is the gender make up of your group? Please include the quantity for each in the space provided.
Please choose all that apply and provide a comment:
- Female
- Male
Q3. What is the age make up of your group? Please include the quantity for each in the space provided.
Please choose all that apply and provide a comment:
- 18 years and under ____________________
- 19-25 years ____________________
- 26-35 years ____________________
- 36-45 years ____________________
- 46-55 years ____________________
- 56-65 years ____________________
- 66-75 years ____________________
- 76 years and over ____________________

Q4. In which suburbs do your group members live? Please include the quantity for each in the space provided.
Please choose all that apply and provide a comment:
- Figtree
- Unanderra
- Warrawong
- Cordeaux Heights
- Farmborough Heights
- West Wollongong
- Mt St Thomas
- Coniston
- Mangerton
- Mt Kembla
- Kembla Grange
- Port Kembla
- Lake Heights
- Berkeley
- Cringila
- Primbee
- Spring Hill
- Mt Keira

Q5. If you would like to be kept up-to-date with a town centre study. Please select the appropriate town centre below and provide us with your email address.
Please choose all that apply and provide a comment:
- Figtree Town Centre Study ____________________
- Unanderra Town Centre Study ____________________
- Warrawong Town Centre Study ____________________

Thank you for completing the survey.
Submit your survey.
01_Introduction

The Figtree Town Centre Implementation Strategy has been developed in parallel with the Figtree Town Centre Study 2013. The purpose of the Implementation Strategy is to guide the delivery of key projects and actions in a collaborative and coherent way.

This document is fundamentally linked to the Study to ensure:

**Actions** are identified and prioritised to facilitate the timely allocation of budget and delivery of the Study.

**Responsibility** is defined – with tasks and projects broken down into achievable actions, aligned with the Annual Plan with clear lines of responsibility.

**Expectations** are managed – clarifying which projects are Council led, which projects have secured funding and timeframes for delivery, and clearly reporting unfunded projects.

**Governance** is tested – with a requirement for Council to review the processes and framework needed to give weight to the intent of the Study document in business planning and resourcing.

**Priority** projects are defined in sufficient detail enabling the implementation process to commence.

02_Structure of the Implementation Strategy

The structure of this Implementation Strategy has been developed specifically in response to the opportunities and challenges that exist in the Figtree Town Centre.

As directed by the Town and Village Planning process, three key areas of implementation focus are identified and have directly informed the structure of this document:

**Planning Policy** – Giving statutory weight to the Study.
**Infrastructure** – The delivery of public domain upgrades.
**Community Capacity Building** – Working with the community to activate, celebrate and invigorate their town centre.

Underpinning each of these categories of implementation is Governance, which focuses on how the ideas and projects within the Study will translate to action and delivery.

![Figure 1 - Implementation Strategy Structure](image)
03_Implementation Strategy Status - A Living Document

The purpose of the Implementation Strategy is to guide the delivery of key projects and actions in a collaborative and coherent way to promote the best outcomes for the community. As such a degree of flexibility and ongoing refinement needs to be built into the process.

The extent to which the precise timing, responsibility and funding for each action can be predicted varies greatly and will vary over time. It is important to recognise that some actions will require leadership and funding outside of Council control.

The Implementation Strategy needs to be a robust document which can evolve over time, respond to changing demands and allow for transparent reporting. It is also a tool to communicate with investors and the community about future opportunities to partner in the delivery of projects and to support future grant funding applications.

In this context it is recommended that the content and direction of the Implementation Strategy Table (attached) be reviewed by the Project Control Group on a regular basis (to be determined as per Action1.2 and 1.2) to ensure its ongoing relevance and to ensure future opportunities can be captured and integrated into the annual planning and business reporting process.

This Implementation Strategy has sought to offer an approach to establish a flexible decision making and delivery framework for the projects identified in the Figtree Town Centre Study.

A focus on the areas of Planning, Infrastructure and Community Capacity Building, underpinned by Governance provides the key information and focus required for Council and the community to take forward the shared vision for the Figtree Town Centre.

04_Implementation Strategy Table

The attached table presents the detailed projects developed in response to the Figtree Town Centre Study.

List of abbreviations

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>ESP</td>
<td>Environmental Strategy and Planning</td>
</tr>
<tr>
<td>CCED</td>
<td>Community Cultural and Economic Development</td>
</tr>
<tr>
<td>F</td>
<td>Finance</td>
</tr>
<tr>
<td>ISP</td>
<td>Infrastructure Strategy and Planning</td>
</tr>
<tr>
<td>LCS</td>
<td>Library and Community Services</td>
</tr>
<tr>
<td>PD</td>
<td>Project Delivery</td>
</tr>
<tr>
<td>PR</td>
<td>Property and Recreation</td>
</tr>
<tr>
<td>RMS</td>
<td>Roads and Maritime Services</td>
</tr>
</tbody>
</table>
# FIRST DRAFT Figtree Town Centre – Implementation Strategy

Table last updated 31 July 2013

## Governance

<table>
<thead>
<tr>
<th>PROJECT</th>
<th>DETAILS</th>
<th>TIMEFRAME</th>
<th>WHO IS RESPONSIBLE</th>
<th>PARTNERS INTERNAL</th>
<th>PARTNERS EXTERNAL</th>
<th>PRELIMINARY COST</th>
<th>RESOURCED PRIORITY (L,M,H)</th>
<th>FINANCIAL YEAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.1</td>
<td>IMPLEMENTATION</td>
<td>Through Senior Manager Town &amp; Village Steering Committee, formalise a Project Control Group to coordinate delivery against Implementation Strategy.</td>
<td>Short term - 2013-14</td>
<td>PR</td>
<td>LCS ISP CCED F ESP PD</td>
<td>Operational</td>
<td>Y</td>
<td>H</td>
</tr>
<tr>
<td>1.2</td>
<td>MONITORING</td>
<td>Develop a strategy on how to measure progress and success against the Master Plan and Implementation Strategy.</td>
<td>Short term - 2013-14</td>
<td>PR</td>
<td>LCS ISP CCED F ESP PD</td>
<td>Operational</td>
<td>Y</td>
<td>H</td>
</tr>
</tbody>
</table>

## Planning

<table>
<thead>
<tr>
<th>PROJECT</th>
<th>DETAILS</th>
<th>TIMEFRAME</th>
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<th>PARTNERS INTERNAL</th>
<th>PARTNERS EXTERNAL</th>
<th>PRELIMINARY COST</th>
<th>RESOURCED PRIORITY (L,M,H)</th>
<th>FINANCIAL YEAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.1</td>
<td>FIGTREE OWN CENTRE DCP REVIEW</td>
<td>Update Wollongong DCP 2009 to illustrate inclusion of Figtree Oval and Park as part of the Town Centre to reflect the endorsed Figtree Town Centre Study.</td>
<td>Short to medium term</td>
<td>ESP</td>
<td>LCS CCED PR</td>
<td>Operational</td>
<td>Y</td>
<td>M</td>
</tr>
</tbody>
</table>

## Infrastructure

<table>
<thead>
<tr>
<th>PROJECT</th>
<th>DETAILS</th>
<th>TIMEFRAME</th>
<th>WHO IS RESPONSIBLE</th>
<th>PARTNERS INTERNAL</th>
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<th>RESOURCED PRIORITY (L,M,H)</th>
<th>FINANCIAL YEAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.1</td>
<td>RECREATIONAL MASTER PLAN OF FIGTREE OVAL</td>
<td>Develop a Recreational Master Plan for Figtree Oval and Park:  - Identify opportunities for community meeting spaces;  - Ensure the enhancement of sporting, social, environmental and recreational needs;  - Explore the extension of the cycle and walking track along Allans Creek, to establish a green corridor that links the open spaces within Figtree together to increase connectivity;  - Identify opportunities to improve the pedestrian connections between Figtree Oval and Westfield;  - Investigate the opportunities for a community space and landscape area located adjacent to the existing community hall;  - Investigate opportunities to improve the creek for recreational uses;  - Investigate opportunities to mitigate against the high risk flooding  - Investigate parking capacity to support recreation activities</td>
<td>Short term</td>
<td>PR</td>
<td>ISP ESP</td>
<td>Community and sporting groups</td>
<td>Operational</td>
<td>$15,000</td>
</tr>
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A focus on the areas of Planning, Infrastructure and Community Capacity Building, underpinned by Governance provides the key information and focus required for Council and the community to take forward the shared vision for the Figtree Town Centre.

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<thead>
<tr>
<th>PROJECT</th>
<th>DETAILS</th>
<th>TIMEFRAME</th>
<th>WHO IS RESPONSIBLE</th>
<th>PARTNERS INTERNAL</th>
<th>PARTNERS EXTERNAL</th>
<th>PRELIMINARY COST</th>
<th>RESOURCED</th>
<th>PRIORITY (L,M,H)</th>
<th>FINANCIAL YEAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>GOVERNANCE</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>1.1 IMPLEMENTATION</td>
<td>Through Senior Manager Town &amp; Village Steering Committee, formalise a Project Control Group to coordinate delivery against Implementation Strategy</td>
<td>Short term -2013-14 With ongoing resourcing to support delivery</td>
<td>PR LCS ISP CCED F ESP PD</td>
<td>Operational</td>
<td>Y H</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.2 MONITORING</td>
<td>Develop a strategy on how to measure progress and success against the Master Plan and Implementation Strategy.</td>
<td>Short term – 2013-14 With ongoing resourcing to support delivery.</td>
<td>PR LCS ISP CCED F ESP PD</td>
<td>Operational</td>
<td>Y H</td>
<td></td>
<td></td>
<td></td>
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<td>PLANNING</td>
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</tr>
<tr>
<td>2.1 FITGREETOWN CENTRE</td>
<td>Update Wollongong DCP 2009 to illustrate inclusion of Figtree Oval and Park as part of the Town Centre to reflect the endorsed Figtree Town Centre Study.</td>
<td>Short to medium term Note, that it might be more cost and time efficient to update with a number of Town Centre amendments at one time.</td>
<td>ESP LCS CCED PR</td>
<td>Operational</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>INFRASTRUCTURE</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.1 RECREATIONAL</td>
<td>Develop a Recreational Master Plan for Figtree Oval and Park to:</td>
<td>Short term</td>
<td>PR ISP ESP Community and sporting groups</td>
<td>Operational</td>
<td>$15,000</td>
<td>Y H</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Chapter C16: Sex Services Premises and Restricted Premises (Sex Shops)

Contents

1 INTRODUCTION 1
2 OBJECTIVES 1
3 DEFINITIONS 1
4 PLANNING AND REGULATORY POWERS · OTHER AUTHORITIES 2
5 RELEVANT LEGISLATION 2
6 PLANNING CONTROLS 3
  6.1 Locational Requirements Relating to Sex Services Premises 3
  6.2 Size, Layout and Design of Sex Services Premises 3
  6.3 Car Parking 4
  6.4 Waste Disposal and Collection 4
  6.5 Security and Public Safety 5
  6.6 Spruikers 5
  6.7 Plans of Management for Sex Services Premises 5
  6.8 Statement of Environmental Effects for Sex Services Premises 6
  6.9 Plan information for Sex Services Premises: 6
  6.10 Statement of Environmental Effects Restricted Premises 7
  6.11 Plan Information for Restricted Premises 8
  6.12 Other Provisions 8
7 LEGAL ACTION 9
1 INTRODUCTION

This chapter of the DCP aims to provide guidelines for the establishment and management of sex services premises and restricted premises within the City of Wollongong Local Government Area.

This chapter of the DCP should be read in conjunction with the provisions of the relevant LEP applying to the site to determine the zoning of the subject land and the permissibility of the proposed sex services premises or restricted premises.

Before submitting a Development Application a pre-lodgement consultation with Council is recommended to ensure you are familiar with relevant requirements, prior to the lodgement of the Development Application.

2 OBJECTIVES

The aims and objectives of this Plan are:

(a) To provide guidelines for the determination of applications for sex services premises and restricted premises in the City of Wollongong.

(b) To acknowledge that whilst sex services premises and restricted premises are permitted in appropriate locations within Wollongong City, as determined in conformity with this chapter of the DCP, they are sensitive land uses and their location needs consideration beyond that of mere physical impact.

(c) To provide appropriate locational restrictions for any sex services premises to ensure such premises are located at a reasonable distance away from any residential development or areas and any other sensitive land uses, such as places of worship or places where children and adolescents regularly gather, to minimise potential adverse social, economic and amenity effects upon the surrounding locality.

(d) To control the location of sex services premises to avoid a concentration of these uses and to minimise any cumulative impact of such activities and to ensure that such premises do not become a prominent feature in the streetscape.

(e) To ensure that all sex services premises and restricted premises are appropriately regulated under the Environmental Planning and Assessment Act 1979.

(f) To identify appropriate health and hygiene standards for the operation of sex services premises.

(g) To ensure the safety and discretion of clients, staff, and members of the public.

3 DEFINITIONS

Home Occupation (Sex Services) Refer to Local Environmental Plan

Premises Manager means the manager of the sex services business.

Premises Operator means the owner of the sex services business.

Premises Owner means the registered owner(s) of the premises.

Prostitution means the provision of a sexual act or sexual service in return for payment or reward.
Chapter C16: Sex Services Premises and Restricted Premises (Sex Shops)

**Restricted Premises** Refer to Local Environmental Plan

**Sex Services** Refer to Local Environmental Plan

**Sex Services Premises** Refer to Local Environmental Plan

**Spruikers:** persons located on the public way, usually associated with or employed by a sex services premises, who seek to entice customers to enter the premises.

4 **PLANNING AND REGULATORY POWERS - OTHER AUTHORITIES**

1. Council’s responsibility in relation to “sex services premises” centres primarily on land use planning under the Environmental Planning and Assessment Act 1979. Responsibility for safe health practices in the workplace rests with the NSW Department of Health, while the WorkCover Authority is the primary authority regarding occupational health and safety issues in any workplace. Sex workers and brothel owners/proprietors must comply with Section 13 of the Public Health Act 1991.

2. Council will also periodically liaise with the NSW Police Service concerning complaints received about “sex services premises”. Issues of illegal immigrant sex workers are matters for investigation by the Australian Federal Police and Commonwealth Department of Immigration. Issues of criminal behaviour are matters for the NSW Police Service to investigate and are outside the scope of this plan.

3. In appropriate circumstances, Council may refer Development Applications for “sex services premises” to the following:
   
   (a) NSW Police e.g. for comment in relation to Crime Prevention through Environmental Design (CPTED) issues;
   
   (b) NSW Department of Health;
   
   (c) Aids Council of New South Wales, (ACON); and
   
   (d) Any other relevant government department, agency or organisation, depending upon the nature and circumstances of the application.

5 **RELEVANT LEGISLATION**

1. The management and operation of “sex services premises” in NSW is regulated by the following Acts:
   
   - Environmental Planning and Assessment Act 1979;
   
   - Brothels Act 2007;
   
   - Public Health Act 1991;
   
   - Restricted Premises Act 1943;
   
   - Summary Offences Act 1988;
   
   - Crimes Act 1900;
   
   - Local Government Act 1993;
Part C – Specific Landuse Controls

Chapter C16: Sex Services Premises and Restricted Premises (Sex Shops)

- Building Code of Australia; and

2. Before submitting a Development Application it is recommended that persons seeking approval for “sex services premises” should familiarise themselves with the relevant sections of these Acts and their effect on the operation of a sex services premises.

3. The NSW WorkCover Authority’s publication titled “Health and Safety Guidelines for Brothels in NSW” published by WorkCover NSW (2001), requires that sex services premises (brothels) shall have at least one current copy of the Guidelines placed in all staff and client waiting areas. These guidelines provide best practice from maintenance of a safe and healthy environment for sex workers, employees, clients and visitors.

6 PLANNING CONTROLS

6.1 Locational Requirements Relating to Sex Services Premises

1. In addition to clause 7.11 of the Wollongong Local Environmental Plan 2009:

   a. Sex services premises must not be located within a 150 metre radius of land which has development approval for, or where the land is used for, any one or more of the following uses:
      i. child care centres,
      ii. places of worship,
      iii. community facilities,
      iv. residential dwellings,
      v. residential flat buildings (excluding mixed use developments),
      vi. boarding houses,
      vii. educational establishments,
      viii. entertainment facilities,
      ix. group homes,
      x. public open space or reserves,
      xi. any other approved sex services premises,
      xii. home occupation (sex services),
      xiii. restricted premises;
      xiv. any licensed premises, and/or
      xv. any place where children and adolescents regularly gather.

   b. The 150 metre radius referred to above is to be measured in a straight line on a horizontal plane from the proposed point of entry to the building to be used for the purpose of a “sex services premises”, to the nearest boundary of the land approved or used for one or more of the purposes listed above. Where more than one point of entry is proposed, the radius is to commence from the point of entry closest to the nearest boundary of the land approved or used for one or more of the purposes above.

6.2 Size, Layout and Design of Sex Services Premises

Sex services premises must meet the following design requirements:

1. The building design is to be compatible with the surrounding built form (to discreetly blend into the streetscape);
2. Only one separate street level access is permitted and there must be no other internal access to any other tenancy;

3. The entrances, exits and external appearance shall be well lit but not to the extent where it becomes a prominent feature in the streetscape.

4. Sex services premises shall not display sex workers, or sex related products from the windows, doors or outside of the premises. Activities relating to sex services premises shall be contained wholly within the building and are not to be visible from the windows, doors or outside of the premises.

5. Restricted premises must not display merchandise in the doors or windows and must not be visible from outside the premises.

6. No signs shall be permitted which, in the opinion of Council, are lewd, sexually explicit or offensive. “A” frame signs and signs with flashing lights are not permitted. Signage shall, however, clearly identify the number of the building only so as to minimise potential nuisance to neighbours.

7. Sex services premises shall minimise potential nuisance to neighbours in the street by displaying the building number in one location only, in a discrete manner that is clearly visible from the street, and is no larger than 300mm wide by 150mm high.

8. The paint finishes on external walls should not be such that they become a prominent feature in the streetscape (e.g. fluorescent or excessively bright colours).

9. The premises must comply with the requirements of the Building Code of Australia and access for people with a disability should be provided in accordance with all relevant legislation. In particular, the Disability Discrimination Act (DDA) requires that major entrances to premises to which the public is entitled to enter need to be designed and constructed to provide equitable treatment of users and meet minimum standards of grade, doorway width and connectivity.

10. Crime Prevention through Environmental Design (CPTED) issues should be addressed at the design/concept stage of the development. Refer to Chapter E2.

6.3 Car Parking
1. Off-street parking must be provided at the rate of one (1) car parking space per 40 square metres of floor space.

2. Car parks should be well lit and easy for staff and customers to locate.

6.4 Waste Disposal and Collection
1. Wollongong Council does not collect trade waste. Operators are to make their own arrangements for trade waste collection, and ensure that any potentially hazardous waste is collected by a clinical waste contractor.

2. Premises should provide sharp safes in sanitary facilities for sharps disposal.

3. Waste containers are to be stored and collected from within the site.

4. Waste disposal operations must comply with the NSW Department of Health and WorkCover guidelines.
6.5 Security and Public Safety

1. Development Applications are to provide details on measures to be undertaken to safeguard workers, clients and the general public. Such details are to address the number and hours of security personnel and the lighting of access ways and car parking areas. A private security company is to be engaged to monitor and regularly check entrances and exits.

2. Security intercom/alarms are to be installed in each room that is used for sexual activity. These alarms are to connect back to a central base, such as reception, that is to be monitored at all times.

6.6 Spruikers

Spruikers are not permitted in association with the operation of any sex services premises or restricted premises.

6.7 Plans of Management for Sex Services Premises

A plan of management must be submitted with Development Applications for all types of sex services premises. Considerations to be addressed within a plan of management are included in Appendix 1. **NOTE:** The premises operator and the premises owner shall both be held responsible for ensuring that the premises are run in accordance with an approved plan of management. Consent applies to the land and hence the owner must be party to the plan of management.

Plan of Management must address the following:

1. Premise Owner, Premise Operator and premise manager(s)
   a. Provide the name and contact details of the Premises Owner, Premises Operator and Premises Manager(s);
   b. Registered business name and trading name (if different).

2. The premise
   a. Identify type of business, operating hours, services provided;
   b. Identify number of working rooms/cubicles;
   c. Identify all services.

3. Staff:
   a. Identify all staff, responsibilities, working hours, prohibitions;
   b. Staff facilities – staff rooms, sanitary facilities, notice boards;
   c. Identify procedures for prohibiting underage staff.

4. Safer workplaces:
   a. Safer Design – Entrances and Exits, security and surveillance systems, client assessment and reception areas;
   b. Safer Operation – Safety of staff in isolated areas, security providers, video surveillance procedures, first aid, critical incident response, safe handling of money.

5. Managing clients:
   a. Identify procedures for client assessment;
   b. Procedures for equitable access procedures.

6. Compliance:
   a. Identify liaison protocols with health service providers;
b. Develop communication and conflict resolution procedures.

7. Cleanliness of premise:
   a. Identify cleaning procedures including equipment, spa pools, waste, safe sharps disposal.

8. Staff health and safety:
   a. Detail procedures to support health of staff;
   b. Identify staff induction and training and resources;
   c. Detail procedures for client health checking.

9. Equipment and safety:
   a. Safe sex equipment, linen – provision, storage, cleaning;
   b. Specialised equipment, mattresses etc.

6.8 Statement of Environmental Effects for Sex Services Premises

The following information must be included in the Statement of Environmental Effects which must be submitted with the required Development Application:

(a) Number of employees;
(b) Description of the activities that are proposed to be undertaken at the premises;
(c) Details of existing uses of adjoining properties or any other uses established on the property;
(d) Hours and days of operation;
(e) Number of rooms in the premises;
(f) The rooms to be used for the proposed activities;
(g) The name of the business proprietor;
(h) Floor plan of the premises;
(i) Elevation plan (from all sides) where a new premises or additions to an existing premises are proposed;
(j) Security arrangements;
(k) Health and hygiene arrangements;
(l) Plan of management; and
(m) Compliance with other relevant planning instruments and development control plans.

6.9 Plan information for Sex Services Premises:

1. The following plans must be submitted with the required Development Application:

   (a) A location plan drawn to scale showing the proximity of the site to all churches, hospitals, schools, community facilities, residential properties, any other brothel, or any other place regularly frequented by children within 150 metres of the site;
(b) A full site and floor plan drawn to scale of 1:100 showing room layout and dimensions, partitioning, location of windows and doors including all entrances to and exits from the building. Any proposed internal and external alterations to the premises are to be clearly indicated on the plan. The use of each room should be specified;

(c) Sanitary facilities to be provided;

(d) Food handling and preparation areas;

(e) Ventilation and lighting;

(f) Layout of the parking area, including the location and number of parking spaces;

(g) The size, form or shape, illumination and position, colour and content of any proposed business identification sign, street number, advertisement or promotional device to be erected or displayed;

(h) Details of the existing and proposed external lighting;

(i) A specified operator must be named on the application; and

(j) Waste disposal areas and arrangements.

2. Development Applications must specify the name and residential address of the person responsible for operating the sex services premises.

3. The nominated operator must register the sex services premises with Council for ongoing health surveillance services. A condition of any consent will require written notification to Council of a change in name of the nominated operator.

4. The personal safety of clients and workers should be protected at all times. Development Applications submitted to Council should include details on security arrangements.

5. A Plan of Management must also be submitted with Development Applications for all sex services premises (see Appendix 1).

6.10 Statement of Environmental Effects Restricted Premises

A Statement of Environmental Effects (SEE) must be submitted with the Development Application. The SEE should be prepared by a suitably qualified and experienced town planning consultant. The SEE must address the following matters / issues:

(a) Full details of the proposed restricted premises including:
   (i) Number of employees at any one time in the premises;
   (ii) Proposed hours and days of operation;
   (iii) The name of the business proprietor;
   (iv) Floor plan of the premises;

(b) Proposed security arrangements;

(c) Health and hygiene arrangements; and

(d) Written evidence as to the proposal’s compliance with relevant environmental planning instruments (including Wollongong LEP 2009) and compliance with this chapter and any other relevant chapters in this DCP.
6.11 Plan Information for Restricted Premises

The following additional information is required to be submitted with the Development Application:

(a) A full site and floor plan drawn to scale of 1:100 showing room layout and dimensions, partitioning, location of windows and doors including all entrances to and exits from the building. Any proposed internal and external alterations to the premises are to be clearly indicated on the plan. The use of each room should be specified.

(b) A description of all materials, articles, compounds, preparations and the like to be offered for sale.

(c) Layout of the parking area, including the location and number of parking spaces.

(d) Business identification sign, street number, advertisement or promotional device to be erected or displayed.

(e) Details of the existing and proposed external lighting.

(f) A specified operator must be named on the application.

(g) Waste disposal arrangements taking into account the requirements of the Waste Management chapter in Part E of the DCP.

6.12 Other Provisions

1. All development consents granted to a sex services premises or restricted premises shall be initially limited to a period of 24 months. At the completion of this period the operator/owner is required to submit a S96 Modification requesting an extension. Council will re-evaluate the proposal in terms of any complaints received regarding the operation of the business, and in terms of compliance with conditions of consent. If Council is satisfied that the premises has been operated in an orderly manner with minimal impact upon nearby uses, and in compliance with conditions of consent, it may approve a modification to the consent under the Section 96 of the Environmental Planning and Assessment Act, 1979, to extend the consent for a further twelve months with a further review to be conducted at the end of this period.

2. Council may also impose conditions of consent relating to hours of operation, which will be subject to review after the 24 month trial. If, after the initial 24 month trial, any hours of operation are shown to be causing a nuisance or disturbance in the neighbourhood, the approved hours of operation may be further restricted.

3. Should the specified operator change, Council must be notified prior to the business operating.

4. If the number of sex workers, hours of operation or signage are proposed to be changed, an amendment to the development consent should be applied for.

5. Persons under the age of 18 years are not allowed to be on commercial sex services premises and are not to be engaged in the business as a sex worker.

6. No alcohol is to be offered for sale.
7 LEGAL ACTION

The NSW Land and Environment Court, on application by Council, may make an order under section 17 of the Restricted Premises Act 1943 for the cessation of the use of a premises as an unauthorised “sex services premises”.

The Restricted Premises Act 1943 specifies the grounds under which an application may be made to the NSW Land and Environment Court. Additionally, Council has other powers under the Environmental Planning and Assessment Act 1979 available to deal with “sex services premises” or “restricted premises” operating without development consent or operating contrary to conditions of a development consent.
B3 & B4 in Warrawong

- B3 Commercial Core
- B4 Mixed Use

Gis ref: A&P Areas Zoned B3 B4 Warrawong.mxd

Drawn By: H. Jones
Date: 16-07-2013

Date of Aerial Photography: 2012

200 Metres
B4 Mixed Use in Port Kembla

Port Kembla
# Part C - Specific Land Use Controls

## Chapter C3: Boarding Houses

### Contents

1. **INTRODUCTION**  
2. **OBJECTIVES**  
3. **RELEVANT ENVIRONMENTAL PLANNING INSTRUMENTS**  
4. **DEVELOPMENT CONTROLS FOR BOARDING HOUSES**  
5. **MINIMUM FACILITIES FOR BOARDING HOUSES**  
6. **LANDSCAPING**  
7. **CAR PARKING**  
8. **MANAGEMENT PLAN**  
9. **DISABLED ACCESS REQUIREMENTS**  
10. **FIRE SAFETY**  
11. **ANNUAL FIRE SAFETY CERTIFICATION**

**Wollongong Development Control Plan 2009**
Part C – Specific Land use Controls

Chapter C3: Boarding Houses

1 INTRODUCTION

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

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

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

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

1. This part of the DCP aims to encourage the provision of quality boarding houses and to set appropriate standards to adapt or convert an existing residential buildings into a boarding house.

2. This policy should be read in conjunction with the provisions of State Environmental Planning Policy (Affordable Rental Housing) 2009 and the relevant LEP applying to the site.

2 OBJECTIVES

1. The primary objectives of this chapter are to:

   (a) Encourage the provision of high quality boarding houses within the city;

   (b) Encourage the location of boarding houses within accessible walking distance to public transport;

   (c) Encourage the location of boarding houses within areas where there is access to services and facilities for employment, entertainment, tertiary education, and recreation. Ensure the appropriate level of fire safety within all boarding houses and to guarantee that fire safety requirements are maintained throughout the life of the boarding house;

   (d) Minimise any potential adverse privacy or amenity impacts associated with boarding houses on adjoining properties and surrounding locality; and

   (e) Provide appropriate levels of amenity (internal and external) for residents within boarding houses.

3 RELEVANT ENVIRONMENTAL PLANNING INSTRUMENTS

3.1 Wollongong Local Environmental Plan 2009 & West Dapto Local Environmental Plan 2009

1. The definition of a ‘Boarding house’ is, as follows:

   “Boarding house means a building:
Part C – Specific Land use Controls

Chapter C3: Boarding Houses

(a) That is wholly or partly let in lodgings, and
(b) That provides lodgers with a principal place of residence for 3 months or more, and
(c) That generally has shared facilities such as a common bathroom, kitchen or laundry, and
(d) That has rooms that accommodate one or more lodgers,
but does not include backpacker's accommodation, a group home, a serviced apartment, seniors housing or hotel or motel accommodation.”

2. The permissibility of boarding houses is subject to the relevant LEP applying to the site and/or SEPP (Affordable Rental Housing) 2009.

3. The provisions contained in this policy are in addition to the provisions of LEP 2009 and SEPP (Affordable Rental Housing) 2009. Where there is any inconsistency between the LEP or the SEPP (Affordable Rental Housing) and this policy, the LEP or SEPP (Affordable Rental Housing) will prevail.

3.2 State Environmental Planning Policy (Affordable Rental Housing) 2009

1. State Environmental Planning Policy (Affordable Rental Housing) 2009 applies state wide.

2. The aims of this policy are, as follows:

“(a) To provide a consistent planning regime for the provision of affordable rental housing.
(b) To facilitate the effective delivery of new affordable rental housing by providing incentives by way of expanded zoning permissibility, floor space ratio bonuses and non-discretionary development standards,
(c) To facilitate the retention and mitigate the loss of existing affordable rental housing,
(d) To employ a balanced approach between obligations for retaining and mitigating the loss of existing affordable rental housing, and incentives for the development of new affordable rental housing,
(e) To facilitates an expanded role for not-for-profit providers of affordable rental housing,
(f) To support local business centres by providing affordable rental housing for workers close to places of work,
(g) To facilitate the development of housing for the homeless and other disadvantaged people who may require support services, including group homes and supportive accommodation.”

3. In the event of an inconsistency between SEPP (Affordable Rental Housing) 2009 and any other environmental planning instrument (eg Wollongong Local Environmental Plan 2009), whether made before, on or after the date to which this policy was made, SEPP (Affordable Rental Housing) shall prevail to the extent of the inconsistency.

4. Under SEPP (Affordable Rental Housing), boarding houses are permissible with consent upon any land zoned R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential, R4 High Density Residential, B1 Neighbourhood Centre, B2 Local Centre and B4 Mixed Use, under WLEP 2009.
5. Clause 29 of SEPP (Affordable Rental Housing) 2009 outlines a range of development standards (ie. floor space ratio, building height, landscaped area, solar access, private open space, parking and minimum accommodation size) which cannot be used to refuse consent to a Development Application for a boarding house.

6. Sub-clause 30(1) of SEPP (Affordable Rental Housing) 2009 outlines a range of minimum development standards for a boarding house which must be complied with. However, sub-clause 30(2) of the policy states that sub-clause 30(1) does not apply to minor alterations or additions to an existing boarding house development.

7. Part 3 of SEPP (Affordable Rental Housing) 2009 applies only to those buildings that were low-rental residential buildings as at 28 January 2000. It does not apply to any building that becomes a low-rental residential building after that date. Part 3 does not apply to a building:

(a) that has been approved for subdivision under the Strata Schemes (Freehold Development) Act 1973, or

(b) to which State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies, or

(c) owned by or under the care, control and management of a social housing provider.

8. The following interpretational definitions in clause 47 in Part 3 of the policy provide interpretational definitions for this part which deals with the retention of existing affordable rental housing:

"Comparable accommodation" means accommodation that is comparable with the accommodation provided within the premises the subject of a Development Application to which this Part applies in that:

(a) It is similar in location because it is in the same or a neighbouring suburb, and

(b) It is at the same rental level, or is not more than 5 per cent higher than that level, and

(c) It is available for occupation at the date of lodgment of the development application, and

(d) In the case of residential flat buildings, comprises dwellings with the same number of bedrooms as the dwellings in the premises the subject of the Development Application.

"Guidelines" means the Guidelines for the Retention of Existing Affordable Rental Housing, approved by the Director-General and published in the Gazette.

"Low rental residential building" means a building used as a residential flat building containing a low-rental dwelling or as a boarding house and includes a building:

(a) that, at the time of lodgment of a development application to which this Part applies, is lawfully used as a residential flat building containing a low-rental dwelling or as a boarding house, irrespective of the purpose for which the building may have been changed unlawfully to another use, or

(b) that was used as a residential flat building containing a low-rental dwelling or as a boarding house but that use has been changed unlawfully to another use, or

(c) that is vacant, but the last significant use of which was as a residential flat building containing a low-rental dwelling or as a boarding house.
“Rent and Sales Report” means the Rent and Sales Report published by the Department of Human Services or a publication issued in place of that publication by or on behalf of the Government.

9. Under clause 50 in Part 3 of the policy, development consent is required for any of the following types of development in respect to any building that was a low rental residential building as at 28 January 2000:

(a) Demolish the building,

(b) Alter or add to the structure or fabric of the inside or outside of the building,

(c) Change the use of the building to another use (including, in particular, a change of use to backpackers accommodation),

(d) if the building is a residential flat building, strata subdivide the building.

10. Under sub-clause 50(2), the consent authority is required to take into account the Affordable Rental Housing SEPP Guidelines for Retention of Existing Affordable Rental Housing July 2009 and each of the following matters, in its determination of a building to which Part 3 applies.

12. Under sub-clause 50(3), sufficient comparable accommodation is conclusively taken to be not available if the average vacancy rate in private rental accommodation for Sydney as published monthly by the Real Estate Institute of NSW is for the 3 months immediately preceding the date of lodgement of the development application, less than 3 per cent.

13. Under sub-clause 50(4), the continued use of a boarding house (ie for the purposes of sub-clause 50(2)) is financially viable if the rental yield of the boarding house determined under clause 51(5) not less than 6 per cent.

14. Clause 51 of the SEPP permits Council to impose a condition of consent requiring a monetary contribution to be paid for the provision of affordable housing pursuant to the provisions of section 94F(1) of the Environmental Planning and Assessment Act 1979, where Council is satisfied that the proposed will or is likely to reduce the availability of affordable housing within the area, and the condition is imposed in accordance with the scheme for dedications or contributions set out in sub-clauses 51(3) and 51(4).

15. Clause 52 prohibits the strata subdivision or community title subdivision of a boarding house.
Applicant liaises with Council to find out if SEPP 10 applies. Does SEPP 10 apply?

No need to proceed with SEPP 10 assessment

No

Applicant discusses the information required with Council

Yes

Applicant collates all the necessary information to assist council and Department of Planning to process the application faster

Development application and information lodged with Council

Application referred by Council to Department of Planning for concurrence of the Director-General

Department assesses the adequacy of the information

Assessment by Department. Issues discussed with Council as required

Further information sought from applicant. Applicant responds to request for further information

Council assesses the adequacy of the information

Assessment by Council. Issues discussed with Department as required

Does the Director-General issue concurrence?

Yes

Notice of Director-General’s concurrence referred to Council

Notice of Director-General’s decision referred to Council

Application refused by Council.

No

Application approved by Council. Approval must include any conditions required by the Director-General.
3.3 Building Code of Australia

1. The Building Code of Australia (BCA) classifies buildings based on their purpose for which they were designed, constructed or intended to be used. Boarding houses fall under two separate classifications under the BCA, namely:

   **Class 1b**  
   Boarding house, guest house, hostel or the like with a total floor area not exceeding 300m² and in which not more than 12 persons would ordinarily be a resident, which is not located above or below another dwelling or another Class of building other than a private garage.

   **Class 3**  
   A residential building other than a building of Class 1 or 2, which is a common place of long term or transient living for a number of unrelated persons, including a boarding house, guest house, etc.

2. The distinction in classification between Class 1b boarding houses (ie up to 12 persons in residence) and Class 3 boarding houses is very important since Class 3 boarding houses are subject to more stringent fire safety requirements.

4 DEVELOPMENT CONTROLS FOR BOARDING HOUSES

4.1 Location of Boarding Houses

1. Boarding houses should be generally located within areas that have:
   - 400 metres of a railway station or bus stop,
   - Access to public transport within 400 metres of a railway station or bus stop,
   - Access to employment and or services (either within walking distance or via public transport),
   - Access to parks or open space corridors,
   - Access to educational institutes such as Universities.

2. Clustering of boarding houses should be avoided so as to reduce the amenity impacts on residential areas. A separation distance of 150m should be considered from existing boarding houses in areas not covered by the SEPP.

4.2 Front Building Line Setbacks

1. Front building line setback shall be consistent with the prevailing front building alignment of directly adjoining buildings or with a minimum of 6 metres from the primary street frontage whichever is the greater.

2. Corner lots, the minimum secondary frontage setback shall be 3 metres.

3. Garages shall be setback at least 6 metres from either the primary street frontage or the secondary street frontage.

4. Rear boundary setback shall be 6 metres.

5. Side setback shall be a minimum 900 millimetres from the property boundaries for a single storey building and at least 3 metres for a two storey building.
4.3 **Side & Rear Setbacks**

1. The rear boundary setback for a boarding house shall be 6 metres.

2. The side setback for a boarding house shall be a minimum 900 millimetres from the property boundaries for a single storey building and at least 3 metres for a two storey building plus an additional 0.5 metre setback for every additional storey above two storeys.

5 **MINIMUM FACILITIES FOR BOARDING HOUSES – BUILDING CODE OF AUSTRALIA**

5.1.1 **CLASS 1B BOARDING HOUSES**

1. The Building Code of Australia classifies buildings based on purpose, a Class 1b boarding house is recommended to make provision for the following facilities within the development:

   (a) Bedrooms;
   (b) Laundry facilities;
   (c) Toilet facilities;
   (d) Communal living room area (optional for 6 persons or less); and
   (e) Garbage storage and recycling facilities.

5.1.2 **CLASS 3 BOARDING HOUSES**

1. The Building Code of Australia classifies buildings based on purpose, a Class 3 boarding house is recommended to make provision for the following facilities within the development:

   (a) Bedrooms;
   (b) Laundry facilities;
   (c) Toilet facilities;
   (d) Communal kitchen area for food preparation (in addition to any private kitchenette);
   (e) Communal living room area;
   (f) Individual and communal storage facilities;
   (g) Garbage and recycling facilities; and
   (h) Manager / operator accommodation.

5.1.3 **GENERAL BOARDING HOUSE CONTROLS MINIMUM REQUIREMENTS FOR BEDROOMS & OTHER FACILITIES**

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

1. The design of boarding houses must demonstrate the balance between the shared and private areas. Boarding house residents generally only occupy their own bedroom and share the
remainder of the internal areas with other residents of the building, so shared areas are a particularly significant component in a boarding house.

2. Boarding rooms shall be a minimum of 12m² for 1 person or 16m² for 2 people.

3. The maximum number of lodgers per boarding room is two (2).

4. Where an ensuite bathroom facility is to be provided this shall be a minimum of 3m². This is to be provided in addition to the 12m² or 16m² for the boarding room size.

5. Where shared bathroom facilities are proposed in a Class 1(b) Boarding House the bathroom must:
   a. Comply with the Building Code of Australia.
   b. Must be located so as to be accessible to all occupants
   c. A minimum of one (1) bath or shower for each 10 occupants or part thereof and 1 closet pan and washbasin with hot and cold running water for each 10 occupants or part thereof

6. Shared bathroom facilities for Class 3 Boarding houses are required to comply with the Building Code of Australia.

7. Communal kitchens in Class 1(b) boarding house are to be:
   a. Supplied with cupboards, kitchen sink, food preparation benches and cooking facilities plus tables and chairs in a central location accessible to all residents.
   b. Communal kitchens shall be a minimum area of 6.5m² for up to 6 residents or 11m² for more than 6 residents up to 12 residents.
   c. Where minor kitchenette facilities are provided within all bedrooms they shall be comprised of a fridge, adequate cupboards and shelves and a microwave. (For fire safety reasons no other cooking appliances are permitted)

8. Class 3 communal kitchen and dining area are to be:
   a. A minimum of 15m² plus 1m² per additional person above 12 persons; or
   b. All bedrooms shall contain kitchenette facilities a fridge, adequate cupboards and shelves and a microwave. (For fire safety reasons no other cooking appliances are permitted)

9. Laundry and clothes drying facilities are to be provided at a rate of:
   a. One (1) washing machine and washing tub is required for every 10 rooms plus
   b. One (1) clothes dryer or a Min. 30 metres of clothesline for every 10 rooms is required.

10. All Boarding houses must provide at least one communal living room of sufficient size to accommodate the proposed number of residents.

11. At least one communal living room should receive a minimum of 3 hours direct sunlight between 9am and 3pm in mid winter.

12. Private open space is to be located in the rear setback.
13. A minimum of one private open space area of 20 square metres with a minimum dimension of 3 metres is to be provided for use by lodgers.

14. Where the boarding house is not within walking distance to public open space it should provide 30 square metres of private open space.

15. If accommodation is provided on site for a boarding house manager, then one area of at least 8 metres square with a minimum dimension of 2.5 metres is to be provided adjacent to the accommodation for the purpose of private open space.

16. Landscaping in the front setback should aim to soften the built form of the boarding house and maintain the visual amenity of the surrounding locality.

17. A landscape plan may be required for purpose built boarding houses in accordance with Chapter E6 Landscaping.

18. Boarding house shall make satisfactory provision for on-site car parking for residents, the resident manager / property owner and visitors.

19. Car parking shall be provided in accordance with Chapter E3 Car Parking.

20. All new boarding houses or major alterations and additions to existing boarding houses will be required to provide suitable disabled access arrangements into and within the boarding house in accordance with the Australian Standards.

### Table 1: Minimum Bedroom size and maximum number of people per bedroom

<table>
<thead>
<tr>
<th>Minimum size of Bedroom</th>
<th>Minimum Size Requirement (m²) &amp; Maximum Number of People per Bedroom</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bedroom only*</td>
<td>12m² for the first person or 16m² for two people</td>
</tr>
<tr>
<td>Maximum number of people per bedroom</td>
<td>2 adult lodgers</td>
</tr>
</tbody>
</table>

2. Where ensuite bathroom facilities are provided within bedrooms, additional floor space is required to be provided at the rate stated in Table 2 below.

### Table 2: Minimum Size Requirements for Ensuite Bathroom Facilities

<table>
<thead>
<tr>
<th>Ensuite Bathroom Facilities</th>
<th>Minimum Size Requirement (m²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hand basin, wc and shower</td>
<td>3m²</td>
</tr>
</tbody>
</table>

3. Shared bathroom facilities shall be provided in accordance with the following requirements contained in Table 3.

### Table 3: Shared Bathroom Facilities

<table>
<thead>
<tr>
<th>Shared Bathroom Facilities</th>
<th>Minimum Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bathroom Facilities for Class 1b Boarding Houses (i.e up to 12 residents)</td>
<td>Bathroom facilities are required to comply with the minimum requirements of the Building Code of Australia and be in an accessible location for all occupants. The minimum requirement shall be: One (1) bath or shower for each 10 occupants.</td>
</tr>
</tbody>
</table>
Shared Bathroom Facilities

<table>
<thead>
<tr>
<th>Minimum Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>occupants or part thereof and 1 closet pan and washbasin with hot and cold running water for each 10 occupants or part thereof</td>
</tr>
</tbody>
</table>

Bathroom Facilities for Class 3 Boarding Houses

<table>
<thead>
<tr>
<th>Minimum Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bathroom facilities are required to comply with the minimum requirements of the Building Code of Australia</td>
</tr>
</tbody>
</table>

Kitchen facilities shall be provided in accordance with the following requirements contained in Table 4.

Table 4: Kitchen Facilities (Individual Kitchenettes and Shared Kitchens)

<table>
<thead>
<tr>
<th>Class 1b Kitchen Facilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Communal kitchen area with cupboards, kitchen sink, food preparation benches and cooking facilities plus tables and chairs in a central location accessible to all residents with a minimum area of 6.5m² for up to 6 residents or 11m² for more than 6 residents up to 12 residents; or</td>
</tr>
</tbody>
</table>

Minor kitchenette facilities within all bedrooms comprising a fridge, adequate cupboards and shelves and a microwave. (For fire safety reasons no other cooking appliances are permitted)

<table>
<thead>
<tr>
<th>Class 3 Kitchen Facilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Communal kitchen and dining area with a minimum of 15m² plus 1 m² per additional person above 12 persons; or</td>
</tr>
</tbody>
</table>

All bedrooms shall contain kitchenette facilities containing a fridge, adequate cupboards and shelves and a microwave. (For fire safety reasons no other cooking appliances are permitted)

<table>
<thead>
<tr>
<th>Food Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>Food preparation areas are to be designed and provided in accordance with the relevant sections of the Australian Standard AS 4674 – Design Construction and Fit Out of Food Premises and any other relevant food standard</td>
</tr>
</tbody>
</table>

4. Laundry and clothes drying facilities shall be provided in accordance with the following requirements contained in Table 5.

Table 5: Laundry and Clothes Drying Facilities

<table>
<thead>
<tr>
<th>Laundry Facilities &amp; Clothes Drying Facilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>One (1) washing machine and washing tub is required for every 10 rooms plus</td>
</tr>
</tbody>
</table>

One (1) clothes dryer or a Min. 30 metres of clothesline for every 10 rooms is required.

<table>
<thead>
<tr>
<th>Energy Rating</th>
</tr>
</thead>
<tbody>
<tr>
<td>All laundry appliances shall achieve a minimum 3.5 stars energy rating and a 4 star water efficiency rating unless otherwise stipulated by BASIX or any other rating tool</td>
</tr>
</tbody>
</table>
6. **LANDSCAPING**

1. Landscaping should aim to soften the built form of the boarding house and maintain the visual amenity of the surrounding locality.

2. The landscaping plan for a boarding house development must include the following:
   
   (a) The provision of a minimum of 1.5 metre wide landscaped bed along the full length of both side property boundaries between the front building alignment and the front property boundary line. The landscaped beds shall be mulched and planted with evergreen trees, shrubs and groundcovers. A minimum of two (2) semi mature (45 litre pot size) small to medium evergreen trees shall be provided within each of the side property boundary landscaped beds.
   
   (b) The provision of a minimum two (2) small to medium evergreen trees within the rear open space area.
   
   (c) The driveway to the car parking area shall be separated from any side property boundary by at minimum 1.5 metre landscaped bed.
   
   (d) The landscaped areas must be integrated with the drainage design. The location of drainage lines, pits and detention areas should not conflict with landscaped areas including proposed and existing trees.
   
   (e) The provision of a minimum of one (1) semi mature (45 litre pot size) street tree for each street frontage. The provision of street trees shall be in accordance with the requirements of Chapter E6: Landscaping in Part E of the DCP.

3. All landscaping works shall be designed in accordance with the requirements of Chapter E6: Landscaping in Part E of the DCP.

7. **CAR PARKING**

1. Any Development Application for a boarding house shall make satisfactory provision for on-site car parking for residents, the resident manager / property owner and visitors.

2. Clause 29 of SEPP (Affordable Rental Housing) states a consent authority must not refuse consent to a boarding house development where one (1) car parking space is provided for each 10 boarding rooms or part thereof plus one (1) car parking space is provided for each person employed in connection with the development and who is a resident on site. Additionally, clause 30 of the SEPP states that the provision of at least one (1) bicycle parking space plus one (1) motor cycle space per every 5 bedrooms is required.

3. All car parking spaces shall be constructed of an all weather, hard-standing sealed pavement and be maintained to the satisfaction of Council, at all times.

8. **MANAGEMENT PLAN**

1. Boarding houses require a management plan is required to be lodged with the Development Application for any proposed boarding house. The management plan is required to outline the proposed management practices to be implemented, in order to ensure that the boarding house operates in a way that maintains the existing amenity of the surrounding locality.

2. The management plan shall provide the following information:
Part C – Specific Land use Controls

Chapter C3: Boarding Houses

(a) Proposed staffing arrangements during the daytime and at night-time;

(b) Proposed measures to ameliorate any potential noise or amenity impacts within the building and upon the surrounding locality;

(c) Proposed safety and security measures to be employed within the boarding house including prominent display boards within the building of emergency telephone numbers and other essential telephone numbers;

(d) Proposed management practices to prevent the use of outdoor common open space areas between 10.00 pm and 7.00 am; and

(e) The 24 hour contact details of the manager / caretaker (including phone number and mobile phone number) (can be provided at Occupation Certificate stage).

9 DISABLED ACCESS REQUIREMENTS

1. All new boarding houses or major alterations and additions to existing boarding houses will be required to provide suitable disabled access arrangements into and within the boarding house pursuant to Australian Standard AS 1428 – Design for Access and Mobility and the Access for People with a Disability chapter in Part E of the DCP.

10 FIRE SAFETY

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

2. A floor layout plan of the building must also be affixed to the inside of the door for each bedroom within the boarding house to indicate the emergency evacuation routes from the respective sleeping room.

3. Any approved boarding house will require appropriate annual certification for essential fire safety measures.

11 ANNUAL FIRE SAFETY CERTIFICATION

1. Any approved boarding house will require appropriate annual certification for essential fire safety measures.
Chapter E16: Bush Fire Management

Contents

1 INTRODUCTION
2 WHAT IS BUSH FIRE PRONE LAND?
   2.1 General
   2.2 Category 1 Vegetation
   2.3 Category 2 Vegetation
3 DEVELOPMENT CONTROLS SECTION 149 PLANNING CERTIFICATE TO CONFIRM WHETHER A PROPERTY IS CLASSIFIED AS BUSH FIRE PRONE LAND
5 DEVELOPMENT APPLICATIONS – SECTION 79BA OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979
6 SECTION 96 MODIFICATION APPLICATION
7 CLASS 5 – 8 BUILDINGS AND CLASS 10 BUILDINGS OF THE BUILDING CODE OF AUSTRALIA
8 LANDSCAPE PLANS
9 CONSTRUCTION CERTIFICATE APPLICATIONS FOR DEVELOPMENTS WITHIN BUSH FIRE PRONE LAND
10 ASSET PROTECTION ZONES ON COUNCIL MANAGED LANDS
11 REFERENCE MATERIALS / DOCUMENTS

Figures

Figure 1: Bush Fire Prone Land Map ........................................ 3
Figure 2: Vegetation Categories and Buffer Distances .......... 4
1 INTRODUCTION

This chapter of the DCP provides Council’s requirements, guidance and controls for all development upon land classified as being bush fire prone within the City of Wollongong Local Government Area (LGA).

This chapter of the DCP should be read in conjunction with Wollongong Local Environmental Plan 2009 (ie including the Bush Fire Prone Maps), the NSW Rural Fire Service publication Planning for Bush Fire Protection 2006 and Australian Standard AS3959 – 2009 Construction of Buildings in Bushfire-prone Areas.

Additionally, any Development Application involving the erection of a detached dwelling-house, alterations and additions to an existing dwelling-house within bush fire prone land must also address the requirements contained in the NSW Rural Fire Service publication titled Building in Bush Fire Prone Areas – Guidelines for Single Dwelling Development Applications.

2 WHAT IS BUSH FIRE PRONE LAND?

2.1 General

Bush fire prone land is land that can support a bush fire or is likely to be subject to bush fire / ember attack. In general, bush fire prone land identifies vegetation types and associated buffer zones.

The Bush Fire Prone Land map was prepared by Council and has been certified by the Commissioner of the NSW Rural Fire Service.

Figure 1 contains illustrates the Bush Fire Prone Land map applying to the whole of the City of Wollongong Local Government Area LGA. Detailed Bush Fire Prone Land maps for specific parts of the Wollongong City LGA are available for viewing at Council’s Customer Service Centre. This map can be viewed on Council’s website.


Bush fire prone mapping is designed to flag a property has potential to be threatened by bush fire and to initiate an assessment under the Planning for Bush Fire Protection 2006 guidelines to determine whether land management and building construction measures need to be adopted to help safeguard a development from bush fire.

Bush fire prone land is described as Category 1 or Category 2 vegetation. Figure 2 depicts bush fire vegetation (Category 1 and Category 2) and the associated buffer distances.

2.2 Category 1 Vegetation

Category 1 vegetation appears as orange on the map and represents forests, woodlands, heathlands, pine plantations and wetlands. Land within 100 metres of this category (indicated by the red buffer on the map) is also captured by the Bush Fire Prone Land Map due to the likelihood of bushfire attack.

2.3 Category 2 Vegetation

Category 2 vegetation appears as yellow on the map and represents grasslands, scrublands, rainforests, open woodlands and mallee. Land within 30 metres of this category (ie as indicated by the red buffer on the map) is also captured by the Bush Fire Prone Land Map due to the likelihood of bushfire attack.
Factors that help determine the level of bush fire threat include elevation, slope, orientation, the vegetation type and distance to or proximity to the subject property.

Figure 2 depicts bush fire vegetation (Category 1 and Category 2) and the associated buffer distances (ie 100 metres around Category 1 vegetation and 30 metres around Category 2 vegetation).
Figure 1: Bush Fire Prone Land Map

3 DEVELOPMENT CONTROLS SECTION 149 PLANNING CERTIFICATE TO CONFIRM WHETHER A PROPERTY IS CLASSIFIED AS BUSH FIRE PRONE LAND

1. A section 149 Planning Certificate may be obtained from Council’s Customer Service Centre which will identify as to whether your property is classified as being “bush fire prone land” as per the Bush Fire Prone Maps certified by the Commissioner of the NSW Rural Fire Service.

2. If your property is classified as being “bush fire prone land” as per the Bush Fire Prone maps, certain developments may trigger the lodgement of an Integrated Development Application pursuant to section 91 of the Environmental Planning and Assessment (EP & A) Act 1979 or the lodgement of a Development Application under section 79BA of the EP & A Act.

1. If any part of a proposed development falls within an area that has been mapped as bush fire prone (Category 1, 2 or buffer), then the applicant must consider bush fire risk as part of the Development Application process.

2. The application must be accompanied by a Bush Fire Risk Assessment report.

3. The Bush Fire Risk Assessment report must be in accordance with the requirements of the Planning for Bushfire Protection 2006 guidelines.


5. Developments that meet the acceptable solutions of the Planning for Bush Fire Protection 2006 guidelines can be determined by the consent authority (i.e. Council).
6. Applications should include buildings that are sited and designed to minimise the risk of bush fire attack which discourages the requirement to build at BAL–Flame Zone and BAL–40. If an alternate solution is proposed or the application cannot comply with the Planning for Bushfire Protection 2006 guidelines, the application will be referred to the Rural Fire Service Fire Control Centre for comment prior to the determination of the application by Council.

7. Any proposed modification to a development consent granted for a development upon bush fire prone land must comply with the requirements of the Planning for Bush Fire Protection 2006 guidelines and Australian Standards AS3959 – 2009 Construction of Buildings in Bushfire-prone Areas.

8. Any landscape plan must be prepared in accordance with Appendix 5 of the Planning for Bush Fire Protection 2006 guidelines.

9. The landscape plan must identify the following:
   a. Location and species type of all existing and proposed trees and shrubs within the proposed asset protection zone(s).
   b. Proposed trees and shrubs to be removed as part of the asset protection zone (APZ).
   c. Proposed trees and shrubs to be retained as part of the asset protection zone (APZ).


1. The lodgement of an Integrated Development Application is required pursuant to the provisions of section 91 of the Environmental Planning and Assessment Act 1979 for any development which requires a Bush Fire Safety Approval from the NSW Rural Fire Service, under section 100B of the Rural Fires Act 1997 is required for the following types of development:
   a. Subdivision of land that could be used for residential or rural residential purposes.
   b. Development of bush fire prone land for a special fire protection purpose (e.g. educational establishments, senior living self-care or residential care facilities etc).

2. Any Integrated Development Application must be accompanied by a Bush Fire Risk Assessment report prepared by a suitably qualified bush fire consultant.

3. The Bush Fire Risk Assessment report must be in accordance with the requirements of the NSW RFS the Planning for Bush Fire Protection 2006 guidelines.


   All Integrated Development Applications upon bush fire prone must be referred to the RFS Headquarters for the issue of a Bush Fire Safety Authority for appropriate review and determination as to whether a Bush Fire Safety Authority will be authorised.

   In the event that the RFS has considered an Integrated Development Application and refuses to grant a Bush Fire Safety Authority, Council is required to formally refuse the application.
5 DEVELOPMENT APPLICATIONS – SECTION 79BA OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

1. Section 79BA (1) of the EP&A Act states that:

“(1) Development consent cannot be granted for the carrying out of development for any purpose (other than a subdivision of land that could lawfully be used for residential or rural residential purposes or development for a special fire protection purpose) on bush fire prone land unless the consent authority:

(a) is satisfied that the development conforms to the specifications and requirements of Planning for Bush Fire Protection, ISBN 0 9585987 8 9, produced by the NSW Rural Fire Service (or, if another document is prescribed by the regulations for the purposes of this paragraph, that document), that are relevant to the development, or

(b) Has consulted with the Commissioner of the NSW Rural Fire Service concerning measures to be taken with respect to the development to protect persons, property and the environment from danger that may arise from a bush fire.”

2. Developments classified as infill and other under Planning for Bush Fire Protection 2006 (PBP) are captured by s.79BA of the EP&A Act. If any part of a proposed development (including the building envelope, access roads, landscaping, or asset protection zones) falls within an area that has been mapped as bush fire prone on the relevant bush fire prone land map (BFPLM), then the applicant must consider bush fire as part of the Development Application process.

3. Therefore, a Bush Fire Risk Assessment report within the Statement of Environmental Effects will be required to be prepared by a suitably qualified and experienced bush fire consultant. The Bush Fire Risk Assessment report shall address the proposal’s consistency with the NSW RFS the Planning for Bush Fire Protection 2006 guidelines, Australian Standard AS3959 – 1999 Construction of Buildings in Bush Fire Prone Areas and the NSW Rural Fire Service publication titled “Building in Bush Fire Prone Areas Single Dwelling Applicants Kit” for any detached dwelling-house or alterations and additions to a dwelling-house.

4. Developments that meet the acceptable solutions of the Planning for Bush Fire Protection 2006 guidelines can be determined by the consent authority (ie Council).

5. Applications to build within the flame zone or proposing an alternate solution under the Planning for Bush Fire Protection 2006 guidelines will be referred by Council to the district RFS Fire Control Centre (FCC) for comment, prior to the determination of the application by Council.

6 SECTION 96 MODIFICATION APPLICATION

1. Any Section 96 application which proposes to modify a development consent granted for development upon land classified as being bush fire prone land must be lodged with Council and not directly to the RFS.

7   CLASS 5 – 8 BUILDINGS AND CLASS 10 BUILDINGS OF THE BUILDING CODE OF AUSTRALIA

1. The Building Code of Australia (BCA) does not provide any bush fire specific performance requirements and hence, AS3959 does not apply as a set of ‘deemed to satisfy’ provisions. The general fire safety provisions contained in the BCA are taken as acceptable solutions but the aim and objectives of *Planning for Bush Fire Protection* 2006 guidelines apply in relation to other matters such as access, water and services, emergency planning and landscaping/vegetation management.

2. Under Appendix 1 of the *Planning for Bush Fire Protection* 2006 guidelines, the following classes of buildings in the BCA are subject to compliance with the requirements of the *Planning for Bush Fire Protection* 2006 guidelines:
   a. Class 5 – 8 buildings (ie offices, factories, warehouses, public carparks and other commercial or industrial facilities);
   b. Class 10a Buildings (ie sheds); and
   c. Class 10b Buildings (ie fences, retaining or free standing walls, masts, antennae, swimming pools or the like).

3. Where a Class 10a building is constructed in proximity to another residential class of building, the Class 10a building must meet the requirements of that class or be located more than 10 no less than 6 metres away from the main building.

4. Class 10b buildings are required to be non-combustible and where an aboveground swimming pool is erected, it should not adjoin or be attached directly onto a wall of a building of Class 1 – 4 of SEPP Class 9.

5. In this respect, any Development Application for a Class 5 – 8 Building must be accompanied by a Bush Fire Risk Assessment report. This report must be prepared by a suitably qualified and experienced bush fire consultant.

6. Any Development Application for a Class 10 Building must be supported by a Bush Fire Risk Assessment report. This report is recommended to be prepared by a suitably qualified and experienced bush fire consultant, rather than the property owner.

8   LANDSCAPE PLANS

1. Any landscape plan must be prepared in accordance with Appendix 5 of the *Planning for Bush Fire Protection* 2006 guidelines.

2. The landscape plan must identify the location and species type of all existing and proposed trees and shrubs within the site. The landscape plan must also indicate any proposed asset protection zone (including proposed trees and shrubs to be removed as part of the asset protection zone).

9   CONSTRUCTION CERTIFICATE APPLICATIONS FOR DEVELOPMENTS WITHIN BUSH FIRE PRONE LAND

1. Construction Certificate applications for development upon land classified as bush fire prone land are assessed by Council in accordance with AS3959 – 2009 *Construction of Buildings in Bushfire-prone Areas*. Therefore, an applicant must provide a schedule of compliance with the applicable construction standards in accordance with section 3 of AS3959. This schedule will form part of the approval documentation and the applicant will be required to comply with it during the course of construction.
10 ASSET PROTECTION ZONES ON COUNCIL MANAGED LANDS

1. Generally APZs proposed on lands to be dedicated to Council will not be accepted. Where a Development Application proposes an APZ on land to be dedicated to Council, it will be assessed on a case by case basis and must have regards for/to:
   a. Accessibility of land.
   b. Minimisation of ongoing maintenance.
   c. Identification of the responsible party for the identified maintenance e.g. use of positive covenants on adjoining properties.
   d. The intended use/purpose of dedicated land. This will have bearing on acceptability of the proposal e.g. APZ on sporting fields which are maintained by Council for general public use. Natural creek lines and bushland reserves are not appropriate.
   e. Council’s preferred management option for APZs in new subdivisions is a perimeter road networks with the balance/additional APZ components within private land.

11 REFERENCE MATERIAL / DOCUMENTS


The Australian Standard AS3959 – 2009 Construction of Buildings in Bushfire-prone Areas may be obtained from Standards Australia website at www.standards.org.au
Chapter E17: Preservation and Management of Trees and Vegetation

Contents

1 INTRODUCTION 1
2 OBJECTIVES 1
3 DEFINITIONS 2
4 LAND TO WHICH THIS CHAPTER OF THE DCP APPLIES 3
5 OTHER RELEVANT LEGISLATION 4
6.1 Native Vegetation Act 2003 4
6.2 Fisheries Management Act 1994 6
6.3 National Parks and Wildlife Act 1974 6
6.4 Threatened Species Conservation Act 1995 6
6.5 Environment Protection and Biodiversity Conservation Act 1999 7
6 EXEMPTIONS FROM approvals 7
7 DOCUMENTARY EVIDENCE TO PROVE A TREE IS DANGEROUS TO HUMAN LIFE OR PROPERTY 8
8 TREE MANAGEMENT APPLICATION PROCESS 8
9 Trees Requiring a Tree Management Permit 9
9.1 General 9
9.2 Tree Management Permit - Application Requirements 9
9.3 Additional Information Requirements 9
9.4 Arborist Reports 10
9.5 Processing of Tree Management Permit Applications 11
9.6 Assessment Criteria used to assess Tree Management Permit Applications 11
9.7 Criteria for Refusal of Applications 12
9.8 Approval Validity Period 12
9.9 Pruning of Overhanging Trees 12

9.10 Legal Recourse for Tree Disputes Arising Between Neighbours 13
9.11 Australian Standards for Pruning of Amenity Trees 13
9.12 Concurrent Lodgement of a Development Application and a Tree Management Permit Application 13
10 Trees and Other Vegetation Requiring the Lodgement of a Development application 13
10.1 General 13
10.2 Development Application - Lodgement Requirements 14
10.3 Additional Information Requirements 14
10.4 Arborist Reports 15
10.5 Processing and Assessment of Development Applications 16
10.6 Tree and Vegetation Management as part of a Development Proposal 16
10.7 Approval Validity Period 17
11 RIGHTS OF REVIEW/APPEAL AGAINST COUNCIL’S DECISION 17
12 LEGAL RECOURSE FOR TREE DISPUTES ARISING BETWEEN NEIGHBOURS 17
13 COMPLIANCE AND MONITORING 17
14 trees and other vegetation on council owned or managed property 18
14.1 Requests for Pruning or Removal of Trees or Other Vegetation within Public Reserves, Road Reserves and Other Council Managed Property 18
14.2 Assessment Criteria used to assess requests for pruning or removal of Trees or Other Vegetation on Council Owned or Managed Land 18
14.3 Criteria for Refusal of Requests 19
1 INTRODUCTION

This Chapter of the DCP outlines Council’s requirements for the preservation and management of certain trees and other vegetation. It includes requirements for the submission, assessment and determination of applications for the pruning and removal of tree(s) and other vegetation (including pruning and removal).

Under sub-clause 5.9(3) of the Wollongong Local Environmental Plan 2009, a person must not ringbark, cut down, top, lop, remove, injure or willfully destroy any prescribed tree or other vegetation, without development consent or a permit being granted by Council.

Refer to Part 3 Definitions for the meaning of ‘prescribed tree’ and ‘prescribed other vegetation’.

Two application processes have been established to deal with the assessment and approval for prescribed trees removal:

a) Tree Management Permit (generally for individual/small scale tree removal and pruning in urban areas) - refer to Council’s website for the Tree Management Permit Policy;

b) Development consent via either Complying Development or Development Application.

Under this chapter trees or vegetation that:

a) Are three (3) metres or more in height; or

b) Have a diameter of 200mm or more at a height of one (1) metre from the ground; or

c) Have a branch spread of three (3) metres or more,

are prescribed for the purposes of clause 5.9 of Wollongong Local Environmental Plan 2009 unless otherwise exempt by this Chapter or other State Policy. Such trees and other vegetation are referred to in this DCP as “prescribed trees”.

In certain areas throughout the City of Wollongong.

This Chapter of the DCP should be read in conjunction with clauses 5.9 Preservation of trees or vegetation, 5.10 Heritage conservation, 5.11 Bush fire hazard reduction work and 7.2 Natural resource sensitivity – biodiversity of Wollongong Local Environmental Plan 2009.

2 OBJECTIVES

1. The objectives of this part of the DCP are to:

   (a) Protect trees and other vegetation within the City of Wollongong Local Government Area.

   (b) Protect and enhance native vegetation, habitat for native fauna and biodiversity.

   (c) Protect and enhance native vegetation for its scenic values and to retain the unique visual identity of the landscape.

   (d) Conserve trees and other vegetation of ecological, heritage, aesthetic and cultural significance.

   (e) Conserve significant stands of remnant vegetation.

   (f) Manage non-native vegetation in accordance with its cultural heritage and landscape significance.
Part E – General Controls – Environmental Controls

Chapter E17: Preservation and Management of Trees and Vegetation

(g) Ensure that any new development considers and maximises the protection of existing vegetation in the site planning, design, development, construction and operation of the development.

(h) Identify trees and other vegetation that may be pruned or removed without the necessity for a Tree Management Permit or development consent.

3 DEFINITIONS

**Bushfire hazard reduction work** has the same meaning as in the Rural Fires Act 1997.

**Crown maintenance pruning** is defined as in Australian Standard AS 4373 – 2007 “Pruning of Amenity Trees” and generally involves a reduction in tree foliage and branches by up to 10 per cent in any one (1) year with no reduction in the height of the main trunk.

**Dead tree** means any tree that is no longer capable of performing any one of the following processes:

- Photosynthesis;
- Take up of water through the root system;
- Hold moisture in its cells; or
- Produce new shoots.

**Destroy** means any activity leading to the death, disfigurement or mutilation of a tree.

**Habitat tree** means any tree which is a nectar feeding tree, roost and nest tree or a hollow-bearing tree which is suitable for nesting birds, arboreal marsupials (possums), micro-bats or which support the growth of locally indigenous epiphytic plants such as orchids.

**Height** means the distance measure vertically between the horizontal plane of the lowest point of the base of the tree which is immediately above ground and the horizontal plane of the uppermost point of the tree.

**Heritage Conservation Area** means any area listed in Schedule 5 Part 2 of Wollongong Local Environmental Plan 2009.

**Heritage item** means a building, work, relic, tree or place (which may or may not be situated on or within land that is a Heritage Conservation Area) described in Schedule 5 Part 1 of Wollongong Local Environmental Plan 2009.

**Injury** means damage to a tree and includes:

- Lopping and topping;
- Poisoning, including applying herbicides and other plant toxic chemicals to a tree or spilling of oil, petroleum, paint, cement, mortar and the like onto the root zone;
- Cutting, tearing, breaking or snapping of branches and roots that is not carried out in accordance with accepted arboricultural practices or is done for invalid reasons, including vandalism;
- Ringbarking, scarring the bark when operating machinery, fixing objects by nails, staples or wire or fastening materials that circle and significantly restrict the normal vascular function of the trunks or branches.
• Damaging a tree's root zone by compaction or excavation, asphyxiation including unauthorised land filling or stockpiling of materials around the tree trunk, and / or
• Underscrubbing, unless carried out by hand tools such as brushcutters and the like.

Prescribed other vegetation means any of the following types of indigenous vegetation:
• Trees (including any sapling or shrub, or any scrub);
• Understorey plants;
• Groundcover (being any type of herbaceous vegetation), or
• Plants occurring in a wetland.

Note: For the purposes of this definition, vegetation is “indigenous” if it is of a species of vegetation, or if it comprises species of vegetation, that existed in the State of NSW before European settlement. However, “native vegetation” does not include any mangroves, seagrasses or any other type of marine vegetation to which section 205 of the Fisheries Management Act 1994 applies.


Prescribed tree is defined as
a) Are three (3) metres or more in height; or
b) Have a diameter of 200mm or more at a height of one (1) metre from the ground; or
c) Have a branch spread of three (3) metres or more.

means a tree or other vegetation prescribed under section 7 of this chapter for the purposes of clause 5.9 of Wollongong Local Environmental Plan 2009. In this chapter of the DCP, use of words such as “tree” or “vegetation” or phrases such as “trees or vegetation”, or other like words or phrases, includes reference to a prescribed tree, unless the context in which the word or phrase is used requires otherwise.

Private land means any land in private ownership by individuals or companies but excludes land owned or in the care, control or management of Council, a Crown Authority, government department or statutory authority.

Pruning is defined as all other pruning which is not “crown maintenance pruning” and includes “crown modification” as defined in Australian Standard AS 4373-2007 “Pruning of Amenity Trees”.

Remnant tree or vegetation means a native tree or any patch of native vegetation which remains in the landscape after removal of the majority or all of the native vegetation in the locality.

Remove means to cut down, take away or transplant a tree from its place of origin.

Tree dripline or zone means the area defined under a tree by the outer edge of the tree canopy projected to ground level.

State Policy means State Environmental Planning Policies, or any other state documents or policy having the same statutory effect, however described.

4 LAND TO WHICH THIS CHAPTER OF THE DCP APPLIES

This chapter of the DCP applies to all lands within the City of Wollongong Local Government Area.
5 OTHER RELEVANT LEGISLATION

Other relevant legislation to be considered in conjunction with this chapter includes but is not limited to:


* Note that consent may be required in some instances from an authority other than Council.

5.1 Native Vegetation Act 2003

5.1.1 Development Consent is also required under Section 12 of the Native Vegetation Act 2003 for clearing of native trees and other native vegetation.

1. Under the Native Vegetation Act 2003, “native vegetation” means any of the following types of indigenous vegetation:
   - (a) trees (including any sapling or shrub or any scrub),
   - (b) understorey plants,
   - (c) groundcover (being any type of herbaceous vegetation),
   - (d) plants occurring in a wetland.

   Note: Vegetation is “indigenous” if it is of a species of vegetation or if it comprises species of vegetation that existed in NSW before European settlement. For the purposes of this Act, “native vegetation” does not include any mangroves, seagrasses or any other type of marine vegetation to which section 205 of the Fisheries Management Act 1994 applies.

2. “Clearing” native vegetation means any one or more of the following:
   - (a) cutting down, felling, thinning, logging or removing native vegetation,
   - (b) killing, destroying, poisoning, ringbarking, uprooting or burning native vegetation.

3. Under the Native Vegetation Act, “broadscale clearing” of native vegetation means the clearing of any remnant native vegetation or protected regrowth.

4. Under Section 12 of the Native Vegetation Act 2003, the clearing of native vegetation is not permitted, except where prior development consent has been granted under this Act or where the Minister has approved a property vegetation plan which permits the clearing of such native vegetation.
5. The clearing or removal of native trees and other native vegetation upon land to which Act applies requires consent to be obtained from the relevant Catchment Management Authority below:

(a) For lands north of Stanwell Park in Wollongong LGA (i.e. Otford, Helensburgh, Maddens Plain) – Sydney Metropolitan Catchment Management Authority.

(b) For lands south of Stanwell Park in Wollongong LGA – Southern Rivers Catchment Management Authority.

5.1.2 Land to which the Native Vegetation Act 2003 applies in Wollongong LGA

1. The Native Vegetation Act 2003 applies to the following lands within the City of Wollongong LGA:

(a) Land zoned Non-urban, RU1 Primary Production, RU2 Rural Landscape or RU4 Rural Small Holdings.

(b) Land zoned R5 Large Lot Residential.

(c) Land zoned RE1 Public Recreation or RE2 Private Recreation.

(d) Land zoned Environmental Protection including land zoned E2 Environmental Conservation, E3 Environmental Management or E4 Environmental Living and all Environmental Protection zones in Wollongong Local Environmental Plan 1990.

(e) Land zoned W1 Natural Waterways, W2 Recreational Waterways or W3 Working Waterways.

5.1.3 Land to which the Native Vegetation Act 2003 does not apply in Wollongong LGA

1. The Native Vegetation Act 2003 does not apply to the following lands within the City of Wollongong LGA:

(a) Land within a zone designated as “residential” (excluding R5 Large Lot Residential zoned land), “village”, “township”, “industrial” or “business”,

(b) Land that is reserved under the National Parks and Wildlife Act 1974,

(c) Land that is acquired under section 145 of the National Parks and Wildlife Act 1974 for the purpose of obtaining land for reservation under that Act or for the purpose of preserving, protecting and preventing damage to Aboriginal objects or Aboriginal places,

(d) Land that is subject to an interim protection order made under Part 6A of the National Parks and Wildlife Act 1974,

(e) Land to which an interim heritage order or listing on the State Heritage Register under the Heritage Act 1977 applies,

(f) Land that is critical habitat, being habitat declared under Part 3 of the Threatened Species Conservation Act 1995 or under Division 3 of Part 7A of the Fisheries Management Act 1994,

(g) Land that is a State forest, flora reserve or timber reserve under the Forestry Act 1916,

(h) Land that is acquired under section 15 of the Forestry Act 1916 for the purposes of a State forest (not being any such land that is acquired for the purpose of a timber plantation).
5.1.4 Exempt Activities

1. The following activities are exempt from requiring approval under the Native Vegetation Act 2003:

   (a) Clearing for routine agricultural management activities (RAMAs) but does not authorise any clearing of native vegetation:

      (i) If it exceeds the minimum extent necessary for carrying out the activity, or

      (ii) If it is done for a work, building or structure before the grant of any statutory approval or other authority required for the work, building or structure.

   (b) The continuation of existing cultivation, grazing or rotational farming practices provided it does not involve the clearing of remnant native vegetation.

   (c) Sustainable grazing that is not likely to result in the substantial long-term decline in the structure and composition of native vegetation.

   (d) The clearing of native vegetation associated with the construction of a single dwelling-house.

   (e) A range of other clearing activities as listed under section 25 of the Native Vegetation Act 2003.

Note: The Native Vegetation Act 2003 does not remove the requirement for separate development consent to be obtained from Council for the removal or clearing of trees or other vegetation, as per Wollongong Local Environmental Plan 2009, West Dapto Local Environmental Plan 2009 and/or this DCP.

5.2 Fisheries Management Act 1994

1. The lodgement of an Integrated Development Application under Section 91 of the Environmental Planning and Assessment Act 1979 is necessary if the formal concurrence from the NSW Department of Primary Industries is required pursuant to the section 205 of the Fisheries Management Act 1994 for a permit to cut, remove, damage or destroy marine vegetation on public water land or an aquaculture lease, or on the foreshore of any such land or lease.

5.3 National Parks and Wildlife Act 1974

1. The lodgement of an Integrated Development Application under Section 91 of the Environmental Planning and Assessment Act 1979 may be required for any proposed development in, upon or adjacent to any watercourse, lake or estuary where a development may potentially destroy or deface a site containing Aboriginal artefacts or may adversely affect a site of Aboriginal cultural heritage significance and, hence, the formal concurrence from the NSW Department of Environment and Climate Change is required pursuant to Section 90 of the National Parks and Wildlife Act 1974.

2. In such cases, the preparation of the Integrated Development Application must be carried out in accordance with the requirements as per the Chapter E10: Aboriginal Heritage contained in Part E of the DCP.

5.4 Threatened Species Conservation Act 1995

1. Any action such as clearing or removal of trees or other vegetation has the potential to directly or indirectly affect a threatened species, population, ecological community or their habitat. Therefore, an assessment may be required pursuant to Part 5A of the Environmental Planning and Assessment Act 1979 or Part 6 of the Threatened Species Conservation Act 1995. Applicants should refer to Chapter E18: Threatened Species in this DCP to adequately address matters under the Threatened Species Conservation Act 1995.
2. The clearing or removal of any threatened flora species, endangered population, endangered ecological community or critical habitat under the Threatened Species Conservation Act 1995 requires separate approval from the Director-General of the NSW Department of Environment and Climate Change.

5.5 Environment Protection and Biodiversity Conservation Act 1999

1. The clearing or removal of remnant trees or other native vegetation which is listed as a “matter of national significance” under the Environment Protection and Biodiversity Conservation Act 1999 requires separate approval from the Commonwealth Minister for the environment. Applicants should refer to Chapter E18: Threatened Species in this DCP to adequately address matters under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999.

6 EXEMPTIONS FROM APPROVALS

1. Neither a Tree Management Permit or Development Consent is required for the ringbarking, cutting down, topping, lopping, pruning, removal, or injury or wilful destruction of any tree or other vegetation in the following situations:

   a) Where a complying development application is lodged under and can satisfy the criteria of SEPP (Exempt and Complying Development Codes) 2008. Applicants should refer to the SEPP for details. Any removal associated with development or to facilitate development will require a Development Application if it cannot meet the requirements of the SEPP.

   b) The clearing of native vegetation that is authorised by a development consent or property vegetation plan under the Native Vegetation Act 2003, as administered by the relevant Catchment Management Authority.

   c) The clearing of vegetation on State protected land (within the meaning of clause 4 of Schedule 3 to the Native Vegetation Act 2003) that is authorised by a development consent under the provisions of the Native Vegetation Conservation Act 1997 as continued in force by that clause.

   d) Where a prescribed tree has been approved for removal or management under a previous development consent (i.e. where such vegetation is within the building envelope or the surrounding cartilage of the building envelope).

   e) Where a prescribed tree is included in Council’s Exempt Tree Species List in Appendix 1 to this chapter (excluding trees within the cartilage of the heritage item or heritage conservation area).

   f) Where bushfire hazard reduction work is undertaken, authorised by the NSW Rural Fire Service under the Rural Fires Act 1997.

   g) Where action is required or authorised to be done by or under the Electricity Supply Act 1995, the Roads Act 1993 or the Surveying and Spatial Information Act 2002 or other Statutory Authorities.

   h) Where a prescribed tree is identified as a noxious weed under the Noxious Weeds Act 1993 or any management plan published by the Illawarra District Noxious Weeds Authority.

   i) Where a prescribed tree is identified as an environmental weed within the Wollongong LGA.

   j) Where a prescribed tree is located within a State Forest or on land reserved for sale as a timber forest reserve under the Forestry Act 1916.
k) Where a prescribed tree within an approved plantation meeting the criteria of the *Plantation and Reafforestation Act* 1999.

l) Where action is carried out by Council, State Emergency Service, Rural Fire Service, or another infrastructure authority/emergency service authority in response to an emergency (i.e. where there is an immediate threat of injury to persons or damage to property).

m) Any works to make safe a prescribed tree where there is an immediate threat of injury to persons or damage to property, either during or within 48 hours following a severe weather event. – Refer to note below.

n) Where the subject tree has been grown specifically for its edible fruit.

o) Where the works are undertaken by Council or a contractor acting on behalf of Council on Council owned or controlled land, including but not limited to lands within a sportsground, park, reserve, road reserve, riparian corridor.

Note: A Tree Management Application or Development Application must be lodged with Council for the removal or further pruning of a tree within 72 hours from the date of the emergency pruning works for any tree upon private land.

### 7 DOCUMENTARY EVIDENCE TO PROVE A TREE IS DANGEROUS TO HUMAN LIFE OR PROPERTY

1. Under sub-clause 5.9(6) of Wollongong Local Environmental Plan 2009, a Tree Management Permit or Development Consent is not required for any tree or other vegetation that in the opinion of Council is a risk to human life or property.

2. The submission of documentary evidence from a person qualified in arboriculture (including photographs) which proves that a tree or other vegetation is dangerous to human life or property, must be forwarded to Council within 72 hours from the date of the emergency.

3. Should Council confirm in writing that the prescribed tree is dangerous to either human life or property, then the removal of the subject prescribed tree may occur, without any formal approval being required.

### 8 TREE MANAGEMENT PERMIT APPLICATION PROCESS

1. Under this clause, trees and other vegetation that:

   a) Are three (3) metres or more in height;

   b) Have a diameter of 200mm or more at a height of one (1) metre from the ground; and / or

   c) Have a branch spread of three (3) metres or more,

   are prescribed for the purposes of clause 5.9 of Wollongong Local Environmental Plan 2009. Such trees and other vegetation are referred to in this DCP as “prescribed trees”.

2. Under sub-clause 5.9(3) of Wollongong Local Environmental Plan 2009, a person must not ringbark, cut down, top, lop, remove, injure or willfully destroy any tree or other vegetation, without development consent or a permit being granted by Council.

3. Two application processes have been established to deal with the assessment and approval of trees/vegetation namely:
Part E – General Controls – Environmental Controls

Chapter E17: Preservation and Management of Trees and Vegetation

TREES REQUIRING A TREE MANAGEMENT PERMIT

9.1 General

1. A Tree Management Permit (TMP) is required from Council for the ringbarking, cutting down, topping, lopping, pruning, removal or injury of any prescribed tree that is not exempt or does not require development consent, injury or wilful destruction of any tree.

2. A Tree Management Permit (TMP) is also required for any dead or dying tree.

3. Pruning of major structural roots or anchor roots is also subject to a Tree Management Permit.

4. Each Tree Management Application Permit is limited to a maximum of five (5) trees per application.

5. A maximum of two three (3) Tree Management Applications may be lodged with Council in respect of the relevant land parcel at any one time, excluding within zones E2 Environmental Conservation, E3 Environmental Management or E4 Environmental Living where a maximum of one (1) TMP may be lodged at any one time.

9.2 Tree Management Permit – Application Requirements

1. The following information is required to be submitted with any Tree Management Application:

   (a) Application form, completed and signed by all relevant property owners.

   (b) Full written details as to the reasons for the proposed pruning, lopping, topping or removal of the tree(s) and/or other vegetation.

   (c) Payment of the prescribed application fee. Any property owner who receives a pension rate rebate from Council will be exempt from having to pay the application fee as per Council’s adopted Fees and Charges.

Note: All property owners on land to which the subject tree(s) is situated must sign the application form or alternatively, an attached supporting letter must be provided which authorises the lodgement of the application for any works on the subject tree(s).

2. If a tree is growing near a common property boundary, ownership will be determined by identifying which side of the boundary the majority of the trunk’s diameter exists at ground level.

3. Where a property is in a Strata Plan under the Strata Schemes (Freehold Development) Act 1973 or the Strata Schemes (Leasehold Development) Act 1986, the written consent and Body Corporate seal is required from the Body Corporate which authorises the lodgement of the application for the specific type of works to be undertaken.

9.3 Additional Information Requirements

1. Council may require additional supporting information for a Tree Management Permit application, including the following:

   (a) Arborist’s report;

   (b) Tree survey;
(c) Flora and fauna impact assessment

(d) Geotechnical or structural engineers reports;

(e) Plumbers report;

(f) Details of proposed root barriers; and/or

(g) Medical Certificate from a Medical Practitioner in cases where the removal or pruning of a tree is requested due to quality of life issues (e.g. allergies).

(h) Survey of property boundary to determine ownership of the tree(s).

2. In cases where a tree has caused damage to a sewer, the application must include written evidence from a licensed plumber stating the extent of the problem. This is necessary given that damage to a sewer is often unidentifiable from the natural ground surface level.

3. In all cases, all costs associated with providing any required additional information shall be borne by the Applicant.

9.4 Arborist Reports

1. An Arborist Report will be required in any of the following circumstances:

   (a) Any proposed removal or pruning of trees or other vegetation upon land containing an item of environmental heritage or within a Heritage Conservation Area; or

   (b) Any proposed removal or pruning of trees or vegetation which constitutes a threatened flora species, endangered population, endangered ecological community under the Threatened Species Conservation Act 1995 or the Environment Protection and Biodiversity Conservation Act 1999; or

   (c) Any proposed removal or pruning of trees or other vegetation on land shown as riparian land on the Riparian Land Map or within the Illawarra Escarpment area as shown on the Illawarra Escarpment Map contained in Wollongong Local Environmental Plan 2009; or

   (d) Any request for a review of determination made in accordance with section 82A of the Environmental Planning and Assessment Act 1979; or

   (e) Where in the opinion of Council, the proposed works may result in adverse impacts upon the scenic environmental quality or amenity of the locality; or

   (f) Where a Development Application involves more than five (5) trees and/or other vegetation.

2. An Arborist who can prepare reports is a person who is eligible for membership as a ‘Consulting Arborist’ with the National Arborists Association of Australia or the Institute of Australian Consulting Arboriculturists and who has obtained a Level 5 Certificate in Horticulture/Arboriculture or equivalent.

3. The Arborist Report shall include the following details:

   (a) The genus and species of each tree;

   (b) Health, amenity value and S.U.L.E. (Safe Useful Life Expectancy) rating of each tree;

   (c) Any pests or diseases that may be present on each tree;
(d) Any site changes and surrounding structures which may affect the health or vitality of the tree;
(e) Impact of the development on each tree;
(f) Impact of retaining trees on the proposed development;
(g) The Tree Protection Zone (TPZ) required for each tree proposed to be retained;
(h) Any root barriers necessary, type and their location;
(i) Any branch or root pruning which may be required for the trees;
(j) Any supporting evidence such as photographs, if relevant; and
(k) Recommendation on the preferred option and an explanation why this option is preferred.

9.5 Processing of Tree Management Permit Applications

1. A Tree Management Application will usually be processed within 10 working days from the date of receipt of the application form together with all supporting documentation, including the prescribed application fee. The prescribed application fee will be determined in accordance with Council's adopted fees and charges.

2. A written notice will be provided for all applications (with a numbered permit) authorising the scope and nature of permitted works. In the case of an application being refused consent, the reasons for refusal will be detailed in the notice.

3. If in the opinion of Council staff, a tree or other vegetation is of particular significance, the application may be publicly exhibited for a period of 7 days on Council’s website and in certain exceptional circumstances by way of written notification to adjoining property owners / residents.

4. The necessity for any such notification will be at the sole discretion of Council staff.

5. No notification process will occur in the case of any urgent emergency tree removal work, where in the opinion of Council staff, there is an imminent risk to human life or property.

9.6 Assessment Criteria used to assess Tree Management Permit Applications

6. Tree Management Permits are not suitable as a means to facilitate development, complying or otherwise.

7. Tree Management Permits cannot approve the removal of a tree that is required to be retained by a development condition of consent. An application to modify the development consent will be needed in this instance.

8. Generally a Tree Management Permit is assessed on (but not limited to the following matters):

   a) Whole of life tree management;
   b) Whether the tree is causing structural damage to a building, structure, water main or sewer. Note: A report may be required by a suitably qualified and experienced consultant where the damage is not visually evident;
   c) Whether the tree is severely stressed, diseased or is suffering insect damage and whether the health of the tree can be improved;
d) Whether the growth habit or mature size of a tree is undesirable in a given situation (e.g., powerlines, root interference with service, infrastructure or building);

e) Whether the tree is too large for its location or is interfering or likely to interfere with public infrastructure or private utilities;

f) Whether the tree shows poor form and shape and/or vigour typical to the species;

g) Whether the branches of the tree are dead or diseased;

h) Where the branches are dangerous and overhanging a building or adjoining property. In this case, the assessing Council officer will determine the amount of pruning permitted to address any public nuisance issue;

i) Whether the tree species is appropriate in terms of its proximity to dwellings, adjoining dwellings or other buildings;

9. Applicants should refer to the Tree Management Permit Policy on Council’s website or contact Council’s Customer Service Centre for further information on the application process and assessment criteria.

9.7 Criteria for Refusal of Applications

1. Should an application be received based on one or a combination of any of the following reasons, these reasons will likely be given little weight in determining the application:

   a) Removal or significant pruning of tree(s) or other vegetation to improve views.

   b) Removal or significant pruning of tree(s) or other vegetation to minimise leaves falling within a swimming pool.

   c) Removal or pruning of a tree, due to the shedding of leaves, bark, fruit flowers, sticks etc., which is part of the normal life cycle of the tree.

   d) Other reasons, as determined by the assessment of the criteria contained in clause 9.5.

9.8 Approval Validity Period

1. A Tree Management Permit will be valid for a period of up to 2 years from the approval date/date of issue of the determination letter.

9.9 Pruning of Overhanging Trees

1. The owner of a neighbouring property may lodge a Tree Management Permit Application to prune a neighbour’s tree, if it overhangs their property. Approval will be dependant on the ability of the tree to be pruned in accordance with AS 4373 – 2007 “Pruning of Amenity Trees” and any root pruning will be subject to maintaining the tree’s stability. All approved pruning shall be restricted to the applicant’s side of the common property boundary only without the tree owner’s consent.

2. Property owners are encouraged to co-operate where a branch overhangs a property boundary. However, legal advice may need to be sought regarding any liability arising from damage caused by the subject tree(s).

3. Any dispute arising from the removal of a tree or damage from a tree may be resolved through the Community Justice Centre or private civil action. Council has no direct legal role in dealing
with neighbourhood disputes regarding trees or other vegetation on property boundaries or damage caused by trees or other vegetation.

9.10 Legal Recourse for Tree Disputes Arising Between Neighbours

1. It is not the role of Council to intervene in neighbourhood disputes regarding trees. Conflicts may be resolved through the Community Justice Centre. If this fails the Trees (Disputes Between Neighbours) Act 2006 allows a tree dispute to be heard by the NSW Land and Environment Court.

9.11 Australian Standards for Pruning of Amenity Trees


2. Public safety is the highest priority. If a tree cannot be safely managed using the accepted work practices in AS4373 - 2007, then the tree will be able to be removed and generally replaced with an appropriate species. Replacement trees should be local indigenous species and planted in a location that is acceptable to Council.

9.12 Concurrent Lodgement of a Development Application and a Tree Management Permit Application

1. Any concurrently lodged Tree Management Permit Application will not be determined until such time as the Development Application for a particular development is determined, where the Development Application determination may influence the decision as to whether the existing tree should be retained.

10 TREES AND OTHER VEGETATION REQUIRING THE LODGEMENT OF A DEVELOPMENT APPLICATION PROCESS

10.1 General

1. The lodgement of a Development Application is required for the ringbarking, cutting down, topping, lopping, pruning, removal, or injury, injure or wilful destruction of tree(s) or other vegetation in the following situations:

a) Any development requiring tree removal that cannot be carried out in accordance with SEPP (Exempt and Complying Development Codes) 2008 including the Part 3 General Housing Code and 3A Rural Housing Code.

b) Eleven (11) Sixteen (16) or more trees are proposed to be ringbarked, cut down, topped, lopped, pruned or removed upon the majority of lands, excluding lands zoned either: E2 Environmental Conservation, E3 Environmental Management or E4 Environmental Living.

c) Six (6) or more tree(s) and/or the clearing of other native understorey vegetation upon land zoned either: E2 Environmental Conservation, E3 Environmental Management or E4 Environmental Living.

d) Any tree and/or other vegetation identified as an item of heritage significance or located on land identified as containing an item of heritage significance, in Schedule 5 Part 1 of Wollongong Local Environmental Plan 2009.
Part E – General Controls – Environmental Controls

Chapter E17: Preservation and Management of Trees and Vegetation

10.2 Development Application - Lodgement Requirements

1. The following information is required to be submitted with any Development Application:

   a. Application form - completed and signed by all relevant property owners. This includes all property owners on land to which the subject tree(s) is situated, they must sign the application form or alternatively, an attached supporting letter must be provided which authorises the lodgement of the application for any works on the subject tree(s).

   b. Details of the proposed number, species, age and size (i.e. height, trunk diameter, canopy spread) of tree(s) and/or other vegetation proposed to be removed / pruned.

   c. Full written details as to the reasons for the proposed pruning or removal of the tree(s) and/or other vegetation.

   d. A full description of existing trees and other vegetation upon the site.

   e. Payment of the prescribed application fee. Any property owner who receives a pension rate rebate from Council will be exempt from having to pay the application fee as per Council’s adopted Fees and Charges.

2. If a tree is growing near a common property boundary, ownership will be determined by identifying which side of the boundary the majority of the trunk’s diameter exists at ground level.

3. Where a property is in a Strata Plan under the Strata Schemes (Freehold Development) Act 1973 or the Strata Schemes (Leasehold Development) Act 1986, the written consent and Body Corporate seal is required from the Body Corporate which authorises the lodgement of the application for the specific type of works to be undertaken.

4. Council may require additional supporting information for an application, including the following:

   a. Arborist’s report;

   b. Tree survey;
(c) Flora and fauna impact assessment report;
(d) Geotechnical or structural engineer’s reports;

**e) Bushfire assessment report**

(f) Plumber’s report;
(g) Details of proposed root barriers; and/or
(h) Medical Certificate from a Medical Practitioner in cases where the removal or pruning of a tree is requested due to quality of life issues (e.g. allergies).

5. An Arborist who can prepare reports is a person who is eligible for membership as a ‘Consulting Arborist’ with the National Arborists Association of Australia or the Institute of Australian Consulting Arboriculturists and who has obtained a Level 5 Certificate in Horticulture/Arboriculture or equivalent.

6. In cases where a tree has caused damage to a sewer, the application must include written evidence from a licensed plumber stating the extent of the problem. This is necessary given that damage to a sewer is often unidentifiable from the natural ground surface level.

7. In all cases, all costs associated with providing any required additional information shall be borne by the Applicant.

### 10.4 Arborists Reports

1. An Arborist Report will be required in any of the following circumstances:

   (a) Any proposed removal or pruning of trees or other vegetation upon land containing an item of environmental heritage or within a heritage conservation area; or

   (b) Any proposed removal or pruning of trees or vegetation which constitutes a threatened flora species, endangered population, endangered ecological community under the Threatened Species Conservation Act 1995 or the Environment Protection and Biodiversity Conservation Act 1999; or

   (c) Any proposed removal or pruning of trees or other vegetation on land shown as riparian land on the Riparian Land Map or within the Illawarra Escarpment area as shown on the Illawarra Escarpment Map contained in Wollongong Local Environmental Plan 2009; or

   (d) Any request for a review of determination made in accordance with section 82A of the Environmental Planning and Assessment Act 1979; or

   (e) Where in the opinion of Council, the proposed works may result in adverse impacts upon the scenic environmental quality or amenity of the locality; or

   (f) Where a Development Application involves more than five (5) trees and/or other vegetation.

2. An Arborist who can prepare reports is a person who is eligible for membership as a ‘Consulting Arborist’ with the National Arborists Association of Australia or the Institute of Australian Consulting Arboriculturists and who has obtained a Level 5 Certificate in Horticulture/Arboriculture or equivalent.

3. The Arborist Report shall include the following details:

   (a) The genus and species of each tree;
Part E – General Controls – Environmental Controls

Chapter E17: Preservation and Management of Trees and Vegetation

(b) Health, amenity value and S.U.L.E. (Safe Useful Life Expectancy) rating of each tree;
(c) Any pests or diseases that may be present on each tree;
(d) Any site changes and surrounding structures which may affect the health or vitality of the tree;
(e) Impact of the development on each tree;
(f) Impact of retaining trees on the proposed development;
(g) The Tree Protection Zone (TPZ) required for each tree proposed to be retained;
(h) Any root barriers necessary, type and their location;
(i) Any branch or root pruning which may be required for the trees;
(j) Any supporting evidence such as photographs, if relevant; and
(k) Recommendation on the preferred option and an explanation why this option is preferred.

10.5 Processing and Assessment of Development Applications

1. A Development Application will be assessed in accordance with the requirements of the Environmental Planning and Assessment Act 1979, in particular the “matters for consideration” as listed in section 79C of this Act.

2. Any Development Application lodged for the proposed clearing or removal of trees or other vegetation may also require an appropriate assessment to be carried out under Section 5A of the Environmental Planning and Assessment Act 1979, Part 6 of the Threatened Species Conservation Act 1995 and the Environment Protection and Biodiversity Conservation Act 1999 to determine as to whether the proposed clearing or removal has the potential to directly or indirectly effect a threatened species, population, endangered ecological community or their habitat. Therefore, it is recommended that applicants liaise with Council’s Environment Strategy & Planning Division to determine whether the subject site is within the locality of any recorded threatened species, population or endangered ecological community.

10.6 Tree and Vegetation Management as part of a Development Proposal

1. As part of the assessment of a Development Application for buildings where existing trees or other native vegetation are on the site, Council will determine if the trees should be retained, can be removed or if modifications need to be made to the layout of buildings and driveways. This will be determined using criteria for evaluation of significant trees and vegetation. The Development Application must be supported by an Arborist Report that complies with Council’s requirements.

2. Generally for a tree to be retained reference must be made to Australian Standard AS4790-2009 Protection of Trees on Development Sites, a minimum 70% of the area within the dripline needs to be left undisturbed.

3. Where Council has issued a Development Consent for a structure or building, any tree with its base within 3 metres of that building or structure on the subject land may be removed without further application to Council, provided the Council’s Tree Management Officer is satisfied before the tree is removed that its base is within the 3 metre limit.

4. If it has been determined that a tree or trees are to be retained, a tree protection zone must be established. This will include a fenced off area which must be maintained throughout the construction period and shall be exclusive of any buildings, footings, excavation, retaining walls, materials storage, services, level changes or hard surfaces in the zone. Certification from a qualified arborist may also be required at the following stages of the development:
(a) Before commencement of construction;
(b) At mid point of the construction phase; and
(c) At completion of the construction phase.

10. Larger sites should use a Council approved Landscape Management Plan or a Vegetation Management Plan to maintain trees on regular basis. Where an approved Landscape Management Plan (detailing the proposed management methods) does not exist approval should be sought from Council as part of a development application. A Vegetation Management Plan may be required where there is significant vegetation present.

10.7 Approval Validity Period

1. A Development Consent will be limited to the length of the consent issued. The maximum consent period is five (5) years.

11 Rights of Review/Appeal Against Council’s Decision

1. An applicant who is dissatisfied with Council’s decision has the following rights of review / appeal:

(i) Lodgement of a review of determination application with Council within 12 months from the original date of determination. Any review of determination application must be supported by relevant documentation including any reasons as to why the application should be approved. The review of determination application must be accompanied by the prescribed fee as per Council’s adopted fees and charges.

Any review of determination application will be reviewed by another Council assessment officer and may be determined either under delegated authority or may be reported to Council for its determination.

(ii) Lodgement of an appeal to the NSW Land and Environment Court.

12 Legal Recourse for Tree Disputes Arising Between Neighbours

1. It is not the role of Council to intervene in neighbourhood disputes regarding trees. Conflicts may be resolved through the Community Justice Centre. If this fails the Trees (Disputes Between Neighbours) Act 2006 allows a tree dispute to be heard by the NSW Land and Environment Court.

13 Compliance and Monitoring

1. Any Tree Management Permit or Development Consent may be randomly monitored by Council for compliance. Any works carried out without approval or not in accordance with an approval will be dealt with in accordance with relevant legislation. This may result in a Penalty Infringement Notice or legal action through either the Local Court or the Land and Environment Court against all parties involved in any breach of Wollongong Local Environmental Plan 2009 or conditions of approval.
14 TREES AND OTHER VEGETATION ON COUNCIL OWNED OR MANAGED PROPERTY

14.1 Requests for Pruning or Removal of Trees or Other Vegetation within Public Reserves, Road Reserves and Other Council Managed Property

1. Correspondence may be sent by adjoining property owners or occupants requesting that Council carry out the pruning or removal of a tree(s) or other vegetation within any public reserve, road reserve (street trees) or other property owned or managed by Council. Alternatively, verbal requests may also be made directly with Council’s Customer Service Centre who will promptly lodge this request through Council’s Customer Action Request database.

2. All requests for pruning or removal of trees or other vegetation within Council owned or managed land will be forwarded to Council’s City Works Division for appropriate inspection and assessment.

3. Council’s City Works Division will generally carry out any routine inspection of the subject tree(s) or other vegetation within 10 working days from the date of receipt of the request.

4. The assessment as to whether approval will be granted for the pruning or removal of the subject tree(s) or other vegetation will be based upon the assessment criteria contained in clause 14.2.

5. Should the on-site inspection / assessment conclude that non-urgent pruning or removal work is necessary, this work will be scheduled into the normal works program for the relevant tree management team in the City Works Division. Where urgent pruning or removal work is necessary, it will be carried out as soon as practicable.

6. In emergency situations, an inspection of the subject tree(s) or other vegetation will be carried out by Council’s City Works Division as soon as practicable. Where, in the opinion of Council, the inspection reveals that the tree or other vegetation pose an unacceptable hazard risk to personal safety or property, Council may undertake appropriate tree pruning works or tree removal immediately.

14.2 Assessment Criteria used to assess requests for pruning or removal of Trees or Other Vegetation on Council Owned or Managed Land

1. Council will take into consideration any one or more of the following criteria when assessing a request for pruning or removal of a tree or other vegetation situated upon Council owned or managed land (eg public reserves, drainage reserves, street trees or other land):

   (a) Whole of life tree management — the Safe Useful Life Expectancy (SULE) of the tree and whether the tree is dead or dying;

   (b) Whether the tree is causing structural damage to a building, structure, water main or sewer. Note: A report may be required by a suitably qualified and experienced consultant where the damage is not visually evident;

   (c) Whether the tree is severely stressed, diseased or is suffering insect damage and whether the health of the tree can be improved;

   (d) Whether the growth habit or mature size of a trees is undesirable in a given situation (e.g. powerlines, root interference with service, infrastructure or building).
(e) Whether the tree is too large for its location or is interfering or likely to interfere with public infrastructure or private utilities;

(f) Whether the tree shows poor form and shape and/or vigour typical to the species;

(g) Whether the branches of the tree are dead or diseased;

(h) Whether the branches are dangerous and overhanging a building or an adjoining property. In this case, the assessing Council officer will determine the amount of pruning permitted to address any public nuisance issue;

(i) Whether the tree species is appropriate in terms of its proximity to dwellings, adjoining dwellings or other buildings;

(j) Whether the tree species or other vegetation is of regional significance (i.e., identified regionally as a rare species due to heavily cleared or under-represented vegetation community);

(k) Whether the tree or other vegetation is of local significance and is considered relatively rare or has limited distribution or is a critical indigenous species;

(l) Whether the removal of the tree(s) or other vegetation will pose any adverse impact upon the amenity or scenic environmental quality of the locality;

(m) Whether the removal of the tree(s) or other vegetation is necessary as part of any bushfire hazard reduction work under the Rural Fires Act 1997;

(n) Whether the removal of the tree(s) is a habitat tree (e.g., nesting tree or roosting tree) for any threatened fauna species;

(o) Whether the removal of the tree(s) will adversely affect any riparian corridor and/or wildlife corridor;

(p) Whether the removal of the tree(s) will cause any potential adverse slope instability or geotechnical impacts upon the site or the locality;

(q) Whether the removal of the tree or other vegetation is part of an endangered population, endangered ecological community or is critical habitat for any threatened fauna species;

(r) Whether the applicant has provided a Medical Certificate from a Medical Practitioner which proves the pruning or removal of a tree is necessary for maintaining quality of life.

(s) Whether any previous condition of development consent required the retention of the tree(s).

14.3 Criteria for Refusal of Requests

1. Should a request for pruning or removal of a tree or other vegetation be received based on one or a combination of any of the following reasons, these reasons will likely be given little weight in determining the request:

(a) Removal or significant pruning of tree(s) or other vegetation to improve views.

(b) Removal or significant pruning of tree(s) or other vegetation to minimise leaves falling within a swimming pool.
(c) Removal or pruning of a tree, due to the shedding of leaves, bark, fruit, flowers, sticks etc, which is part of the normal life cycle of the tree.

(d) Removal or significant pruning of tree(s) or other vegetation situated within land owned or managed by Council to allow for the parking or storage of a car, truck, mini-van, bus, boat, caravan or other registered/unregistered vehicle and the like upon the adjoining property or the land owned or managed by Council.

(e) Other reasons as determined by the assessment criteria contained in clause 14.2.

2. A formal refusal notice will generally be issued to the applicant within 10 working days, after the inspection of the subject tree(s) or other vegetation. The refusal notice will outline the reasons for refusal which will be based on the assessment criteria contained in clauses 14.2 and 14.3.
## Appendix: 1 EXEMPT TREE SPECIES LIST

<table>
<thead>
<tr>
<th>Common Name</th>
<th>Botanical Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>African Olive</td>
<td><em>Olea europaea</em> subsp. <em>cuspidata</em></td>
</tr>
<tr>
<td>Alder</td>
<td><em>Alnus</em> species</td>
</tr>
<tr>
<td>Black Locust</td>
<td><em>Robina pseudoacacia</em></td>
</tr>
<tr>
<td>Box Elder</td>
<td><em>Acer negundo</em></td>
</tr>
<tr>
<td>Camphor Laurel</td>
<td><em>Cinnamomum camphora</em></td>
</tr>
<tr>
<td>Canary Island Date Palm</td>
<td><em>Phoenix canariensis</em></td>
</tr>
<tr>
<td>Hackberry or Sugarberry</td>
<td><em>Celtis occidentalis</em></td>
</tr>
<tr>
<td>China Doll</td>
<td><em>Radermachera sinica</em></td>
</tr>
<tr>
<td>Chinese Tallow</td>
<td><em>Triadica sebifera</em> [Sapium sebiferum]</td>
</tr>
<tr>
<td>Cocos or Queen Palm</td>
<td><em>Syagrus romanzoffiana</em></td>
</tr>
<tr>
<td>Coral Tree</td>
<td><em>Erythrina x sykesii</em></td>
</tr>
<tr>
<td>Cotoneaster</td>
<td><em>Cotoneaster</em> species</td>
</tr>
<tr>
<td>Domestic Fruit Trees</td>
<td></td>
</tr>
<tr>
<td>Golden Cypress Pine</td>
<td><em>Cuppressus macrocarpa</em> ‘Brunniana’</td>
</tr>
<tr>
<td>Honey Locust</td>
<td><em>Gleditsia triacanthos</em></td>
</tr>
<tr>
<td>Kaffir Plum</td>
<td><em>Harpephyllum caffrum</em></td>
</tr>
<tr>
<td>Koelreutaria paniculata</td>
<td><em>Golden Rain Tree</em></td>
</tr>
<tr>
<td>Liquidambar</td>
<td><em>Liquidambar</em> species</td>
</tr>
<tr>
<td>Norfolk Island Hibiscus/Itchy Pod Tree</td>
<td><em>Lagunaria patersonii</em></td>
</tr>
<tr>
<td>Oleander</td>
<td><em>Nerium oleander</em></td>
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<tr>
<td>Pepper Tree</td>
<td><em>Schinus areira</em></td>
</tr>
<tr>
<td>Poplar</td>
<td><em>Populus</em> species</td>
</tr>
<tr>
<td>Privet</td>
<td><em>Ligustrum</em> species</td>
</tr>
<tr>
<td>Radiata Pine</td>
<td><em>Pinus radiata</em></td>
</tr>
<tr>
<td>Rubber Tree</td>
<td><em>Ficus elastica</em></td>
</tr>
<tr>
<td>Silky Oak</td>
<td><em>Grevillea robusta</em></td>
</tr>
<tr>
<td>Umbrella Tree</td>
<td><em>Schefflera actinophylla</em></td>
</tr>
<tr>
<td>Willow</td>
<td><em>Salix</em> species</td>
</tr>
</tbody>
</table>

**Note:** A maximum of 5 trees only may be removed at any one time under this exemption clause, to avoid adverse affects of possible land-clearing activities.
Note 2: The exemption only applies to the above tree species where the height of the tree is less than 5 metres from the ground level to the top of the crown of the tree. Where an Exempt Tree is 5 metres or more in height, an application will need to be lodged with Council.

Note 3: The exemption does not apply to any of the above tree species where the tree is within the curtilage of an item of environmental heritage or upon land within a Heritage Conservation Area. In such cases, the lodgement of a Development Application is required for the pruning or removal of any such tree.
Chapter C3: Boarding Houses

Contents

1 INTRODUCTION 1
2 OBJECTIVES 1

3 DEVELOPMENT CONTROLS FOR BOARDING HOUSES 1
3.1 Location of Boarding Houses 1
3.2 Setbacks 2

4 MINIMUM FACILITIES FOR BOARDING HOUSES – Building Code of Australia 2

5 MANAGEMENT PLAN 4

6 FIRE SAFETY 5
Part C – Specific Land use Controls

Chapter C3: Boarding Houses

1 INTRODUCTION

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

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

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

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

2 OBJECTIVES

1. The primary objectives of this chapter are to:

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

3 DEVELOPMENT CONTROLS FOR BOARDING HOUSES

3.1 Location of Boarding Houses

1. Boarding houses should be generally located within areas that have:

   a) Access to public transport within 400 metres of a railway station or bus stop.
   b) Access to employment and or services (either within walking distance or via public transport)
   c) Access to parks or open space corridors
   d) Access to educational institutes such as Universities.

2. Clustering of boarding houses should be avoided so as to reduce the amenity impacts on residential areas. A separation distance of 150m should be considered from existing boarding houses in areas not covered by the SEPP.
3.2  Setbacks

1. Front building line setback shall be consistent with the prevailing front building alignment of directly adjoining buildings.

2. Corner lots, the minimum secondary frontage setback shall be 3 metres.

3. Garages shall be setback at least 6 metres from either the primary street frontage or the secondary street frontage.

4. Rear boundary setback shall be 6 metres.

5. Side setback shall be a minimum 900 millimetres from the property boundaries for a single storey building and at least 3 metres for a two storey building.

4  MINIMUM FACILITIES FOR BOARDING HOUSES – BUILDING CODE OF AUSTRALIA

4.1.1  CLASS 1B BOARDING HOUSES

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

4.1.2  CLASS 3 BOARDING HOUSES

1. The Building Code of Australia classifies buildings based on their purpose. Class 3 boarding houses are recommended to make provision for the following facilities within the development:

   (a) Bedrooms;
   
   (b) Laundry facilities;
   
   (c) Toilet facilities;
   
   (d) Communal kitchen area for food preparation (in addition to any private kitchenette);
   
   (e) Communal living room area;
   
   (f) Individual and communal storage facilities;
   
   (g) Garbage and recycling facilities; and
   
   (h) Manager / operator accommodation.
4.1.3 GENERAL BOARDING HOUSE CONTROLS

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

1. The design of boarding houses must demonstrate the balance between the shared and private areas. Boarding house residents generally only occupy their own bedroom and share the remainder of the internal areas with other residents of the building, so shared areas are a particularly significant component in a boarding house.

2. Boarding rooms shall be a minimum of 12m² for 1 person or 16m² for 2 people.

3. The maximum number of lodgers per boarding room is two (2).

4. Where an ensuite bathroom facility is to be provided this shall be a minimum of 3m². This is to be provided in addition to the 12m² or 16m² for the boarding room size.

5. Where shared bathroom facilities are proposed in a Class 1(b) Boarding House the bathroom must:
   a. Comply with the Building Code of Australia.
   b. Must be located so as to be accessible to all occupants.
   c. A minimum of one (1) bath or shower for each 10 occupants or part thereof and 1 closet pan and washbasin with hot and cold running water for each 10 occupants or part thereof.

6. Shared bathroom facilities for Class 3 Boarding houses are required to comply with the Building Code of Australia.

7. Communal kitchens in Class 1(b) boarding house are to be:
   a. Supplied with cupboards, kitchen sink, food preparation benches and cooking facilities plus tables and chairs in a central location accessible to all residents.
   b. Communal kitchens shall be a minimum area of 6.5m² for up to 6 residents or 11m² for more than 6 residents up to 12 residents.
   c. Where minor kitchenette facilities are provided within all bedrooms they shall be comprised of a fridge, adequate cupboards and shelves and a microwave (For fire safety reasons no other cooking appliances are permitted).

8. Class 3 communal kitchen and dining area are to be:
   a. A minimum of 15m² plus 1m² per additional person above 12 persons; or
   b. All bedrooms shall contain kitchenette facilities a fridge, adequate cupboards and shelves and a microwave. (For fire safety reasons no other cooking appliances are permitted)

9. Laundry and clothes drying facilities are to be provided at a rate of:
   a. One (1) washing machine and washing tub is required for every 10 rooms plus
   b. One (1) clothes dryer or a Min. 30 metres of clothesline for every 10 rooms is required.

10. All boarding houses must provide at least one communal living room of sufficient size to accommodate proposed number of residents.
11. At least one communal living room should receive a minimum of 3 hours direct sunlight between 9am and 3pm in mid winter.

12. Private open space is to be located in the rear setback.

13. A minimum of one private open space area of 20 square metres with a minimum dimension of 3 metres is to be provided for use by lodgers.

14. Where the boarding house is not within walking distance to public open space it should provide 30 square metres of private open space.

15. If accommodation is provided on site for a boarding house manager, then one area of at least 8 metres square with a minimum dimension of 2.5 metres is to be provided adjacent to the accommodation for the purpose of private open space.

16. Landscaping in the front setback should aim to soften the built form of the boarding house and maintain the visual amenity of the surrounding locality.

17. A landscape plan may be required for purpose built boarding houses in accordance with Chapter E6 Landscaping.

18. Boarding house shall make satisfactory provision for on-site car parking for residents, the resident manager / property owner and visitors.

19. Car parking shall be provided in accordance with Chapter E3 Car Parking

20. All new boarding houses or major alterations and additions to existing boarding houses will be required to provide suitable disabled access arrangements into and within the boarding house in accordance with the Australian Standards.

5 MANAGEMENT PLAN

Boarding houses require a management plan to be submitted with a development application in order to ensure that the boarding house operates in a way that maintains the existing amenity of the surrounding locality.

1. The management plan shall provide the following information:

   (a) Proposed staffing arrangements during the daytime and at night-time;

   (b) Proposed measures to ameliorate any potential noise or amenity impacts within the building and upon the surrounding locality;

   (c) Proposed safety and security measures to be employed within the boarding house including prominent display boards within the building of emergency telephone numbers and other essential telephone numbers;

   (d) Proposed management practices to prevent the use of outdoor common open space areas between 10.00 pm and 7.00 am; and

   (e) The 24 hour contact details of the manager / caretaker (including phone number and mobile phone number) (can be provided at the Occupation Certificate stage).
6 FIRE SAFETY

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

2. A floor layout plan of the building must also be affixed to the inside of the door for each bedroom within the boarding house to indicate the emergency evacuation routes from the respective sleeping room.

3. Any approved boarding house will require appropriate annual certification for essential fire safety measures.
# Chapter E16: Bush Fire Management

## Contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>INTRODUCTION</td>
</tr>
<tr>
<td>2</td>
<td>WHAT IS BUSH FIRE PRONE LAND?</td>
</tr>
<tr>
<td>2.1</td>
<td>General</td>
</tr>
<tr>
<td>2.2</td>
<td>Category 1 Vegetation</td>
</tr>
<tr>
<td>2.3</td>
<td>Category 2 Vegetation</td>
</tr>
<tr>
<td>3</td>
<td>DEVELOPMENT CONTROLS</td>
</tr>
<tr>
<td>4</td>
<td>INTEGRATED DEVELOPMENT</td>
</tr>
<tr>
<td>5</td>
<td>CLASS 5 – 8 BUILDINGS AND CLASS 10 BUILDINGS OF THE BUILDING CODE OF AUSTRALIA</td>
</tr>
<tr>
<td>6</td>
<td>CONSTRUCTION CERTIFICATE APPLICATIONS FOR DEVELOPMENTS WITHIN BUSH FIRE PRONE LAND</td>
</tr>
<tr>
<td>7</td>
<td>ASSET PROTECTION ZONES ON COUNCIL MANAGED LANDS</td>
</tr>
<tr>
<td>8</td>
<td>REFERENCE MATERIAL / DOCUMENTS</td>
</tr>
</tbody>
</table>

## Figures

- Figure 1: Bush Fire Prone Land Map ........................................ 1
- Figure 2: Vegetation Categories and Buffer Distances ............. 1
1 INTRODUCTION

This chapter of the DCP provides guidance and controls for all development upon land classified as being bush fire prone within the City of Wollongong Local Government Area (LGA).

This chapter of the DCP should be read in conjunction with Wollongong Local Environmental Plan 2009 (ie including the Bush Fire Prone Maps), the NSW Rural Fire Service publication Planning for Bush Fire Protection 2006 and Australian Standard AS3959 – 2009 Construction of Buildings in Bushfire-prone Areas.

Additionally, any Development Application involving the erection of a detached dwelling-house, alterations and additions to an existing dwelling-house within bush fire prone land must also address the requirements contained in the NSW Rural Fire Service publication titled Building in Bush Fire Prone Areas – Guidelines for Single Dwelling Development Applications.

2 WHAT IS BUSH FIRE PRONE LAND?

2.1 General

Figure 1 illustrates the Bush Fire Prone Land map applying to the whole of the City of Wollongong-LGA. This map can be viewed on Council’s website.


Bush fire prone land is described as Category 1 or Category 2 vegetation. Figure 2 depicts bush fire vegetation (Category 1 and Category 2) and the associated buffer distances.

2.2 Category 1 Vegetation

Category 1 vegetation appears as orange on the map and represents forests, woodlands, heathlands, pine plantations and wetlands. Land within 100 metres of this category (indicated by the red buffer on the map) is also captured by the Bush Fire Prone Land Map due to the likelihood of bushfire attack.

2.3 Category 2 Vegetation

Category 2 vegetation appears as yellow on the map and represents grasslands, scrublands, rainforests, open woodlands and mallee. Land within 30 metres of this category (ie as indicated by the red buffer on the map) is also captured by the Bush Fire Prone Land Map due to the likelihood of bushfire attack.
Figure 1: Bush Fire Prone Land Map

3 DEVELOPMENT CONTROLS

1. If any part of a proposed development falls within an area that has been mapped as bush fire prone (Category 1, 2 or buffer), then the applicant must consider bush fire risk as part of the Development Application process.

2. The application must be accompanied by a Bush Fire Risk Assessment report.

3. The Bush Fire Risk Assessment report must be in accordance with the requirements of the Planning for Bushfire Protection 2006 guidelines.


5. Developments that meet the acceptable solutions of the Planning for Bushfire Protection 2006 guidelines can be determined by the consent authority (i.e. Council).

6. Applications should include buildings that are sited and designed to minimise the risk of bush fire attack which discourages the requirement to build at BAL–Flame Zone and BAL–40. If an alternate solution is proposed or the application can not comply with the Planning for Bushfire Protection 2006 guidelines, the application will be referred to the Rural Fire Service Fire Control Centre for comment prior to the determination of the application by Council.

7. Any proposed modification to a development consent granted for a development upon bush fire prone land must comply with the requirements of the Planning for Bush Fire Protection 2006 guidelines and Australian Standards AS3959 – 2009 Construction of Buildings in Bushfire-prone Areas.
8. Any landscape plan must be prepared in accordance with Appendix 5 of the *Planning for Bush Fire Protection* 2006 guidelines.

9. The landscape plan must identify the following:
   a. Location and species type of all existing and proposed trees and shrubs within the proposed asset protection zone(s).
   b. Proposed trees and shrubs to be removed as part of the asset protection zone (APZ).
   c. Proposed trees and shrubs to be retained as part of the asset protection zone (APZ).

4 **INTEGRATED DEVELOPMENT**

1. Bush Fire Safety Approval from the NSW Rural Fire Service, under section 100B of the Rural Fires Act 1997 is required for the following types of development:
   a. Subdivision of land that could be used for residential or rural residential purposes.
   b. Development of bush fire prone land for a special fire protection purpose (e.g. educational establishments, senior living self-care or residential care facilities etc.).

2. Any Integrated Development Application must be accompanied by a Bush Fire Risk Assessment report prepared by a suitably qualified bush fire consultant.

3. The Bush Fire Risk Assessment report must be in accordance with the requirements of *Planning for Bush Fire Protection* 2006 guidelines.

5 **CLASS 5 – 8 BUILDINGS AND CLASS 10 BUILDINGS OF THE BUILDING CODE OF AUSTRALIA**

1. The Building Code of Australia (BCA) does not provide any bush fire specific performance requirements and hence, AS3959 does not apply as a set of ‘deemed to satisfy’ provisions. The general fire safety provisions contained in the BCA are taken as acceptable solutions but the aim and objectives of *Planning for Bush Fire Protection* 2006 guidelines apply in relation to other matters such as access, water and services, emergency planning and landscaping/vegetation management.

2. Under Appendix 1 of the *Planning for Bush Fire Protection* 2006 guidelines, the following classes of buildings in the BCA are subject to compliance with the requirements of the *Planning for Bush Fire Protection* 2006 guidelines:
   a. Class 5 – 8 buildings (i.e. offices, factories, warehouses, public car parks and other commercial or industrial facilities);
   b. Class 10a Buildings (i.e. sheds); and
   c. Class 10b Buildings (i.e. fences, retaining or free standing walls, masts, antennae, swimming pools or the like).

3. Where a Class 10a building is constructed in proximity to another residential class of building, the Class 10a building must meet the requirements of that class or be located no less than 6 metres away from the main building.

4. Class 10b buildings are required to be non-combustible and where an aboveground swimming pool is erected, it should not adjoin or be attached directly onto a wall of a building of Class 1 – 4 of SEPP Class 9.
5. In this respect, any Development Application for a Class 5 – 8 Building must be accompanied by a Bush Fire Risk Assessment report. This report must be prepared by a suitably qualified and experienced bush fire consultant.

6. Any Development Application for a Class 10 Building must be supported by a Bush Fire Risk Assessment report. This report is recommended to be prepared by a suitably qualified and experienced bush fire consultant, rather than the property owner.

6 CONSTRUCTION CERTIFICATE APPLICATIONS FOR DEVELOPMENTS WITHIN BUSH FIRE PRONE LAND

1. Construction Certificate applications for development upon land classified as bush fire prone land are assessed in accordance with AS3959 – 2009 Construction of Buildings in Bushfire-prone Areas. Therefore, an applicant must provide a schedule of compliance with the applicable construction standards in accordance with section 3 of AS3959. This schedule will form part of the approval documentation and the applicant will be required to comply with it during the course of construction.

7 ASSET PROTECTION ZONES ON COUNCIL MANAGED LANDS

1. Generally APZs proposed on lands to be dedicated to Council will not be accepted. Where a Development Application proposes an APZ on land to be dedicated to Council, it will be assessed on a case by case basis and must have regards for/to:

a. Accessibility of land.

b. Minimisation of ongoing maintenance.

c. Identification of the responsible party for the identified maintenance e.g. use of positive covenants on adjoining properties.

d. The intended use/purpose of dedicated land. This will have bearing on acceptability of the proposal e.g. APZ on sporting fields which are maintained by Council for general public use. Natural creek lines and bushland reserves are not appropriate.

e. Council’s preferred management option for APZs in new subdivisions is a perimeter road networks with the balance/additional APZ components within private land.

8 REFERENCE MATERIAL / DOCUMENTS


The Australian Standard AS3959 – 2009 Construction of Buildings in Bushfire-prone Areas may be obtained from Standards Australia website at www.standards.org.au
Chapter E17: Preservation and Management of Trees and Vegetation

Contents

1 INTRODUCTION 1
2 OBJECTIVES 1
3 DEFINITIONS 1
4 LAND TO WHICH THIS CHAPTER OF THE DCP APPLIES 2
5 OTHER RELEVANT LEGISLATION 2
6 EXEMPTIONS FROM approvals 3
7 TREE MANAGEMENT PERMIT APPLICATION PROCESS 4
  7.1 Development Application - Lodgement Requirements 5
  7.2 Tree and Vegetation Management as part of a Development Proposal 6

Appendix: 1 EXEMPT TREE SPECIES LIST 8
1 INTRODUCTION

This Chapter of the DCP outlines Council’s requirements for the preservation and management of tree(s) and other vegetation (including pruning and removal).

Under clause 5.9 of the Wollongong Local Environmental Plan 2009, a person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any prescribed tree or other vegetation, without development consent or a permit being granted by Council. Refer to Part 3 Definitions for the meaning of ‘prescribed tree’ and ‘prescribed other vegetation’.

Two application processes have been established to deal with the assessment and approval for prescribed trees:

a) Tree Management Permit (generally for individual/small scale tree removal and pruning in urban areas) - refer to Council’s website for the Tree Management Permit Policy;

b) Development consent via either Complying Development or Development Application.

This Chapter of the DCP should be read in conjunction with clauses 5.9 Preservation of trees or vegetation, 5.10 Heritage conservation, 5.11 Bush fire hazard reduction work and 7.2 Natural resource sensitivity – biodiversity of Wollongong Local Environmental Plan 2009.

2 OBJECTIVES

1. The objectives of this part of the DCP are to:

   a) Protect trees within the City of Wollongong Local Government Area.

   b) Protect and enhance native vegetation, habitat for native fauna and biodiversity.

   c) Protect and enhance native vegetation for its scenic values and to retain the unique visual identity of the landscape.

   d) Conserve trees of ecological, heritage, aesthetic and cultural significance.

   e) Conserve significant stands of remnant vegetation.

   f) Manage non-native vegetation in accordance with its cultural heritage and landscape significance.

   g) Ensure that any new development considers and maximises the protection of existing vegetation in the site planning, design, development, construction and operation of the development.

   h) Identify trees and other vegetation that may be pruned or removed without the necessity for a Tree Management Permit or development consent.

3 DEFINITIONS

Habitat tree means any tree which is a nectar feeding tree, roost and nest tree or a hollow-bearing tree which is suitable for nesting birds, arboreal marsupials (possums), micro-bats or which support the growth of locally indigenous epiphytic plants such as orchids.
**Height** means the distance measure vertically between the horizontal plane of the lowest point of the base of the tree which is immediately above ground and the horizontal plane of the uppermost point of the tree.

**Injury** means damage to a tree and includes:

- Lopping and topping,
- Poisoning, including applying herbicides and other plant toxic chemicals to a tree or spilling of oil, petroleum, paint, cement, mortar and the like onto the root zone,
- Cutting, tearing, breaking or snapping of branches and roots that is not carried out in accordance with accepted arboricultural practices or is done for invalid reasons, including vandalism,
- Ringbarking, scarring the bark when operating machinery, fixing objects by nails, staples or wire or fastening materials that circle and significantly restrict the normal vascular function of the trunks or branches,
- Damaging a trees root zone by compaction or excavation, asphyxiation including unauthorised land filling or stockpiling of materials around the tree trunk, and / or
- Underscrubbing, unless carried out by hand tools such as brushcutters and the like.

**Prescribed other vegetation** means any of the following types of indigenous vegetation:

- Trees (including any sapling or shrub, or any scrub),
- Understorey plants,
- Groundcover (being any type of herbaceous vegetation), or
- Plants occurring in a wetland.

Note: For the purposes of this definition, vegetation is “indigenous” if it is of a species of vegetation, or if it comprises species of vegetation, that existed in the State of NSW before European settlement. However, “native vegetation” does not include any mangroves, seagrasses or any other type of marine vegetation to which section 205 of the *Fisheries Management Act 1994* applies.

**Prescribed tree** is defined as

a) Are three (3) metres or more in height; or
b) Have a diameter of 200mm or more at a height of one (1) metre from the ground; or
c) Have a branch spread of three (3) metres or more,

**State Policy** means State Environmental Planning Policies, or any other state documents or policy having the same statutory effect, however described.

## 4 LAND TO WHICH THIS CHAPTER OF THE DCP APPLIES

This chapter of the DCP applies to all lands within the City of Wollongong Local Government Area.

## 5 OTHER RELEVANT LEGISLATION

Other relevant legislation to be considered in conjunction with this chapter includes but is not limited to:

• Fisheries Management Act 1994.
• Threatened Species Conservation Act 1995.
• Environment Protection and Biodiversity Conservation Act 1999.

* Note that consent may be required in some instances from an authority other than Council.

6 EXEMPTIONS FROM APPROVALS

1. Neither a Tree Management Permit or Development Consent is required for the pruning, removal, or injury of any tree or other vegetation in the following situations:

   a) Where a complying development application is lodged under and can satisfy the criteria of SEPP (Exempt and Complying Development Codes) 2008. Applicants should refer to the SEPP for details. Any removal associated with development or to facilitate development will require a Development Application if it cannot meet the requirements of the SEPP.

   b) The clearing of native vegetation that is authorised by a development consent or property vegetation plan under the Native Vegetation Act 2003, as administered by the relevant Catchment Management Authority.

   c) The clearing of vegetation on State protected land (within the meaning of clause 4 of Schedule 3 to the Native Vegetation Act 2003) that is authorised by a development consent under the provisions of the Native Vegetation Conservation Act 1997 as continued in force by that clause.

   d) Where a prescribed tree has been approved for removal or management under a previous development consent (i.e. where such vegetation is within the building envelope or the surrounding cartilage of the building envelope).

   e) Where a prescribed tree is included in Council’s Exempt Tree Species List in Appendix 1 to this chapter (excluding trees within the cartilage of the heritage item or heritage conservation area).

   f) Where bushfire hazard reduction work is undertaken, authorised by the NSW Rural Fire Service under the Rural Fires Act 1997.

   g) Where action is required or authorised to be done by or under the Electricity Supply Act 1995, the Roads Act 1993 or the Surveying and Spatial Information Act 2002 or other Statutory Authorities.

   h) Where a prescribed tree is identified as a noxious weed under the Noxious Weeds Act 1993 or any management plan published by the Illawarra District Noxious Weeds Authority.

   i) Where a prescribed tree is located within a State Forest or on land reserved for sale as a timber forest reserve under the Forestry Act 1916.

   j) Where a prescribed tree within an approved plantation meeting the criteria of the Plantation and Reafforestation Act 1999.

   k) Where action is carried out by Council, State Emergency Service, Rural Fire Service, or another infrastructure authority/emergency service authority in response to an emergency (i.e. where there is an immediate threat of injury to persons or damage to property).
l) Any works to make safe a prescribed tree where there is an immediate threat of injury to persons or damage to property, either during or within 48 hours following a severe weather event. – Refer to note below.

m) Where the subject tree has been grown specifically for its edible fruit.

n) Where the works are undertaken by Council or a contractor acting on behalf of Council on Council owned or controlled land, including but not limited to lands within a sportsground, park, reserve, road reserve, riparian corridor.

Note: A Tree Management Application or Development Application must be lodged with Council for the removal or further pruning of a tree within 72 hours from the date of the emergency pruning works for any tree upon private land.

7 TREE MANAGEMENT PERMIT APPLICATION PROCESS

1. A Tree Management Permit (TMP) is required from Council for cutting down, pruning, removal or injury of any prescribed tree that is not exempt or does not require development consent.

2. A Tree Management Permit is also required for any dead or dying tree.

3. Pruning of major structural roots or anchor roots is also subject to a Tree Management Permit.

4. Each Tree Management Permit is limited to a maximum of five (5) trees per application.

5. A maximum of three (3) Tree Management Applications may be lodged with Council in respect of the relevant land parcel at any one time. Excluding within zones E2 Environmental Conservation, E3 Environmental Management or E4 Environmental Living where a maximum of one (1) TMP may be lodged at any one time.

6. Tree Management Permits are not suitable as a means to facilitate development, complying or otherwise.

7. Tree Management Permits cannot approve the removal of a tree that is required to be retained by a development condition of consent. An application to modify the development consent will be needed in this instance.

8. Applicants should refer to the Tree Management Permit Policy on Council’s website or contact Council’s Customer Service Centre for further information on the application process and assessment criteria.

9. The lodgement of a Development Application is required for the cutting down, pruning, removal, or injury of tree(s) or other vegetation in the following situations:

   a) Any development requiring tree removal that cannot be carried out in accordance with SEPP (Exempt and Complying Development Codes) 2008 including the Part 3 General Housing Code and 3A Rural Housing Code.

   b) Sixteen (16) or more trees are proposed to be cut down, pruned or removed upon lands, excluding lands zoned either: E2 Environmental Conservation, E3 Environmental Management or E4 Environmental Living.

   c) Six (6) or more tree(s) and/or the clearing of other native vegetation upon land zoned either: E2 Environmental Conservation, E3 Environmental Management or E4 Environmental Living.
d) Any tree and/or other vegetation identified as an item of heritage significance or located on land identified as containing an item of heritage significance, in Schedule 5 Part 1 of Wollongong Local Environmental Plan 2009.

e) Any tree and/or other vegetation which is contained upon any land identified within a Heritage Conservation Area, in Schedule 5 Part 2 of Wollongong Local Environmental Plan 2009.

f) Tree(s) and/or other vegetation on land affected by State Environmental Planning Policy No. 14 - Coastal Wetlands (SEPP 14).

g) Any tree or vegetation which is contained upon any land containing an endangered ecological community or threatened flora species or fauna habitat under the Threatened Species Conservation Act 1995.

Note 1: Under SEPP 14, the consent authority (Council) may only grant development consent to the destruction or removal of native trees or other native vegetation within a coastal wetland, in cases where the Director – General has granted written concurrence to the application.

Note 2: Where the clearing, removal or destruction of any threatened flora species, endangered ecological community or critical habitat for a threatened flora or fauna species or ecological community as listed under Threatened Species Conservation Act 1995 is likely to have a significant effect the concurrence of the Director – General of the NSW Office of Environment and Heritage is required.

7.1 Development Application - Lodgement Requirements

1. The following information is required to be submitted with any Development Application:

   a. Application form - completed and signed by all relevant property owners. This includes all property owners on land to which the subject tree(s) is situated, they must sign the application form or alternatively, an attached supporting letter must be provided which authorises the lodgement of the application for any works on the subject tree(s).

   b. Details of the proposed number, species, age and size (i.e. height, trunk diameter, canopy spread) of tree(s) and/or other vegetation proposed to be removed / pruned.

   c. Full written details as to the reasons for the proposed pruning or removal of the tree(s) and/or other vegetation.

   d. A full description of existing trees and other vegetation upon the site.

   e. Payment of the prescribed application fee. Any property owner who receives a pension rate rebate from Council will be exempt from having to pay the application fee as per Council's adopted Fees and Charges

2. If a tree is growing near a common property boundary, ownership will be determined by identifying which side of the boundary the majority of the trunk’s diameter exists at ground level.

3. Where a property is in a Strata Plan under the Strata Schemes (Freehold Development) Act 1973 or the Strata Schemes (Leasehold Development) Act 1986, the written consent and Body Corporate seal is required from the Body Corporate which authorises the lodgement of the application for the specific type of works to be undertaken.

4. Council may require additional supporting information for an application, including the following:

   a. Arborist’s report;
(b) Tree survey;
(c) Flora and fauna impact assessment report;
(d) Geotechnical or structural engineer’s reports;
(e) Bushfire assessment report
(f) Plumber’s report;
(g) Details of proposed root barriers; and/or
(h) Medical Certificate from a Medical Practitioner in cases where the removal or pruning of a tree is requested due to quality of life issues (e.g. allergies).

5. An Arborist who can prepare reports is a person who is eligible for membership as a ‘Consulting Arborist’ with the National Arborists Association of Australia or the Institute of Australian Consulting Arboriculturists and who has obtained a Level 5 Certificate in Horticulture/Arboriculture or equivalent.

6. In cases where a tree has caused damage to a sewer, the application must include written evidence from a licensed plumber stating the extent of the problem. This is necessary given that damage to a sewer is often unidentifiable from the natural ground surface level.

7. In all cases, all costs associated with providing any required additional information shall be borne by the Applicant.

7.2 Tree and Vegetation Management as part of a Development Proposal

1. As part of the assessment of a Development Application for buildings where existing trees or other native vegetation are on the site, Council will determine if the trees should be retained, can be removed or if modifications need to be made to the layout of buildings and driveways. This will be determined using criteria for evaluation of significant trees and vegetation. The Development Application must be supported by an Arborist Report that complies with Council’s requirements.

2. Generally for a tree to be retained reference must be made to Australian Standard AS4790-2009 Protection of Trees on Development Sites.

3. Where Council has issued a Development Consent for a structure or building, any tree with its base within 3 metres of that building or structure on the subject land may be removed without further application to Council, provided the Council’s Tree Management Officer is satisfied before the tree is removed that its base is within the 3 metre limit.

4. If it has been determined that a tree or trees are to be retained, a tree protection zone must be established. This will include a fenced off area which must be maintained throughout the construction period and shall be exclusive of any buildings, footings, excavation, retaining walls, materials storage, services, level changes or hard surfaces in the zone. Certification from a qualified arborist may also be required at the following stages of the development:

(a) Before commencement of construction;
(b) At mid point of the construction phase; and
(c) At completion of the construction phase.
10. Larger sites should use a Council approved Landscape Management Plan or a Vegetation Management Plan to maintain trees on regular basis. Where an approved Landscape Management Plan (detailing the proposed management methods) does not exist approval should be sought from Council as part of a development application. A Vegetation Management Plan may be required where there is significant vegetation present.
## Appendix: 1 EXEMPT TREE SPECIES LIST

<table>
<thead>
<tr>
<th>Common Name</th>
<th>Botanical Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>African Olive</td>
<td><em>Olea europaea subsp. cuspidata</em></td>
</tr>
<tr>
<td>Alder</td>
<td><em>Alnus species</em></td>
</tr>
<tr>
<td>Black Locust</td>
<td><em>Robina pseudoacacia</em></td>
</tr>
<tr>
<td>Box Elder</td>
<td><em>Acer negundo</em></td>
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<tr>
<td>Camphor Laurel</td>
<td><em>Cinnamomum camphora</em></td>
</tr>
<tr>
<td>Canary Island Date Palm</td>
<td><em>Phoenix canariensis</em></td>
</tr>
<tr>
<td>Celtis occidentalis</td>
<td><em>Hackberry or Sugarberry</em></td>
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<tr>
<td>China Doll</td>
<td><em>Radermachera sinica</em></td>
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<tr>
<td>Chinese Tallow</td>
<td><em>Triadica sebifera [Sapium sebiferum]</em></td>
</tr>
<tr>
<td>Cocos or Queen Palm</td>
<td><em>Syagrus romanzoffiana</em></td>
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<tr>
<td>Coral Tree</td>
<td><em>Erythrina x sykesii</em></td>
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<tr>
<td>Cotoneaster</td>
<td><em>Cotoneaster species</em></td>
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<tr>
<td>Domestic Fruit Trees</td>
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<tr>
<td>Golden Cypress Pine</td>
<td><em>Cupressus macrocarpa 'Brunniana'</em></td>
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<td>Honey Locust</td>
<td><em>Gleditsia triacanthos</em></td>
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<td>Kaffir Plum</td>
<td><em>Harpephyllum caffrum</em></td>
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<td>Koelreutaria paniculata</td>
<td><em>Golden Rain Tree</em></td>
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<tr>
<td>Liquidambar</td>
<td><em>Liquidambar species</em></td>
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<td>Norfolk Island Hibiscus/Itchy Pod Tree</td>
<td><em>Lagunaria patersonii</em></td>
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<td>Oleander</td>
<td><em>Nerium oleander</em></td>
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<tr>
<td>Pepper Tree</td>
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<td>Poplar</td>
<td><em>Populus species</em></td>
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<tr>
<td>Privet</td>
<td><em>Ligustrum species</em></td>
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<tr>
<td>Radiata Pine</td>
<td><em>Pinus radiata</em></td>
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<tr>
<td>Rubber Tree</td>
<td><em>Ficus elastica</em></td>
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<tr>
<td>Silky Oak</td>
<td><em>Grevillea robusta</em></td>
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<tr>
<td>Umbrella Tree</td>
<td><em>Schefflera actinophylla</em></td>
</tr>
<tr>
<td>Willow</td>
<td><em>Salix species</em></td>
</tr>
</tbody>
</table>
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BACKGROUND

The management of our city's trees is important. Trees play a vital role in enhancing our lifestyle in Wollongong. Trees have many benefits to offer people. Trees serve many purposes to the owner, wider community and native fauna. These functions must be considered when buying, planting and maintaining a tree. Effective management of trees as a natural resource recognises that the long-term retention of trees depends upon appropriate tree location, species selection and maintenance.

The Wollongong City Tree Management Permit process allows for a proper assessment to be made of the environmental importance and viability of trees before they are pruned, removed or wilfully damaged in any way.

OBJECTIVE

The objectives of this policy are:

1. To maximise the preservation of existing trees which contribute to the amenity, visual quality and healthy environment of the City of Wollongong; and
2. To establish the procedural framework and requirements governing the pruning, removal and subsequent replacement of trees located on private property within the City of Wollongong.

POLICY STATEMENT

This policy is to be read in conjunction with Chapter E17: Management of Trees and Vegetation of the Wollongong Development Control Plan 2009. Two application processes have been established to deal with the assessment and approval for tree pruning/removal:

1. Tree Management Permit (generally for individual/small scale tree removal and pruning in urban areas);
2. Development consent via either Complying Development or Development application (for the removal or pruning of trees on a site that is subject of a proposed development). Refer to Chapter E17: Management of Trees and Vegetation of the Wollongong Development Control Plan 2009.

Table E17.01 provides a guide for Applicants on the appropriate form of application consent required. Applicant’s should consult with Council’s Customer Service for further advice.

DEFINITIONS

Arborist means a specialist in the care of trees and vegetation with relevant qualifications and training. Minimum AQF Level 3 equivalent or above.

Bushfire hazard reduction works – refer to Local Environment Plan.

Crown means the portion of the tree consisting of branches and leaves and any part of the stem/trunk from which branches arise.

Deadwood means dead branches within the crown of a tree.

Destroy means any activity leading to the death, disfigurement or mutilation of a tree.
**Habitat tree** means a tree occupied, or periodically or occasionally occupied, by native fauna species. Examples could include significant food source trees (such as fig trees), roost trees, nest trees or hollow-bearing trees which are suitable for native fauna species.

**Height** means the distance measure vertically between the horizontal plan and the lowest point on the base of the tree which is immediately above ground and horizontal plane of the uppermost point of the tree.

**Heritage Conservation Area** – refer to Local Environment Plan.

**Heritage Item** – refer to Local Environment Plan.

**Injury** means damage to a tree and includes:

- Lopping and topping;
- Poisoning, including applying herbicides and other plant toxic chemicals to a tree or spilling of oil, petroleum, paint, cement, mortar and the like onto the root zone;
- Cutting, tearing, breaking or snapping of branches and roots that is not carried out in accordance with accepted arboricultural practices;
- Ringbarking, scarring the bark when operating machinery, fixing objects by nails, staples or wire or fastening materials that circle and significantly restrict the normal vascular function of the trunks or branches;
- Damaging a tree root zone by compaction or excavation, asphyxiation including unauthorised land filling or stockpiling of materials around the tree trunks, and/or
- Underscrubbing, unless carried out by hand tools such as brushcutters and the like.

**Legally Constructed** means built in compliance with environmental and planning legislation and instruments in force within the City of Wollongong at the time of construction.

**Noxious Weed** – means a plant declared noxious under the *Noxious Weeds Act 1993*.

**Prescribed Tree** – described within this policy will be defined in the Procedure Statement below.

**Private Land** means any land in private ownership and excludes land owned or in the care, control or management of Council, a Crown Authority, government department or statutory authority.

**Pruning/Crown Maintenance Pruning** – as defined in Australian Standard AS 4373–2007 Pruning of Amenity Trees and generally involves a reduction in tree foliage and branches by up to 10 per cent in any one (1) year with no reduction in the height of the main trunk.

**Remnant Tree** means a native tree which remains in the landscape after removal of the majority of all of the native vegetation in the locality.

**Remove** means to cut down, take away or transplant a tree from its place of origin.

**Stem** means the part of the tree which supports branches, leaves, flowers and fruit and is also called “the trunk”.

**Tree dripline or zone** means the area defined under a tree by the outer edge of the tree canopy projected to ground level.
<table>
<thead>
<tr>
<th>Location</th>
<th>Extent of Works</th>
<th>Form of Application</th>
<th>Required Supporting Documentation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Areas</td>
<td>Pruning/Removal works to any tree prescribed in Clause 1 of Chapter E17 Wollongong DCP 2009</td>
<td>Tree Management Application</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pruning/Removal works to any tree as prescribed in Clause 1 of Chapter E17 Wollongong DCP 2009 that is part of a proposed development</td>
<td>Development Application</td>
<td>Arborist Report</td>
</tr>
<tr>
<td>Business and Industrial Areas</td>
<td>Pruning/Removal works to any tree prescribed in Clause 1 of Chapter E17 Wollongong DCP 2009</td>
<td>Tree Management Application</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pruning/Removal works to any tree as prescribed in Clause 1 of Chapter E17 Wollongong DCP 2009 that is part of a proposed development</td>
<td>Development Application</td>
<td>Arborist Report</td>
</tr>
<tr>
<td>Rural Areas</td>
<td>Pruning/Removal works to any tree prescribed in Clause 1 of Chapter E17 Wollongong DCP 2009</td>
<td>Tree Management Application</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pruning/Removal works to any tree as prescribed in Clause 1 of Chapter E17 Wollongong DCP 2009 that is part of a proposed development</td>
<td>Development Application</td>
<td>Arborist Report</td>
</tr>
</tbody>
</table>
| Land within E2 Environmental Conservation zone or identified as natural resources sensitive land |Works to any indigenous tree or vegetation prescribed in Chapter E18 Threatened Species of the Wollongong LEP 2009. |Development Application        | Flora and Fauna Assessment Report including a 7-Part Test.  
Species Impact Statement - If Council determines that the works are likely to have a significant effect on any threatened species, population or ecological community or its habitat.  |
| Heritage item of local significance or forms part of a heritage conservation area |Works to any tree or vegetation prescribed in Schedule 5 Part 1 of Wollongong LEP 2009. |Development Application        | Heritage Impact Statement   
Arborist Report                                      |

Notes:  
* For some works, Council may require a report from a suitably qualified and experienced person.
PENALTIES

Wollongong Local Environmental Plan 2009 prohibits the ringbarking, cutting down, topping, lopping, removing, injuring or destruction of any tree prescribed under a development control plan, except with a prior Development Consent or a permit from Council.

Any person acting on a permit issued by Council must comply with all conditions of that permit.

Any person who contravenes, or causes or permits the contravention of clause 5.9 of the Wollongong Local Environmental Plan 2009 is guilty of an offence under s.125 and s.126 of the Environmental Planning and Assessment Act 1979, and a penalty notice or court proceedings may apply.

STATEMENT OF PROCEDURES

Together with the Wollongong Local Environmental Plan 2009 and Chapter E17: Management of Trees and Vegetation of the Wollongong Development Control Plan 2009, this Policy outlines Council’s requirements for the preservation and management of certain trees. It includes the requirements for the submission, assessment and determination of applications for the pruning and removal of a tree(s) within private property.

Council requires a Tree Management Permit to be lodged for the pruning or removal of:

1. Any tree on private land which is defined as:
   - being three (3) metres or more in height, or
   - has a trunk diameter of 200mm or more at a height of one (1) metre from the ground, or
   - has a branch spread of three (3) metres or more;
2. Dead or dying trees;
3. Pruning of major structural or anchor roots.

TREE MANAGEMENT PERMIT APPLICATION REQUIREMENTS

The submission of a Tree Management Permit application is required for the pruning or removal of a tree identified above. There are two options to apply for a Tree Management Permit:

Option 1 - Lodge an application online. Online applications require payment of the prescribed application fee (as per Council’s adopted Fees and Charges) at time of lodgement via a credit card for the application to be accepted.

Option 2 – Complete a hard copy application form. Applications must be made using the current prescribed form (application forms can be obtained from Council’s website via the following link http://www.wollongong.nsw.gov.au/services/household/trees/Pages/lodgeatmp.aspx), and must contain the following information in relation to the proposed pruning or removal work on trees on private property:

- The written consent of the land owner unless the application is for pruning a tree over the applicant’s property from a tree on the neighbouring property.
- Full written details as to the reasons for the proposed pruning or removal of the tree(s).
- Completion of a plan of the site showing location of trees in relation to built structures.
- Tree species type – common and full scientific names, if known.
- Payment of the prescribed application fee, as per Council’s adopted Fees and Charges.

Land owner’s consent is required for a Tree Management Permit. This means that all property owners on the land that the tree(s) are situated must sign the application form. Alternatively, supporting documentation which authorises the lodgement of the application must be included with the application when signing on behalf of the owner such as Power of Attorney, directors of companies, trustees, executors, etc.

A maximum of three (3) Tree Management Permit Applications may be lodged with Council at any one time. Each Tree Management Permit Application is limited to a maximum of five (5) trees per application.

If a tree is growing near a common property boundary, ownership will be determined by identifying which side of the boundary the majority of the trunk’s diameter exists at ground level.

Where a property is in a Strata Plan under the Strata Schemes [Freehold Development] Act 1973 or the Strata Schemes [Leasehold Development] Act 1986, the written consent and Body Corporate seal is generally required from the Owner’s Corporation which authorises the lodgement of the application for the specific type of works to be undertaken.

Applications will be processed within ten (10) working days of the date of payment of the prescribed fee (as per Council’s adopted fees and charges).
NOTIFICATION OF COMPLETED APPLICATIONS
All applications will be responded to in writing with a uniquely numbered determination letter authorising certain works, or in the case of refusals the reasons why consent has not been granted.

All completed applications can be viewed online. Applications listed online are those which have been completed within the previous 30 days. The permit should always be reviewed prior to undertaking any approved works to ensure any determination conditions including any tree replacement requirements are adhered to. A general condition of consent is that the permit must be kept on site at all times whilst undertaking the approved works.

APPROVAL VALIDITY PERIOD
A Tree Management Permit will be valid for a period of up to two (2) years from the date of issue on the determination letter.

EXEMPTIONS FROM THE NEED FOR COUNCIL CONSENT
Council consent is not required for the removal or pruning of trees on private property outlined below:

a. Where a tree is included in Council’s Exempt Tree Species List, see Table E17.02 (excluding trees within the curtilage of the heritage item or heritage conservation area).

b. Where a tree is declared a noxious weed in the Wollongong local government area under the Noxious Weeds Act 1993, or any management plan published by the Illawarra District Noxious Weeds Authority.

c. Where a tree has been approved for removal or management action under a development consent.

d. Bushfire hazard reduction work, authorised by the NSW Rural Fire Service under the Rural Fires Act 1997.

e. Where action is required or authorised in accordance with the Electricity Supply Act 1995, the Roads Act 1993, the Surveying and Spatial Information Act 2002, the Telecommunications Act 1997 or the Sydney Water Act 1994, or any other NSW Statutory Authority.

f. Where action is carried out by Council, State Emergency Service, Rural Fire Service, or another infrastructure authority/emergency service authority in response to an emergency (i.e. where there is an immediate threat of injury to persons or damage to property).

g. Any works to make safe a tree where there is an immediate threat of injury to persons or damage to property, either during or within 48 hours following a severe weather event. Refer to Dangerous Trees Procedure as defined below.

h. Where the works are undertaken by Council or a contractor acting on behalf of Council on Council owned or controlled public land, including but not limited to lands within a sportsground, park, reserve, road reserve, or riparian corridor.

DANGEROUS TREE PROCEDURE
In situations where a tree poses an immediate and obvious threat of injury to persons or damage to property, the following procedure should be followed:

Remedial action can be carried out to make safe a tree by Council, State Emergency Service, Rural Fire Service, or other infrastructure authority/emergency service authority in response to an emergency. In such instances the property owner is required to be able to support the immediacy of the danger by the tree, such as witnessed by Council, State Emergency Service, Rural Fire Service or other infrastructure authority/emergency service authority. Alternatively a report by a person qualified in arboriculture including photographic evidence, or a Statutory Declaration from third parties should be obtained.

A Tree Management Permit Application (Refer to Tree Management Permit Applications within this policy for how to apply for a permit) must be lodged with Council for the removal or further pruning of a tree within 72 hours from the date of the emergency pruning works for any tree upon private land, including the submission of documentary evidence as described above which proves that a tree is dangerous to human life or property.
<table>
<thead>
<tr>
<th>Common Name</th>
<th>Botanical Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>African Olive</td>
<td><em>Olea europaea</em> subsp. <em>cuspidata</em></td>
</tr>
<tr>
<td>Alder</td>
<td><em>Alnus</em> species</td>
</tr>
<tr>
<td>Black Locust</td>
<td><em>Robina pseudoacacia</em></td>
</tr>
<tr>
<td>Box Elder</td>
<td><em>Acer negundo</em></td>
</tr>
<tr>
<td>Camphor Laurel</td>
<td><em>Cinnamomum camphora</em></td>
</tr>
<tr>
<td>Canary Island Date Palm</td>
<td><em>Phoenix canariensis</em></td>
</tr>
<tr>
<td>China Doll</td>
<td><em>Radermachera sinica</em></td>
</tr>
<tr>
<td>Chinese Tallow</td>
<td><em>Triadica sebifera</em> [Sapium sebiferum]</td>
</tr>
<tr>
<td>Cocos or Queen Palm</td>
<td><em>Syagrus romanoffiana</em></td>
</tr>
<tr>
<td>Common Hackberry</td>
<td><em>Celtis occidentalis</em></td>
</tr>
<tr>
<td>Coral Tree</td>
<td><em>Erythrina x sykesii</em></td>
</tr>
<tr>
<td>Cotoneaster</td>
<td><em>Cotoneaster</em> species</td>
</tr>
<tr>
<td>Domestic Fruit Trees</td>
<td></td>
</tr>
<tr>
<td>Golden Cypress Pine</td>
<td><em>Cupressus macrocarpa</em> ‘Brunniana’</td>
</tr>
<tr>
<td>Goldenrain Tree</td>
<td><em>Koelreutaria paniculata</em></td>
</tr>
<tr>
<td>Honey Locust</td>
<td><em>Gleditsia triacanthos</em></td>
</tr>
<tr>
<td>Kaffir Plum</td>
<td><em>Harpephyllum caffrum</em></td>
</tr>
<tr>
<td>Liquidambar</td>
<td><em>Liquidambar</em> species</td>
</tr>
<tr>
<td>Norfolk Island Hibiscus/Itchy Pod Tree</td>
<td><em>Lagunaria patersonii</em></td>
</tr>
<tr>
<td>Oleander</td>
<td><em>Nerium oleander</em></td>
</tr>
<tr>
<td>Pepper Tree</td>
<td><em>Schinus areira</em></td>
</tr>
<tr>
<td>Poplar</td>
<td><em>Populus</em> species</td>
</tr>
<tr>
<td>Privet</td>
<td><em>Ligustrum</em> species</td>
</tr>
<tr>
<td>Radiata Pine</td>
<td><em>Pinus radiata</em></td>
</tr>
<tr>
<td>Rubber Tree</td>
<td><em>Ficus elastica</em></td>
</tr>
<tr>
<td>Silky Oak</td>
<td><em>Grevillea robusta</em></td>
</tr>
<tr>
<td>Umbrella Tree</td>
<td><em>Schefflera actinophylla</em></td>
</tr>
<tr>
<td>Willow</td>
<td><em>Salix</em> species</td>
</tr>
</tbody>
</table>

**Notes:**

1. A maximum of five (5) trees only may be removed at any one time under this exemption clause, to avoid adverse affects of possible land clearing activities.

2. It is recommended that a photograph of the exempt tree be kept by the tree owner to confirm the exempt tree species.

3. The exemption does not apply to any of the above tree species where the tree is within the curtilage of an item of environmental heritage or upon land within a Heritage Conservation Area as identified in the Wollongong Local Environmental Plan 2009. In such cases, the lodgement of a Development Application is required.
MATTERS COUNCIL TAKES INTO CONSIDERATION WHEN DETERMINING AN APPLICATION

Council will take into consideration any one or more of the following criteria when assessing an application. In all instances, public safety will be the highest priority. If a tree cannot be safely managed using industry accepted practices as detailed in AS 4373, then approval will be granted for the tree to be removed.

The Australian Standard for Pruning of Amenity Trees (AS 4373) will be considered the minimum criteria for all tree management practices.

a. Whether a tree species is appropriate in terms of its proximity to an existing habitable dwelling, adjoining dwellings or other buildings;

b. Where the trunk/stem of the tree at ground level is within three (3) metres of:
   • The outside enclosing wall of a legally constructed dwelling or outbuilding of over 20 square metres;
   • The outside edge of the coping of a legally constructed swimming pool;

c. Whole of life tree management – the Safe Useful Life Expectancy (SULE) of the tree and whether the tree is dead or dying;

d. Whether the tree is causing structural damage to a building, structure, water main or sewer. Note: A report may be required by a suitably qualified and experienced consultant where the damage is not visually evident demonstrating that the tree, its trunk, or its root system is causing damage and the damage cannot be controlled by measures such as the installation of a root barricade;

e. Whether the tree is severely stressed, diseased or is suffering insect damage and whether the health of the tree can be improved;

f. Whether the growth habit or mature size of a trees is undesirable in a given situation (e.g. powerlines, root interference with service, infrastructure or building);

g. Whether the tree is too large for its location or is interfering or likely to interfere with public infrastructure or private utilities;

h. Whether the tree shows poor form and shape and/or vigour typical to the species;

i. Whether the branches of the tree are dead or diseased;

j. Where the branches are dangerous and overhanging a building or an adjoining property. In this case, the assessing Council officer will determine the amount of pruning permitted to address any public nuisance issue;

k. Whether the removal of the tree(s) will pose any adverse impact upon the amenity or scenic environmental quality of the locality;

l. Whether the removal of the tree(s) is necessary as part of any bushfire hazard reduction work under the Rural Fires Act 1997;

m. Whether the removal of the tree(s) will cause any potential adverse slope instability or geotechnical impacts upon the site or the locality;

n. Whether the applicant has provided a medical certificate from a Medical Practitioner which proves the pruning or removal of a tree is necessary for maintaining quality of life.

o. Whether any previous condition of development consent required the retention of the tree(s).

MATTERS THAT ARE UNLIKELY TO CONSTITUTE GROUNDS FOR THE GRANTING OF A TREE MANAGEMENT PERMIT FOR PRUNING AND/OR REMOVAL

Should a request for pruning or removal of a tree or other vegetation be received based on one or a combination of any of the following reasons, these reasons will likely be given little weight in determining the request:

a. Removal or significant pruning of tree(s) to improve views.

b. Removal or significant pruning of tree(s) to minimise leaves falling within a swimming pool.

c. Removal or pruning of a tree, due to the shedding of leaves, bark, fruit, flowers, sticks and animal and bird droppings etc, which is part of the normal life cycle of the tree. These issues will not generally constitute justification for tree removal, generally in these instances Council will promote remedial actions rather than tree removal.

d. Removal or significant pruning of tree(s) situated within land owned or managed by Council to allow for the parking or storage of a car, truck, mini-van, bus, boat, caravan or other registered/unregistered vehicle and the like upon the adjoining property or the land owned or managed by Council.

e. Tree removal for the sole purpose of enhanced solar access to solar photovoltaic systems, however Council may consider applications for pruning in accordance with AS 4373. In these situations, Council’s assessing officer will determine the amount of pruning permitted to address performance concerns relating to the solar photovoltaic system.
A formal determination letter will be issued to the applicant after the inspection of the subject tree(s). The determination letter will outline the reasons for refusal which will be based on the assessment criteria.

ENVIRONMENTAL MATTERS THAT MAY REQUIRE ASSESSMENT UNDER DEVELOPMENT APPLICATION PROCESS

a. Where the removal of the tree(s) has the potential to directly or indirectly affect an endangered ecological community, endangered population or threatened species (except where the tree(s) is a *Eucalyptus nicholii* (Narrow-leaved Black Peppermint) or *E. scoparia* (Wallangarra White Gum) – in the Wollongong LGA these two listed threatened species have been planted well outside their natural range or their habitat). Further details can be obtained in Chapter E18: Threatened Species of the Wollongong Development Control Plan 2009 http://www.wollongong.nsw.gov.au/development/regulations/Pages/default.aspx – Development Application required.

b. Where the tree is identified as a heritage item of local significance or forms part of a heritage item of local significance in Schedule 5 Part 1 of Wollongong Local Environmental Plan 2009. For further information see Wollongong City Council’s website http://www.wollongong.nsw.gov.au/development/regulations/Pages/default.aspx – Development Application required.

c. Where the removal of the tree(s) is a habitat tree (e.g. nesting, roosting or breeding tree) for any native fauna species. Further details can be obtained in Chapter E18: Threatened Species of the Wollongong Development Control Plan 2009 http://www.wollongong.nsw.gov.au/development/regulations/Pages/default.aspx – Development Application required.

d. Where the tree is part of an endangered ecological community, endangered population or is habitat for any threatened fauna species. Further details can be obtained in Chapter E18: Threatened Species of the Wollongong Development Control Plan 2009 http://www.wollongong.nsw.gov.au/development/regulations/Pages/default.aspx – Development Application required.

In the situation where the application has been refused due to one of the above environmental assessment criteria, a full refund of the Tree Management Permit application fee will occur.

FURTHER INFORMATION/CLARIFICATION FOR PERMIT AMENDMENT

Council may request additional supporting information to enable an amendment of a Tree Management Permit. This information may be required from a suitably qualified, licensed, or experience consultant! See Notes below. In all instances, the cost associated with providing any required additional information shall be borne by the applicant.

Examples of additional supporting information that may be requested include:

a. Arborist reports [See Note 1] to Council’s standard reporting format including Safe Useful Life Expectancy (SULE) rating
b. Geotechnical or Structural Engineers Reports
c. Plumbers Reports [See Note 2]
d. Details for proposed root barriers
e. Medical certificate from a Medical Practitioner in cases where the removal or pruning of a tree is requested due to quality of life issues, e.g. allergies
f. Survey of property boundary to determine ownership of the tree(s).

Notes

A suitably qualified and experienced consultant is a person possessing appropriate licences or approvals under relevant legislation.

Note 1 An Arborist who can prepare reports is a person who is eligible for membership as a ‘Consulting Arborist’ with the National Arborists Association of Australia or the Institute of Australian Consulting Arboriculturists and who has obtained a Level 5 Certificate in Horticulture/Arboriculture or equivalent.

Note 2 In cases where a tree has caused damage to a sewer, the application must include written evidence from a suitably licensed plumber demonstrating that the tree, its trunk, or its root system is causing damage, including the extent of the problem. This is necessary given that damage to a sewer is often unidentifiable from the natural ground surface level.

No fee is applicable when submitting the additional information in support of an amendment to a permit when this was requested by Council.
RIGHT OF REVIEW AGAINST COUNCIL’S DECISION

An applicant who is dissatisfied with Council’s decision has the following right of review:

Lodge a Review of Determination Application on the prescribed form with Council within twelve (12) months from the date of issue on the original determination letter. Any review of a determination must be supported by relevant documentation from an appropriately qualified consultant such as an Arborist and/or Structural Engineer depending on the reasons for this request, and include any additional reasons as to why the application should be approved. The review of determination application must be accompanied by the prescribed fee as per Council’s adopted Fees and Charges.

Any review of determination will be undertaken by a different Council officer under delegated authority or may be reported to Council for its determination.

Where Council has refused to grant a permit, the applicant may have the right to appeal to the Land and Environment Court.

COMPLIANCE AND MONITORING

The carrying out of works pursuant to a Tree Management Permit may be monitored by Council for compliance. Any works carried out without approval or not in accordance with an approval will be dealt with in accordance with relevant legislation. This may result in a Penalty Notice or legal action through either the Local Court or the Land and Environment Court against all parties (this may include the resident, property owner, anyone ordering the work or contractors employed to undertake the work) involved in any breach of the NSW Environmental Planning and Assessment Act 1979 or conditions of approval.

A Tree Management Permit authorising removal will generally include replacement conditions with an appropriate species (preferably a local native tree species). Table E17.03 Tree Selection Guide provides a list of suggested local native replacement tree species.

NOTIFICATION OF IMPENDING TREE REMOVAL

If in the opinion of Council Officers an impending tree removal specimen is of prominence and may cause some community concern, a notification stating the reasons for removal will be sent to the relevant Ward Councillors and Customer Service Staff for information. Adjoining residents will be notified where removal consent has been granted for mature trees of over 20 metres in height due to the potential effect on the local amenity and environment. The necessity for any such notification will be at the sole discretion of Council Staff.

No notification process will occur in the case of any urgent emergency tree removal work, where in the opinion of Council Staff, there is an imminent risk to human life or property.

TREES ON NEIGHBOURING PROPERTY

The owner of a neighbouring property may lodge a Tree Management Permit Application to prune a neighbour’s tree, if it overhangs their property. Approval will be dependent on the ability of the tree to be pruned in accordance with AS 4373–2007 Pruning of Amenity Trees and any root pruning will be subject to maintaining the tree’s stability. All approved pruning shall be restricted to the applicant’s side of the common property boundary only, where the tree owner’s consent has not been obtained.

Property owners are encouraged to cooperate where a branch overhangs a property boundary. However, legal advice may need to be sought regarding any liability arising from damage caused by the subject tree(s).

Any dispute arising from the removal of a tree or damage from a tree may be resolved through the Community Justice Centre or private civil action, including action in the Land and Environment Court.

Council has no direct legal role in dealing with neighbourhood disputes regarding trees on property boundaries or damage caused by trees. The Trees [Disputes Between Neighbours] Act 2006 allows the owner of an adjoining property to apply to the Land and Environment Court for an order to remedy, restrain or to prevent damage to their property or persons as a consequence of a tree situated on the neighbouring property. An individual must make a reasonable attempt to resolve the situation before an approach is made to the Court. Further information is available on the NSW Land and Environment Court’s website [http://www.lec.lawlink.nsw.gov.au/lec/your_legal_problem/tress_and_hedges.html].
# Table E17.03 - TREE SELECTION GUIDE

## Wollongong LGA - Local Native Trees
Guide for Private Property Tree Management Permit Application Replacement Tree Plantings

<table>
<thead>
<tr>
<th>Use</th>
<th>Urban Zone</th>
<th>Plant Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shade Tolerant</td>
<td>Wet Areas</td>
<td>Screening</td>
</tr>
<tr>
<td></td>
<td>Coastal frontline</td>
<td>Coastal Plain</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Botanical Name</th>
<th>Common Name</th>
<th>Use</th>
<th>Urban Zone</th>
<th>Plant Form</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Shrubs</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Myoporum boninense subsp. australis</td>
<td>Boobialla</td>
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<td>X</td>
<td>3m</td>
</tr>
<tr>
<td>Pittosporum revolutum</td>
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<td>X</td>
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<td>Leptospermum laevigatum</td>
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</tr>
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<td>Callistemon citrus</td>
<td>Crimson Bottlebrush</td>
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<td>Viminaria juncea</td>
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<td>Melaleuca hypericifolia</td>
<td>Red-flowered Paperbark</td>
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<td>Dodonaea viscosa subsp. angustifolia</td>
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<td>Acacia longifolia subsp. longifolia</td>
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<tr>
<td>Streblus brunonianus</td>
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<td>Willow Hakea</td>
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</tr>
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<td>Sambucus australasica</td>
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<td>X</td>
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<td>4m</td>
</tr>
<tr>
<td><strong>Small Trees</strong></td>
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<td>8m</td>
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<td>Diospyros australis</td>
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<td>Allocasuarina littoralis</td>
<td>Black She-oak</td>
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<tr>
<td>Callicoma serratifolia</td>
<td>Black Wattle</td>
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</tr>
<tr>
<td>Elaeocarpus reticulatus</td>
<td>Blueberry Ash</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Myoporum acuminatum</td>
<td>Boobialla</td>
<td>X</td>
<td>X</td>
<td>4m</td>
</tr>
<tr>
<td>Syzygium australe</td>
<td>Brush Cherry</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Myrsine howittiana [Rapanea]</td>
<td>Brush Muttonwood</td>
<td>X</td>
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</tr>
<tr>
<td>Glochidion ferdinandii</td>
<td>Cheese Tree</td>
<td>X</td>
<td>X</td>
<td>8m</td>
</tr>
<tr>
<td>Banksia integrifolia</td>
<td>Coast Banksia</td>
<td>X</td>
<td>X</td>
<td>8m</td>
</tr>
<tr>
<td>Backhousia myrtifolia</td>
<td>Grey Myrtle</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Guioa semiglaucia</td>
<td>Guioa</td>
<td>X</td>
<td>X</td>
<td>8m</td>
</tr>
<tr>
<td>Acmena smithii</td>
<td>Lilly Pilly</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Alectryon subcinereus</td>
<td>Native Quince</td>
<td>X</td>
<td>X</td>
<td>8m</td>
</tr>
<tr>
<td>Ceratopetulum gymniferum</td>
<td>Christmas Bush</td>
<td>X</td>
<td>X</td>
<td>4m</td>
</tr>
<tr>
<td>Banksia serrata</td>
<td>Old Man Banksia</td>
<td>X</td>
<td>X</td>
<td>6m</td>
</tr>
<tr>
<td>Elaeodendron australis [Cassine australis]</td>
<td>Red Olive Plum</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
</tbody>
</table>
## Wollongong LGA - Local Native Trees

Guide for Private Property Tree Management Permit Application

Replacement Tree Plantings

<table>
<thead>
<tr>
<th>Use</th>
<th>Urban Zone</th>
<th>Plant Form</th>
<th>Shade Tolerant</th>
<th>Wet Areas</th>
<th>Screening</th>
<th>Coastal frontline</th>
<th>Coastal Plain</th>
<th>Escarpment/Foothills</th>
<th>Plateau</th>
<th>Average Height (approx)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Cyathea australis</strong></td>
<td>Rough Tree Fern</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>8m</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Ficus coronata</strong></td>
<td>Sandpaper Fig</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>6m</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Melaleuca linariifolia</strong></td>
<td>Snow-in-Summer</td>
<td>X</td>
<td>X</td>
<td>8m</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Tristaniopsis laurina</strong></td>
<td>Water Gum</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>6m</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Callistemon salignus</strong></td>
<td>Willow Bottlebrush</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>8m</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Trees

<table>
<thead>
<tr>
<th>Species</th>
<th>Common Name</th>
<th>Use</th>
<th>Urban Zone</th>
<th>Plant Form</th>
<th>Shade Tolerant</th>
<th>Wet Areas</th>
<th>Screening</th>
<th>Coastal frontline</th>
<th>Coastal Plain</th>
<th>Escarpment/Foothills</th>
<th>Plateau</th>
<th>Average Height (approx)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Eucalyptus botryoides</strong></td>
<td>Bangalay</td>
<td>X</td>
<td>X</td>
<td>12m</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Archontophoenix cunninghamiana</strong></td>
<td>Bangalow Palm</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>10m</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Acacia melanoxylon</strong></td>
<td>Blackwood</td>
<td>X</td>
<td>X</td>
<td>10m</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Livistona australis</strong></td>
<td>Cabbage Tree Palm</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>10m</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Polyscias elegans</strong></td>
<td>Celery Wood</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>10m</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Allocasuarina torulosa</strong></td>
<td>Forest Oak</td>
<td>X</td>
<td>X</td>
<td>10m</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Brachychiton acerifolius</strong></td>
<td>Illawarra Flame Tree</td>
<td>X</td>
<td>X</td>
<td>12m</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Acacia maidenii</strong></td>
<td>Maiden’s Wattle</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>8m</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Polyscias murrayi</strong></td>
<td>Pencil Cedar</td>
<td>X</td>
<td>X</td>
<td>12m</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Podocarpus elatus</strong></td>
<td>Plum Pine</td>
<td>X</td>
<td>X</td>
<td>12m</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Melaleuca styphelioides</strong></td>
<td>Prickly Paperbark</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>12m</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Alphitonia excelsa</strong></td>
<td>Red Ash</td>
<td>X</td>
<td>X</td>
<td>10m</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Toona ciliata [Toona australis]</strong></td>
<td>Red Cedar</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>15m</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Doryphora sassafras</strong></td>
<td>Sassafras</td>
<td>X</td>
<td>X</td>
<td>12m</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Stenocarpus salignus</strong></td>
<td>Scrub Beefwood</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>8m</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Eucalyptus robusta</strong></td>
<td>Swamp Mahogany</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>12m</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Casuarina glauca</strong></td>
<td>Swamp Oak</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>12m</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Acacia binervata</strong></td>
<td>Two-veined Hickory</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>10m</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Eucalyptus longifolia</strong></td>
<td>Woollybutt</td>
<td>X</td>
<td>X</td>
<td>15m</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Notes

1. For more details on the individual species listed above, please refer to Wollongong City Council’s Grow Local: Illawarra Native Garden Guide.

2. A list of large trees (generally with average heights of 20 metres or greater) suitable for the Wollongong LGA can be found within Wollongong City Council’s Grow Local: Illawarra Native Garden Guide, and are recommended for large or rural properties only where they can be planted away from any structures or property boundaries.

3. A general guideline for planting a tree species is that they are not planted within 3 metres of any legally constructed dwelling or outbuilding and not within 1.5 metres from any property boundary.
<table>
<thead>
<tr>
<th><strong>SUMMARY SHEET</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>RESPONSIBLE DIVISION</strong></td>
</tr>
<tr>
<td><strong>DATE ADOPTED ON BEHALF OF COUNCIL</strong></td>
</tr>
<tr>
<td><strong>DATE OF PREVIOUS ADOPTION(S)</strong></td>
</tr>
<tr>
<td><strong>DATE FOR REVIEW</strong></td>
</tr>
<tr>
<td><strong>PREPARED BY</strong></td>
</tr>
<tr>
<td><strong>AUTHORISED BY</strong></td>
</tr>
</tbody>
</table>
Planning Proposal
53 Pioneer Road and 203-207
Rothy Road Bellambi

Subject site
Planning Proposal
53 Pioneer Road and 203-207
Rothery Road Bellambi
Zoning

Subject site

Proposed Rezoning to
B1 Neighbourhood Centre

Low Density Residential
Private Recreation
Planning Proposal
53 Pioneer Road and 203-207 Rothery Road Bellambi
Floor Space Ratio

Subject site

D 0.5 :1

- Proposed Floor Space Ratio 0.75:1
Message from the General Manager

This Quarterly Review Statement covers the period from April - June 2013 and reports on progress towards achieving the five Councillor aspirations from the Delivery Program 2012-17 and the annual deliverables from the Annual Plan 2012-13. Highlights and significant progress with key projects from the Delivery Program 2012-17 and Annual Plan 2012-13 are reported by the six Community Goals from the Wollongong 2022 Community Strategic Plan. This Quarterly Review also meets the requirements of the legislated Delivery Program Progress Report.

Highlights from this report include:

- Commencement on the first stage of the Shone Avenue, West Dapto Road and bridge upgrade. The works costing $5.6 M are part funded by an interest free loan from the NSW State Government, an infrastructure grant from the Australian Government and Council.
- Installation of an accessibility platform at Dapto Heated Pool.

Council also received recognition for its work during the June quarter. These were:

- The Regeneration and New Development Award at the National Trust of Australia (NSW) Heritage Awards in May 2013 for The North Beach Bathers Pavilion.
- OOSCHAS Award (peak body for Out of School Hours Services in NSW) from the Network of Community Activities for work consulting and collaborating with children to develop the Wollongong 2022 Community Strategic Plan.

Earlier in 2013 Thirroul Playground won the NSW Parks and Leisure Australia (PLA) Best Play Space Award. The playground is now a finalist in the prestigious national awards to be conducted at the National Conference in Melbourne in October.

The organisational performance is also reported through the inclusion of the executive key performance indicators which monitor the status and progress of our finances, people, projects and processes. As at the end of June 2013, the organisation was performing well in relation to these indicators.

The Quarterly Review includes an overview of how Council is tracking against its budgets and expenditure. It is a concise visual summary of Council’s financial situation for the quarter including budget, capital budget and expenditure. During the June 2013 quarter there has been a range of operational savings and additional income that are reflected as an improvement of $5.5M in the underlying end of year result.

In June Council endorsed the Annual Plan and budget for 2013-14. The plan builds on 2012-13 and details those activities we will need to undertake to address the long term financial sustainability of the organisation. This will include some challenging discussions about the services we deliver, how we deliver them, the expected level of service by our community and the need for additional revenue, primarily through a potential rates increase and changes to our fees and charges. I encourage community members to contribute to the discussion via the many different engagement opportunities that will be available and have your say on this very important issue.

I would like to thank all staff and the community for their contributions to the achievements identified in this Quarterly Review and Budget Review Statement. This review will inform the Annual Report due in November 2013.

David Farmer
General Manager
Our Councillor Aspirations: Progress Report

Our Councillors have made a commitment to support our organisation and the community in making Wollongong a better place to live, work, visit and play. To focus Council’s attention on this outcome the Councillors have agreed on five key focus areas for the next five years. These are known as our Councillor aspirations which are outlined in the Wollongong 2022: Delivery Program 2012-17. The progress with the Councillor Aspirations made in the June 2013 quarter are outlined below:

1. Financial Sustainability – The reduction in operating costs to allow increased reinvestment in infrastructure renewal.

   Council continues to undertake a comprehensive program of review including the delivery of the Supply Action Plan, which seeks to improve the way in which Council purchases goods and services to deliver our business. One of the sub-projects within the Action Plan is to investigate opportunities for strategic procurement both within the Wollongong Local Government Area and with our partner councils in the Southern Councils’ Group.

   Council has reviewed all 2000 plus land assets within its property portfolio and as a result Council at its meeting 24 June 2013 endorsed seven properties to progress to sale. These properties have been through the process of reclassification, including extensive community engagement in the past. Phase 2 will be progressed as part of a planned discussion with the community in 2013-14 regarding services and service levels. Work also continues on the review of existing business models in key areas, such as Tourist Parks and Leisure Centres. These reviews have been extended to allow for additional models of operation to be considered.

   An internal operational review has also been undertaken with the Botanic Gardens Nursery and is due for completion in August 2013.

   In June Council endorsed the Annual operational Plan for 2013-14. A key project within the plan builds on Council’s commitment to be a financially sustainable organisation. This includes determining Council’s position with regards to a rates increase to address the forecast deficit, whilst at the same time continuing to review services and identify efficiencies within the organisation.

   Council has exceeded the 2012-13 operational funds available for capital budget. The improvement is partly due to the early payment of part of the 2013-14 Federal Assistance Grant but also includes a range of operational savings and additional income that have an underlying value of $5.5M.

2. West Dapto – Planning and ensuring appropriate infrastructure to service the West Dapto Urban Release.

   Three construction projects commenced during the June quarter. These include:
   - Shone Avenue realignment including new 45 metre bridge over Robins Creek – Stage 1
   - Cleveland Road upgrade including new bridge over Mullet Creek
   - Intersection improvements at West Dapto Road/Princes Highway.

   Other infrastructure projects have been planned for West Dapto and are currently in the design phase. These include:
   - Shone Avenue Upgrade including new 62 metre bridge over Robins Creek – Stage 2 (south of Stage 1 works) – Detailed design is in final stages of preparation
   - Upgrade of Wongawilli Road and part of West Dapto Road – In preliminary phase of design.

   A technical design brief is being completed which will provide instruction to a consultant for the preparation of the design for the new link road from Fowlers Road to Fairwater Drive. Tenders for this design work will be called in the next quarter.

   Council resolved in May 2013 to support Biodiversity Certification of the West Dapto Urban Release Area. An interagency project team has been formed to prepare the information in support of a Biodiversity Certification application to the NSW Office of Environment & Heritage.

   The Sheaffes Road North Neighbourhood Plan was adopted by Council in May 2013.
Our Councillor Aspirations: Progress Report

3. Waste - The development of new waste contracts, services, facilities and systems in line with the adopted Waste Strategy.

Construction of Stage 1 new landfill cell at Whytes Gully Resource Recovery Park has commenced during the June quarter. Project approval was gained from the Department of Planning and Infrastructure (DoPI) on 3 April 2013 and a tender for construction was awarded to Select Civil Pty Ltd on 14 June 2013.

Other infrastructure projects have been planned for Whytes Gully Resource Recovery Park and these are currently in the design phase. These include:
- Stage 2 Landfill Cell
- Stage 3 Landfill Cell.

Waste Rehabilitation of the Helensburgh landfill site is currently in the design phase.

During the June quarter Council has released the following waste contract tenders:
- Collection Services (joint with Shellharbour City Council)
- Recyclables Processing (joint with Shellharbour City Council)
- Draft Organics Processing tender created.

4. Central Business District (CBD) Revitalisation - Improving the public realm, vibrancy and development opportunities within the CBD.

Over the past 12 months there has been an injection of $540M of construction within the CBD which has either been completed or is under way. In addition a number of projects/initiatives which aim to contribute to the revitalisation of the Wollongong City Centre have progressed. These include:
- Progression of works on the IPAC café/restaurant refurbishment. The project is scheduled for completion in the next quarter.
- Progression of the development of a strategy and action plan for a Wollongong City Centre Evening Economy. This project will be delivered in conjunction with the Live Music Taskforce and the development of the new Cultural Plan.
- Completion of new signage in the Arts Precinct which delivers on the revised Signage Strategy for this area.
- Supporting Destination Wollongong in the delivery of their City Centre Marketing Plan which includes key initiatives such as Live Sites and promotional campaigns.
- Footpath upgrades including Corrimal Street and upper Crown Street near the hospital.
- The delivery of Street Talk which is a public art program on the back wall of the IPAC building. Three street artists and four poets collaborated to deliver creative designs, imagery and poetry which focus on Wollongong’s urban and street culture.
- Implementation of community art on the Crown Street Mall Refurbishment project hoardings which showcase the work of local artists and create vibrancy.
- Support for the Shaping Wollongong initiative delivered by the Property Council which is a strategic and visioning project to capture the big ideas of Wollongong and the small steps needed to make them happen.

5. Walkability - An LGA wide project renewing footpaths and cycleways and constructing missing links in the system to encourage active transport.

A number of major footpath upgrades have been completed this quarter including Kembla Street (east side) between Crow and Burelli Streets.

The Grand Pacific Walk (GPW) Project is proceeding on track with both the Master Plan and Stage One designs in an advanced stage of development. The GPW Masterplan: a draft report is being finalised for presentation to councillors including the following components:
- Site Analysis of the entire route from Otford to Windang
- Completed engagement report
- Safety audit of the route from a cyclist and pedestrian perspective
- Economic Impact Assessment of the proposed project
- Pedestrian and cyclist counts for 30 locations along the route including feeders from the WCC Bike Plan
- GPW Signage Strategy
- Costed Draft Masterplan incorporating site specific proposed upgrades.

The GPW Stage One Implementation Plan, including the following:
- Costed concept plan of the route from Sea Cliff Bridge to Stanwell Park complete
- Construction tender documentation issued for delivery of the Stoney Creek Bridge in the current financial year.
Delivering Wollongong 2022: Quarterly Report

The following section provides an overview on Council’s progress with delivering Wollongong 2022. It provides a summary of progress for 2012-13, annual deliverables (Council programs, projects and activities). Highlights and significant progress with key annual projects are outlined by Wollongong 2022 community goals. This exception based reporting provides an overview of achievements for the June 2013 quarter.

The organisation’s performance is also reported by the executive key performance indicators, budget summary information and Budget Review Statement.

Wollongong 2022: Annual Plan 2012-13 Progress Summary

The Annual Plan 2012-13 contains 309 annual deliverables across the six community goals. The table below outlines how Council is tracking to achieve the annual deliverables for each community goal.

<table>
<thead>
<tr>
<th>Goal</th>
<th>Complete</th>
<th>Not Programmed to Start</th>
<th>On-time/in progress or on-going</th>
<th>Delayed</th>
<th>Deferred</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 We value and protect our environment</td>
<td>25%</td>
<td>-</td>
<td>63%</td>
<td>3%</td>
<td>9%</td>
</tr>
<tr>
<td>2 We have an innovative and sustainable economy</td>
<td>13%</td>
<td>-</td>
<td>87%</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>3 Wollongong is a creative, vibrant city</td>
<td>13%</td>
<td>-</td>
<td>74%</td>
<td>-</td>
<td>11%</td>
</tr>
<tr>
<td>4 We are a connected and engaged community</td>
<td>7%</td>
<td>-</td>
<td>91%</td>
<td>2%</td>
<td>0%</td>
</tr>
<tr>
<td>5 We are a healthy community in a liveable city</td>
<td>12%</td>
<td>-</td>
<td>82%</td>
<td>3%</td>
<td>3%</td>
</tr>
<tr>
<td>6 We have sustainable, affordable and accessible transport</td>
<td>15%</td>
<td>-</td>
<td>54%</td>
<td>23%</td>
<td>8%</td>
</tr>
</tbody>
</table>

Note:
- Complete = the project/program has been completed
- Not Programmed to Start = project has not started because it is not programmed to commence until later in the 2012-13 financial year or funding is still being sought.
- On-time/in progress or on-going = project underway and running to the agreed or revised timeframe
- Delayed = project is underway but is not running to the agreed or revised timeframe
- Deferred = a decision has been made by Council, Executive or Senior Management not to proceed with the project/program at the current time.
Delivering Wollongong 2022: Quarterly Report

At the end of the June quarter, three of the six community goals had over 80% of annual deliverables tracking ‘on-time/in progress or on-going’. For the community goal ‘Wollongong is a creative, vibrant city’ 74% of annual deliverables were ‘on-time/in progress or on-going’ while 63% and 54% were ‘on-time/in progress or on-going’ for ‘we value and protect our environment’ and ‘we have sustainable, affordable and accessible transport’ respectively.

Since the March 2013 quarterly review the percentage of annual deliverables recorded as complete increased for all community goals.

Table 2 below outlines all annual deliverables that were reported as delayed or deferred at the end of June 2013.

<table>
<thead>
<tr>
<th>Community Goal</th>
<th>Strategy Number</th>
<th>Annual Deliverable</th>
<th>Delayed</th>
<th>Deferred</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 We Value and Protect Our Environment</td>
<td>1.2.1</td>
<td>Finalise the Coastal Zone Management Plan</td>
<td>x</td>
<td></td>
<td>The State Government has announced a Ministerial Taskforce to review Coastal Planning. Finalisation of the Coastal Zone Management Plan has been deferred pending the outcome of this review.</td>
</tr>
<tr>
<td></td>
<td>1.3.3</td>
<td>Review and update the Development Control Plan 2009 to reflect contemporary waste management principles</td>
<td>x</td>
<td></td>
<td>Revised Waste Strategy is being prepared by Council. DCP review to be considered following update and adoption by Council of the Waste Strategy.</td>
</tr>
<tr>
<td></td>
<td>1.4.1</td>
<td>Review the Heritage Conservation Chapters of the Wollongong DCP 2009</td>
<td></td>
<td>x</td>
<td>Not progressed in 2012-13. Resources for this project have been allocated to other Heritage related projects which have taken longer than anticipated.</td>
</tr>
<tr>
<td></td>
<td>1.4.2</td>
<td>Conduct a review of the Aboriginal Heritage Chapter of the Wollongong DCP</td>
<td></td>
<td>x</td>
<td>The Annual Plan 2013-14 contains an action to ‘Continue the review of the Aboriginal Heritage Chapter of the Wollongong DCP.’</td>
</tr>
<tr>
<td></td>
<td>1.4.2</td>
<td>In conjunction with the local Aboriginal community develop a decision framework for managing heritage items and plans affected by coastal hazards</td>
<td></td>
<td>x</td>
<td>Will be considered following finalisation of the Coastal Zone Management Plan and the Illawara Aboriginal toolkit. Aboriginal Toolkit which was received by Council during 2012-13. Coastal Zone Management Plan awaiting outcomes of Ministerial Taskforce.</td>
</tr>
<tr>
<td></td>
<td>1.6.3</td>
<td>Investigate opportunities for facilitating improved sustainability development outcomes in the Development Control Plan review</td>
<td></td>
<td>x</td>
<td>Not progressed in 2012-13. This annual deliverable is included in the Annual Plan 2013-14.</td>
</tr>
<tr>
<td></td>
<td>1.6.3</td>
<td>Review the Sustainability Policies in the DCP to ensure they reflect contemporary best practice environmental design standards</td>
<td></td>
<td>x</td>
<td>Not progressed in 2012-13. The Annual Plan 2013-14 contains a deliverable to ‘investigate opportunities for facilitating improved sustainability development outcomes in the DCP review.’</td>
</tr>
<tr>
<td>Community Goal</td>
<td>Strategy Number</td>
<td>Annual Deliverable</td>
<td>Delayed</td>
<td>Deferred</td>
<td>Comment</td>
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</tr>
<tr>
<td>3 Wollongong is a creative, vibrant city</td>
<td>3.1.2</td>
<td>Support local cultural groups in developing viable business models and accessing relevant funding opportunities</td>
<td></td>
<td></td>
<td>Due to resourcing issues Council was unable to progress this annual deliverable in 2012-13</td>
</tr>
<tr>
<td></td>
<td>3.2.2</td>
<td>Investigate funding opportunities for public art</td>
<td></td>
<td></td>
<td>Will be considered as part of the Public Arts Policy review.</td>
</tr>
<tr>
<td></td>
<td>3.2.2</td>
<td>Investigate models to incorporate Public Art into major private and public development</td>
<td></td>
<td></td>
<td>As above.</td>
</tr>
<tr>
<td></td>
<td>3.3.1</td>
<td>Establish a 2-Centenary of Wollongong Committee, or Working Group, with strong Aboriginal community membership, to oversee the development and implementation of events and programs to be held in 2015-16, in celebration of 200 years of European settlement in Wollongong</td>
<td></td>
<td></td>
<td>At its meeting on the 8 April 2013 Council requested a Committee of Council be formed to facilitate the development of events and activities to celebrate the 2015-2016 Bicentenary of Wollongong. A report to the Council is due in December 2013.</td>
</tr>
<tr>
<td></td>
<td>3.3.2</td>
<td>Review the Art Gallery Master plan to determine infrastructure requirements of the Art Gallery including café facilities</td>
<td></td>
<td></td>
<td>The arts precinct will be considered as a part of the Cultural Plan review.</td>
</tr>
<tr>
<td></td>
<td>3.4.3</td>
<td>Develop Men’s Shed Strategy for the LGA</td>
<td></td>
<td></td>
<td>A draft strategy has been developed. The final strategy is to be complete in early 2013-14</td>
</tr>
<tr>
<td>4 We are a connected and engaged community</td>
<td>4.4.4</td>
<td>Investigate and implement an integrated planning and reporting system</td>
<td></td>
<td></td>
<td>System specifications are under development. A system will be implemented in 2013-14. An annual deliverable has been included in the Annual Plan 2013-14.</td>
</tr>
<tr>
<td></td>
<td>5.1.2</td>
<td>Support the preparation for the 2013-14 South Coast Children’s Festival</td>
<td></td>
<td></td>
<td>This externally run festival is not proceeding this year. Alternative models are being investigated for the development of a sustainable model for the delivery of this event.</td>
</tr>
<tr>
<td>5 We are a healthy community in a liveable city</td>
<td>5.4.2</td>
<td>Participate in the Crime Prevention Partnership</td>
<td></td>
<td></td>
<td>This partnership was managed by the State government departments and is currently suspended.</td>
</tr>
<tr>
<td></td>
<td>5.5.2</td>
<td>Complete Plans of Management for Mt Keira and Bald Hill</td>
<td></td>
<td></td>
<td>These Plans of Management have been deferred pending the completion of the Sandon Point Plan of Management.</td>
</tr>
<tr>
<td></td>
<td>5.5.2</td>
<td>Plan for a boardwalk trail</td>
<td></td>
<td></td>
<td>Concept plan has been prepared. Preparation of detailed designs was dependent on WaSP funding which has been discontinued by the NSW Government. Alternate funding sources being investigated.</td>
</tr>
<tr>
<td></td>
<td>6.1.2</td>
<td>Assess the feasibility to expand the Gong Shuttle</td>
<td></td>
<td></td>
<td>Deferred until Access &amp; Movement Strategy is re-adopted by Council. Programmed for early 2013-14.</td>
</tr>
<tr>
<td>Community Goal</td>
<td>Strategy Number</td>
<td>Annual Deliverable</td>
<td>Delayed</td>
<td>Deferred</td>
<td>Comment</td>
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</tr>
<tr>
<td>6 We have sustainable, affordable and accessible transport</td>
<td>6.1.3</td>
<td>Work on Blue Mile - from North Beach Bathes Pavilion to the Continental Pool</td>
<td></td>
<td>x</td>
<td>Design complete. Grant funding submissions was not successful. Construction planned for 2013-14 if it is supported by future grant applications.</td>
</tr>
<tr>
<td></td>
<td>6.1.4</td>
<td>Undertake feasibility study ('Park n Ride' commuter bus network)</td>
<td>x</td>
<td></td>
<td>Deferred until the Access &amp; Movement Strategy is re-adopted by Council.</td>
</tr>
<tr>
<td></td>
<td>6.2.1</td>
<td>Council to work with key agencies and partners to progress the provision of an effective and integrated regional transport network</td>
<td>x</td>
<td></td>
<td>Transport for NSW is leading this project. It is currently deferred by State Government agency.</td>
</tr>
</tbody>
</table>

**Red:** Significant risk in achieving the project  
**Orange:** Moderate risk in achieving the project and/or impact on delivery timeframe  
**No colour:** No significant risk in achieving the project, annual deliverable has been included in the Annual Plan 2013-14
Delivering Wollongong 2022: Quarterly Report

We Value and Protect Our Environment

Highlights and Opportunities:

Coastal Management Program

Finalisation of the Coastal Zone Management Plan (CZMP) is dependent on completion of the State Coastal Reforms. This is still an ongoing process and regular updates on NSW Government legislative changes relating to this project have been provided to Council.

One element of the Draft CZMP relating to dune management has been progressed. During the June quarter, the draft Wollongong Dune Management Strategy for the Patrolled Swimming Areas of 17 Beaches was prepared and placed on public exhibition. It is anticipated that a submission in reply report and Implementation Plan will be reported back to Council in the first quarter of 2013-14.

Biodiversity Strategy

During 2012-13, a number of actions identified within the Illawarra Biodiversity Strategy have been undertaken. Action includes updating vegetation mapping and a preliminary bio-certification assessment for the West Dapto Urban release area.

Pest Management

During 2012-13, Council’s Vertebrate Pest Management program continued in partnership with state agencies. There were a total of 88 deer culling operations undertaken, resulting in 493 deer culled. The increasing rabbit population was also serviced with 11 operational culls in April at nine (9) sites. Over the period there were 244 rabbit's culled resulting in a 90% reduction in population numbers. Community participation in the Wollongong Indian Myna Bird Program resulted in 21 workshops with 267 residents involved in the trapping program. A Myna Bird research project with University of Western Sydney is on-going.

North Beach Bathers Pavilion Award National Trust of Australia

The North Beach Bathers Pavilion won the Regeneration and New Development award at the National Trust of Australia (NSW) Heritage Awards in May 2013. The award recognises the conservation of built heritage through design, capital works and repair. Council reopened the North Beach Bathers Pavilion in September 2012 following a complex and extensive renovation of the building and its surrounds. The building’s brickwork was cleaned, repaired and repointed; public amenities were upgraded and there was the addition of a new café. Outside there was wide-ranging work done to the building’s surrounds including a new pedestrian promenade, the replacement of the seawall and the construction of new retaining walls. This work was completed as part of the broader Blue Mile project.

Projects completed from January to end of June 2013:

- Review and update vegetation mapping for priority sites and communities
- Investigate the feasibility of introducing Environmental Upgrade agreements within Wollongong
- Implement water and energy saving action projects
- Undertake initial investigations into the feasibility of a ‘Regional Museum’
- Prepare a food strategy to enable access to safe, nutritious, affordable, sustainably produced food.
We Value and Protect Our Environment

Significant Progress Against Key 5 Year Actions and Annual Deliverables:

Undertake initial investigations into the feasibility of a ‘Regional Museum’

Draft Regional Museum Feasibility Study was delivered in June. The report received will provide the foundation for a future report and recommendations to Council on the direction that may be undertaken in this sector. The information will also inform the Cultural Plan that is currently in development.

Review the Illawarra Escarpment Management Plan

The Escarpment Planning Reference Group has continued to meet during the year to review and provide comment to Council on a variety of strategic projects and Council policies related to, or that may impact on, the Illawarra Escarpment. The Reference Group Charter includes the requirement to monitor the implementation and periodically revive and update the Illawarra Escarpment Strategic Management Plan (IESMP). During the year, an initial review of the original IESMP has commenced as the basis of a major review and update of the IESMP which is due to be completed by June 2014.

Finalise planning studies for Warrawong, Figtree, Unanderra and Wongawilli

During 2012-13 planning studies for the Warrawong Town Centre and proposed Wongawilli Village Centre were completed. Planning studies for the Unanderra and Figtree Town centres were exhibited and are scheduled to be reported to Council in the first quarter of 2013-14.

Upgrade Whytes Gully Landfill Facility

On 11 June 2013, Council accepted the tender of Select Civil for the construction of the Wollongong Waste and Resource Recovery Park (Whytes Gully) new landfill cell (stage 1). Construction is scheduled to commence in the first quarter of 2013-14. The new stage 1 cell is expected to be operationally ready by December 2013.

Review the Current Level of Service for Lifeguard and Volunteer Lifesaving Patrols

Services for the 2012-13 season were reviewed for Council lifeguards and Surf Life Saving Illawarra. A draft service level agreement with Surf Lifesaving Illawarra for the 2013-14 season for Sunday and Public Holiday patrols have been completed.
Delivering Wollongong 2022: Quarterly Report

We Have an Innovative and Sustainable Economy

Highlights and Opportunities:

Southern Gateway Bulli Tops

Development consent was issued for new tenancy for the Southern Gateway at Bulli Tops. Fit out is scheduled to commence in the first quarter of 2013-14. It is anticipated that business will open in the second quarter of 2013-14.

Advantage Wollongong

Advantage Wollongong exhibited at CeBIT on 28 to 30th May in partnership with NSW Trade & Investment, University of Wollongong and local ICT businesses. The stand promoted Wollongong as an ideal place for information and communications technology (ICT) businesses to establish and highlighted the city’s capabilities in ICT.

Major Growth In City Centre

Wollongong is undergoing major growth with more than $500M in new development in the city taking place. It was reported during the June quarter that there are several major developments taking place. These include the $19M Crown Street Mall refurbishment and the $200M expansion of GPT Crown Central. Whilst Council is not directly delivering the following developments these do contribute to achieving the community goal ‘we have an innovative and sustainable economy’.

- The former Dairy Farmers site at Gladstone Avenue, Wollongong, the Vantage Residential Development - $38M
- The new Australian Tax Office building on Kembla Street - $16M
- Wollongong Public Hospital’s expansion - $106M
- 47 – 51 Crown Street Wollongong (former Oxford tavern site)
- The Flinders street site is currently being remediated and prepared for future works.

Community Sponsorship Funding

Over $82,000 has been allocated to local event organisers via Community Sponsorship Funding. The funds were allocated to assist 28 events as well as four (4) bands and four (4) choirs for the 2013-14 financial year.

Projects completed as at the end of June 2013:

- Plan for the upgrades to Bald Hill
- Deliver an annual program of activities within the City Centre.
Delivering Wollongong 2022: Quarterly Report

We Have an Innovative and Sustainable Economy

Significant Progress Against Key 5 Year Actions and Annual Deliverables:

Establish and facilitate a Wollongong Economic Advisory Board (EDAB)

EDAB was established in 2012. The group advises Council on its economic development program, which supports the growth of the city’s regional economy. Achievements this quarter include the endorsement of the Economic Development Strategy which will be considered by Council in the first quarter of 2013-14. The committee also considered and endorsed Council’s Expression of Interest (EOI) to the NSW Government Restart NSW Illawarra Infrastructure Fund for the following projects:

- Fowlers Road bridge and road connection - $45M
- Bald Hill upgrade - $5.8M
- Grand Pacific Walk/Way Stage 1 - $5M.

Support the ICTI and i3net clusters

Council continues to support these clusters through representation on the respective boards, project support and promotion of events and initiatives. ICTI was part of Advantage Wollongong’s stand at CeBIT in May and Council will support i3net’s Illawarra Manufacturing Showcase in October.

Plan for upgrades to Bald Hill

Council adopted the draft Landscape Master plan for Bald Hill in March 2013. An Initial Project Proposal to pursue the development of a Bald Hill Landscape Plan staging plan and stage 1 construction drawings has been prepared. Funding is currently being sought to accelerate this project under the Restart NSW Illawarra Infrastructure Fund.

Review the Inner City Parking Strategy

The Inner City Parking Strategy was the subject of a two year review. The review identified the current implementation is meeting the Inner City Parking Strategy objectives and continues to operate at industry benchmark level.
Delivering Wollongong 2022: Quarterly Report

Wollongong is a Creative, Vibrant City

Highlights and Opportunities:

Arts Precinct

The Arts Precinct on Burelli Street has seen some significant achievements. Renovation work has commenced for a new café/restaurant space within the Illawarra Performing Arts Centre. Work on the café is expected to be completed in the first quarter of 2013-14. Council has accepted a tender of $579,000 for the completion of a small kitchen and serving area, with table and chairs both inside IPAC and on the concourse of the centre. Bi-fold doors will be installed on the grassed area-facing side of the centre to provide both indoor and outdoor dining opportunities.

In addition, new wayfinding and event information signage has been recently installed throughout the Precinct.

Refugee Week 2013, 16 June to 22 June

Refugee Week 2013 was a culmination of Council working with community partners. Refugee Week included the community exhibition “Restoring Hope”, professional exhibition “Me the Road and I”, the panel art project and an education program with schools. The exhibitions provide an opportunity for community members from refugee backgrounds to share their stories. It is hoped that by sharing these stories, June 20 (World Refugee Day) saw the City Gallery achieve one of its busiest days with the launch of both exhibitions.

Projects completed as at the end of June 2013:

- Deliver Living Books Program to the community and local schools
- Maintain an on-line calendar of events
- Collaborate with Culturally and Linguistically Diverse (CALD) community to support community events and celebrations
Delivering Wollongong 2022: Quarterly Report

Wollongong is a Creative, Vibrant City

Significant Progress Against Key 5 Year Actions and Annual Deliverables:

Implement Outcomes of the Library Strategic Plan

Comic Festival - “Comic Gong”

The Comic Gong Festival, the first of its kind in Wollongong, was held on 4 May 2013 at Corrimal District Library and Community Centre with 1,300 people attending. The festival was a major success and planning has now commenced for next year’s festival.

Local Studies Projects

The Illawarra Remembers 1914-1918 Project commenced with the first scanning day at Thirroul Library in June. Community members brought in 402 items, including photographs, postcards, Christmas cards, cablegrams and letters. Photographs were made of items such as identity tags, sewing kits, pay books, uniform badges, a forage cap. The next scanning day is planned for August 2013 and specifications for a website to provide ongoing access to the resources of the project, is being scoped.

Deliver the Public Art Program

Council has commenced several public art projects which aim to connect with local residents and communities enhancing pride and ownership of the area. The Public Art Program explores community histories and stories, fosters creative engagement, as well as further the communities access to and experience of the arts. Projects include:

- The Warrawong ‘Laneway 127’ Street Art Project - This project includes five sites on the Warrawong Community Centre and on privately owned buildings. Community Cultural Development artists engaged a range of local residents to develop themes and designs and to paint and install artwork at identified sites.
- Street Talk- Three street artists collaborated with three poets to develop wall design for the IPAC laneway.
- Art on Crown -Crown St Mall Hoardings Panel Project - Council commissioned four local artists to work with local Wollongong art based groups to create 48 panels to be installed onto the hoardings during the construction of the new Crown Street Mall in Wollongong. Artists and groups have collaborated to create contemporary artworks that reflect a positive engagement with the city and celebrate community values.
- Judbooley – “Sea Life” a contemporary public artwork created for the site that is a highly utilised public recreational area along the Lake Illawarra foreshore at Judbooley Parade, Windang.

Develop a Men’s Shed Strategy for the Local Government Area

The draft Men’s Shed Strategy is currently under development. The scope of the project was expanded to men’s spaces and places including men’s sheds. To date the project has included a review of academic literature, National, State and Local Government initiatives and a comprehensive community engagement process. As a part of the engagement process more than 340 people responded to the survey and 24 men’s shed stakeholders attending a workshop. The information provided through the research and engagement phase has resulted in a range of strategies to inform the work of Council and our community partners into the future.

Maintain an on-line calendar of events

Through Destination Wollongong, an online calendar of events has been developed in association with Destination NSW and the Australian Tourism Data Warehouse. Event organisers across the local government area are able to utilise this as a one-stop-shop location for listing their events. This information is automatically listed on three sites; www.visitwollongong.com, www.wollongong.com and www.visitsw.com/wollongong
We are a Connected and Engaged Community

Highlights and Opportunities:

Social Support Services
Council was successful in obtaining additional funds of $70,000 from Department of Health and Ageing to assist its Social Support Service in meeting the requirements of the Aged Care sector reform.

National Youth Week, 5-14 April 2013
National Youth Week 2013 was held across the Local Government Area during the June quarter. Close to 1000 young people participated in a broad range of art, cultural and recreation activities. Some highlights included the Debate of the Ages, Urban Art Mural Project and the Big Day In (festival). This year’s National Youth Week activities in Wollongong were recently nominated as finalist for the Local Government Awards in the Youth Week Innovation category.

Volunteer Week 2013, 13-10 May 2013
National Volunteer Week celebrates and acknowledges the contribution of volunteers to the delivery of services. To mark this year’s event in May, Volunteering Illawarra organised two workshops to raise awareness about the rights and responsibilities of volunteers and a third workshop focused on the role of volunteers on non-government organisation management committees. All who attended the third session have been successfully placed as committee members with local non-government organisations. Planning has commenced for the annual Illawarra Volunteering Expo to be held in September in line with other Volunteering Regional Centres across NSW.

Community Engagement Policy & Engagement Activities
A new Community Engagement Policy was adopted by Council on 8 April 2013 and work commenced on a Community Engagement Framework. During the June quarter Council undertook and/or completed the following engagement activities for the following projects:

- Wollongong 2022 Draft Strategic Management Plans 2013-14
- Warrawong, Figtree and Unanderra Town Centres
- Planning for our Public Pools
- Draft Positive Aging Strategy
- Men’s Spaces and Places
- Draft City of Wollongong Bike Plan 2013-17

Engagement Award
Council was awarded a prestigious OOSCHAS Award (peak body for Out of School Hours Services in NSW) from the Network of Community Activities for work consulting and collaborating with children in developing the Wollongong 2022 Community Strategic Plan. Council was presented with the Article 12 Award for commitment to consultation and collaboration with Children at the Network of Community Activities Bicentennial Conference in May. Council’s consultation process and plan has been included as a best practice case study in the NSW Commission for Children and Young People.

Council website accessibility review
Council commissioned Vision Australia to review the accessibility of the Council Website against the Web Content Accessibility Guidelines (WCAG) 2.0 specification. The recommendations will now guide website improvements, content management and future development to ensure ‘A’ and “AA” level compliance.

Projects completed from January to end of June 2013:
- Prepare a project plan to support the development of a Community Facilities Plan
- Implement Business Continuity Management Planning
- Achieve 2012-13 operational savings target
Delivering Wollongong 2022: Quarterly Report

We are a Connected and Engaged Community

Significant Progress Against Key 5 Year Actions and Annual Deliverables:

Undertake site selection and concept planning for the Warrawong community facility

During the June quarter Elton Consulting undertook a review and analysis of current and forecast data, researched best practice examples in both Australia and overseas and community engagement activities including individual meetings, group meetings, two workshops and surveys with stakeholders. A draft report has been provided on progress to date. Further work will be carried out in coming months and this will inform the three potential sites identified within the Warrawong Town Centre Master Plan.

Provide training and volunteer management committee support through Volunteering Illawarra

Volunteering Illawarra continues to provide regular training to increase capacity of the non-government sector. This quarter 16 courses were offered, as well as six (6) instances of consultancy service in relation to volunteer management.

In addition, Volunteering Illawarra works closely with the University of Wollongong to assist local non-government organisations (NGO) in their governance and operational activities and to increase capacity of the NGO sector. This quarter four (4) projects were delivered, in the area of business analysis and professional development, SWOT analysis and strategic planning.

Pilot and report on on-line engagement and communication tools and consider as part of the review Council’s Community Engagement Framework

At the end of June 2013, Council signed up with ‘Bang the Table’ for a twelve month trial period. ‘Bang the Table’ is an on-line engagement tool that incorporates moderated forums, surveys, story gathering and Q and A tools. It will be available as a part of community engagement projects in the first quarter of 2013-14.

Development of the Community Engagement Framework has commenced with the documentation proposed to be complete in October 2013 in conjunction with organisational training.

Redevelop Volunteering Illawarra Strategic Plan 2012-2016

A draft Volunteering Illawarra Strategic Directions has been prepared and will incorporate the outcome of the Volunteering Illawarra Sustainability project also underway. It is anticipated that the final plan will be submitted by the end of 2013.

Implement Business Continuity Management Planning

The Administration Building Business Continuity Plan (BCP) was distributed to key recovery personnel, and two Business Recovery Boxes containing copies of emergency management plans plus other materials were prepared for storage at separate off-site locations [81 Burelli Street and Warrawong Library]. Annual training for Administration Building BCP key recovery personnel and their alternates, and an exercise/test of the BCP have been scheduled for August and September 2013 respectively.

A Corporate Emergency Planning Framework was adopted by the Enterprise-wide Risk Management Committee following consultation with the Senior Management Group and owners of Council’s various emergency plans. The first meeting of the Corporate Emergency Planning committee is scheduled for July 2013.
Delivering Wollongong 2022: Quarterly Report

We are a Healthy Community in a Liveable City

Highlights and Opportunities:

Swimming Pool Legislation
The legislation applied to swimming pools was amended on 29 October 2012. Under the new rules, all swimming pool owners must register their pool on a State Government Swimming Pool Register. Council is planning to undertake community engagement on how an effective pool inspection program could be developed and identify other ways Council can promote pool safety. To deal with changes to the Swimming Pool Act Legislation Council will recruit a specialist Swimming Pool Officer. They will have responsibility for continuing to set up and implement the mandatory aspects of the new legislation.

Mobility Parking System Enforcement Program
A three (3) month Mobility Parking System Enforcement Program was completed during the June quarter. This program was considered successful and potentially sustainable with 193 fines issued for parking in a disabled space without a permit, as well as additional ancillary parking fines.

NSW Parks and Leisure Australia Best Play Space Award
The Thirroul Playground won the NSW Parks and Leisure Australia (PLA) Best Play space award in 2013, the playground is now a finalist in the prestigious national awards to be conducted at the National Conference in Melbourne in October.

Dapto Heated Pool Accessibility Upgrade
A state of the art accessibility platform was installed at Dapto Heated Pool during the June quarter. The platform features an innovative design produced from a local engineering company. The new platform and elevator-style design allows people to be lowered into the pool while they’re seated on a purpose-built wheelchair. Dapto pool is the first of Council’s chlorinated pools to be retrofitted with the new equipment.

Thomas Dalton Park
The sportsfields at Thomas Dalton Park have hosted two major OzTag events including the NSW Junior and Senior championships and the State of Origin OzTag Competition. These events drew approximately over 4,000 visitors to the city.

Projects completed as at the end of June 2013:
- Invest in demographic and social planning tools
- Prepare a Positive Ageing Strategy for Wollongong
- Complete the Sandon Point Surf Club refurbishment and expansion
Delivering Wollongong 2022: Quarterly Report

We are a Healthy Community in a Liveable City

Significant Progress Against Key 5 Year Actions and Annual Deliverables:

Conduct a review of the sustainability of Council’s Pools
Council engaged consultants Strategic Leisure Group to develop a plan for Council’s nine public swimming pools located at Helensburgh, Thirroul, Corrimal, Wollongong (Continental and Beaton Park), Unanderra, Berkeley, Dapto and Port Kembla. During the June quarter an extensive community engagement phase was undertaken with over 1600 responses to a survey designed to understand the community’s current and future needs and assist with planning future improvements for swimming pools. A draft strategy is scheduled to be presented to Council in September 2013 quarter.

Renew playgrounds as per works schedule
Playgrounds have been renewed at Bailey Park and Bong Bong Community Park Dapto; and Bruce Park Warrawong. The playground at Waples Road Unanderra was embellished and planning for an all-abilities playground at Memorial Park Corrimal has been completed.

Complete the Sandon Point Surf Club refurbishment and expansion
Sandon Point Surf Life Saving Club renewal works were completed with the club officially opened by the Lord Mayor on 6 April 2013. The building has been extensively refurbished and has improved storage areas, club activity rooms, amenities and a lifeguard observation room. The updated clubhouse will provide both the growing club and Council’s lifeguard service with greatly improved facilities. The final construction cost for this project was $3.7M. The increased costs were due to the discovery of the midden, construction delays and ensuing design changes to ensure the preservation of this important site.

Prepare a Positive Ageing Strategy for Wollongong
The Wollongong Positive Ageing Plan was endorsed by Council at its meeting on 27 May. The Plan provides the strategic framework for implementation beginning 2013-14 financial year. The priorities and strategies from the five focus areas will foster an environment that supports and enhances quality of life as people get older. The Implementation Plan outlines the priorities to be progressed during the coming year.

Prepare a Housing Study incorporating affordable housing issues
Council is currently participating in the Affordable Housing Taskforce. Outcomes from this Taskforce will inform preparation of the Housing Study. Council has also commenced the review of housing supply which is looking at available housing stock, and projected demand.

Work with Council’s partners to implement the Community Safety Plan 2012-16
Council has been working through the Community Safety Reference Group to implement the Community Safety Plan 2012-16. In June 2013 Council in partnership with NSW Police Wollongong Local Area Command conducted a free fitting of Anti-Theft Screws for car license plates in the Thomas Street car park in Wollongong. Stolen number plates are often used to commit other crimes such as petrol drive off, robberies and toll evasions. By attaching anti-theft screws it reduces the opportunity to steal number plates and as a result reduces many types of crime.

In collaboration with our local Aboriginal community, review and re-commit to Council’s Statement of Reconciliation
Council’s Statement of Reconciliation was raised for discussion at the 29 May 2013 Aboriginal Reference Group (ARG) meeting. The ARG members asked for time to consider the existing statement and make comments and suggestions. Council’s Aboriginal Community Development Officer will work with members over the coming months to receive their comments which will be tabled at the next ARG meeting in the first quarter of 2013-14.

Implement the Open Space Works Plan
The Open Space Work Plan was reviewed and updated. The Windang Foreshore priority project at Judbooley Parade saw community art and park furniture installations completed.
Delivering Wollongong 2022: Quarterly Report

We Have Sustainable Affordable and Accessible Transport

Highlights and Opportunities:

Travel Training Project
This project commenced in January 2013. During the June quarter the following outcomes were achieved:

- Enabled people to make a better use of the Pension Excursion Ticket (PET);
- Encouraged independent travel for clients with a disability;
- Increased patronage on buses in the Illawarra; and
- Created awareness and understanding for clients about how to access the public transport system to meet their transport needs.

Shone Avenue, West Dapto road and bridge upgrade
During the June quarter work commenced on the first stage of the Shone Avenue road and bridge upgrade. The works costing $5.6M are part funded by an interest free loan from the NSW State Government, an infrastructure grant from the Australian Government and Council. Work involves the realignment of Shone Avenue and the replacement of a single lane bridge with the three-span two lane bridge with pedestrian facilities to improve safety, traffic capacity and sight lines, road widths and flood reliability. This work forms part of the West Dapto Access Strategy which aims to reduce congestion and ensure adequate access to West Dapto. These works are expected to be finished before the end of March 2014.

Projects completed as at the end of June 2013:

- Establish an interagency Project Control Group (PCG) to oversee the delivery of infrastructure in the West Dapto Release Area.
- Conduct customer satisfaction survey and implement findings to further improve service.
We Have Sustainable Affordable and Accessible Transport

Significant Progress Against Key 5 Year Actions and Annual Deliverables:

Implement Footpath and Cycleway Improvement Programs
The design and construction program for the 2012-13 was completed and the 2013-14 scheduled works program is underway. Recently completed works include Kembla Street (east side) between Crown Street and Burelli Street (including the Burelli Street frontage of the Wollongong Gallery).

Work with Federal and State Governments to complete the “Blue Mile” pathway (tramway)
In June, Council was informed that it had been unsuccessful in its application for funding for this project under the Regional Development Australia Fund Round 4. Further opportunities for funding may become available in the first or second quarter of 2013-14.

Work with Department of Transport on the establishment of an Illawarra Transport Strategy
A coordination meeting was organised by Transport for NSW for late June 2013 with resources allocated in 2013-14 for the development of the strategy.

Prepare the concept design, staging and alignment of the Grand Pacific Walk – North Wollongong to Otford, Stage 1 Stanwell Park to Coalcliff
The draft Grand Pacific Walk Master Plan has been completed and will be reported to Council in the first quarter of 2013-14.
In early June, Council undertook targeted engagement by meeting a group of Coalcliff residents whose properties face Lawrence Hargrave Drive and who will potentially be affected by the Stage 1 (Coalcliff-Stanwell Park). Communication with this group of residents is on-going and future on-site meetings will occur as the project progresses.

Review and update the City of Wollongong Bicycle Plan
The Active Transport Reference Group has been formed to assist in the review of the Bicycle Plan which is on schedule to be delivered in 2013-14. During the June quarter council commenced community engagement activities which included a survey to inform the development of the Bicycle Plan. Through kiosks, promotion on social media and visits to three primary schools and one high school across the local government area Council received more than 1000 surveys. The community have provided valuable information about barriers to cycling and opportunities to provide improved infrastructure that will be considered in the development of a new strategy. The draft strategy will be exhibited to the community for further comment.
**Executive Key Performance Indicators**

Wollongong City Council has a significant number of performance indicators across the organisation to monitor the status and progress of our finances, people, projects and processes. Results as at the end of June 2013 are outlined below.

**1 Available Funds**

**Explanation:** This indicator measures the amount of available funds Council has earned but not allocated to specific expenditure. They are held as cash savings and are used as a buffer against unanticipated future costs or can provide flexibility to take advantage of opportunities that may arise. Upper and lower limits are based on Adopted Resource Strategy 2012-13.

**Performance:** At the end of June, Council had $31.5M in Available Funds. The available funds remain above Council’s Financial Strategy target of 3.5% to 5.5% of operational revenue (pre capital). Based on the Adopted 2013-14 Annual Plan, the target range for Available Funds is between $7.7M and $12.0M. Actual Available Funds at 30 June 2013 are higher primarily due to the early payment of the Federal Assistance Grant ($8.7M), underspend of Council funded capital ($2.5M) and general operational savings. In addition, at the end of the current financial year Council is also carrying prior year improvements that have been partially allocated to projects such as the Crown Street Mall in the Adopted 2013-14 Annual Plan.

**2 Operating Result pre Capital Income Incl Dep’n**

**Explanation:** This indicator measures the long term financial viability of Council and includes the impact of depreciation. In broad terms a deficit from operations indicates that Council is not earning sufficient revenue to fund its ongoing operations (services).

**Performance:** Council recorded a preliminary and preaudit deficit (pre capital) of $14.1M against current budget of $25.5M (favourable variance of $11.4M) at the end of June 2013.

This is primarily due to the prepayment of the Financial Assistance Grant (FAG) $8.7M, non-cash improvements related to a decrease in workers’ compensation provision $1.5M, the expected settlement of the Law Cover case $1.2M (above current estimates), timing of funded projects in progress at year end $0.6M, and a range of operational improvements compared to budget $4.3M. These were offset by loss on the disposal of assets $3.1M and impairment adjustments $0.9M. The timing impact of the early payment of the Federal Assistance Grant has already been incorporated in the 2013-14 revised delivery program.
**Explanation:** This indicator measures the percentage of creditors paid within the targeted timeframe. A supplier's tax invoice/invoice dated anytime within a calendar month should be paid 30 days after the end of that calendar month.

**Performance:** At the end of June 89% of creditors were paid on time. This result was slightly better than last month's (88%), and is above the target of 85%. Notably this measure has a yearly average of 92% of creditors paid on time.

---

**Explanation:** This indicator measures capital expenditure year to date compared to forecast budget year to date.

**Performance:** Capital expenditure at the end of June was $53.9M against the revised Capital Budget forecast of $58.9M. In addition Council recognised contributed assets of $26.0M at 30 June 2013.

The final Capital Budget expenditure will be analysed to determine why actual expenditure did not match forecast spend. This analysis will assist in planning of future capital budget expenditure.

---

**Explanation:** This indicator identifies staff establishment, which includes permanent, temporary (including temporary, fixed term, provisional (funded) and cadets), and surplus staff (those permanent staff who no longer have a substantive position). Temporary positions are defined as those with an end date.

**Performance:** At the end of June, Council had a staff establishment of 1,170.4 FTEs comprising of 1,017.4 permanent FTEs and 153.0 temporary FTEs. Surplus FTEs remained stable at 6.6 FTEs.
average for sick leave and carer's leave days taken per employee per month.

Performance: At the end of June the 12 month rolling average number of sick days per employee was 6.5 days. This result is below the target range of 7.0 to 8.5 days, and significantly lower than last year's result of 7.3 days in June 2012.

Carer's leave remained fairly stable, with 0.8 days of carer's leave per employee for June.

Explanation: This indicator identifies the number of staff who have excessive accrued annual leave, i.e. greater than 50 days (booked and non-booked leave). The measure also identifies the total number of days in excess of 50 days accrued by staff (represented by dots in the chart).

Performance: At the end of June, seven employees had accrued annual leave in excess of 50 days, totalling 32 days above the limit. This result is a slight decrease since the previous month (10 employees with 32 days above the limit) and a significant decrease since June 2012 when 21 employees had 68 days of excessive accrued annual leave.

Explanation: Measures the number of lost time injuries for every one million hours worked by employees over a 12 month period. A rolling 12 month period is applied to measure and assess trends over the period.

Performance: At the end of June, the LTIFR was 15.1 days. This result remains below the organisational target of 21-23 days, and represents a decrease from the previous month (20.2 days).

No lost time injuries occurred in June.
Explanation: This indicator measures the number of DAs lodged and determined on a monthly basis, and the total number of development applications that are still in the system being processed.

**Performance:** At the end of June, 245 active DAs were in the system, which is within the target of below 250. During the month, 114 DAs were determined compared to 128 DAs lodged.

Explanation: This indicator measures correspondence responded to within the nominated timeframe (10 working days) shown as a percentage of the total number of correspondence requiring a response.

**Performance:** Of the 1,618 items of correspondence received during June, 87% were responded to within the nominated timeframe, continuing the trend of recent months being above the target (85%).
How We Performed Against Our Budgets

Budget 2012-13

The graph below shows Council’s expenses from ordinary activities by expense type for June 2013 quarter:

<table>
<thead>
<tr>
<th>Expense Type</th>
<th>Current Budget</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employee Costs less Internal Charges</td>
<td>91.1</td>
<td>91.0</td>
</tr>
<tr>
<td>Borrowing Costs</td>
<td>3.3</td>
<td>3.4</td>
</tr>
<tr>
<td>Materials + Contracts</td>
<td>82.6</td>
<td>77.3</td>
</tr>
<tr>
<td>Depreciation</td>
<td>61.1</td>
<td>62.2</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>238.2</strong></td>
<td><strong>233.9</strong></td>
</tr>
</tbody>
</table>

The graph below shows Council’s revenues from ordinary activities for June 2013 quarter:

<table>
<thead>
<tr>
<th>Income Type</th>
<th>Current Budget</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rates and Annual Charges</td>
<td>149.0</td>
<td>148.8</td>
</tr>
<tr>
<td>Other Revenue</td>
<td>9.7</td>
<td>10.9</td>
</tr>
<tr>
<td>Profit on Disposal of Assets</td>
<td>-1.2</td>
<td>-4.3</td>
</tr>
<tr>
<td>Grants + Contributions</td>
<td>19.9</td>
<td>29.1</td>
</tr>
<tr>
<td>User Fees + Charges</td>
<td>29.6</td>
<td>29.9</td>
</tr>
<tr>
<td>Interest + Investments</td>
<td>5.7</td>
<td>5.4</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>212.6</strong></td>
<td><strong>219.8</strong></td>
</tr>
</tbody>
</table>

Capital Budget 2012-13

The graph below shows Council’s funding sources for the capital project budget for June 2013 quarter:

<table>
<thead>
<tr>
<th>Income Type</th>
<th>Current Budget</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>Restricted Cash</td>
<td>8.8</td>
<td>8.0</td>
</tr>
<tr>
<td>Capital Grant</td>
<td>7.5</td>
<td>7.5</td>
</tr>
<tr>
<td>Developer Contributions</td>
<td>5.1</td>
<td>3.2</td>
</tr>
<tr>
<td>Loan Borrowings</td>
<td>0.0</td>
<td>0.0</td>
</tr>
<tr>
<td>Asset Sales</td>
<td>1.3</td>
<td>1.6</td>
</tr>
<tr>
<td>Operational Funds</td>
<td>36.2</td>
<td>33.7</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>58.9</strong></td>
<td><strong>53.9</strong></td>
</tr>
</tbody>
</table>
REPORT OF MANAGER FINANCE

The preliminary and pre audit results indicate a positive outcome against original and revised budget for the financial year ending 30 June 2013. The results presented at this stage are still subject to change pending joint venture insurance pool valuation and any changes agreed through the independent audit process. The following table provides a summary view of the organisation’s overall financial results for the year.

<table>
<thead>
<tr>
<th>KEY MOVEMENTS</th>
<th>Original Budget</th>
<th>Revised Budget</th>
<th>YTD Actual</th>
<th>Variation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1-Jul</td>
<td>30-Jun</td>
<td>30-Jun</td>
<td></td>
</tr>
<tr>
<td>Operating Costs $M</td>
<td>(237.7)</td>
<td>(238.2)</td>
<td>(233.9)</td>
<td>4.3</td>
</tr>
<tr>
<td>Operating Revenue $M</td>
<td>209.9</td>
<td>212.6</td>
<td>219.7</td>
<td>7.1</td>
</tr>
<tr>
<td>Operating Result [Pre Capital] $M</td>
<td>(27.8)</td>
<td>(25.5)</td>
<td>(14.1)</td>
<td>11.4</td>
</tr>
<tr>
<td>Capital Grants &amp; Contributions $M</td>
<td>12.3</td>
<td>11.5</td>
<td>39.0</td>
<td>27.5</td>
</tr>
<tr>
<td>Operating Result [Post Capital] $M</td>
<td>(15.5)</td>
<td>(14.0)</td>
<td>24.9</td>
<td>38.9</td>
</tr>
<tr>
<td>Operational Funds Available for Capital $M</td>
<td>28.2</td>
<td>29.0</td>
<td>42.4</td>
<td>13.4</td>
</tr>
<tr>
<td>Capital Works</td>
<td>68.8</td>
<td>58.9</td>
<td>53.9</td>
<td>5.0</td>
</tr>
<tr>
<td>Contributed Assets</td>
<td></td>
<td></td>
<td>26.0</td>
<td>(26.0)</td>
</tr>
<tr>
<td>Funded from:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Operational Funds $M</td>
<td>28.2</td>
<td>29.0</td>
<td>42.4</td>
<td>13.4</td>
</tr>
<tr>
<td>- Other Funding $M</td>
<td>32.6</td>
<td>22.7</td>
<td>46.3</td>
<td>23.6</td>
</tr>
<tr>
<td>Total Funds Surplus/(Deficit) $M</td>
<td>(8.0)</td>
<td>(7.2)</td>
<td>8.7</td>
<td>15.9</td>
</tr>
</tbody>
</table>

The Operating Result [pre capital] was a deficit of $14.1M compared to a revised projected deficit of $25.5M. The operating result has been impacted by a number of large variations including:

- the prepayment of the 2013-14 Financial Assistance Grant $8.7M
- the non cash improvements related to a decrease in workers’ compensation provision $1.5M
- the expected settlement of the Law Cover case $1.2M above current estimates
- non cash adjustments for the recognition of asset impairment and the disposal of assets that had a recorded accounting value

In addition, there have been general improvements against expenditure targets and some improvements in revenue.

The Operating Result inclusive of capital contributions and donations is a surplus of $24.9M against a budgeted deficit of $14.0M. This result was significantly affected by capital grants and contributions that exceeded budget by $27.5M. Additional grants and contributions included contributed infrastructure assets mainly from subdivision developments of $26.0M that were not included in the estimates and timing of other grant and contribution payments.

The Total Funds result at 30 June 2013 shows an improvement compared to revised budget of $15.9M. The Funds result differs from the Operating Results as this excludes non cash transactions such as decrease in workers’ compensation provision, loss on asset disposal and impact of contributed assets and timing issues associated with specific purpose grant funding. Improvements in the Funds result are due to timing impacts of the early receipt Federal Assistance Grant, lower level of Council funded capital works $2.5M, the additional impact of a the expected settlement of the Law Cover litigation $1.2M and a range of operational improvements compared to budget.
1 Income & Expense

The primary variations and issues are discussed below with favourable changes identified as (F) and unfavourable (U). A more comprehensive list is provided in Table 7.

- **Employee Costs $0.4M (F).** The favourable variation is comprised of a non-cash component of $1.2M (F) that relates to end of year valuation and reporting requirements and a cash component of $0.9M (U) that relates to labour usage.

  The non-cash variation includes a decrease in Workers' Compensation provision ($1.5M) and an increase in employee leave entitlements provision ($0.2M).

  The unfavourable variance in the cash component is mainly due to higher levels of overtime expenditure ($1.1M). The increased labour costs have been offset by reduction in other expenditure categories reflecting the variation from the budgeted to actual method of service delivery.

- **Contracts, Materials and Other Expenses (inclusive of saving target) $5.6M (F).** The variance is attributable to use of additional labour to complete projects $1.6M, the delay in completion of funded projects that may require re-introduction in future periods in the vicinity of $0.6M, legal cost associated with settlement of Law Cover case no longer applicable $0.4M and a range of operational saving across the organisation.

- **Depreciation, Amortisation and Impairment $1.1M (U).** This is largely due to the recognition of the impairment of Mt Keira Rd ($0.9M).

- **Internal Charges $0.5M (U).** The unfavourable variance is mainly due to a lower level of internal construction labour used for capital projects that is partially offset by increased internal charges to capital for design, project management and marketing.

- **User Charges & Fees $0.3M (F).** Increased income from commercial tipping operations, crematorium and cemeteries, tourist parks and vehicle private use lease proceeds have contributed to this improvement.

- **Interest and Investment Revenue $0.3M (U).** This variation is due to revaluation of a long term investment.

- **Other Revenue $1.2M (F).** The larger than expected proceeds on settlement of the Law Cover case have contributed to this result.

- **Grants and Contributions – Operating $9.2M (F).** This favourable variation is the result of the early payment of the first two instalments of the 2013-14 Financial Assistance Grant ($8.7M) and receipt of additional grants.

- **Profit/Loss on Disposal of Assets – Operating $3.1M (U).** This unfavourable variance is mainly due to the write off of residual values on assets that were replaced during the year and loss on land sale that have been partially offset by a gain on sale of plant and vehicles. This variation does not affect the funds result.

- **Grants and Contributions – Capital $27.5M (F).** The majority of this variation is due to the recognition of roads and drainage assets contributed from subdivisions ($26M). The remainder is due to recognition of Regional Development Australia Fund grant for the Mall upgrade ($1.7M) and other grants received. These were offset by the lower than budgeted Section 94 developer income from West Dapto ($1.1M). This variation does not affect the funds result.
2 Capital Budget

At 30 June 2013, Council expended $53.9M on its capital works program representing 92 per cent of the annual budget of $58.9M. In addition a further $26M of contributed assets mainly from subdivision developments were recognised at end of year.

3 Cash & Investments

Council’s actual cash and investments show an increase of $20.4M compared to the March Quarter projections that has been impacted by the early payment of the Federal Assistance Grant ($8.7M), slower than programmed delivery of the capital program ($5M) and a range of operational savings compared to budget.

<table>
<thead>
<tr>
<th>TABLE 2</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CASH, INVESTMENTS &amp; AVAILABLE FUNDS</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Total Cash and Investments $M</td>
</tr>
<tr>
<td>Attributed to:</td>
</tr>
<tr>
<td>External Restrictions</td>
</tr>
<tr>
<td>Developer Contributions $M</td>
</tr>
<tr>
<td>Specific Purpose Unexpended Grants $M</td>
</tr>
<tr>
<td>Special Rates Levy City Centre $M</td>
</tr>
<tr>
<td>Unexpended Loans $M</td>
</tr>
<tr>
<td>Domestic Waste Management $M</td>
</tr>
<tr>
<td>Private Subsidies $M</td>
</tr>
<tr>
<td>Carbon Pricing</td>
</tr>
<tr>
<td>Stormwater Management Charge $M</td>
</tr>
<tr>
<td>Total External Restrictions $M</td>
</tr>
<tr>
<td>Internal Restrictions</td>
</tr>
<tr>
<td>Property $M</td>
</tr>
<tr>
<td>Sports Priority program $M</td>
</tr>
<tr>
<td>Car Parking strategy $M</td>
</tr>
<tr>
<td>MacCabe Park Development $M</td>
</tr>
<tr>
<td>Darcy Wentworth Park $M</td>
</tr>
<tr>
<td>Garbage Disposal Facility $M</td>
</tr>
<tr>
<td>Telecommunications Revenue $M</td>
</tr>
<tr>
<td>West Dapto additional $M</td>
</tr>
<tr>
<td>Art Gallery $M</td>
</tr>
<tr>
<td>Total Internal Restrictions $M</td>
</tr>
<tr>
<td>Available Cash $M</td>
</tr>
<tr>
<td>Net Payable &amp; Receivables $M</td>
</tr>
<tr>
<td>Available Funds $M</td>
</tr>
</tbody>
</table>

Draft June 2013 Quarterly Review Statement including the Budget Review Statement 27
4  Long Term Financial Projections

Key Performance Information shown below is based on financial forecasts that are contained in the annual Plan 2013-14 that was adopted by Council on 24 June 2012.

The Long Term Forecasts have not been adjusted at this stage for timing issues that have impacted on the end of year result. For example, the revenue component of capital projects in progress and not completed at 30 June 2013 has not been reintroduced into future budgets at this stage. It is proposed that these adjustments be considered as part of the first quarterly review for 2013-14.

**Operating Surplus / (Deficit)**

The Operating Result [pre capital] provides an indication of the long term viability of Council. In broad terms, a deficit from operations indicates that Council is not earning sufficient revenue to fund its ongoing operations (services) and continue to renew existing assets.

The improvement in the 2012-13 result compared to Annual Plan forecast is predominantly the result of the prepayment of the first two quarters of the 2013-14 Federal Assistance Grant of $8.7M, settlement of the Law Cover, non cash adjustments that are discussed earlier in this document. In addition, there have been general improvements against expenditure targets and some improvements in revenue. As the majority of these improvements are not of a recurrent nature, no flow on effect is expected into future years. The introduction of projects that were not completed during 2012-13 and were supported by external funding received in prior periods also has potential to impact on the future Operating Results.

![Operating Surplus / (Deficit) [pre capital]](image)

**Operational Funds Available for Capital**

An increase in Operational Funds available for capital remains the primary objective of Council to provide for effective renewal of assets. There has been an improvement in operational funds available for capital of $13.4M for 2012-13 compared to the March Quarterly Review forecast. This is partly due to timing of the Federal Assistance Grant for 2013-14 and a range of operational improvements that are not considered to be of a recurrent nature.
Available Funds

The available funds position excludes restricted cash. External restrictions are funds that must be spent for a specific purpose and cannot be used by Council for general operations. Internal restrictions are funds that Council has determined will be used for a specific future purpose. The available funds remain above Council’s Financial Strategy target of 3.5% to 5.5% of operational revenue [pre capital]. Based on the Adopted 2013-14 Annual Plan, the target range for Available Funds is between $7.7M and $12.0M. The increased level of Available Funds at 30 June 2013 compared to forecast is partly impacted by the timing of the 2013-14 Federal Assistance Grant of $8.7M. Other factors that have impacted on this result include the Lawcover settlement ($1.2M), and general operational savings and the underspend of Council funded capital ($2.5M). The reintroduction of capital projects that were in progress at end of year into future years will potentially reduce the level of available funds.

TABLE 4
Operational Funds Available for Capital

<table>
<thead>
<tr>
<th>Year</th>
<th>June 2013 QR</th>
<th>Adopted Annual Plan 2013-14</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012/13</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2013/14</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2014/15</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2015/16</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2016/17</td>
<td></td>
<td></td>
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<tr>
<td>2017/18</td>
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<tr>
<td>2018/19</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2019/20</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2020/21</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2021/22</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

TABLE 5
Forecast Available Funds Balance
| WOLLONGONG CITY COUNCIL  
| QR 2012-13 Year Financials June 2013 |
|---|---|---|---|---|
| **INCOME & EXPENSE STATEMENT** |**Original Budget** | **Current Budget** | **YTD Actual** | **Variation** |
| | $'000 | $'000 | $'000 | $'000 |
| EXPENSES FROM ORDINARY ACTIVITIES | | | | |
| Employee Costs | 99,152 | 100,959 | 100,600 | (358) |
| Borrowing Costs | 3,286 | 3,308 | 3,367 | 59 |
| Materials, Contracts & Other Expenses | 87,008 | 85,086 | 78,604 | (6,481) |
| Depreciation, Amortisation + Impairment | 62,059 | 61,142 | 62,230 | 1,088 |
| Internal Charges | (10,532) | (11,413) | (10,888) | 525 |
| Savings Target | (3,304) | (897) | 0 | 897 |
| Total Expenses from Ordinary Activities | 237,670 | 238,185 | 233,914 | (4,271) |
| REVENUES FROM ORDINARY ACTIVITIES | | | | |
| Rates and Annual Charges | 148,945 | 148,999 | 148,777 | (222) |
| User Charges and Fees | 29,818 | 29,587 | 29,899 | 312 |
| Interest and Investment Revenues | 3,499 | 5,686 | 5,431 | (255) |
| Other Revenues | 8,192 | 9,661 | 10,864 | 1,202 |
| Grants and Contributions - Operating | 19,413 | 19,938 | 29,107 | 9,169 |
| Profit/Loss on Disposal of Assets | 0 | (1,230) | (4,312) | (3,082) |
| Revenues [pre capital] | 209,866 | 212,641 | 219,765 | 7,124 |
| NET SURPLUS (DEFICIT) [Pre capital] | (27,804) | (25,544) | (14,149) | 11,395 |
| Capital Grants & Contributions | 12,322 | 11,497 | 39,041 | 27,544 |
| (15,482) | (14,047) | 24,892 | 38,939 |

**FUNDING STATEMENT**

<table>
<thead>
<tr>
<th>Surplus (Deficit) [pre capital]</th>
<th>(15,482)</th>
<th>(14,047)</th>
<th>24,892</th>
<th>38,939</th>
</tr>
</thead>
<tbody>
<tr>
<td>Add back :</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Non-cash expenses</td>
<td>78,529</td>
<td>79,080</td>
<td>82,164</td>
<td>3,084</td>
</tr>
<tr>
<td>- Restricted cash used for operations</td>
<td>8,818</td>
<td>10,149</td>
<td>9,586</td>
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<td>- Income transferred to Restricted Cash</td>
<td>(31,147)</td>
<td>(33,251)</td>
<td>(61,316)</td>
<td>(28,065)</td>
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<td>- Payment of Accrued Leave Entitlements</td>
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<td>(9,621)</td>
<td>(9,590)</td>
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<td>Funds Available from Operations</td>
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<td>32,310</td>
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<td>(3,293)</td>
<td>(3,318)</td>
<td>(25)</td>
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<td>Operational Funds Available for Capital Budget</td>
<td>28,225</td>
<td>29,032</td>
<td>42,437</td>
<td>13,405</td>
</tr>
</tbody>
</table>

**CAPITAL BUDGET**

<p>| Capital Works | (68,793) | (58,935) | (53,045) | 4,990 |
| Contributed Assets | 0 | 0 | (26,045) | (26,045) |
| Transfers to Restricted Cash | (1,750) | (20,000) | (20,000) | 0 |
| Funded From : | | | | |
| - Operational Funds | 28,225 | 29,032 | 42,437 | 13,405 |
| - Sale of Assets | 1,660 | 1,327 | 1,631 | 304 |
| - Internally Restricted Cash | 7,870 | 1,904 | 1,777 | (126) |
| - Borrowings | 1,750 | 20,000 | 20,000 | 0 |
| - Capital Grants | 5,210 | 6,511 | 5,841 | (670) |
| - Developer Contributions (Section 94) | 5,920 | 5,057 | 3,186 | (1,871) |
| - Other Externally Restricted Cash | 11,630 | 6,887 | 6,191 | (697) |
| - Other Capital Contributions | 317 | 1,013 | 27,654 | 26,641 |
| TOTAL FUNDS SURPLUS / (DEFICIT) | (7,961) | (7,204) | 8,727 | 15,931 |</p>
<table>
<thead>
<tr>
<th><strong>MAJOR VARIATIONS actual versus budget</strong></th>
<th><strong>Offsetting Items for Fund</strong></th>
<th><strong>Surplus</strong></th>
<th><strong>Deficit</strong></th>
<th><strong>Net by type</strong></th>
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</thead>
<tbody>
<tr>
<td><strong>EXPENSES FROM ORDINARY ACTIVITIES</strong></td>
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<td></td>
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<td><strong>Employee Costs</strong></td>
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<tr>
<td>Non Cash Adjustments</td>
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<td>Increase in Employee Leave Entitlements provisions</td>
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<td>Expenditure offset in other expenditure categories</td>
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<td>Overtime City Works - labour pools</td>
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<td>Other</td>
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<td>Reduced level of IT project requirements</td>
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<td>Studies &amp; planning projects</td>
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<td>Reduced level of city works labour pools used for capital</td>
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<td>Reduced waste facility charges due to lower material disposal</td>
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<td>Internal labour for design, supervision &amp; project management</td>
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<td>Increased use of internal plant</td>
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<td>Expenditure offset in other expenditure categories</td>
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<td>Projects &amp; activities undertaken with internal labour</td>
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<td><strong>Saving Target</strong></td>
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<td>Expenditure offset by savings in other expenditure categories</td>
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<tr>
<td>Materials, Contracts &amp; Other expenses</td>
<td>(897)</td>
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<td>(897)</td>
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### Table 7 (cont)

#### MAJOR VARIATIONS actual versus budget (cont) $’000s

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<th>Offsetting Items for Fund</th>
<th>Surplus</th>
<th>Deficit</th>
<th>Net by type</th>
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<td><strong>REVENUES FROM ORDINARY ACTIVITIES</strong></td>
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<td><strong>Rates &amp; Annual Charges</strong></td>
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<td>Elimination of internal rates</td>
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<td>Domestic Waste income offset by transfer to restricted cash</td>
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<td>Additional West Dapto rate income</td>
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<td>222</td>
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<td><strong>User Charges &amp; Fees</strong></td>
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<td>Cemetery income</td>
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<td>Lease income from vehicle private use</td>
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<td>Commercial tipping fees</td>
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<td>Tourist park income</td>
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<td>Regulation &amp; enforcement inspection income &amp; animal registration</td>
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<td>Development assessment income</td>
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<td>Residential waste drop off income</td>
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<td>Other</td>
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<td><strong>Interest and Investment Revenue</strong></td>
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<td>Revaluation of investments</td>
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<td>Expected proceeds Lawcover litigation</td>
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<td>Fair value adjustment not required</td>
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<td></td>
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<tr>
<td>Recovery of costs from affiliates</td>
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<td>Employee leave entitlements for staff coming from other councils</td>
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<td><strong>Grants &amp; contribution - Operating</strong></td>
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<td>Additional stormwater grant for Bundaleer estate</td>
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<td>Domestic Waste income offset by transfer to restricted cash</td>
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<td>9,169</td>
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<td><strong>Operating Variation [pre capital]</strong></td>
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<td>14,955</td>
<td>(1,714)</td>
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### TABLE 7 (CONT)

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<tr>
<th>Capital Grants &amp; Contributions</th>
<th>Offsetting Items</th>
<th>Surplus</th>
<th>Deficit</th>
<th>Net by type</th>
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<td>S94 income for West Dapto</td>
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**FUNDING STATEMENT**

**Non Cash Expenses**

- Non Cash Adjustments
  - Loss on disposal of assets | 3,082 | | | |
  - Movement in employee & insurance provisions | (1,044) | | | |
  - Depreciation | 1,090 | | | |
  - Fair value adjustments | 149 | | | |
  - Employee leave payments | 31 | | | |
  - Borrowings repaid & advances received | (20) | | | |
  - Carbon Tax | (184) | | | |
  - Other | (7) | 3,095 | |

**Restricted Cash Used for Operations**

- Prior year adjustments | 73 | | | |
- Funded project timing | (635) | | | |
- Other | (1) | (564) | |

**Income Transferred to Restricted Cash**

- Contributed assets | (26,045) | | | |
- Regional Development Australia Fund (RADF) grant for city centre | (1,658) | | | |
- S94 receipts | 934 | | | |
- Lower than expected carbon tax charges | 184 | | | |
- Additional West Dapto rate income to be held as restricted cash | (50) | | | |
- Adjust transfer to domestic waste for improved net result | (205) | | | |
- Additional operational grants received | (355) | | | |
- Additional grants received | (775) | | | |
- Transfer depreciation equivalent for HACC busses | (104) | | | |
- Reduction in interest attributable to restricted asset holdings | 84 | | | |
- Other | (75) | (28,065) | |

**OPERATIONAL FUNDS AVAILABLE FOR CAPITAL**

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<tr>
<th>Net by type</th>
<th>15,327</th>
<th>(1,921)</th>
<th>13,405</th>
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### CAPITAL BUDGET

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<th>(30,430)</th>
<th>15,931</th>
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*Draft June 2013 Quarterly Review Statement including the Budget Review Statement*
The Quarterly Budget Review Statement (QBRS) requirements that were issued by the Department of Local government in December 2010 require council to provide additional information that is included in the following schedules and this report should be read in conjunction with these.

The (QBRS) guidelines require councils to provide a listing of contracts that have been entered into during the quarter that have yet to be fully performed. Details of contracts, other than contractors that are on Council’s preferred supplier list, that have a value equivalent of a 1% of estimated income from continuing operations or $50K, which ever is the lesser, are required to be provided.
The QBRS guidelines also require councils identify the amount expended on consultancies and legal fees for financial year. Consultants are defined as a person or organisation that is engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision making by management. Generally it is the advisory nature of the work that differentiates a consultant from other contractors.

<table>
<thead>
<tr>
<th>Expense</th>
<th>Expenditure $000's</th>
<th>YTD</th>
<th>Budgeted (Y/N)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consultancies</td>
<td>2,044</td>
<td>YES</td>
<td></td>
</tr>
<tr>
<td>Legal Fees</td>
<td>1,644</td>
<td>YES</td>
<td></td>
</tr>
</tbody>
</table>

**Statement of Responsible Accounting Officer**

All investments held at the 30 June 2013 were invested in accordance with Council’s investment policy.

Bank reconciliations have been completed as at 30 June 2013.

Year to date Cash and investments are reconciled with funds invested and cash at bank.

**Budget Review Statement**

With regard to the original estimate of income and expenditure, the financial statements and schedules contained within the Quarterly Review reflect an improved outcome and further progresses movement towards longer term financial targets.

The saving targets embedded in the budget have been fully met. The overall year to date position is above expectations of the adopted budget across the broad range of indicators and on a budget outcome basis is considered to be a positive outcome.

**Brian Jenkins**  
**Responsible Accounting Officer**
## INCOME & EXPENSE STATEMENT

### EXPENSES FROM ORDINARY ACTIVITIES

<table>
<thead>
<tr>
<th>Description</th>
<th>Original Budget $'000</th>
<th>Current Budget $'000</th>
<th>YTD Budget $'000</th>
<th>YTD Actual $'000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employee Costs</td>
<td>103,788</td>
<td>103,787</td>
<td>7,547</td>
<td>7,893</td>
</tr>
<tr>
<td>Borrowing Costs</td>
<td>3,935</td>
<td>3,935</td>
<td>219</td>
<td>156</td>
</tr>
<tr>
<td>Materials, Contracts &amp; Other Expenses</td>
<td>89,028</td>
<td>89,031</td>
<td>6,213</td>
<td>5,217</td>
</tr>
<tr>
<td>Depreciation, Amortisation + Impairment</td>
<td>61,972</td>
<td>61,972</td>
<td>4,910</td>
<td>5,293</td>
</tr>
<tr>
<td>Internal Charges</td>
<td>(11,951)</td>
<td>(11,954)</td>
<td>(862)</td>
<td>(778)</td>
</tr>
<tr>
<td>Savings Target</td>
<td>(3,190)</td>
<td>(3,190)</td>
<td>(220)</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total Expenses from Ordinary Activities</strong></td>
<td><strong>243,581</strong></td>
<td><strong>243,581</strong></td>
<td><strong>17,807</strong></td>
<td><strong>17,781</strong></td>
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</table>

### REVENUES FROM ORDINARY ACTIVITIES

<table>
<thead>
<tr>
<th>Description</th>
<th>Original Budget $'000</th>
<th>Current Budget $'000</th>
<th>YTD Budget $'000</th>
<th>YTD Actual $'000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rates and Annual Charges</td>
<td>155,608</td>
<td>155,608</td>
<td>11,084</td>
<td>11,124</td>
</tr>
<tr>
<td>User Charges and Fees</td>
<td>30,723</td>
<td>30,723</td>
<td>1,925</td>
<td>2,148</td>
</tr>
<tr>
<td>Interest and Investment Revenues</td>
<td>4,891</td>
<td>4,891</td>
<td>340</td>
<td>388</td>
</tr>
<tr>
<td>Other Revenues</td>
<td>8,567</td>
<td>8,567</td>
<td>635</td>
<td>708</td>
</tr>
<tr>
<td>Grants and Contributions - Operating</td>
<td>19,267</td>
<td>19,267</td>
<td>1,723</td>
<td>2,208</td>
</tr>
<tr>
<td>Profit/Loss on Disposal of Assets</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>10</td>
</tr>
<tr>
<td><strong>Revenues [pre capital]</strong></td>
<td><strong>219,056</strong></td>
<td><strong>219,056</strong></td>
<td><strong>15,708</strong></td>
<td><strong>16,586</strong></td>
</tr>
<tr>
<td>Operating Result [Pre capital]</td>
<td>(24,525)</td>
<td>(24,525)</td>
<td>(2,100)</td>
<td>(1,195)</td>
</tr>
<tr>
<td>Capital Grants &amp; Contributions</td>
<td>20,167</td>
<td>20,167</td>
<td>1,437</td>
<td>2,039</td>
</tr>
<tr>
<td><strong>OPERATING RESULT</strong></td>
<td><strong>(4,357)</strong></td>
<td><strong>(4,357)</strong></td>
<td><strong>(663)</strong></td>
<td><strong>844</strong></td>
</tr>
</tbody>
</table>

### FUNDING STATEMENT

<table>
<thead>
<tr>
<th>Description</th>
<th>Original Budget $'000</th>
<th>Current Budget $'000</th>
<th>YTD Budget $'000</th>
<th>YTD Actual $'000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surplus (Deficit) [pre capital]</td>
<td>(4,357)</td>
<td>(4,357)</td>
<td>(663)</td>
<td>844</td>
</tr>
<tr>
<td>Add back :</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Non-cash expenses</td>
<td>79,187</td>
<td>79,162</td>
<td>6,181</td>
<td>6,706</td>
</tr>
<tr>
<td>Restricted cash used for operations</td>
<td>8,601</td>
<td>8,601</td>
<td>640</td>
<td>156</td>
</tr>
<tr>
<td>Income transferred to Restricted Cash</td>
<td>(39,986)</td>
<td>(39,986)</td>
<td>(2,858)</td>
<td>(4,356)</td>
</tr>
<tr>
<td>Payment of Accrued Leave Entitlements</td>
<td>(9,841)</td>
<td>(9,841)</td>
<td>(701)</td>
<td>(978)</td>
</tr>
<tr>
<td>Payment of Carbon Contributions</td>
<td>(221)</td>
<td>(221)</td>
<td>(16)</td>
<td>0</td>
</tr>
<tr>
<td><strong>Funds Available from Operations</strong></td>
<td><strong>33,381</strong></td>
<td><strong>33,356</strong></td>
<td><strong>2,583</strong></td>
<td><strong>2,372</strong></td>
</tr>
<tr>
<td>Advances made by / (repaid to) Council</td>
<td>(135)</td>
<td>(135)</td>
<td>(11)</td>
<td>0</td>
</tr>
<tr>
<td>Borrowings repaid</td>
<td>(4,329)</td>
<td>(4,329)</td>
<td>(230)</td>
<td>0</td>
</tr>
<tr>
<td><strong>Operational Funds Available for Capital</strong></td>
<td><strong>28,918</strong></td>
<td><strong>28,893</strong></td>
<td><strong>2,342</strong></td>
<td><strong>2,372</strong></td>
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</table>

### CAPITAL BUDGET

<table>
<thead>
<tr>
<th>Description</th>
<th>Original Budget $'000</th>
<th>Current Budget $'000</th>
<th>YTD Budget $'000</th>
<th>YTD Actual $'000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Works</td>
<td>(73,401)</td>
<td>(73,401)</td>
<td>(2,557)</td>
<td>(2,220)</td>
</tr>
<tr>
<td>Transfer to Restricted Cash</td>
<td>(3,600)</td>
<td>(3,600)</td>
<td>(256)</td>
<td>0</td>
</tr>
<tr>
<td>Contributed Assets</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Funded From :</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Operational Funds</td>
<td>28,918</td>
<td>28,893</td>
<td>2,342</td>
<td>2,372</td>
</tr>
<tr>
<td>- Sale of Assets</td>
<td>5,637</td>
<td>5,637</td>
<td>278</td>
<td>10</td>
</tr>
<tr>
<td>- Internally Restricted Cash</td>
<td>10,532</td>
<td>10,532</td>
<td>150</td>
<td>32</td>
</tr>
<tr>
<td>- Borrowings</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>- Capital Grants</td>
<td>8,364</td>
<td>8,364</td>
<td>1,271</td>
<td>39</td>
</tr>
<tr>
<td>- Developer Contributions (Section 94)</td>
<td>6,662</td>
<td>6,662</td>
<td>396</td>
<td>249</td>
</tr>
<tr>
<td>- Other Externally Restricted Cash</td>
<td>5,328</td>
<td>5,328</td>
<td>197</td>
<td>137</td>
</tr>
<tr>
<td>- Other Capital Contributions</td>
<td>300</td>
<td>300</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>TOTAL FUNDS SURPLUS / (DEFICIT)</strong></td>
<td><strong>(11,261)</strong></td>
<td><strong>(11,286)</strong></td>
<td><strong>1,819</strong></td>
<td><strong>619</strong></td>
</tr>
</tbody>
</table>
### CAPITAL PROJECT REPORT

#### as at the period ended 26th July 2013

<table>
<thead>
<tr>
<th>Program</th>
<th>Current Budget Expenditure</th>
<th>YTD Expenditure</th>
<th>variation Expenditure</th>
<th>Other Funding</th>
<th>Other Funding</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$'000</td>
<td>$'000</td>
<td>$'000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Asset Class: Roads And Related Assets</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Traffic Facilities</td>
<td>575 (0)</td>
<td>47</td>
<td>390 (266)</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Public Transport Facilities</td>
<td>400 (225)</td>
<td>53</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Roadworks</td>
<td>6,785 (924)</td>
<td>686</td>
<td>351 (351)</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Bridges, Boardwalks and Jetties</td>
<td>2,500 (400)</td>
<td>18</td>
<td>(480) (10)</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total Roads And Related Assets</strong></td>
<td>10,260 (1,549)</td>
<td>804</td>
<td>281 (627)</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Asset Class: West Dapto</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>West Dapto Infrastructure Expansion</td>
<td>7,300 (5,040)</td>
<td>396</td>
<td>50 (50)</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total West Dapto</strong></td>
<td>7,300 (5,040)</td>
<td>396</td>
<td>50 (50)</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Asset Class: Footpaths And Cycleways</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Footpaths</td>
<td>3,050 (2,700)</td>
<td>179</td>
<td>171 (222)</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Cycle/Shared Paths</td>
<td>4,150 (1,800)</td>
<td>243</td>
<td>147 (222)</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Commercial Centre Upgrades - Footpaths and Cycleways</td>
<td>11,175 (3,720)</td>
<td>44</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td><strong>Total Footpaths And Cycleways</strong></td>
<td>18,375 (8,220)</td>
<td>466</td>
<td>318 (222)</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Asset Class: Carparks</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Carpark Construction/Formalising</td>
<td>500 (292)</td>
<td>150</td>
<td>180</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Carpark Reconstruction or Upgrading</td>
<td>750</td>
<td>0</td>
<td>4 (180)</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total Carparks</strong></td>
<td>1,250 (292)</td>
<td>154</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Asset Class: Stormwater And Floodplain Management</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Floodplain Management</td>
<td>1,520 (280)</td>
<td>23</td>
<td>0</td>
<td>0</td>
<td></td>
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<tr>
<td>Stormwater Management</td>
<td>940 (518)</td>
<td>21</td>
<td>0</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>Stormwater Treatment Devices</td>
<td>400 (410)</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td><strong>Total Stormwater And Floodplain Management</strong></td>
<td>2,860 (1,508)</td>
<td>46</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Asset Class: Buildings</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cultural Centres (IPAC, Gallery, Townhall)</td>
<td>900</td>
<td>0</td>
<td>5</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Administration Buildings</td>
<td>1,400</td>
<td>0</td>
<td>39</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Community Buildings</td>
<td>3,893 (150)</td>
<td>112</td>
<td>454 (454)</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Public Facilities (Shelters, Toilets etc)</td>
<td>1,195</td>
<td>0</td>
<td>2</td>
<td>75</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total Buildings</strong></td>
<td>7,388 (150)</td>
<td>158</td>
<td>531 (454)</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Asset Class: Commercial Operations</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tourist Park - Upgrades and Renewal</td>
<td>650</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Crematorium/Cemetery - Upgrades and Renewal</td>
<td>150</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Leisure Centres &amp; RVGC</td>
<td>150</td>
<td>0</td>
<td>0</td>
<td>24</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total Commercial Operations</strong></td>
<td>950</td>
<td>0</td>
<td>2</td>
<td>24</td>
<td>0</td>
</tr>
<tr>
<td>Asset Class: Parks Gardens And Sportfields</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Play Facilities</td>
<td>1,155 (755)</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Recreation Facilities</td>
<td>460 (62)</td>
<td>8</td>
<td>28</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Sporting Facilities</td>
<td>430 (275)</td>
<td>2</td>
<td>41 (41)</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Lake Illawarra Foreshore</td>
<td>200</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total Parks Gardens And Sportfields</strong></td>
<td>2,245 (1,092)</td>
<td>11</td>
<td>69 (41)</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Asset Class: Beaches And Pools</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Beach Facilities</td>
<td>605 (25)</td>
<td>9</td>
<td>143</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Rock/Tidal Pools</td>
<td>450</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Treated Water Pools</td>
<td>575</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total Beaches And Pools</strong></td>
<td>1,630 (25)</td>
<td>11</td>
<td>143</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>
## CAPITAL PROJECT REPORT

as at the period ended 26th July 2013

<table>
<thead>
<tr>
<th>Program</th>
<th>Current Budget Expenditure</th>
<th>YTD Expenditure</th>
<th>variation Expenditure</th>
<th>Other Funding</th>
<th>Other Funding</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Asset Class:Natural Areas</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Environmental Management Program</td>
<td>200 (100)</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Natural Area Management and Rehabilitation</td>
<td>100</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total Natural Areas</td>
<td>300 (100)</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Asset Class:Waste Facilities</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Whytes Gully New Cells</td>
<td>8,900 (8,900)</td>
<td>15</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Whytes Gully Renewal Works</td>
<td>200 (200)</td>
<td>32</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Helensburgh Rehabilitation</td>
<td>1,250 (1,250)</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total Waste Facilities</td>
<td>10,350 (10,350)</td>
<td>47</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Asset Class:Fleet</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Motor Vehicles</td>
<td>2,503 (1,657)</td>
<td>(0)</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total Fleet</td>
<td>2,503 (1,657)</td>
<td>(0)</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Asset Class:Plant And Equipment</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Portable Equipment (Mowers etc)</td>
<td>300 (380)</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Mobile Plant (trucks, backhoes etc)</td>
<td>1,160</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Fixed Equipment</td>
<td>250 0</td>
<td>1</td>
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<tr>
<td>Total Plant And Equipment</td>
<td>1,710 (380)</td>
<td>1</td>
<td>0</td>
<td>0</td>
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</tr>
<tr>
<td><strong>Asset Class:Information Technology</strong></td>
<td></td>
<td></td>
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<tr>
<td>Information Technology</td>
<td>950 0</td>
<td>(24)</td>
<td>0</td>
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<tr>
<td>Total Information Technology</td>
<td>950 0</td>
<td>(24)</td>
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<tr>
<td><strong>Asset Class:Library Books</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Library Books</td>
<td>1,230 0</td>
<td>134</td>
<td>0</td>
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<tr>
<td>Total Library Books</td>
<td>1,230 0</td>
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<tr>
<td><strong>Asset Class:Public Art</strong></td>
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<td></td>
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<tr>
<td>Public Art Works</td>
<td>200 0</td>
<td>3</td>
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<td>Art Gallery Acquisitions</td>
<td>100 0</td>
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<td>Total Public Art</td>
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<td>3</td>
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<td><strong>Asset Class:Emergency Services</strong></td>
<td></td>
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<tr>
<td>Emergency Services Plant and Equipment</td>
<td>230 0</td>
<td>0</td>
<td>0</td>
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<td>230 0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td><strong>Asset Class:Land Acquisitions</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Land Acquisitions</td>
<td>740 0</td>
<td>7</td>
<td>1,370</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Total Land Acquisitions</td>
<td>740 0</td>
<td>7</td>
<td>1,370</td>
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<td>0</td>
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<tr>
<td><strong>Asset Class:Non-Project Allocations</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Capital Project Contingency</td>
<td>1,930 0</td>
<td>0</td>
<td>(1,402)</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Capital Project Plan</td>
<td>900 (100)</td>
<td>0</td>
<td>10</td>
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<tr>
<td>Total Non-Project Allocations</td>
<td>2,830 (100)</td>
<td>0</td>
<td>(1,392)</td>
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<td>0</td>
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<tr>
<td><strong>Asset Class:Loans</strong></td>
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<tr>
<td>West Dapto Loan</td>
<td>0 (2,760)</td>
<td>0</td>
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<td>Total Loans</td>
<td>0 (2,760)</td>
<td>0</td>
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<tr>
<td><strong>GRAND TOTAL</strong></td>
<td>73,401 (33,223)</td>
<td>2,220</td>
<td>1,393</td>
<td>(1,393)</td>
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</table>
Manager Infrastructure Strategy and Planning Commentary on Capital Budget

As at 26 July 2013, year to date expenditure was $2.2M of the approved capital budget of $73.4M. This value is consistent with forecast expenditure for this period. The following proposed changes will increase the total Capital budget by $1.4M to $74.8M by introducing new funding.

The below table provides explanation for the major variances.

<table>
<thead>
<tr>
<th>Asset Class</th>
<th>Major Points of change to Capital Budget</th>
</tr>
</thead>
</table>
| Roads and Related Assets     | • Introduction of R.M.S. funding for construction of road and pedestrian safety upgrades along with some matching council revenue funding from contingency  
                                 | • Introduction of R.M.S. funding for regional roads maintenance and upgrade projects                                                                                                                                                    |
|                              | • Introduction of R.M.S. funding for regional roads maintenance and upgrade projects  
                                 | • Reduction in Cordeaux Road Bridge to reflect construction program.                                                                                                                                                              |
| West Dapto                   | • Introduction of R.M.S funding for construction of bus bay                                                                                                                                                                           |
| Footpaths and Cycleways      | • Transfer of funds from Contingency to fund Council share of RMS funded projects  
                                 | • Introduction of Section 94 funding and LIRS loan funding                                                                                           |
|                              | • Reduction in Tramway Seawall and path upgrade to reflect construction program.                                                                                                                                                      |
|                              | • Transfer of funds from Contingency for Towradgi Park amenities upgrade                                                                                             |
| Commercial Operations        | • Transfer of funds from Contingency for Beaton Park Leisure Centre play area soft fall replacement                                                                        |
| Parks, Gardens and Sports fields | • Transfer of funds from Contingency for upgrade of tourist info and bushfire warning signage at Sublime point                                                                                     |
|                              | • Introduction of funding from Telco towers Lease Income Sports Reserve                                                                                          |
| Beaches and Pools            | • Transfer of funds from Contingency for replacement seawall at Thirroul Beach                                                                                                           |
| Land Acquisitions            | • Allocate additional funds to complete remediation of Flinders street site.                                                                                              |
| Non Project allocations      | • Distribution of Council revenue funds to various programs detailed above.                                                                                               |
## WOLLONGONG CITY COUNCIL

### BALANCE SHEET

<table>
<thead>
<tr>
<th></th>
<th>Actual 2013/14</th>
<th>Actual 2012/13</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$'000</td>
<td>$'000</td>
</tr>
<tr>
<td><strong>CURRENT ASSETS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cash Assets</td>
<td>96,768</td>
<td>109,502</td>
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<tr>
<td>Other</td>
<td>7,363</td>
<td>7,264</td>
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<tr>
<td>Total Current Assets</td>
<td>143,805</td>
<td>147,104</td>
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<td><strong>NON-CURRENT ASSETS</strong></td>
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<td></td>
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<tr>
<td>Non-Current Receivables</td>
<td>4,839</td>
<td>4,839</td>
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<tr>
<td>Property, Plant and Equipment</td>
<td>2,373,717</td>
<td>2,370,801</td>
</tr>
<tr>
<td>Investment Properties</td>
<td>3,725</td>
<td>3,725</td>
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<tr>
<td>Intangible Assets</td>
<td>984</td>
<td>984</td>
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<tr>
<td>Total Non-Current Assets</td>
<td>2,383,499</td>
<td>2,386,672</td>
</tr>
<tr>
<td><strong>TOTAL ASSETS</strong></td>
<td>2,527,603</td>
<td>2,533,976</td>
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<tr>
<td><strong>CURRENT LIABILITIES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Current Payables</td>
<td>15,605</td>
<td>23,201</td>
</tr>
<tr>
<td>Current Provisions payable &lt; 12 months</td>
<td>9,292</td>
<td>9,254</td>
</tr>
<tr>
<td>Current Provisions payable &gt; 12 months</td>
<td>33,713</td>
<td>33,713</td>
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<tr>
<td>Total Current Liabilities</td>
<td>62,083</td>
<td>69,500</td>
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<tr>
<td><strong>NON-CURRENT LIABILITIES</strong></td>
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<tr>
<td>Non Current Interest Bearing Liabilities</td>
<td>31,190</td>
<td>31,236</td>
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<tr>
<td>Non Current Provisions</td>
<td>43,414</td>
<td>43,268</td>
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<tr>
<td>Total Non-Current Liabilities</td>
<td>74,604</td>
<td>74,503</td>
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<tr>
<td><strong>TOTAL LIABILITIES</strong></td>
<td>136,687</td>
<td>144,003</td>
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<tr>
<td><strong>NET ASSETS</strong></td>
<td>2,390,817</td>
<td>2,389,973</td>
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<tr>
<td><strong>EQUITY</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accumulated Surplus</td>
<td>1,071,919</td>
<td>1,074,818</td>
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<tr>
<td>Asset Revaluation Reserve</td>
<td>1,226,811</td>
<td>1,226,811</td>
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<tr>
<td>Restricted Assets</td>
<td>90,067</td>
<td>88,944</td>
</tr>
<tr>
<td><strong>TOTAL EQUITY</strong></td>
<td>2,390,817</td>
<td>2,389,973</td>
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</tbody>
</table>
# WOLLONGONG CITY COUNCIL

## CASH FLOW STATEMENT

as at 26 July 2013

<table>
<thead>
<tr>
<th></th>
<th>YTD Actual</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2013/14</td>
<td>2012/13</td>
</tr>
<tr>
<td></td>
<td>$'000</td>
<td>$'000</td>
</tr>
<tr>
<td><strong>CASH FLOWS FROM OPERATING ACTIVITIES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Receipts:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rates &amp; Annual Charges</td>
<td>3,204</td>
<td>147,009</td>
</tr>
<tr>
<td>User Charges &amp; Fees</td>
<td>1,044</td>
<td>28,014</td>
</tr>
<tr>
<td>Interest &amp; Interest Received</td>
<td>158</td>
<td>4,793</td>
</tr>
<tr>
<td>Grants &amp; Contributions</td>
<td>4,833</td>
<td>66,463</td>
</tr>
<tr>
<td>Other</td>
<td>419</td>
<td>9,646</td>
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<tr>
<td><strong>Payments:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employee Benefits &amp; On-costs</td>
<td>(7,349)</td>
<td>(89,998)</td>
</tr>
<tr>
<td>Materials &amp; Contracts</td>
<td>(10,052)</td>
<td>(46,066)</td>
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<tr>
<td>Borrowing Costs</td>
<td>(156)</td>
<td>(571)</td>
</tr>
<tr>
<td>Other</td>
<td>(4,201)</td>
<td>(24,188)</td>
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<tr>
<td><strong>Net Cash from Boundary Adjustments</strong></td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Net Cash provided (or used in) Operating Activities</strong></td>
<td>(12,100)</td>
<td>85,070</td>
</tr>
</tbody>
</table>

| **CASH FLOWS FROM INVESTING ACTIVITIES** |            |        |
| **Receipts:**                        |            |        |
| Sale of Infrastructure, Property, Plant & Equipment | 10 | 1,630 |
| Deferred Debtors Receipts            | -          | 12     |
| **Payments:**                        |            |        |
| Purchase of Infrastructure, Property, Plant & Equipment | (1,689) | (77,298)|
| Purchase of Interests in Joint Ventures & Associates | - | - |
| **Net Cash provided (or used in) Investing Activities** | (1,679) | (75,656) |

| **CASH FLOWS FROM FINANCING ACTIVITIES** |            |        |
| **Receipts:**                          |            |        |
| Proceeds from Borrowings & Advances   | -          | 20,000 |
| Other Financing Activity Receipts     | -          | -      |
| **Payments:**                         |            |        |
| Repayment of Borrowings & Advances    | 94         | (3,173)|
| Repayment of Finance Lease Liabilities| -          | (146)  |
| **Net Cash Flow provided (used in) Financing Activities** | 94 | 16,697 |
| **Net Increase/(Decrease) in Cash & Cash Equivalents** | (13,695) | 26,101 |
| plus: Cash & Cash Equivalents and Investments - beginning of year | 116,796 | 90,696 |
| **Cash & Cash Equivalents and Investments - year to date** | 103,111 | 116,796 |

---

## External Restrictions

<table>
<thead>
<tr>
<th></th>
<th>2013/14</th>
<th>2012/13</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Cash &amp; Cash Equivalents and Investments - year to date</td>
<td>103,111</td>
<td>116,796</td>
</tr>
<tr>
<td><strong>Attributable to:</strong></td>
<td></td>
<td></td>
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<tr>
<td>External Restrictions (refer below)</td>
<td>69,512</td>
<td>42,281</td>
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<tr>
<td>Internal Restrictions (refer below)</td>
<td>22,577</td>
<td>18,984</td>
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<tr>
<td>Unrestricted</td>
<td>11,022</td>
<td>55,531</td>
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<tr>
<td><strong>Total External Restrictions</strong></td>
<td>103,111</td>
<td>116,796</td>
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## Internal Restrictions

<table>
<thead>
<tr>
<th></th>
<th>2013/14</th>
<th>2012/13</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Fund</td>
<td>(252)</td>
<td>(252)</td>
</tr>
<tr>
<td>North Dalton Park Development</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Sports Priority Program</td>
<td>876</td>
<td>597</td>
</tr>
<tr>
<td>Car Parking Stategy</td>
<td>527</td>
<td>106</td>
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<tr>
<td>MacCabe Park Development</td>
<td>403</td>
<td>240</td>
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<tr>
<td>Darcy Wentworth Park</td>
<td>102</td>
<td>69</td>
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<tr>
<td>Garbage Disposal Facility</td>
<td>20,568</td>
<td>17,635</td>
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<tr>
<td>Telecommunications Revenue</td>
<td>282</td>
<td>599</td>
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<tr>
<td>West Dapto Development Additional Rates</td>
<td>71</td>
<td>-</td>
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<td><strong>Total Internal Restrictions</strong></td>
<td>22,577</td>
<td>18,984</td>
</tr>
<tr>
<td>Investment Body</td>
<td>Rating</td>
<td>Purchase Price $</td>
</tr>
<tr>
<td>----------------</td>
<td>--------</td>
<td>-----------------</td>
</tr>
<tr>
<td>CBA Business On-line Saver</td>
<td>A-1+</td>
<td>-</td>
</tr>
<tr>
<td>NAB Professional Maximiser</td>
<td>A-1</td>
<td>-</td>
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<tr>
<td>Bank of Queensland</td>
<td>A-2</td>
<td>1,500,000</td>
</tr>
<tr>
<td>Westpac Banking Corporation</td>
<td>A-1+</td>
<td>5,000,000</td>
</tr>
<tr>
<td>NAB</td>
<td>A-1+</td>
<td>7,000,000</td>
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<tr>
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<td>5,000,000</td>
</tr>
<tr>
<td>Bank of Queensland</td>
<td>A-2</td>
<td>4,000,000</td>
</tr>
<tr>
<td>Bank of Queensland</td>
<td>A-2</td>
<td>5,000,000</td>
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<tr>
<td>Westpac Banking Corporation</td>
<td>A-1+</td>
<td>5,000,000</td>
</tr>
<tr>
<td>ANZ</td>
<td>A-1+</td>
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<tr>
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<td>A-1+</td>
<td>2,000,000</td>
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<td>1,030,000</td>
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<tr>
<td>ANZ</td>
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<tr>
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</tr>
<tr>
<td>Members Equity Bank</td>
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<td>4,000,000</td>
</tr>
<tr>
<td>Westpac Banking Corporation</td>
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<td>ANZ</td>
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<td>NAB</td>
<td>A-1+</td>
<td>3,000,000</td>
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<tr>
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<td>St. George Bank Limited</td>
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<tr>
<td>Commonwealth Bank Australia</td>
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<tr>
<td>EMERALD A Mortgage Backed Security</td>
<td>AAA</td>
<td>2,000,000</td>
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<tr>
<td>EMERALD B Mortgage Backed Security</td>
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**Managed Funds**

<table>
<thead>
<tr>
<th>Investment Body</th>
<th>Rating</th>
<th>Purchase Price $</th>
<th>Fair Value of Holding $</th>
<th>Purchase Date</th>
<th>Monthly Return (Actual)</th>
<th>Annualised % p.a.</th>
<th>FYTD (Actual)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Corp Long Term Growth Facility Trust</td>
<td>N/A</td>
<td>1,131,841</td>
<td>1,391,293</td>
<td>13/06/2007</td>
<td>4.09%</td>
<td>75.63%</td>
<td>75.63%</td>
</tr>
</tbody>
</table>

**Total:** 101,343,132

* The maturity date provided is the weighted-average life of the security. This is the average amount of time that will elapse from the date of security's issuance until each dollar is repaid based on an actuarial assessment. Assessments are carried out on a regular basis which can potentially extend the life of the investment. Current assessments anticipate an extension of life of the investment.

This is to certify that all of the above investments have been placed in accordance with the Act, the regulations and Council's Investment Policies.

Brian Jenkins
RESPONSIBLE ACCOUNTING OFFICER