



BUSINESS PAPER

ORDINARY MEETING OF COUNCIL

To be held at 6.00 pm on

Monday 18 November 2019

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

Order of Business

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

Members

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

QUORUM – 7 MEMBERS TO BE PRESENT

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MINUTES

ORDINARY MEETING OF COUNCIL

at 6.00 pm

Monday 28 October 2019

Present

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

Councillor John Dorahy
Councillor Leigh Colacino
Councillor Mithra Cox
Councillor David Brown
Councillor Vicky King

In Attendance

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

Greg Doyle
Andrew Carfield
Linda Davis
Renee Campbell
Kerry Hunt
Rod Keen
Brian Jenkins
Lucielle Power
Ingrid McAlpin
Chris Stewart
Mark Roebuck
Glenn Whittaker
Mike Dowd
Joanne Page
Sue Savage
Jenny Thompson

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Reason for Confidentiality

This report recommends that this item be considered in Closed Session to the exclusion of the press and public in accordance with Section 10A (2) (c) of the Local Government Act, 1993, as the report contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

CONFLICTS OF INTEREST

Councillor Figliomeni declared a non-pecuniary, non-significant conflict of interest in Item 12 as he owns a property in Coniston. However as the property is not nearby to the proposed works, Councillor Figliomeni advised he would remain in the Chamber during the debate and voting on the item.

Councillor Cox declared a pecuniary, significant conflict of interest in Item 2 as she lives very close to the site. Councillor Cox advised she would depart the Chamber during the debate and voting on the item, in addition to the Public Access Forum speakers' address to Council on the matter.

Councillor Cox also declared a non-pecuniary, non-significant conflict of interest in Item 14 as her husband plays for Figtree Soccer Club and his home ground is Harry Graham Park. Councillor Cox advised she would remain in the Chamber during the debate and voting on the item.

Councillor Dorahy declared a non-pecuniary, non-significant conflict of interest in Item 8 as he is the Chair of the associated Flood Committee. Councillor Dorahy advised he would remain in the Chamber during the debate and voting on the item.

Councillor Dorahy also declared a non-pecuniary, non-significant conflict of interest in Item 14 as his grandson plays soccer at Harry Graham Park. Councillor Dorahy advised he would remain in the Chamber during the debate and voting on the item.

POLICE AND EMERGENCY SERVICES GAMES

Councillor Bradbery advised of his recent attendance at the Police and Emergency Services Games, along with Councillors T Brown, J Dorahy and C Walters. Councillor Bradbery advised that he is in receipt of a gold, silver and bronze medal, along with a shirt, cap and plaque, which were presented in gratitude to Wollongong City Council for the provision of facilities enabling the Games to take place.

CONFIRMATION OF MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON MONDAY, 23 SEPTEMBER 2019

304 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Colacino that the Minutes of the Ordinary Meeting of Council held on Monday, 23 September 2019 (a copy having been circulated to Councillors) be taken as read and confirmed.

DEPARTURE OF COUNCILLOR

Due to a declared conflict of interest, prior to the commencement of the Public Access Forum Councillor Cox departed the meeting at 6:06 pm and returned to the meeting at the commencement of the third Public Access Forum speaker at 6:22 pm.

DEPARTURE OF COUNCILLOR

During the Public Access Forum Councillor D Brown departed and returned to the meeting, the time being from 6:21 pm to 6:22 pm.

PUBLIC ACCESS FORUM

ITEM	TITLE	NAME OF SPEAKER
2	Interim Heritage Order – Former Corrimal Coke Works Site	Ainslie Lamb For Recommendation
2	Interim Heritage Order – Former Corrimal Coke Works Site	Mike Williams Against Recommendation
8	Allans Creek Flood Study (2019)	Dr John Mathieson Against Recommendation
22	Notice Of Motion – Councillor Dorahy – Light Rail Network – 21 st Century Wollongong – City of Innovation	Kieran Thomas For Recommendation
Non-Agenda Item	Council Climate Change Targets	Caitlin Cooper
Non-Agenda Item	Council Net Zero Emissions	Daniel Noonan

305 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Colacino that all speakers be thanked for their presentation and invited to table their notes.

CALL OF THE AGENDA

306 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor D Brown seconded Councillor Cox that the staff recommendations for Items 1, 3 to 7, and 9 to 20 be adopted as a block.

ITEM 1 - WOLLONGONG HERITAGE STRATEGY 2019-2022 - POST EXHIBITION

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 306).

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

- 1 The Wollongong Heritage Strategy 2019-2022 (Attachment 3) be adopted as a supporting document.
- 2 The Wollongong Heritage Implementation Plan 2019-2022 be noted as an Operational Delivery Plan for delivery of the Wollongong Heritage Strategy.

DEPARTURE OF COUNCILLOR

Due to a declared conflict of interest, Councillor Cox departed the meeting at 6:52 pm and was not present during the debate or voting on Item 2. Councillor Cox returned to the meeting at 7:15 pm.

ITEM 2 - INTERIM HERITAGE ORDER - FORMER CORRIMAL COKE WORKS SITE

307 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor Kershaw seconded Councillor Rimmer that -

- 1 The Interim Heritage Order over the Corrimal Coke Works site be extended for an additional six months. The alignment of the tramway be identified as archaeological significance.
- 2 Council reaffirms its resolution of 3 April 2018 to prepare a draft Planning Proposal that will involve the heritage listing of part of the former Corrimal Coke Works site as per the proposed curtilage map in Attachment 1, noting that the area for potential heritage listing will continue to be considered and refined through the planning proposal process.
- 3 Council notes that a Statement of Significance and potential referral to the Heritage Council for the inclusion of items within the Corrimal Coke Works Site on the State Heritage Register will be considered following the completion of the heritage assessment of the site.

A PROCEDURAL MOTION was MOVED by Councillor D Brown seconded Councillor Colacino that Councillor Kershaw be granted an additional one (1) minute to address the meeting in relation to Item 2.

ITEM 3 - IMPLEMENTATION OF INTERNAL AUDIT BUREAU RECTIFICATION PLAN - POST IMPLEMENTATION AUDIT

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 306).

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

- 1 Council endorse the post implementation audit of the IAB Review Rectification Plan noting the auditor confirmed all recommendations have been completed and implemented.

ITEM 4 - APPOINTMENT OF AUDIT RISK AND IMPROVEMENT COMMITTEE CHAIRPERSON

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 306).

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

- 1 Mr Terry Clout be appointed as chairperson of the Audit, Risk and Improvement Committee for the period up to 30 September 2020.

ITEM 5 - PROPOSED COMPULSORY ACQUISITION - PROPOSED LOT 11 DP 1242770 - DEPARTMENT OF EDUCATION - REAR OF DAPTO HIGH SCHOOL

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 306).

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

- 1 Council continue to negotiate with the Department of Education and, if agreement is reached to proceed with the land acquisition via Transfer, agree to be bound by the Valuer General's determination for compensation for the acquisition of proposed Lot 11 DP 1242770, being Part Lot 1 DP 81501.
- 2 In the event acquisition by Transfer is not approved by the Department of Education, Council acquire proposed Lot 11 DP 1242770, being part Lot 1 DP 81501, by compulsory process pursuant to the *Land Acquisition (Just Terms Compensation) Act 1991* by authority contained in the *Roads Act 1993* for the purpose of a road.
- 3 The minerals be excluded from this acquisition.
- 4 This acquisition is not for the purpose of resale.
- 5 The necessary applications relating to the compulsory acquisition including compensation determination be made to the Minister for Local Government and the Governor.
- 6 Council seek priority processing of the application through the Office of Local Government, due to the state significance of the infrastructure and to avoid undue delays.
- 7 Upon acquisition, Council dedicate proposed Lot 11 DP 1242770 as a road, pursuant to Section 10 of the *Roads Act 1993*.
- 8 Council grant authority for the use of the Common Seal of Council on all documents relevant to this matter, should it be required to give effect to this resolution.

ITEM 6 - MINNEGANG CREEK FLOOD STUDY (2019) - LAKE HEIGHTS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 306).

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

- 1 That the Minnegang Creek Flood Study (2019) be adopted
- 2 Persons who made submissions be thanked and advised of Council's decision

ITEM 7 - KULLY BAY OVERLAND FLOW STUDY (2019) - WARRAWONG

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 306).

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

- 1 That the Kully Bay Overland Flow Study (2019) be adopted.

DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 8, Councillor Rimmer departed and returned to the meeting, the time being from 7:19 pm to 7:19 pm.

ITEM 8 - ALLANS CREEK FLOOD STUDY (2019)

308 **COUNCIL'S RESOLUTION** – RESOLVED on the motion of Councillor Dorahy seconded Councillor Figliomeni that -

- 1 The item be deferred for a 6 week period to allow for a review of the methodology and further consultation with key stakeholders.

Variation The variation moved by Councillor Martin (the addition of words 'to allow for a review of the methodology and further consultation with key stakeholders') was accepted by the mover and seconder.

In favour Councillors Kershaw, Rimmer, D Brown, T Brown, Martin, King, Cox, Blakey, Colacino, Walters, Dorahy and Figliomeni

Against Councillor Bradbery

ITEM 9 - TENDER T19/18 - DEMOLITION AND CONSTRUCTION OF WEBB PARK AMENITIES BUILDING, KANAHOOKA

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 306).

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

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Batmac Constructions Pty Ltd for Demolition and Construction of Webb Park Amenities, Kanahooka in the sum of \$866,746.49, excluding GST.
- 2 Council delegate to the General Manager the authority to finalise and execute the contract and any other documentation required to give effect to this resolution.
- 3 Council grant authority for the use of the Common Seal of Council on the contract and any other documentation, should it be required, to give effect to this resolution.

ITEM 10 - TENDER T19/19 - DEMOLITION AND CONSTRUCTION OF WISEMAN PARK AMENITIES BUILDING, GWYNNEVILLE

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 306).

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

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Batmac Constructions Pty Ltd for demolition and construction of Wiseman Park Amenities, Gwynneville in the sum of \$796,048.23, excluding GST.
- 2 Council delegate to the General Manager the authority to finalise and execute the contract and any other documentation required to give effect to this resolution.
- 3 Council grant authority for the use of the Common Seal of Council on the contract and any other documentation, should it be required, to give effect to this resolution.

ITEM 11 - TENDER T19/21 - WATER MAIN INSTALLATION - WONGAWILLI ROAD RECONSTRUCTION

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 306).

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

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Cadifern Pty Ltd for the installation of two water mains at lowered levels at the intersection of Shone Avenue and Wongawilli Road, Wongawilli, in the sum of \$421,387, excluding GST.
- 2 Council delegate to the General Manager the authority to finalise and execute the contract and any other documentation required to give effect to this resolution.
- 3 Council grant authority for the use of the Common Seal of Council on the contract and any other documentation, should it be required, to give effect to this resolution.

ITEM 12 - TENDER T19/22 - PROPOSED CONSTRUCTION OF A RETAINING WALL ALONG THE DIVIDED CARRIAGEWAY AT IRIS AVENUE, CONISTON

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 306).

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

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Cadifern Pty Ltd for the construction of a retaining wall and associated earthworks, fencing and drainage along Iris Avenue, Coniston in the sum of \$690,953.50, excluding GST.
- 2 Council delegate to the General Manager the authority to finalise and execute the contract and any other documentation required to give effect to this resolution.
- 3 Council grant authority for the use of the Common Seal of Council on the contract and any other documentation, should it be required, to give effect to this resolution.

ITEM 13 - TENDER T19/24 - PROPOSED REPLACEMENT OF RETAINING WALL ALONG THE LANEWAY CONNECTING BELLEVUE ROAD TO OUTLOOK DRIVE, FIGTREE

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 306).

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

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Growth Civil Landscapes Pty Ltd for the replacement retaining wall on the laneway connecting Bellevue Road and Outlook Drive, in the sum of \$137,281.50, excluding GST.
- 2 Council delegate to the General Manager the authority to finalise and execute the contract and any other documentation required to give effect to this resolution.
- 3 Council grant authority for the use of the Common Seal of Council on the contract and any other documentation, should it be required, to give effect to this resolution.

ITEM 14 - TENDER T19/28 - SPORTSFIELD LIGHTING INSTALLATION TO HARRY GRAHAM PARK, FIGTREE, FIGTREE OVAL NO. 2, FIGTREE AND ELIZABETH PARK, BELLAMBI

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 306).

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

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Central West Electrical Contractors Pty Ltd for lighting installation to Harry Graham Park, Figtree, Figtree Oval No. 2, Figtree and Elizabeth Park, Bellambi, in the sum of \$911,390.00, excluding GST.
- 2 Council delegate to the General Manager the authority to finalise and execute the contract and any other documentation required to give effect to this resolution.
- 3 Council grant authority for the use of the Common Seal of Council on the contract and any other documentation, should it be required, to give effect to this resolution.

ITEM 15 - ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2019 - POST ADVERTISING

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 306).

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

- 1 The audited Financial Statements for the year ended 30 June 2019, together with the Auditor's report, be presented to the public.

ITEM 16 - SEPTEMBER 2019 FINANCIALS

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 306).

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

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

ITEM 17 - STATEMENT OF INVESTMENT - AUGUST AND SEPTEMBER 2019

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 306).

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

- 1 Council receive the Statement of Investment for August and September 2019.

ITEM 18 - CITY OF WOLLONGONG TRAFFIC COMMITTEE MINUTES OF MEETING HELD 2 OCTOBER 2019

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 306).

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

- 1 In accordance with the powers delegated to Council, the Minutes and Recommendations of the City of Wollongong Traffic Committee held on 2 October 2019 in relation to Regulation of Traffic be adopted.

ITEM 19 - BI-MONTHLY RETURNS OF DISCLOSURES OF INTERESTS AND OTHER MATTERS - OCTOBER 2019

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 306).

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

- 1 Council note the tabling of the Returns of Disclosures of Interest as required by Part 4 of the Model Code of Conduct.

ITEM 20 - ANNUAL TABLING OF RETURNS OF DISCLOSURE OF PECUNIARY INTERESTS AND OTHER MATTERS - 2018 TO 2019

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 306).

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

- 1 Council note the tabling of the Annual Returns of Disclosure of Pecuniary Interests and Other Matters as required by Clause 4.26 of the Model Code of Conduct for Local Councils in NSW.

DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 21, Councillor Dorahy departed and returned to the meeting, the time being from 7:39 pm to 7:41 pm.

DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 21, Councillor D Brown departed and returned to the meeting, the time being from 7:42 pm to 7:43 pm.

ITEM 21 - NOTICE OF MOTION - COUNCILLOR FIGLIOMENI - PORT KEMBLA COMMUNITY INVESTMENT FUND (PKCIF)

MOVED by Councillor Figliomeni seconded Councillor Walters that -

- 1 The Conservation Management Plan (CMP) for Hill 60 is finalised and actions for its implementation are agreed with Ward 3 Councillors no later than 28 February 2020.
- 2 Future Council funding requests under the Port Kembla Community Investment Fund (PKCIF) are directed towards –
 - a Completion of the Ngaraba-aan Cultural Trail including construction of a board walk where appropriate
 - b Restoration of the Hill 60 WWII tunnels in readiness for the UCI World Cycling Championships.
- 3 An investigation is initiated and a report provided to Council for consideration by 30 June 2020 on the possible opportunities to establish externally-funded commercial hospitality and tourist facilities at Hill 60.
- 4 Council contribute funding towards the above in accordance with the Capital Works program.
- 5 The Aboriginal Heritage Assessment Report currently underway is progressed in conjunction with the Aboriginal Community as a matter of urgency.
- 6 Council approach the Office of Heritage and Environment seeking urgent approval for the total implementation of the Hill 60 Master Plan Projects including item 2 above.

309 COUNCIL'S RESOLUTION – An AMENDMENT was MOVED by Councillor Martin seconded Councillor Cox that -

- 1 The Conservation Management Plan (CMP) for Hill 60 is finalised and actions for its implementation are agreed with Council no later than 28 February 2020.
- 2 Future Council funding requests under the Port Kembla Community Investment Fund (PKCIF) and other funding opportunities include -
 - a Completion of the Ngaraba-aan Cultural Trail including construction of a board walk where appropriate
 - b Appropriate restoration of the Hill 60 WWII tunnels in readiness for the UCI World Cycling Championships.
- 3 An investigation is initiated and a report provided to Council for consideration by 30 June 2020 on the possible expression of interest opportunities to establish commercially viable hospitality and tourist facilities at Hill 60.
- 4 The Aboriginal Heritage Assessment Report currently underway is progressed in conjunction with the Aboriginal Community as a matter of urgency.
- 5 The Council approach the Office of Heritage and Environment seeking urgent approval for the total implementation of the Hill 60 Master Plan Projects including item 2 above.

- Variations*
- The variation moved by Councillor Rimmer (the addition of words 'are agreed with Council', replacing the previous wording 'are agreed with Ward 3 Councillors' in Point 1) was accepted by the mover and seconder.
 - The variation moved by Councillor Bradbery (the addition of words 'and other funding opportunities' in Point 2) was accepted by the mover and seconder.

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

DEPARTURE OF COUNCILLOR

During debate and prior to voting on Item 22:

- Councillor Martin departed and returned to the meeting, the time being from 8:19 pm to 8:21 pm.
- Councillor T Brown departed and returned to the meeting, the time being from 8:22 pm to 8:23 pm.
- Councillor Rimmer departed and returned to the meeting, the time being from 8:28 pm to 8:30 pm.
- Councillor Cox departed and returned to the meeting, the time being from 8:56 pm to 8:57 pm.

ITEM 22 - NOTICE OF MOTION - COUNCILLOR DORAHY - LIGHT RAIL NETWORK - 21ST CENTURY WOLLONGONG - CITY OF INNOVATION

MOVED by Councillor Dorahy seconded Councillor Cox that -

- 1 A Briefing be provided to Councillors by 27 July 2020 providing feedback and commentary on the Opportunity Cost versus the Opportunity Benefit to be determined through the following measures -
 - a Contact made with NSW Government Premier Berejiklian; Minister for Infrastructure and Transport Andrew Constance; Minister for Finance Dominic Perrottet; Local MP's Gareth Ward, Ryan Park and Paul Scully to seek support and options to achieve funding for the project.
 - b Contact the following Federal Government Ministers to, at a minimum, seek a meeting/s to discuss the merits of Wollongong's desire to build a Light Rail Network and to seek support for the critical funding for the project - Minister for Finance Mathias Cormann; Minister for Infrastructure and Transport Michael McCormack; Minister for Regional Development, Territories and Local Government Dr John McVeigh; Minister for Cities, Urban Infrastructure and Population The Hon Alan Tudge MP; Minister for Regional Services, Decentralisation and Local Government & Assistant Minister for Trade and Investment Mark Coulton; Local Federal MP's Senator Concetta Fierravanti-Wells, Member for Cunningham Sharon Bird, Member for Whitlam Stephen Jones and Member for Shellharbour Anna Watson.
 - c Contact made with the Illawarra Business Chamber and Regional Development Australia (Illawarra) CEO's regarding the utilisation of their strong lobbying channels and business connections to assist in achieving this capital project opportunity for Wollongong.
 - d Local, national and international business groups with expertise to deliver a plan for light rail infrastructure, be identified and contacted, to determine the potential costs of this project against WCC's Draft design for corridors.
 - e Development of a scalable Draft Plan to achieve this opportunity outcome with potential corridor uptake, cost and timeline indications, with the initial section to include Crown Street from Marine Drive to the Hospital.
- 2 WCC Councillors put forward their support for the third largest City in NSW to be brought into the 21st Century with a view to application for and lobbying to receive funding from both State and Federal Governments to this potential project.
- 3 WCC, through the Lord Mayor, make an approach to WCC International contacts in Wollongong's Sister Cities and connections in the North of England where experience and expertise could be gained to fast track the opportunity for a Light Rail Network in a wider scale through a potential Public Private Partnership option.
- 4 WCC undertake a Survey with the residents in Q1-20 for the concept of a Light Rail Network and where residents perceive the best corridors are suited for a Light Rail

Network to operate.

- 5 WCC convene a small Committee of WCC executives, Councillors and two to four invited Local Businesspersons to plan and advance the opportunity. The committee to begin its role from late January 2020.

Variation The variation moved by Councillor King (the addition of words 'and Member for Shellharbour Anna Watson') was accepted by the mover and seconder.

A PROCEDURAL MOTION was MOVED by Councillor Colacino seconded Councillor Martin that Councillor Dorahy be granted an additional two (2) minutes to address the meeting in relation to Item 22.

At this stage, Councillor D Brown FORESHADOWED a MOTION should Councillor Dorahy's Motion be defeated that -

- 1 Any options for new public transport systems in the city be considered within discussions to develop the next Community Strategic Plan and interested Councillors are encouraged to submit proposals during that process.

At this stage, an AMENDMENT was MOVED by Councillor Cox seconded Councillor Figliomeni that -

- 1 A Briefing be provided to Councillors by 27 July 2020 providing feedback and commentary on the following actions -
 - a Contact made with NSW Government Premier Berejiklian; Minister for Infrastructure and Transport Andrew Constance; Minister for Finance Dominic Perrottet; Local MP's Gareth Ward, Ryan Park and Paul Scully to seek support and options to achieve funding for the project.
 - b Contact the following Federal Government Ministers to, at a minimum, seek a meeting/s to discuss the merits of Wollongong's desire to build a Light Rail Network and to seek support for the critical funding for the project - Minister for Finance Mathias Cormann; Minister for Infrastructure and Transport Michael McCormack; Minister for Regional Development, Territories and Local Government Dr John McVeigh; Minister for Cities, Urban Infrastructure and Population The Hon Alan Tudge MP; Minister for Regional Services, Decentralisation and Local Government & Assistant Minister for Trade and Investment Mark Coulton; Local Federal MP's Senator Concetta Fierravanti-Wells, Member for Cunningham Sharon Bird, Member for Whitlam Stephen Jones and Member for Shellharbour Anna Watson.
 - c Contact made with the Illawarra Business Chamber and Regional Development Australia (Illawarra) CEO's regarding the utilisation of their strong lobbying channels and business connections to assist in achieving this capital project opportunity for Wollongong.
 - d Local, national and international business groups with expertise to deliver a plan for light rail infrastructure, be identified and contacted, to determine the potential costs of this project against WCC's Draft design for corridors.
- 2 WCC Councillors put forward their support for the third largest City in NSW to be brought into the 21st Century with a view to application for and lobbying to receive funding from both State and Federal Governments to this potential project.
- 3 WCC, through the Lord Mayor, make an approach to WCC International contacts in Wollongong's Sister Cities and connections in the North of England where experience and expertise could be gained to fast track the opportunity for a Light Rail Network in a wider scale through a potential Public Private Partnership option.
- 4 WCC convene a small Committee of WCC executives, Councillors and two to four invited Local Businesspersons to plan and advance the opportunity. The committee to begin its role from late January 2020.

A PROCEDURAL MOTION was MOVED by Councillor Dorahy seconded Councillor Cox that Councillor Blakey be granted an additional one (1) minute to address the meeting in relation to Item 22.

At this stage, Councillor Colacino FORESHADOWED a MOTION should Councillor Dorahy's Motion be defeated that -

Council work toward the development of an Integrated Transport Policy.

A PROCEDURAL MOTION was MOVED by Councillor Dorahy seconded Councillor Rimmer that Councillor Colacino be granted an additional two (2) minutes to address the meeting in relation to Item 22.

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

In favour Councillors Cox, Blakey and Figliomeni

Against Councillors Kershaw, Rimmer, D Brown, T Brown, Martin, King, Colacino, Walters, Dorahy and Bradbery

Following the defeat of Councillor Cox's AMENDMENT, Councillor Dorahy's MOTION on being PUT to the VOTE was LOST

In favour Councillor Dorahy

Against Councillors Kershaw, Rimmer, D Brown, T Brown, Martin, King, Cox, Blakey, Colacino, Walters, Figliomeni and Bradbery

At this stage Councillor D Brown's FORESHADOWED MOTION became the MOTION.

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

1 Any options for new public transport systems in the city be considered within discussions to develop the next Community Strategic Plan and interested Councillors are encouraged to submit proposals during that process.

A PROCEDURAL MOTION was MOVED by Councillor D Brown seconded Councillor T Brown that the MOTION be PUT.

The MOTION on being PUT to the VOTE was CARRIED

In favour Councillors Rimmer, D Brown, T Brown, Martin, Cox, Blakey, Figliomeni and Bradbery

Against Councillors Kershaw, King, Colacino, Walters and Dorahy

ITEM 23 - NOTICE OF MOTION - COUNCILLOR COX - LOCAL RECYCLING INDUSTRY

311 **COUNCIL'S RESOLUTION** – RESOLVED UNANIMOUSLY on the motion of Councillor Cox seconded Councillor Colacino that –

1 Council welcomes the announcement from Prime Minister Scott Morrison, that the federal government will commit \$20 million for innovative projects to grow the Australian recycling industry.

2 Council writes to Prime Minister Morrison, the NSW Premier and the Federal Minister for Industry, Science and Technology, Karen Andrews, to express an interest that Wollongong be the site of a new Australian recycling plant noting a suitable site or sites for its location.

Variation The variation moved by Councillor Figliomeni (the addition of the words 'noting a suitable site or sites' in Point 2) was accepted by the mover and seconder.

CLOSED COUNCIL SESSION

The Lord Mayor called for a Motion to close the meeting to consider a Confidential Item, which deals with a report to Council regarding the acquisition of property, in accordance with Section 10A (2) (c) of the Local Government Act.

Prior to putting the above Motion to the vote, the Lord Mayor advised members of the press and gallery that Item C1 relates to a report to Council regarding the acquisition of property and is classified as Confidential for the following reasons -

- 1 Section 10A (2) (c) of the Local Government Act 1993, permits the meeting to be closed to the public, as the report contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business
- 2 In accordance with Section 10A (4) of the Local Government Act 1993, the Lord Mayor invited members of the gallery to make representations to the Council meeting as to whether this part of the meeting should be closed

312 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor Walters seconded Councillor T Brown that the meeting move into Closed Session to consider a report to Council regarding the acquisition of property in accordance with Section 10A (2) (c) of the Local Government Act 1993 on the basis that –

- 1 The report contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business
- 2 On balance, the public interest in preserving the confidentiality of the information supplied outweighs the public interest in openness and transparency in Council decision-making by discussing the matter in open meeting.

There being no members present in the gallery, the MOTION was PUT to the VOTE and was CARRIED UNANIMOUSLY.

At this stage, the time being 9:29pm, the meeting moved into Closed Session.

ITEM C1 - ACQUISITION OF PROPERTIES FOR NEW HELENSBURGH LIBRARY

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

- 1 Council negotiate with the owner(s) of 53 and 55 Walker Street, Helensburgh, being Lot 10 and 11 Section B in DP 2205 for the purpose of acquiring these properties in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*, with authority being delegated to the General Manager to complete negotiations.
- 2 In the event that Council is unable to negotiate the acquisition of 53 and 55 Walker Street, Helensburgh within a reasonable timeframe (being at least a period of six months from first correspondence), Council proceed to acquire 53 and 55 Walker Street, Helensburgh by compulsory process pursuant to the *Land Acquisition (Just Terms Compensation) Act 1991* by authority contained in the *Local Government Act 1993* for the purpose of a Library and Community Centre.
- 3 If Council proceeds to acquire 53 and 55 Walker Street, Helensburgh by compulsory process, pursuant to Section 186 of the *Local Government Act 1993*, Council make the necessary applications to the Minister for Local Government and the Governor to compulsorily acquire the properties.
- 4 That the minerals are to be excluded from these acquisitions and that these acquisitions are not for the purpose of resale.
- 5 Upon the acquisition being finalised, the properties be classified as Operational Land in accordance with the *Local Government Act 1993*.

- 6 The Lord Mayor and General Manager be granted authority to affix the Common Seal of Council to any documentation required to give effect to this resolution and the General Manager be authorised to sign any documentation necessary to complete the compulsory acquisitions.

314 COUNCIL'S RESOLUTION – RESOLVED UNANIMOUSLY on the motion of Councillor Martin seconded Councillor Rimmer that the meeting move out of Closed Session and into Open Council.

Council resumed into Open Session at 9:38pm.

OPEN COUNCIL SESSION

RESOLUTIONS FROM THE CLOSED SESSION OF COUNCIL

The Lord Mayor advised the meeting of Council's Resolution whilst in Closed Session (refer to Minute Number 313).

THE MEETING CONCLUDED AT 9:41PM

Confirmed as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Wollongong held on Monday 18 November 2019.

Chairperson

ITEM 1

WOLLONGONG CITY-WIDE DEVELOPMENT CONTRIBUTIONS PLAN 2019 FOR ADOPTION

Development Contributions are collected to fund infrastructure required as a direct or indirect result of development. The current adopted Wollongong City-Wide Development Contributions Plan (2018) (the Plan) came into force on 28 July 2018. The Plan is reviewed annually to reflect Council's updated works program and any other required changes. The 2019 review incorporates housekeeping and some policy updates.

On 12 August 2019, Council resolved to exhibit the draft 2019 Plan for exhibition. The draft Plan was exhibited from 24 August to 27 September 2019. Three submissions were received.

It is recommended that the Wollongong City-Wide Development Contributions Plan (2019) (Attachment 1) be adopted.

RECOMMENDATION

The Wollongong City-Wide Development Contributions Plan (2019) be adopted.

REPORT AUTHORISATIONS

Report of: Chris Stewart, Manager City Strategy

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

ATTACHMENTS

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

BACKGROUND

Development Contributions

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

Section 7.12 Contributions

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

Where the proposed cost of carrying out the development is -

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

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

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

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

Wollongong City-Wide Contributions Plan 2018

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

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

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

PROPOSAL

On 12 August 2019, Council considered a report on the draft 2019 Contributions Plan. The report proposed a number of minor changes to the 2018 Plan, including –

- updating the references to the Environmental Planning and Assessment Act 1979 as a consequence of the renumbering of the Act
- clarifying that the Plan applies to Complying Development Certificates as well as Development Consents
- removing the exemption for the development where there is no increase in floor space, as this is covered by Clause 25J(3)(g) of the Environmental Planning and Assessment Regulations 2000
- clarifying that an exemption for residential care facility, it must be a development under State Environmental Planning Policy – Housing for Seniors or People with a Disability 2004
- updating schedules 3, 5, 6 and 7 to reflect works identified in the Infrastructure Delivery Program, and those previously delivered.

On 12 August 2019, Council resolved to exhibit the draft 2019 Plan. The draft Plan was exhibited from 24 August to 27 September 2019. Three submissions were received and summarised below -

Submission	Issues	Response
Resident Wollongong	<p>Council must provide a park in the Smiths Hill area, for the following reasons -</p> <ul style="list-style-type: none"> • There are currently 5 high rise developments in the area with about 450 additional units • Stuart Park and North Beach are increasingly used for commercial purposes • Council has received millions of dollars from development at Smiths Hill, yet there is no local park • Previous Section 94 plans were more localised. <p>The draft Plan exhibited was based on infrastructure, not facilities, which</p>	<p>The Development Contributions Plan provides part of the funding stream for the implementation of Council’s works program.</p> <p>The Plan reflects decisions made on land acquisition or capital works.</p> <p>Decisions on land acquisition for Park is made via open space strategies, Play Strategies or Town and Village Centre Plans.</p> <p>Council has previously considered the open space provision in this precinct but has not resolved to acquire land for a park.</p> <p>The large areas of parks along the foreshore provide for local and regional open space.</p>

	are needed for increased population and densities.	
Resident Wollongong	<p>Plan differs earlier Section 94 plans which had three major components - recreation parks, sporting facilities and community facilities.</p> <p>There was a strong nexus between where development occurred and the expenditure of Section 94 contributions.</p> <p>There is no local park at Smiths Hill, Garden Hill and north-west CBD.</p> <p>Council has referred to Stuart Park as the public park for Smith Hill residents, but the park is used for various private purposes, and is not within reasonable walking distance.</p>	<p>The Development Contributions Plan provides part of the funding stream for the implementation of Council's works program.</p> <p>The Plan reflects decisions made on land acquisition or capital works.</p> <p>Decisions on land acquisition for Park is made via open space strategies, Play Strategies or Town and Village Centre Plans.</p> <p>Council has previously considered the open space provision in this precinct but has not resolved to acquire land for a park.</p> <p>The large areas of parks along the foreshore provide for local and regional open space.</p>
On-line anonymous	<p>The document presents what the Council did after the fact. Not what it's intending to do. Enough with the development on North Wollongong and Wollongong beaches and foreshore. It's time to focus on other areas including filling in all the potholes and retarring desperately needed roads.</p>	<p>Schedule 5 of the Development Contributions Plan details works proposed to be funded (fully or partially) though contributions over the next 4 years.</p> <p>Schedule 6 details works funded over the past 12 years using development contribution funds.</p> <p>The allocation of expenditure occurs across the LGA, as shown by the maps in Schedule 7.</p> <p>The Contributions are allocated to new infrastructure, rather than maintenance of existing infrastructure which is funded separately.</p>

Minor changes are proposed post-exhibition including -

- 1 Providing a new title page picture to distinguish the 2019 Plan from the previous plan.
- 2 Updating the Works Schedule to include additional funding of \$750,000 being allocated to Helensburgh Library project.
- 3 Updating the Works Schedule to reinstate an annual allocation of \$250,000 for land acquisition. The Wollongong LEP 2009 identifies land for Council acquisition, including road widening and open space. The acquisition is owner initiated so the timing of specific acquisitions is unknown.

CONSULTATION AND COMMUNICATION

The draft Plan was exhibited from 24 August to 27 September 2019. Copies were available on Council's website and at Council's Administration centre and libraries.

In accordance with legislative requirements, an advertisement was placed in the Illawarra Mercury on Saturday, 24 August 2019 and The Advertiser on Wednesday 28 August 2019. Notification emails outlining the public exhibition and methods of making a submission were sent to relevant stakeholders on 24 August 2019.

Council's Have your Say exhibition webpage was viewed 72 times with 31 documents downloaded.

As noted three submissions were received, including 1 on-line comment.

The Works Schedule in the Contributions Plan has been updated in consultation with the Infrastructure Strategy and Planning Division. The update of the Plan has been discussed at the internal Development Contributions Coordination Group meetings. Internal feedback shaped the draft Plan.

PLANNING AND POLICY IMPACT

The Plan is linked to the Wollongong 2022 Community Strategic Plan and the Delivery Program 2018-2021 and Operational Plan 2019-2020 which was adopted by Council on 24 June 2019.

The report contributes to a number of Wollongong 2022 objectives as the Plan is aligned with the Capital Works Program and contributes to the funding required to implement the Delivery Program.

It also delivers on core business activities as detailed in the *Land Use Planning Service Plan 2019-20*.

FINANCIAL IMPLICATIONS

As at 30 June 2019, the net balance of Section 7.12 Contributions held by Council was \$22.54 million. This includes \$20.67 million held in the City-Wide restricted account and a balance of \$1.87 million in the City Centre restricted account.

Income is forecast at an average of approximately \$1.2 million per annum, although fluctuates depending on the commencement of development consents. The proposed Works Schedule in the Contributions Plan for 2019-20 includes approximately \$3.934 million of expenditure, with an additional \$11.6 million allocated over the following three years.

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

CONCLUSION

The Wollongong City-Wide Development Contributions Plan is an important mechanism to assist with funding public infrastructure within the City. This report outlines the proposal to update the existing Plan to reflect changes in legislation and Council's Infrastructure Delivery Program, as well as other minor amendments. Three submissions were received.

It is recommended that the Wollongong City-Wide Development Contribution Plan (2019) (Attachment 1) be adopted.



WOLLONGONG CITY COUNCIL

WOLLONGONG CITY-WIDE DEVELOPMENT CONTRIBUTIONS PLAN

2019



Wollongong City-Wide Development Contributions Plan (2019)

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

Wollongong City-Wide Development Contributions Plan (2019)

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Wollongong City-Wide Development Contributions Plan (2019)

Part A - Schedules

1. Schedule 1 – City-Wide levy rates

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

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

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

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

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

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

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

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

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

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

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

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

Wollongong City-Wide Development Contributions Plan (2019)

3. Schedule 3 – Works schedule summary

Category/Asset Class	Actual Contribution Expenditure 2006/07 to 2018/19	Proposed Contribution Expenditure 2019/20 to 2022/23	Total Contribution Expenditure 2006/07 to 2022/23
Roads and bridges	\$5,340,767	\$2,785,000	\$8,125,767
Footpaths and cycleways	\$10,881,445	\$3,330,000	\$14,211,445
Car parks	\$2,260,270	\$676,000	\$2,936,270
Community buildings	\$14,055,419	\$6,600,000	\$20,655,419
Parks, gardens and sportsfields	\$5,395,298	\$704,000	\$6,099,298
Land acquisitions	\$2,201,500	\$1,000,000	\$3,201,500
Administration	\$1,185,548	\$570,338	\$1,755,886
Total	\$37,789,363	\$15,665,338	\$56,985,585

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

Part B – Expected Development and Demand for Public Facilities

4. Expected Development and Demand for Public Facilities

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

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

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

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

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

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

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

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

Wollongong City-Wide Development Contributions Plan (2019)

Part C – Administration and Operation of the Plan

5. What is the name of this Contributions Plan?

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

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

6. Where does this Plan apply?

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

7. What is the purpose of this Plan?

The purpose of this Plan is to:

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

8. When does this development contributions Plan commence?

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

This City-Wide Development Contributions Plan 2019 was adopted by Council at its Meeting of 18 November 2018 and came into force on **28 July 2018**[INSERT DATE].

9. Relationship with other development contribution Plans

This plan repeals the following contributions plan:

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

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

- Wollongong Section 94A Contributions Plan (2017 version)
- Wollongong Section 94A Contributions Plan (2016 version)
- Wollongong Section 94A Contributions Plan (2015 version)
- Wollongong Section 94A Contributions Plan (2014 version)
- Wollongong Section 94A Contributions Plan (2013 version)
- Wollongong Section 94A Contributions Plan (2012 version)
- Wollongong Section 94A Contributions Plan (2011 version)
- Wollongong Section 94A Contributions Plan (2010 version)
- Wollongong Section 94A Contributions Plan (2009 version)
- Wollongong Section 94A Contributions Plan (2008 version)
- Wollongong Section 94A Contributions Plan (2007 version)
- Wollongong Section 94A Contributions Plan (2006 version) – this plan repealed the following Section 94 plans:
 - CP No 1 Open Space Embellishment, Recreation Facilities, Community Facilities;
 - Amendment to CP No 1 Open Space;

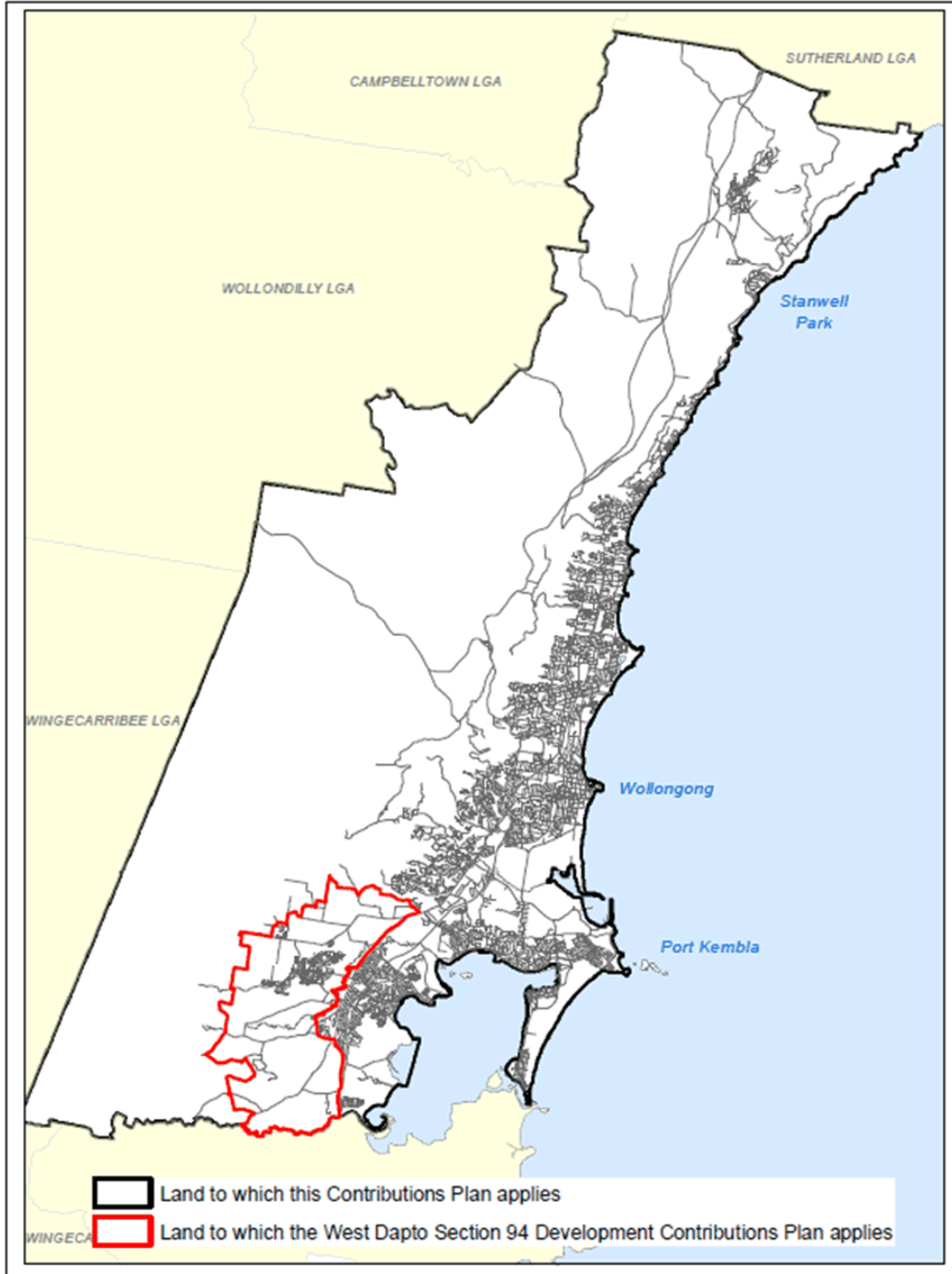
Wollongong City-Wide Development Contributions Plan (2019)

- CP No 2 Traffic Management & Road Works in City of Wollongong;
- CP No 3 Car Parking in the City of Wollongong;
- CP No 4 Studies & Administration;
- CP No 6 Car Parking in Area between Fairy Creek & Georges Plan Nth Wollongong;
- CP No 7 Open Space Dedication (Nth Side Kanahooka Road);
- CP No 8 Roundabout at the intersection of Unara Road, Yalunga Street & Princes Highway, Dapto;
- CP No 9 Mount Brown Local Area Traffic Management Scheme;
- CP No 10 Bank Street (Road Works & Intersection Upgrade);
- CP No 11 Bank Street (Car Parking Facility between Bank & Stewart Streets);
- CP No 12 Sandon Point Section 94 Land Acquisition; and
- CP No 13 Library Resources.

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

Wollongong City-Wide Development Contributions Plan (2019)

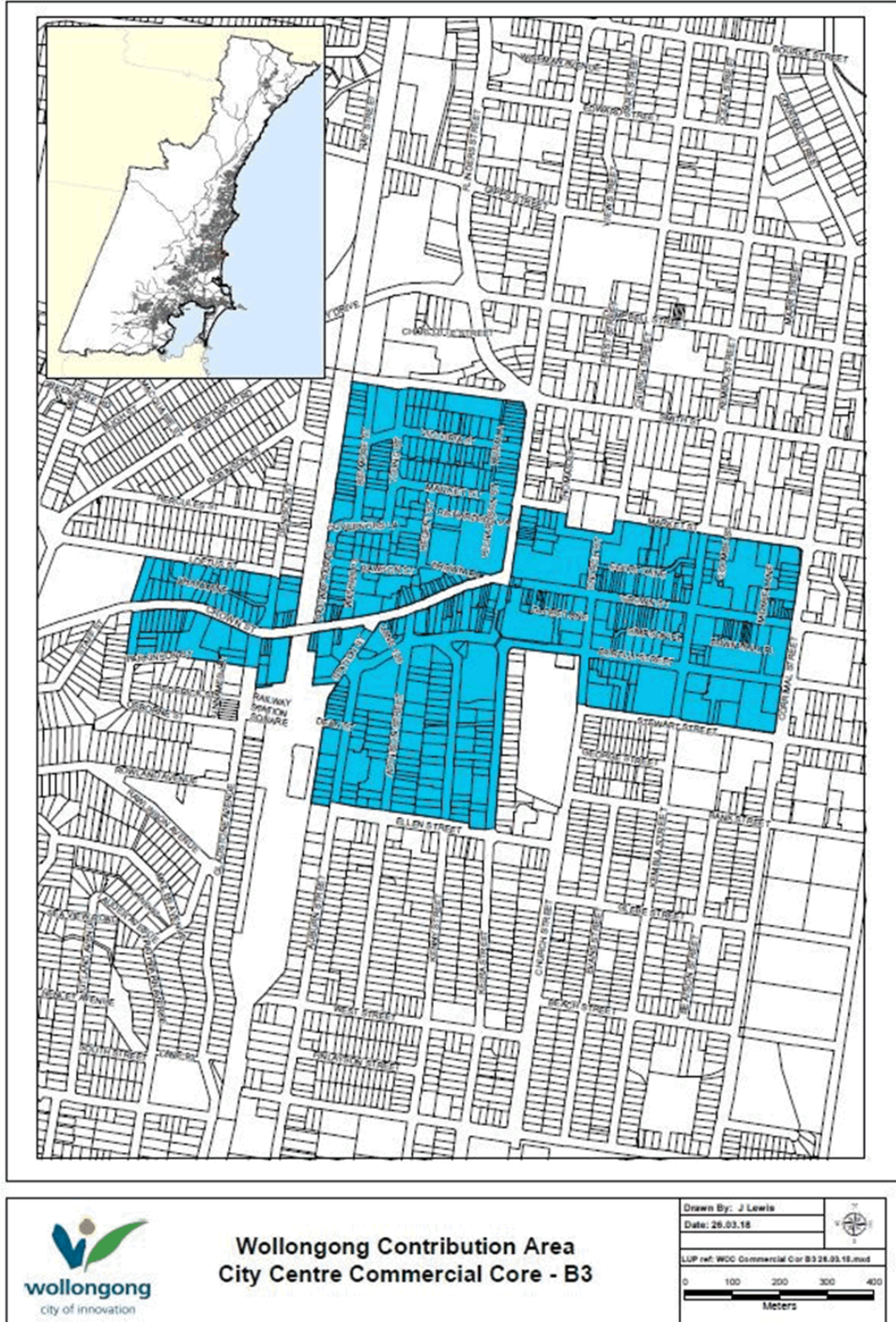
Figure 1 Land to which this Contributions Plan applies



	Wollongong Development Contribution Areas	Drawn By: J Lewis Date: 19.03.19	
		GIS ref: Wollongong Sect6A 19.03.19.mxd	
			

Wollongong City-Wide Development Contributions Plan (2019)

Figure 2 Land within the Wollongong City Centre Commercial Core



Wollongong City-Wide Development Contributions Plan (2019)

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

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

7.12 Fixed development consent levies

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

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

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

12. How will the levy be calculated

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

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

Where:

- %C** is the levy rate applicable
- \$C** is the proposed cost of carrying out development as determined in accordance with clause 18.

13. Development to which this Plan applies

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

14. Section 7.17 Directions

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

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

Wollongong City-Wide Development Contributions Plan (2019)

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

- A condition may not be imposed under section 94A of the *Environmental Planning and Assessment Act 1979* in relation to development on land within the Port Kembla Lease Area, as mapped in the *State Environmental Planning Policy (Port Botany and Port Kembla) 2013*. (6/12/13)
- A contribution cannot be imposed on development for the purposes of any form of seniors housing as defined in the *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* (formerly the *State Environmental Planning Policy (Seniors Living) 2004*) where the development consent is granted to a social housing provider as defined in the *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*. (14/9/07)

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

15. Are there any exemptions to the levy?

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

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

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

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

Wollongong City-Wide Development Contributions Plan (2019)

educational facility and/or have potential to create additional demand for public services and amenities. Development such as but not limited to – shops, supermarket, shopping centre, office for lease, business park, commercial centre, child care centre, entertainment facility.

Submission Requirements for an exemption claim to be considered

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

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

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

16. Complying Development Certificates and the obligations of accredited certifiers

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

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

Development Contributions

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

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

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

17. Construction certificates and the obligations of accredited certifiers

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

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

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

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

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

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

19. Cost estimate reports

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

The following types of report are required:

- where the estimate of the proposed cost of carrying out the development is less than \$10,000,000 - a

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suitable cost estimate prepared by a person who, in the opinion of the Council, is suitably qualified. This includes a licensed builder, registered architect, qualified and accredited building designer, registered quantity surveyor or a person who is licensed with relevant qualifications and proven experience in costing of similar development works, but who is not the owner or applicant;

- where the estimate of the proposed cost of carrying out the development is \$10,000,000 or more - a detailed cost report in accordance with Part D Schedule 4 prepared by a quantity surveyor who is a registered member of the Australian Institute of Quantity Surveyors.

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

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

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

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

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

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

22. Pooling of levies

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

23. The Goods and Services Tax (GST)

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

24. When is the levy payable?

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

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

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

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

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

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

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

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

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

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

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

26. Planning Agreements

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

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

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

27. How will the levy be adjusted?

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

The following formula for indexing contributions is to be used:

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

Where:

Wollongong City-Wide Development Contributions Plan (2019)

§C is the original contribution as set out in the consent

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

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

28. Savings and Transitional Arrangements

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

29. Are refunds for payments of levies possible?

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

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

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

Part D – References

30. What definitions apply?

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

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

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31. Schedule 4 – Detailed Cost Report

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

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

|

DEVELOPMENT APPLICATION No. _____ **REFERENCE:** _____
CONSTRUCTION CERTIFICATE No. _____ **DATE:** _____

APPLICANT’S NAME: _____
APPLICANT’S ADDRESS: _____
DEVELOPMENT NAME: _____
DEVELOPMENT ADDRESS: _____

DEVELOPMENT DETAILS:

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

ESTIMATE DETAILS:

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

I certify that I have:

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

Signed: _____
 Name: _____
 Position and Qualifications: _____
 Date: _____

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

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

Map Number	Project Number	Project	Section 7.12 Forecast Funding Allocation				
			2019-20	2020-21	2021-22	2022-23	Total
		Roads and Bridges					
16	126739	Cordeaux Road	\$50,000				\$50,000
5	126757	Carrington St; new kerb Lawrence St to Owen St, Bulli		\$110,000			\$110,000
	127424	Traffic Facility Improvements				\$150,000	\$150,000
1	127460	Maidstone -The Ridge roundabout, Helensburgh	\$350,000				\$350,000
9	127471	Towradgi Rd-Caters Lane crossing relocation, Towradgi	\$30,000	\$120,000			\$150,000
9	127481	Towradgi Rd traffic calming, Towradgi		\$100,000			\$100,000
	127488	Bellambi Local Area Traffic Management		\$150,000			\$150,000
15	127513	The Avenue Pedestrian Refuges, Mount Saint Thomas	\$100,000				\$100,000
5	127516	Trinity Row crossing facility			\$300,000		\$300,000
23	127517	Marshall St/Amaral Ave - safety upgrade, Dapto		\$25,000	\$300,000		\$325,000
19	127717	Northcliffe Drive (Princes Hwy end), Kembla Grange Roundabout	\$500,000	\$500,000			\$1,000,000
		Sub total	\$780,000	\$1,005,000	\$600,000	\$150,000	\$2,785,000
		Footpaths and Cycleways					
12	126243	Denison St; Crown St to Throsby Dr, Wollongong	\$300,000				\$300,000
12	126247	Porter St, Hindmarsh Ave to Flinders St, North Wollongong	\$300,000				\$300,000
16	126253	Cordeaux Rd; Princes Hwy to Gibsons Road		\$500,000			\$500,000
10	126269	Princes Hwy; Mt Ousley Rd to Bourke St, Fairy Meadow			\$400,000		\$400,000
8	126507	Kendall St; outside Tarrawanna Public School, south side	\$75,000				\$75,000
4	126535	Hamilton, Tasman, Craig, Surfers & Cliff Parade, Thirroul	\$75,000				\$75,000
3	126542	The Drive; LHD to Stanwell Park Tennis Courts, Stanwell Park	\$100,000				\$100,000
18	126558	Farmborough Heights Community Tennis Courts	\$50,000				\$50,000
14	126565	Thanes St; The Mall to 40 Thames St, east side, West Wollongong	\$80,000				\$80,000
11	126567	Murphys Ave; Robsons Rd to Grey St, south side, Keiraville	\$95,000				\$95,000

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Map Number	Project Number	Project	Section 7.12 Forecast Funding Allocation				
			2019-20	2020-21	2021-22	2022-23	Total
10	126569	Vereker St; Hamilton St to 16 Macarthur Ave, east side, Mt Ousley	\$50,000				\$50,000
15	126570	Heaslip St; Taronga Ave to St Johns Ave, south side, Mangerton	\$70,000				\$70,000
17	126571	Tallegalla St; Victoria St to Charcoal Creek, west side, Unanderra	\$60,000				\$60,000
13	126573	Cliff Rd; Harbour St to Lang Park, south side, Wollongong	\$55,000				\$55,000
14	126574	Harry Graham Park; Uralba St to Therry St, West Wollongong	\$40,000				\$40,000
12	126575	Robinson St; Hercules St to Denison St, Wollongong	\$100,000				\$100,000
22	126581	Bangaroo Ave; Bambil Crs to Pool, south side, Dapto		\$88,000			\$88,000
7	126592	Gilbert St; Railway St to Hall St; west side, Corrimal		\$100,000			\$100,000
7	126599	Station St; Duff Pde to Pioneer Rd; north side, Corrimal		\$160,000			\$160,000
9	126610	Storey St; Dixon St to Elliotts Rd; east side, Fairy Meadow			\$360,000		\$360,000
12	126616	Railway Cres; Porter St to Hindmarsh Ave; east side, North Wollongong		\$132,000			\$132,000
21	126625	Churchill Ave; Montgomery Ave to Turpin Ave, Warrawong			\$140,000		\$140,000
		Sub total	\$1,450,000	\$980,000	\$900,000	\$0	\$3,330,000
		Car parks					
	126103	Car Park Constructing/formalizing				\$86,000	\$86,000
7	126108	Robert Ziems Park Cricket Ground Carpark, Corrimal		\$200,000			\$200,000
20	126109	Berkeley Park Carpark – Off Bourke Way, Berkeley	\$190,000				\$190,000
6	126130	Holly Mount Park Car Park, Woonona			\$200,000		\$200,000
		Sub total	\$190,000	\$200,000	\$200,000	\$86,000	\$676,000
		Non-Commercial buildings					
21	125350	New Warrawong Multipurpose Facility	\$100,000	\$500,000		\$4,000,000	\$4,600,000
2	125353	Helensburgh Library and Community Centre	\$750,000	\$250,000	\$1,000,000		\$2,000,000
		Sub total	\$850,000	\$750,000	\$1,000,000	\$4,000,000	\$6,600,000
		Parks, Gardens and sports fields					
	125216	Skate parks		\$254,000		\$300,000	\$554,000
	125217	Play Facilities Renew				\$100,000	\$100,000
14	125265	Brownlee Park Playground Replacement and New Shade Sail,	\$50,000				\$50,000

Wollongong City-Wide Development Contributions Plan (2019)

Map Number	Project Number	Project	Section 7.12 Forecast Funding Allocation				
			2019-20	2020-21	2021-22	2022-23	Total
		West Wollongong					
		Sub total	\$50,000	\$254,000	\$0	\$400,000	\$ 704,000
		Land Acquisitions					
		Land Acquisitions	\$250,000	\$250,000	\$250,000	\$250,000	\$1,000,000
		Sub total	\$250,000	\$250,000	\$250,000	\$250,000	\$1,000,000
		Administration					
		Development Contributions Planner	\$104,000	\$107,000	\$110,000	\$114,000	\$435,000
		Development Contributions Admin Support – Finance	\$10,000	\$10,000	\$10,000	\$10,000	\$40,000
		Sub total	\$114,000	\$117,000	\$120,000	\$124,000	\$475,000
		TOTAL	\$3,934,000	\$3,556,000	\$3,070,000	\$5,010,000	\$15,570,000

Wollongong City-Wide Development Contributions Plan (2019)

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

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

Project	Section 7.12 Actual Funding Allocations					
	2006-07 to 2014-15	2015-16	2016-17	2017-18	2018-19	Total 2006-07 to 2018-19
Roads and Bridges						
City Centre Public Transport	\$404,000	\$22,000				\$426,000
City Wide Public Transport	\$125,000	\$100,000				\$225,000
Lake Avenue Traffic Facilities : Flagstaff Rd to Gorrel St	\$40,000					\$40,000
Parkes St/Princes Hwy, Helensburgh - New roundabout	\$85,000					\$85,000
Denison St - Victoria St, Wollongong traffic lights		\$19,000	\$1,000			\$20,000
Denison St - Throsby Dr, Wollongong traffic lights		\$21,000	\$1,000			\$22,000
Cordeaux Rd. west of William James Dr - Upgrade	\$515,000					\$515,000
Compton Street, Dapto- Traffic Calming augmentation	\$313,000					\$313,000
Burelli Street - Kenny Street Traffic Signals	\$120,000	\$60,000				\$180,000
Burelli Street - Auburn Street Traffic Signals	\$204,578	\$31,000				\$235,578
Stewart St-Kembla St Traffic Lights		\$7,000		\$300,000		\$307,000
Central Rd - Blackman/Nudjia, Unanderra traffic lights		\$114,000	\$173,000			\$287,000
Carters lane, Fairy Meadow shoulder construct - Pioneer to Elliots	\$159,000					\$159,000
Squires Way, North Wollongong - kerb and gutter - Elliots Rd to iC entry	\$51,000					\$51,000
Vera St/Tunnel Rd improvement, Helensburgh - kerb, gutter and drainage	\$275,000		\$14,148			\$289,148
Jarvie Rd, Cringlia - new kerb & gutter	\$50,000					\$50,000
Walker St, Helensburgh - Replace culvert to widen pedestrian access	\$140,999					\$140,999
Burke Street, Berkeley - New Traffic Island	\$5,000					\$5,000
Ball Street, Woonona - New Traffic Island	\$1,000					\$1,000
Sturdee Ave, Bulli - Augmentation design options	\$16,000					\$16,000
Oakland Avenue School Crossing Upgrade (Windang Primary School)		\$20,000				\$20,000
Northcliff Dr School Crossing Upgrade (Lake Height PS)		\$25,000				\$25,000
Northcliff Dr Crossing Upgrade (Illawarra Sports HS)		\$38,000				\$38,000
Terania St School Crossing Upgrade (Russell Vale PS)		\$19,000				\$19,000
Raymond Rd School Crossing Upgrade (St Michaels PS)		\$20,000				\$20,000
Baan Baan St extension to Station St			\$70,272			\$70,272

Wollongong City-Wide Development Contributions Plan (2019)

Project	Section 7.12 Actual Funding Allocations					Total 2006-07 to 2018-19
	2006-07 to 2014-15	2015-16	2016-17	2017-18	2018-19	
Kanahooka Road -Brownsville Avenue traffic lights			\$1,924			\$1,924
Kembla St -Gipps St roundabout			\$10,000			\$10,000
Maidstone -The Ridge roundabout			\$20,000	\$300,000		\$320,000
Gladstone St, Pedestrian Refuge Island			\$ 938			\$938
Princes Hwy - Victoria Rd, Traffic Lights			\$29,768	\$230,000		\$259,768
Bourke st/ Cliff Rd Intersection Improvements			\$10,140			\$10,140
Other Roads and Bridges						\$0
Pedestrian bridge over Byarong Ck Roy Johansson Park				\$100,000		\$100,000
Lilyvale/Walker St, roundabout				\$180,000		\$180,000
Bong Bong Rd -Station St traffic lights				\$43,000		\$43,000
Railway Crescent, Widen road					\$100,000	\$100,000
Towradgi Rd-Caters Lane crossing relocation					\$200,000	\$200,000
Point Street Local Area Traffic Management					\$100,000	\$100,000
Bellambi Local Area Traffic Management					\$20,000	\$20,000
Lakeside Drive - Pedestrian Refuge					\$115,000	\$115,000
Gilmore St and Fisher St - Pedestrian Refuges					\$70,000	\$70,000
Sub total	\$2,504,577	\$496,000	\$332,190	\$1,153,000	\$605,000	\$5,090,767
Footpaths and Cycleways						
Gills Creek pedestrian path linkage, Walker St Helensburgh	\$20,000	\$84,000				\$104,000
Keira St footpath, Crown to Market St	\$400,000					\$400,000
Gloucester Bvde, Pt Kembla - Primary School to Darcy Rd Shared pathway	\$99,000					\$99,000
Foreshore Rd, Port Kembla - Old Port Rd to Harbour - Shared pathway	\$4,000					\$4,000
Southern cycleway - Port Kembla pool to Parkes St & along Foreshore Rd	\$42,000					\$42,000
Five Islands Rd, Port Kembla - shared path Flinders St to Wattle St	\$2,000					\$2,000
Princes Hwy, Dapto, Unara St to Northcliffe - New Shared pathway	\$442,000					\$442,000
Amaroo Ave, Figtree - New footpath	\$9,000					\$9,000
Grey St, Keiraville new footpath	\$19,000					\$19,000
City Centre Crown St, Wollongong – Augmentation & Upgrade	\$170,000					\$170,000
O'Briens Rd, Figtree - New shared pathway	\$55,000					\$55,000
Cordeaux Rd, Figtree - new on road cycleway	\$85,000					\$85,000

Wollongong City-Wide Development Contributions Plan (2019)

Project	Section 7.12 Actual Funding Allocations					Total 2006-07 to 2018-19
	2006-07 to 2014-15	2015-16	2016-17	2017-18	2018-19	
Channon St, Russell Vale - new footpath	\$47,000					\$47,000
Parkes St, Helensburgh - New shared pathway connection	\$75,000					\$75,000
Brian St, Balgownie - new footpath and pedestrain crossing	\$82,000					\$82,000
Unanderra Town Centre - Tallegalla Street - new cycleway	\$25,000					\$25,000
Beach St to Hutton Ave, Bulli - New shared pathway	\$25,000					\$25,000
Brokers Rd, Balgonie - new footpath	\$43,000					\$43,000
Gibson Rd, Figtree - widen footpath	\$85,000					\$85,000
Abercrombie St, West Wollongong - New footpaths	\$274,000					\$274,000
McMillan St, Helensburgh - New north side footpath	\$36,000					\$36,000
Princes Hwy, Wst Wlg - New shared pathway London Dr to Abercrombie St	\$78,000					\$78,000
Princes Hwy, Bulli - New shared pathway, Black Diamond Pl to Point St	\$200,000					\$200,000
Murphys Avenue, Keiraville - New footpath	\$60,000					\$60,000
Mt Keira Rd, Mt Keira - New footpath	\$100,000					\$100,000
Derribong Dr, Cordeaux Heights - New footpath	\$149,000					\$149,000
Loftus St, Wollongong - New footpath	\$103,000					\$103,000
Smith St, Shared Path - Harbour to Belmore St	\$10,000					\$10,000
Gladstone Ave, Wollongong - cycleway Swan St underpass to Crown St	\$8,000					\$8,000
Pioneer Rd, Towradgi - New footpath & bridging over culvert	\$82,000					\$82,000
Squires Way, North Wollongong - Widen cycleway	\$25,000					\$25,000
Lakelands Dve footpath; Fowlers Rd to Parkside Dve	\$243,343					\$243,343
Cirrus Ave Dapto footpath; full length west side	\$81,981					\$81,981
Dumfries Ave footpath; McMahon St to Foothills Rd	\$194,733					\$194,733
Point Street footpath, nth side; Blackall St to Summerville	\$5,687					\$5,687
Robert St, Dapto; Byamee St to Joan St, footpath		\$137,000				\$137,000
Maidstone St Helensburgh; The Ridge to The Crescent, footpath		\$10,000				\$10,000
Flagstaff Rd, Berkeley; Whimbrel St to Bubb Place crossing		\$160,000				\$160,000
Cherry St Woonona; Forestview Way to Woodland Ave, footpath east		\$54,000				\$54,000
Wollongong Harbour Heritage Walk Stage 2B		\$150,000				\$150,000
Porter St, Gwynneville, Crawford Street, Int. House Ramp		\$100,000				\$100,000

Wollongong City-Wide Development Contributions Plan (2019)

Project	Section 7.12 Actual Funding Allocations					Total 2006-07 to 2018-19
	2006-07 to 2014-15	2015-16	2016-17	2017-18	2018-19	
Railway Rd footpath east side: King St - Redman Ave	\$58,045					\$58,045
Redman Avenue footpath, east side; Railway Rd to Henley		\$51,000				\$51,000
Grand Pacific Walk, Nth Wlg to Otford - Stage 1 Stoney Ck Bridge, Coalcliff	\$467,000					\$467,000
Unanderra CBD Upgrade	\$100,000					\$100,000
Galvin Park; New Footpath			\$254,476			\$254,476
Murray Rd; Pioneer Rd to Tourist Park, south			\$50,000			\$50,000
Lower Tramway Sea Wall and sharepath			\$150,000	\$100,000		\$250,000
Princes Hwy; Highway Ave to London Dr westside			\$222,839			\$222,839
Smith St railway underpass design work			\$66,041			\$66,041
Other Footpaths and Cycleways	\$3,110,300					\$3,110,300
Kembla St; Smith St to Stewart St, Wollongong				\$40,000		\$40,000
Miller St, Fox Ave to Auburn St, North				\$65,000		\$65,000
Regional Network Wayfinding signage				\$20,000		\$20,000
Corrimal St, Wollongong Shared Path (Between Bank st and St				\$112,000		\$112,000
Mt Keira Rd to Nyrang Park cycleway				\$20,000		\$20,000
LHD (Local Road) Footpath Intersection Upgrade				\$100,000		\$100,000
Hamilton, Tasman, Craig, Surfers & Cliff				\$170,000		\$170,000
Fred Finch Park Cycleway				\$50,000		\$50,000
Footpaths-New footpaths				\$50,000	\$600,000	\$650,000
Port Kembla footpath upgrades					\$300,000	\$300,000
Hamilton, Tasman, Craig, Surfers & Cliff					\$150,000	\$150,000
Chenhalls St; Stanhope St to Gray St west side					\$150,000	\$150,000
Corrimal St; Smith St to Market St					\$100,000	\$100,000
Winnima Way; Community Centre to Parkway					\$50,000	\$50,000
Holborn Park Accessible Footpaths					\$25,000	\$25,000
Bulli Beach Reserve Accessible Footpaths					\$25,000	\$25,000
Rixon Avenue; Molloy St to 9 Rixon Ave, east side					\$50,000	\$50,000
Clifford St; Bourke St to Daisy; west side					\$100,000	\$100,000
Sub total	\$7,115,089	\$746,000	\$743,356	\$727,000	\$1,550,000	\$10,881,445
Car parks						
Station Street - Thomas Gibson Park	110,000					\$110,000
Bank/Stewart Street, Wollongong - 4hr Car park - Additional spaces	78,000					\$78,000

Wollongong City-Wide Development Contributions Plan (2019)

Project	Section 7.12 Actual Funding Allocations					Total 2006-07 to 2018-19
	2006-07 to 2014-15	2015-16	2016-17	2017-18	2018-19	
Campbell Street, Woonona - Ocean Park car park	140,000					\$140,000
Lakeside leisure Centre, Kanahooka - Upgrade and expansion	7,000					\$7,000
Stuart Park, Wollongong off road parking		500,000				\$500,000
Market Street - Multi Storey Car park - Upgrade	20,000					\$20,000
Windang Foreshore Park P2 car park - augmentation	5,000					\$5,000
George Street, Wollongong - Car park extension	140,000					\$140,000
Stanwell Park shops Car Park - Upgrade	243,000					\$243,000
The Circle Car Park, Woonona - Upgrade	17,000					\$17,000
Other Car Parks	740,270					\$740,270
Reed Park car park surface				80,000		\$80,000
2 Tannery St, Carpark				125,000		\$125,000
City Centre Parking Guidance System				55,000		\$55,000
Sub total	\$1,500,270	\$500,000	\$0	\$260,000	\$0	\$2,260,270
Non-Commercial buildings						
Bald Hill Amenities, Stanwell Tops - augmentation - Masterplan	\$33,000					\$33,000
North Beach Bathers Pavilion, North Wollongong - augmentation	\$4,433,000					\$4,433,000
Dapto Pool - Disabled Access Improvements	\$40,000					\$40,000
Sandon Point Surf Club Expansion	\$125,000					\$125,000
Windang Beach Lifeguard Tower - Design	\$52,000					\$52,000
Coledale Lifeguard Tower	\$25,000					\$25,000
Other Buildings (commercial and non-commercial)	\$9,247,419					\$9,247,419
New Warrawong Multipurpose Facility					\$100,000	\$100,000
Sub total	\$109,000	\$0	\$0	\$0	\$100,000	\$14,055,419
Parks, Gardens and sports fields						
Beach facilities - New (bulk vote)	\$10,000					\$10,000
Sporting facilities - New (bulk vote)	\$20,000					\$20,000
Recreation facilities - New (bulk vote)	\$25,000	\$20,000				\$25,000
Stuart Park Playground and footbridge	\$47,332	\$30,000	\$100,000			\$177,332
Stanwell Park - New Playground	\$11,000					\$11,000
Bailey Park, Compton Street, Dapto - New Playground	\$10,000					\$10,000
Penrose Park - New Playground	\$10,000					\$10,000
Corrimal Memorial Park - New Playground	\$73,000					\$73,000
Waples Rd, Farmborough Heights - New Playground	\$10,000					\$10,000

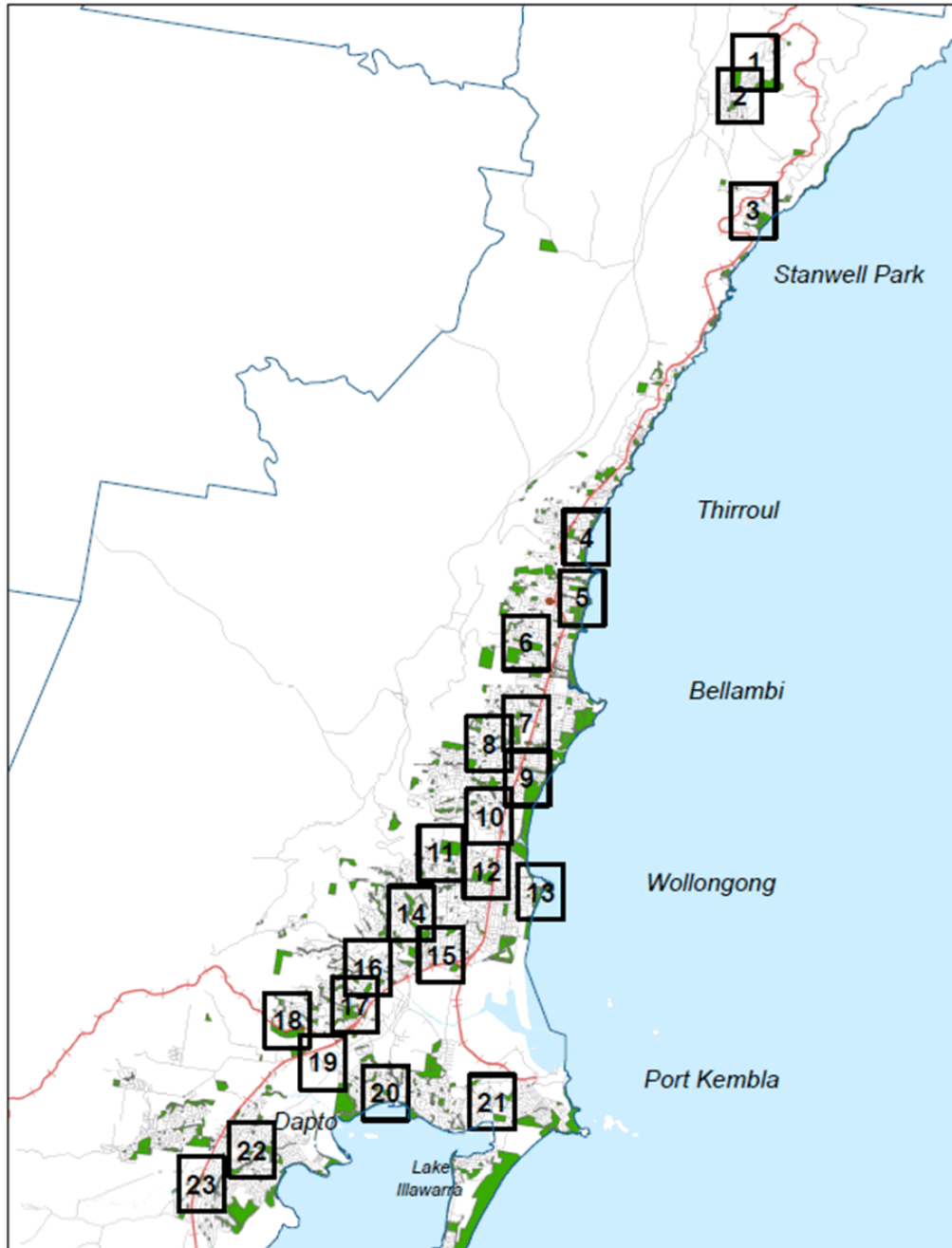
Wollongong City-Wide Development Contributions Plan (2019)

Project	Section 7.12 Actual Funding Allocations					Total 2006-07 to 2018-19
	2006-07 to 2014-15	2015-16	2016-17	2017-18	2018-19	
Bruce Park, Oxlade St, Warrawong - New Playground	\$10,000					\$10,000
Keira Village Park, Keira Mine Rd - New Playground	\$20,000					\$20,000
Holborn Park, Berkeley - New Playground	\$25,000					\$25,000
Thomas Dalton Park, Fairy Meadow - Sports field Irrigation & Carters Lane fence	\$312,000					\$312,000
Rex Jackson Oval, Helensburgh - Sportsfield Irrigation	\$78,500					\$78,500
Fred Finch Park, Berkeley - Landscape and Design & Infrastructure	\$200,000					\$200,000
Holborn Park (Southern Suburbs Skate Park) Berkeley - provision	\$406,000					\$406,000
Lake Illawarra Foreshore Improvements	\$100,000					\$100,000
MacCabe Park, Wollongong - Design Development - City Centre	\$12,000					\$12,000
MM Beach, Port Kembla - Access Steps	\$65,000					\$65,000
Puckeys Estate, Beach access	\$15,000					\$15,000
Charles Harper Park, Helensburgh - Public toilet	\$40,000					\$40,000
Other Parks, Gardens and Sports fields	\$3,765,466					\$3,765,466
Sub total	\$5,265,298	\$30,000	\$100,000	\$0	\$0	\$5,395,298
Land Acquisitions						
Other Land Acquisitions	\$2,201,500					\$2,201,500
Sub total	\$2,201,500	\$0	\$0	\$0	\$0	\$2,201,500
Administration						
S94 Planner	\$261,439	\$85,000	\$95,511	\$98,376	\$101,000	\$641,326
S94 Admin Support - Finance	\$53,372	\$9,000	\$9,672	\$9,962	\$10,000	\$92,006
S94 Administration & Studies	\$452,216					\$452,216
Sub total	\$195,145	\$94,000	\$105,183	\$108,338	\$111,000	\$1,185,548
TOTAL	\$5,688,343	\$1,886,000	\$1,280,729	\$2,225,000	\$2,366,000	\$39,609,363

Wollongong City-Wide Development Contributions Plan (2019)

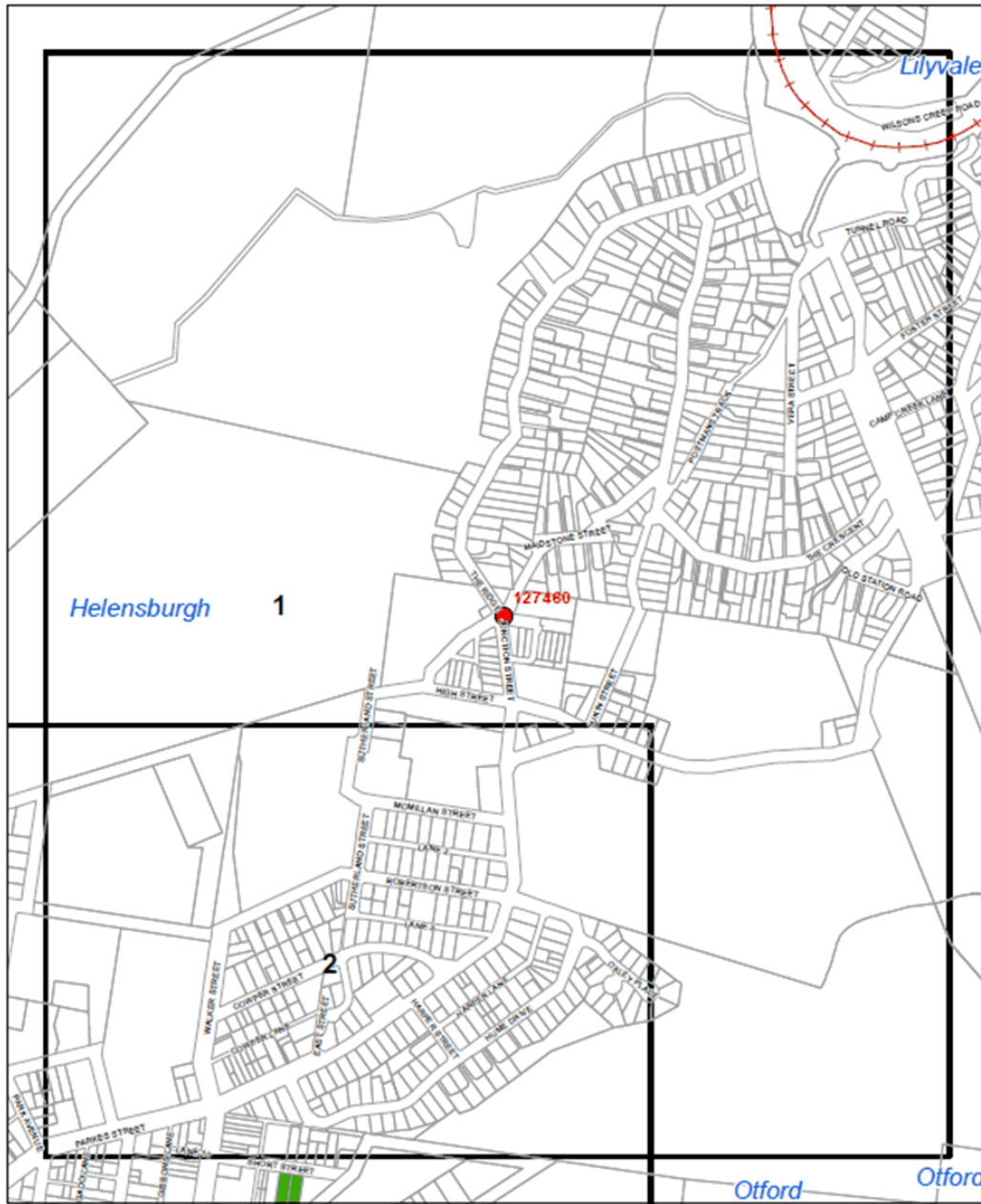
34. Schedule 7 - Works Schedule – Maps

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



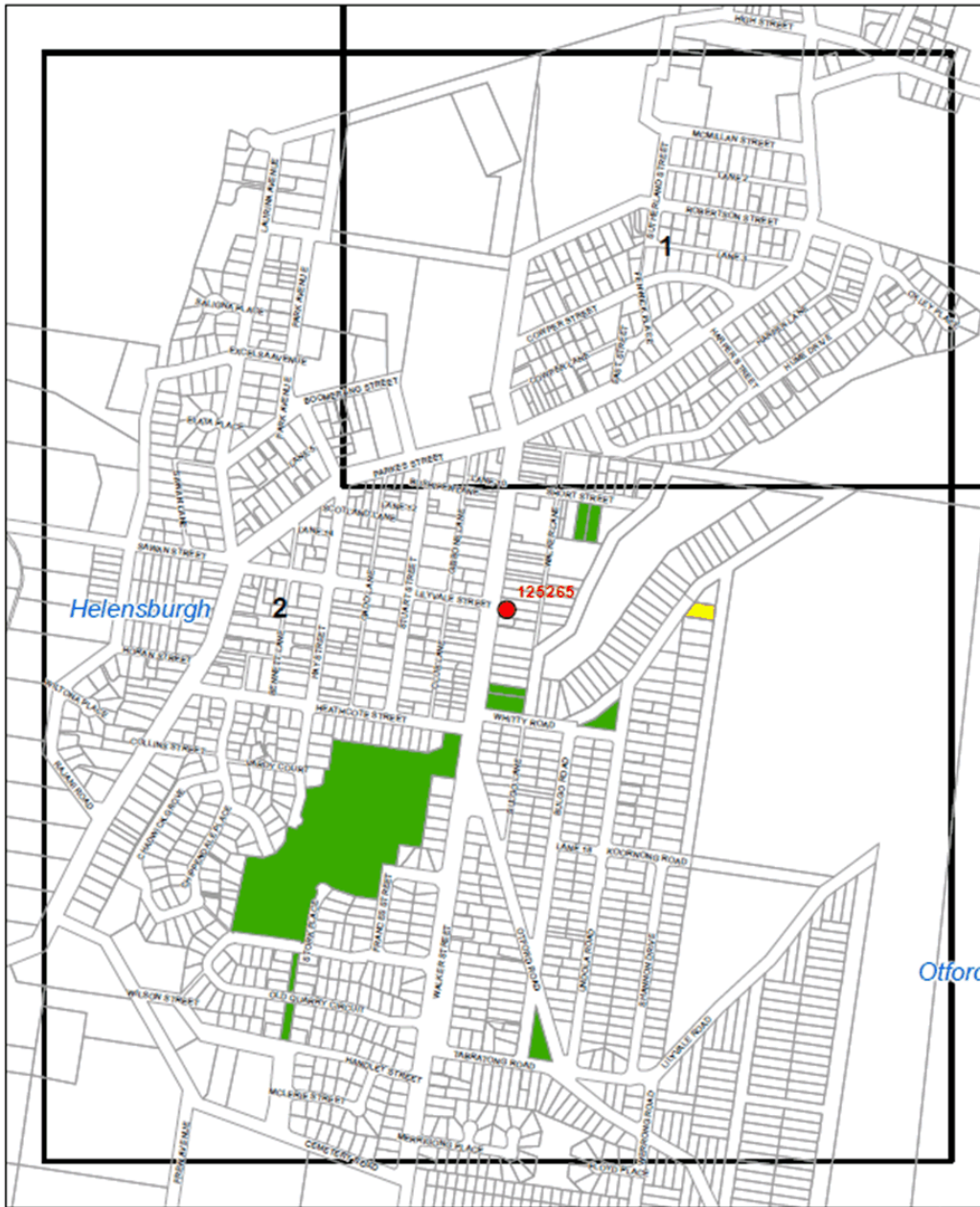
	<p>Wollongong City-Wide Development Contributions Plan 2019</p>	<p>Drawn By: H.Jones</p>	
		<p>Date: July 2019</p> <p>LUP ref: Sac04 City Wide 2019 Index</p>	
<p> Map Grid</p> <p> Community Land</p>	<p>0 6,000 Meters</p>		

Wollongong City-Wide Development Contributions Plan (2019)



		Wollongong City-Wide Development Contributions Plan 2019 MAP 1		Drawn By: H.Jones Date: July 2019
		Section 7.12 Funded Projects 2019 Map Grid	Land Reservation Acquisition LEP 2009 Community Land	LUP ref: - Sec94 City Wide_2019_mapbook 0 300 Meters

Wollongong City-Wide Development Contributions Plan (2019)



Wollongong City-Wide Development Contributions Plan 2019
MAP 2

● Section 7.12 Funded Projects 2019

Map Grid

Land Reservation Acquisition LEP 2009

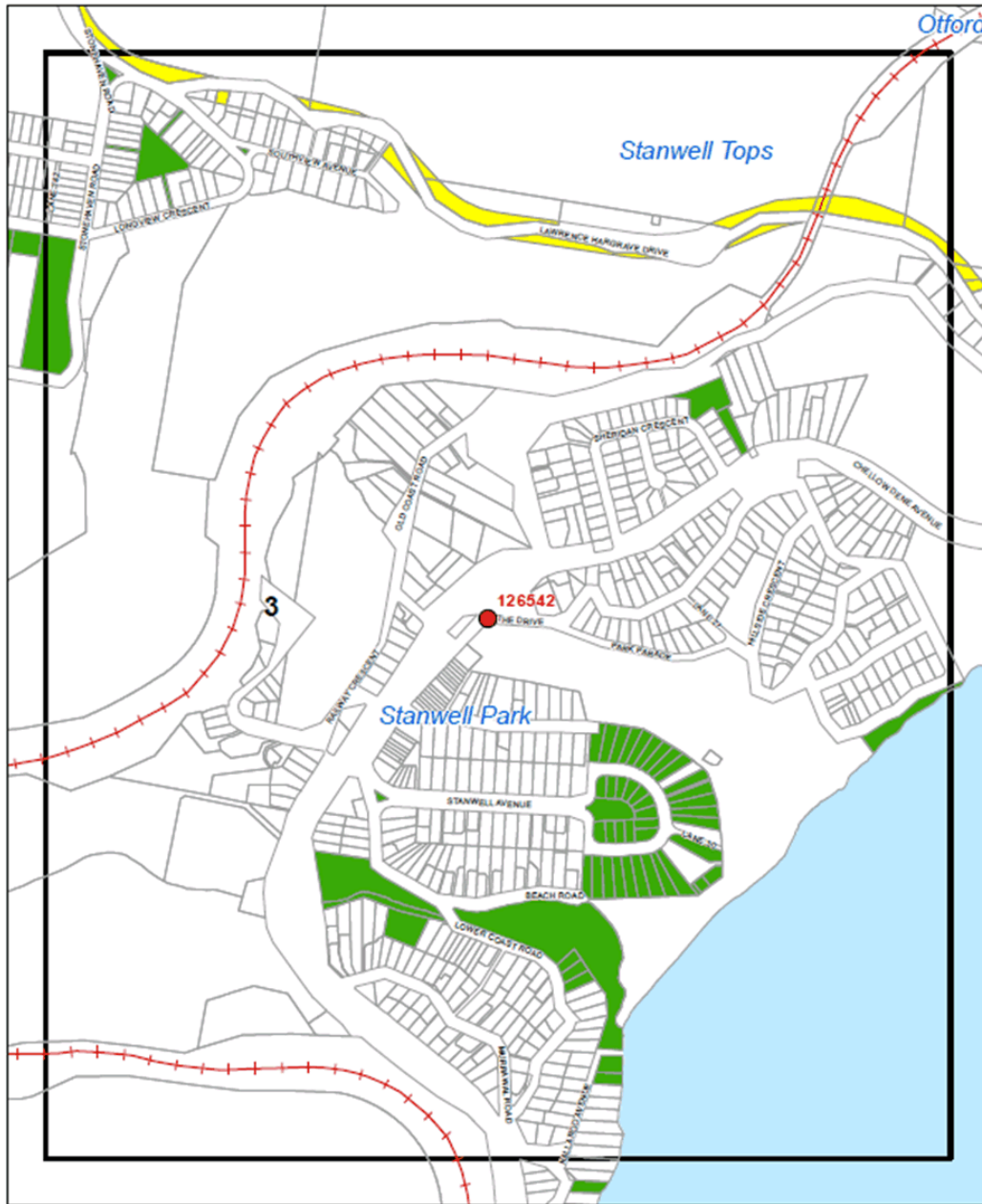
Community Land

Drawn By: H.Jones
Date: July 2019

LUP ref: - Sec94 City Wide_2019_mapbook

0 300
Meters

Wollongong City-Wide Development Contributions Plan (2019)



		Wollongong City-Wide Development Contributions Plan 2019 MAP 3		Drawn By: H. Jones Date: July 2019
		Section 7.12 Funded Projects 2019 	Land Reservation Acquisition LEP 2009 	Community Land
		LUP ref: - Sec04 City Wide_2019_mapbook		

Wollongong City-Wide Development Contributions Plan (2019)



 <p>Wollongong City-Wide Development Contributions Plan 2019 MAP 4</p>		<p>Drawn By: H.Jones Date: July 2019</p>
<p> Section 7.12 Funded Projects 2019</p> <p> Map Grid</p>	<p> Land Reservation Acquisition LEP 2009</p> <p> Community Land</p>	<p>LUP ref: - Sec94 City Wide_2019_mapbook</p> <p>0 300 Meters</p> 

Wollongong City-Wide Development Contributions Plan (2019)



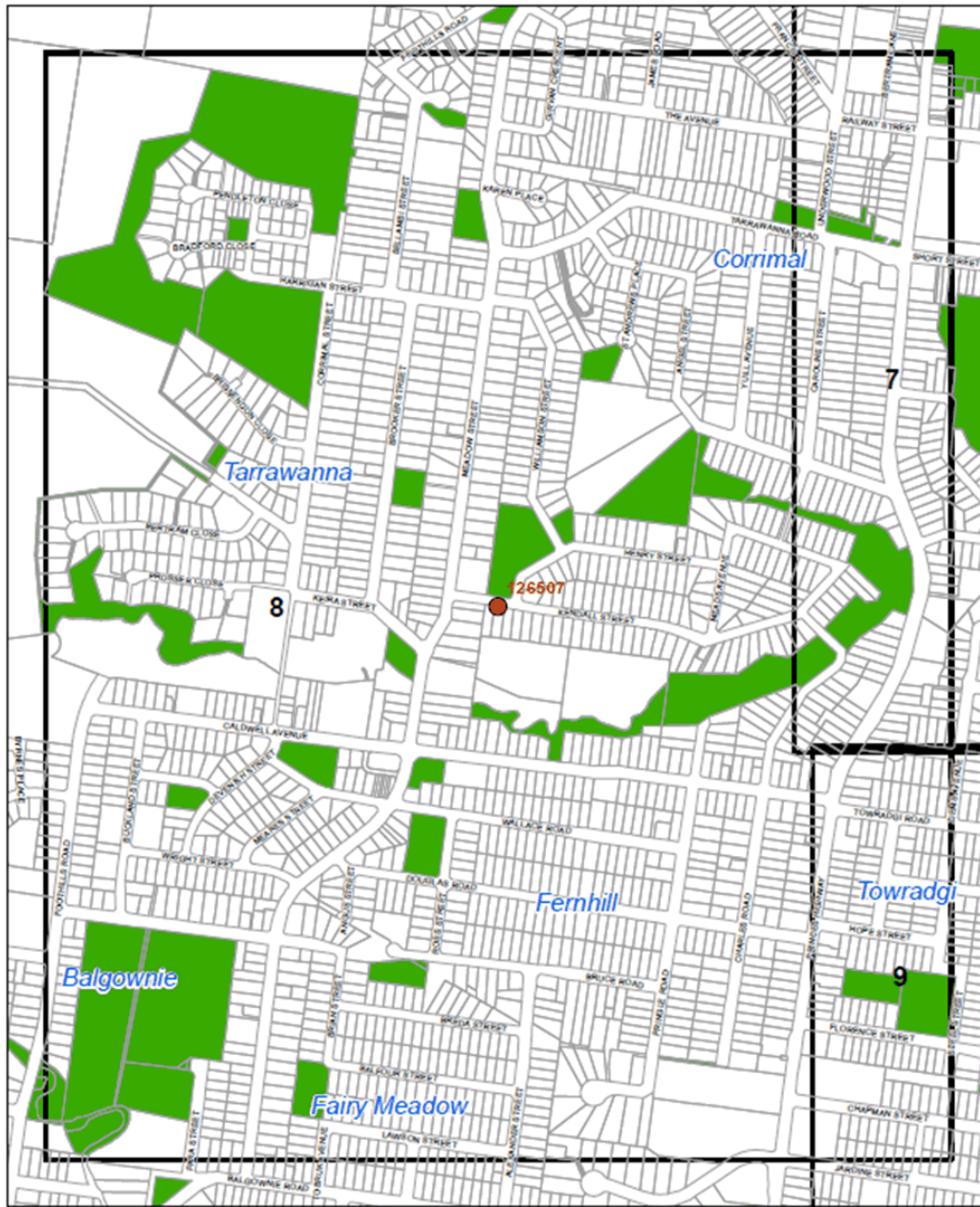
		<p>Wollongong City-Wide Development Contributions Plan 2019 MAP 5</p>		<p>Drawn By: H. Jones Date: July 2019</p>
<p>● Section 7.12 Funded Projects 2019</p>	<p>■ Land Reservation Acquisition LEP 2009</p>	<p>■ Community Land</p>	<p>□ Map Grid</p>	<p>LUP ref: - Sec04 City Wide_2019_mapbook</p> <p>0 300 Meters</p>

Wollongong City-Wide Development Contributions Plan (2019)



<p>Wollongong City-Wide Development Contributions Plan 2019 MAP 7</p>		<p>Drawn By: H.Jones Date: July 2019</p>
	<p>● Section 7.12 Funded Projects 2019</p> <p>□ Map Grid</p>	<p>■ Land Reservation Acquisition LEP 2009</p> <p>■ Community Land</p>
<p>LUP ref: - Sec04 City Wide_2019_mapbook</p>		<p>0 300 Meters</p>

Wollongong City-Wide Development Contributions Plan (2019)



 <p>Wollongong City-Wide Development Contributions Plan 2019 MAP 8</p>		<p>Drawn By: H. Jones Date: July 2019</p>
<p> Section 7.12 Funded Projects 2019</p> <p> Map Grid</p>	<p> Land Reservation Acquisition LEP 2009</p> <p> Community Land</p>	<p>LUP ref: - Sec94 City Wide_2019_mapbook</p> <p>0 300 Meters</p>

Wollongong City-Wide Development Contributions Plan (2019)



Wollongong City-Wide Development Contributions Plan 2019
MAP 9

● Section 7.12 Funded Projects 2019

Map Grid

Land Reservation Acquisition LEP 2009

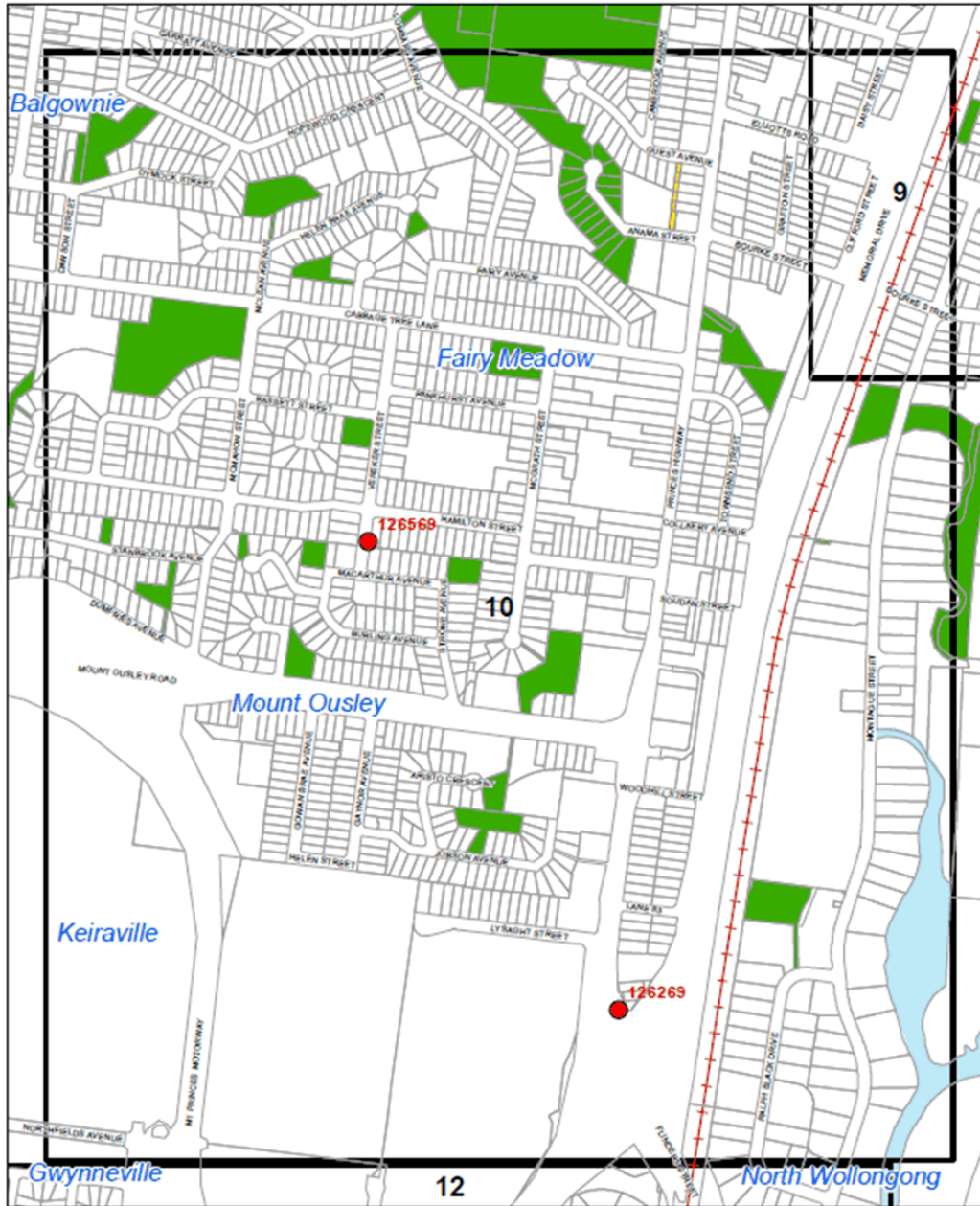
Community Land

Drawn By: H.Jones
Date: July 2019

LUP ref: - Sec04 City Wide_2019_mapbook

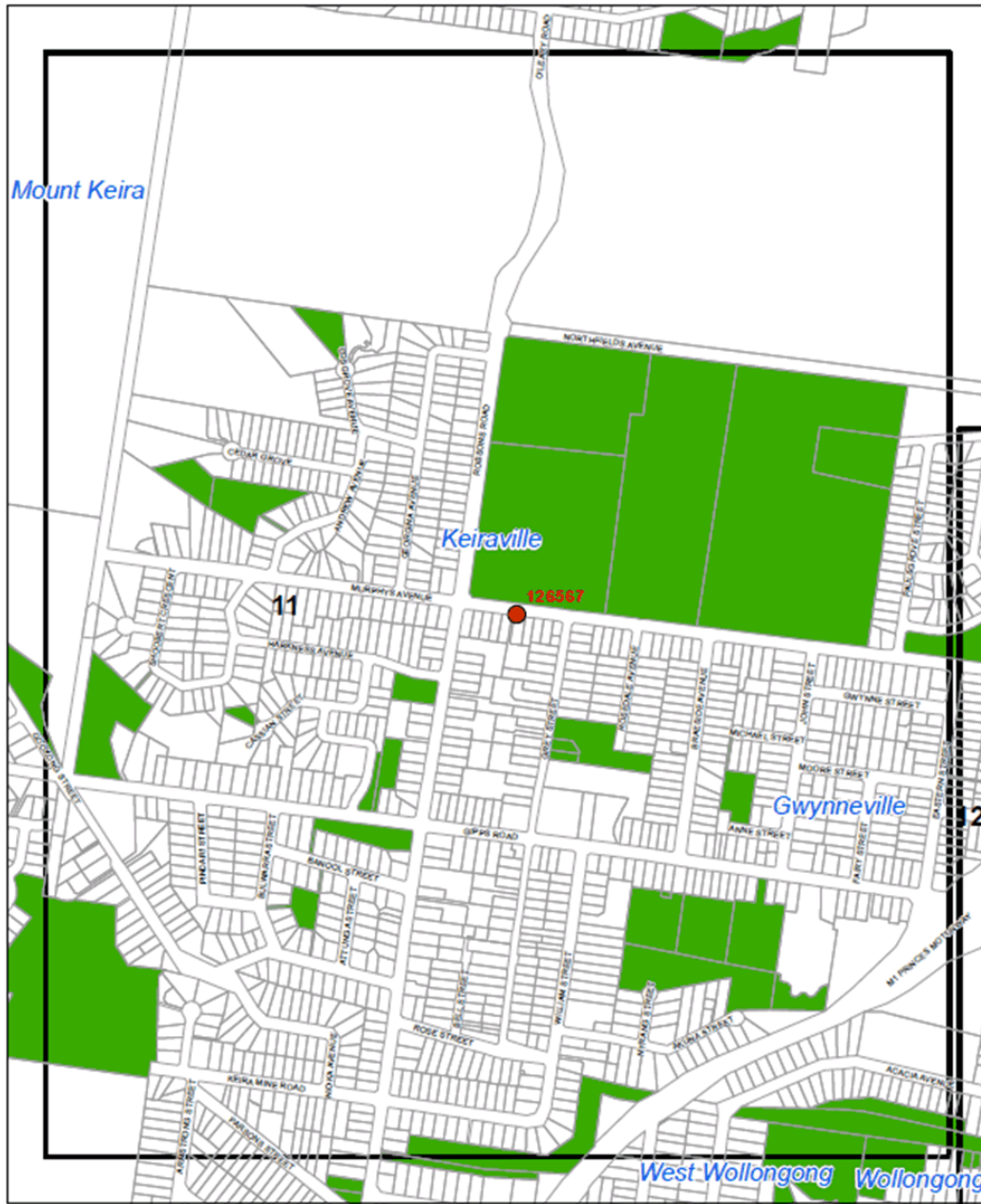
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Meters

Wollongong City-Wide Development Contributions Plan (2019)



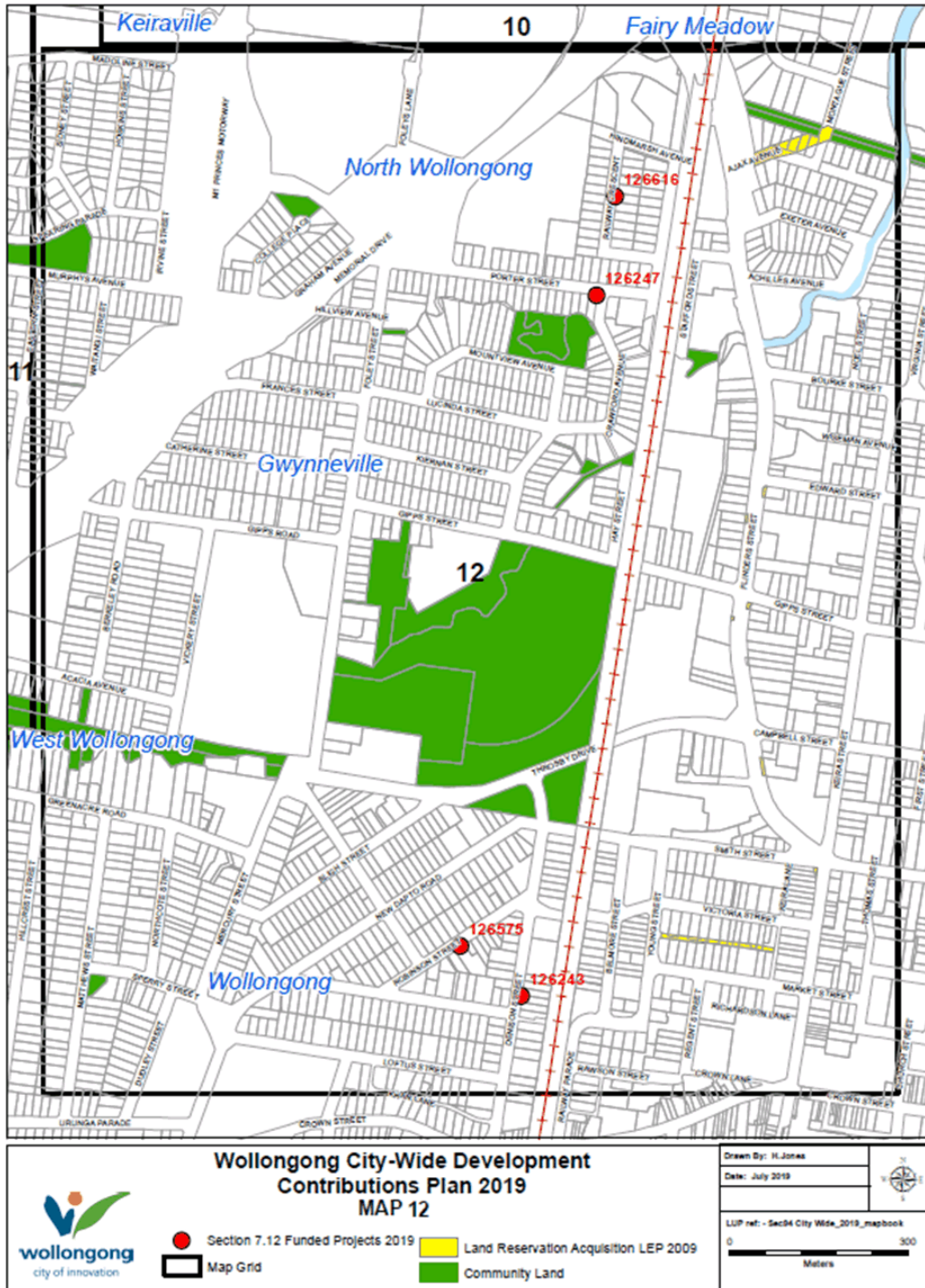
<p>Wollongong City-Wide Development Contributions Plan 2019 MAP 10</p>		<p>Drawn By: H.Jones Date: July 2019</p>
	<p>● Section 7.12 Funded Projects 2019</p> <p>□ Map Grid</p>	<p>■ Land Reservation Acquisition LEP 2009</p> <p>■ Community Land</p>
<p>LUP ref: - Sec04 City Wide_2019_mapbook</p>		<p>0 300 Meters</p>

Wollongong City-Wide Development Contributions Plan (2019)

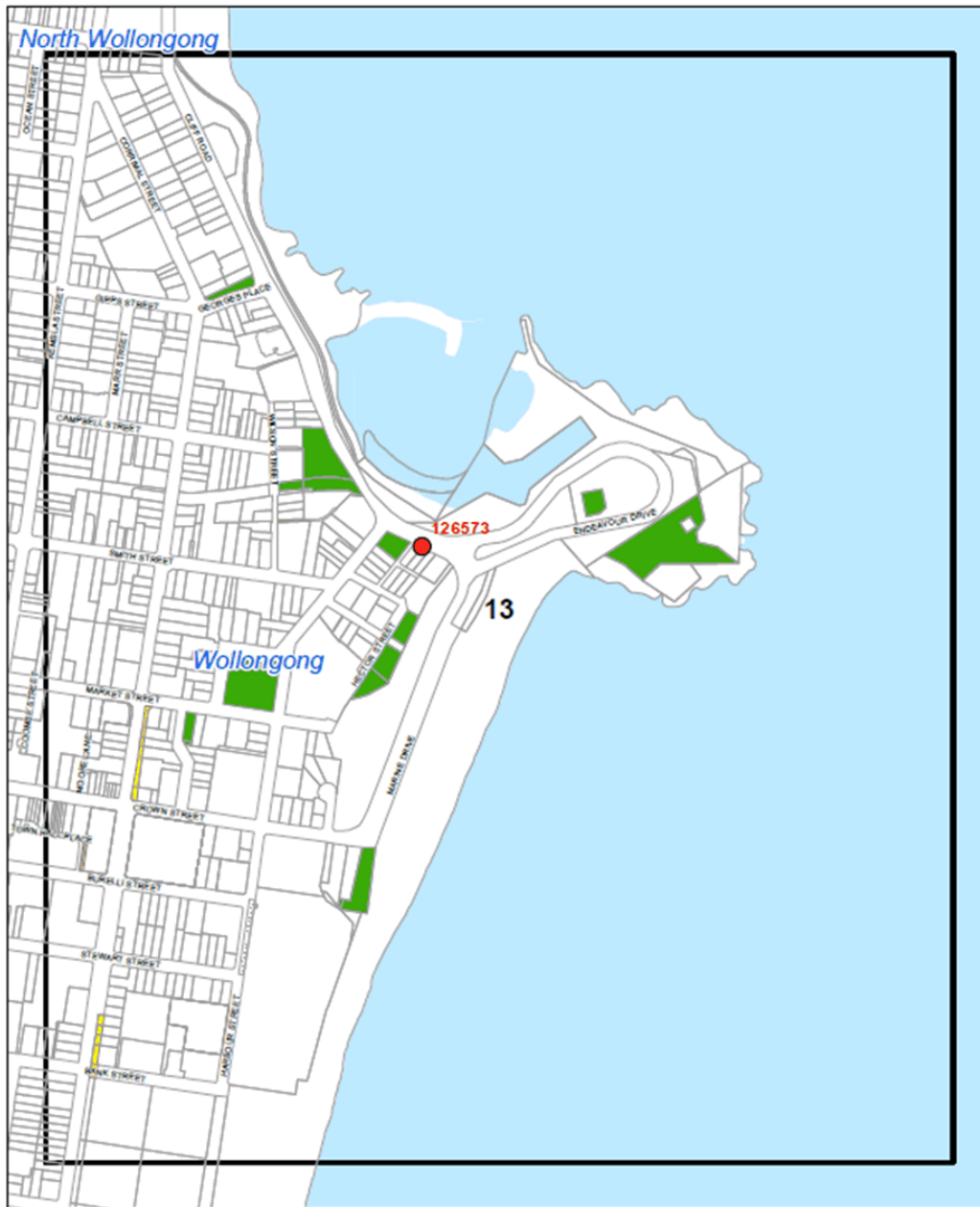


<p>Wollongong City-Wide Development Contributions Plan 2019 MAP 11</p>		<p>Drawn By: H.Jones Date: July 2019</p>
	<p>● Section 7.12 Funded Projects 2019</p> <p>□ Map Grid</p>	<p>■ Land Reservation Acquisition LEP 2009</p> <p>■ Community Land</p>
		<p>LUP ref: - Sec04 City Wide_2019_mapbook</p> <p>0 300 Meters</p>

Wollongong City-Wide Development Contributions Plan (2019)

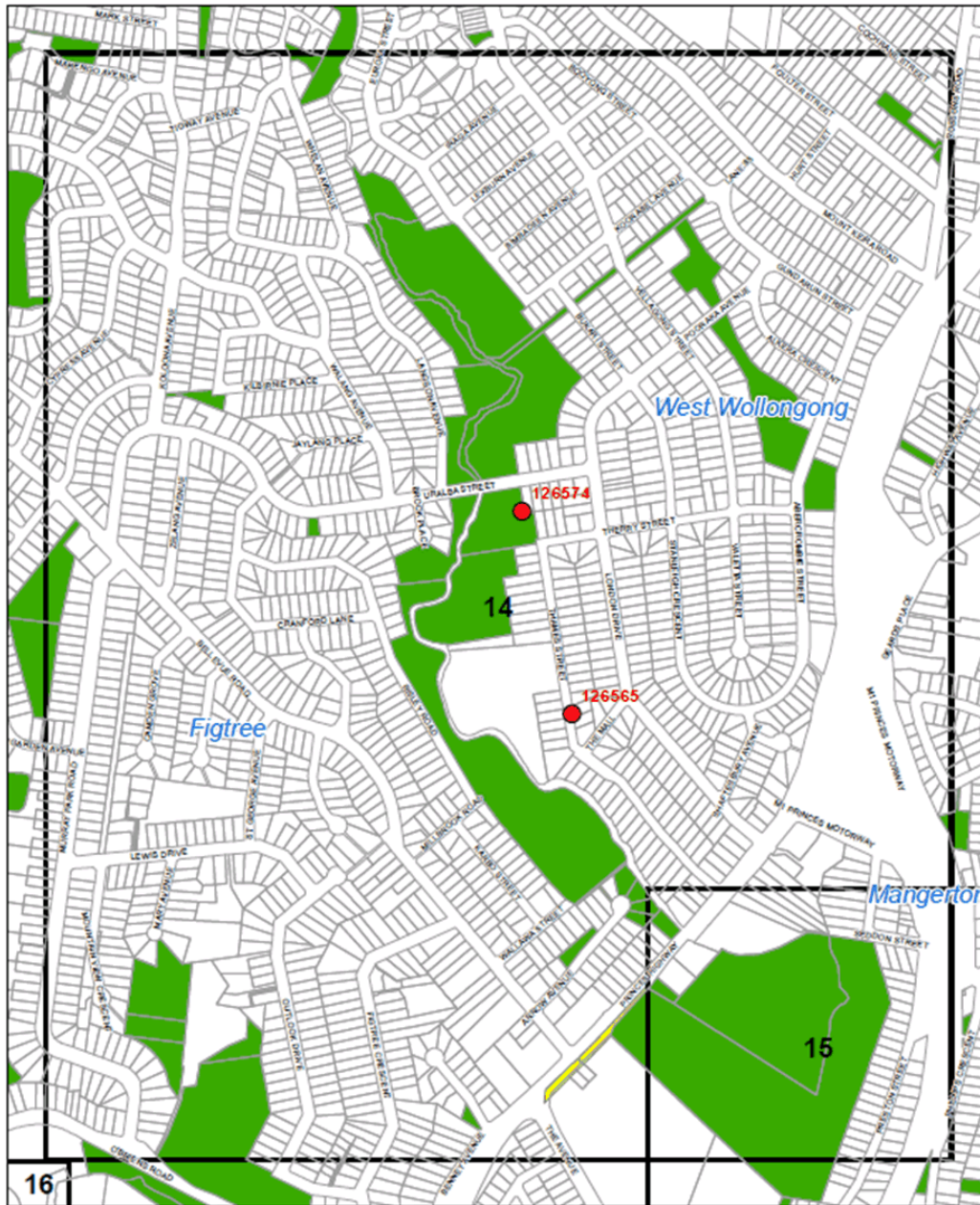


Wollongong City-Wide Development Contributions Plan (2019)



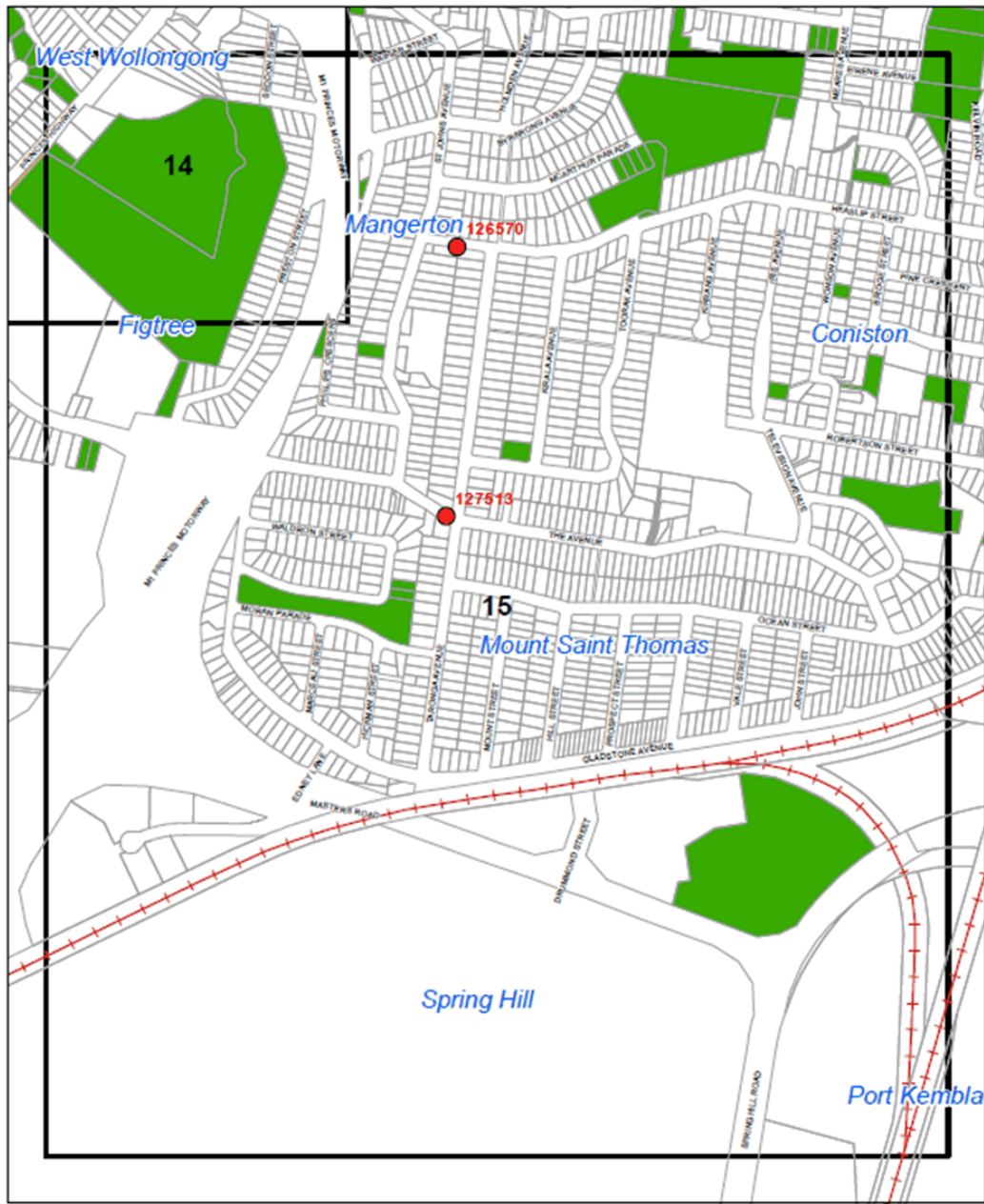
		<p>Wollongong City-Wide Development Contributions Plan 2019 MAP 13</p>		<p>Drawn By: H.Jones Date: July 2019</p>	
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Wollongong City-Wide Development Contributions Plan (2019)



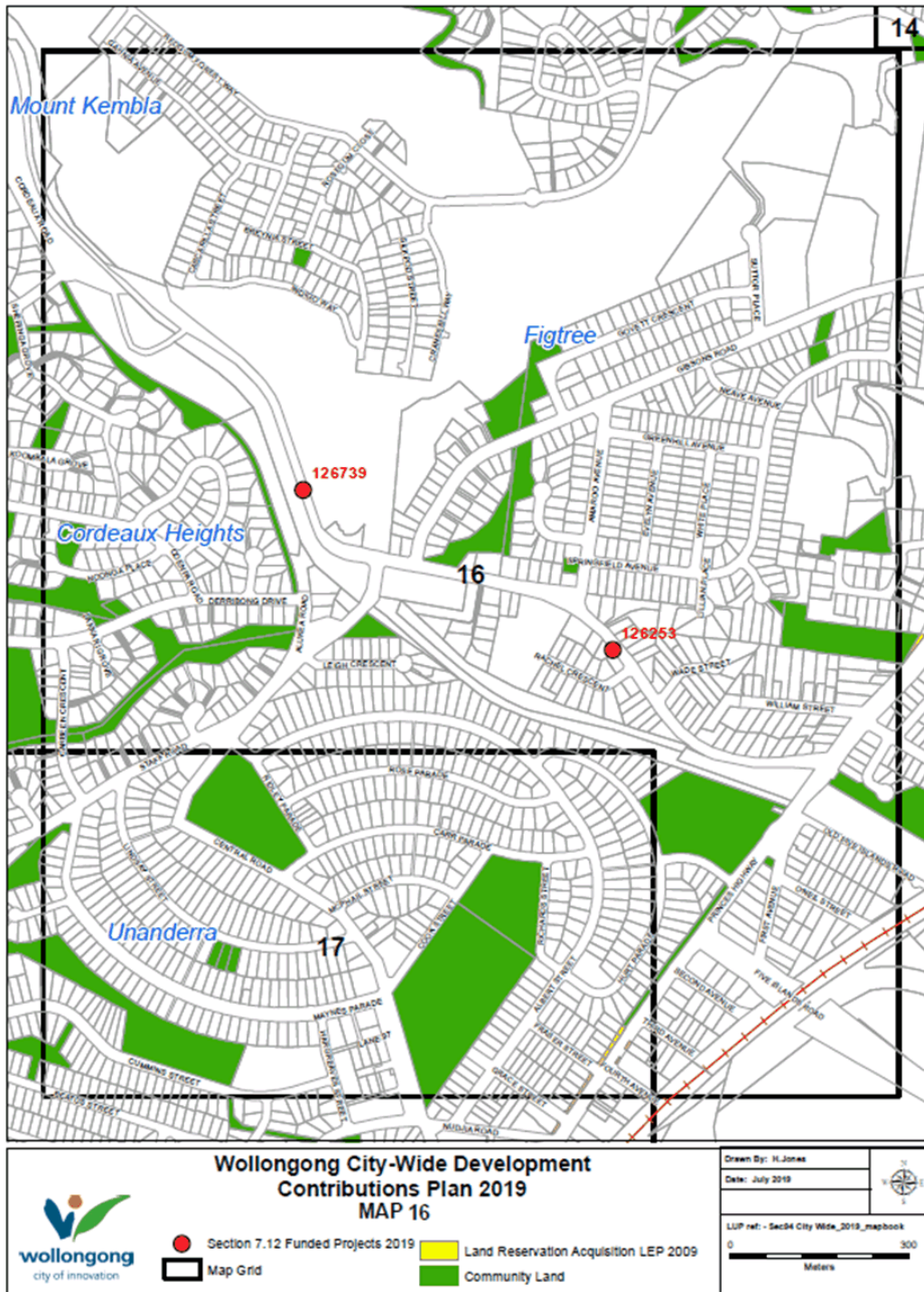
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Wollongong City-Wide Development Contributions Plan (2019)

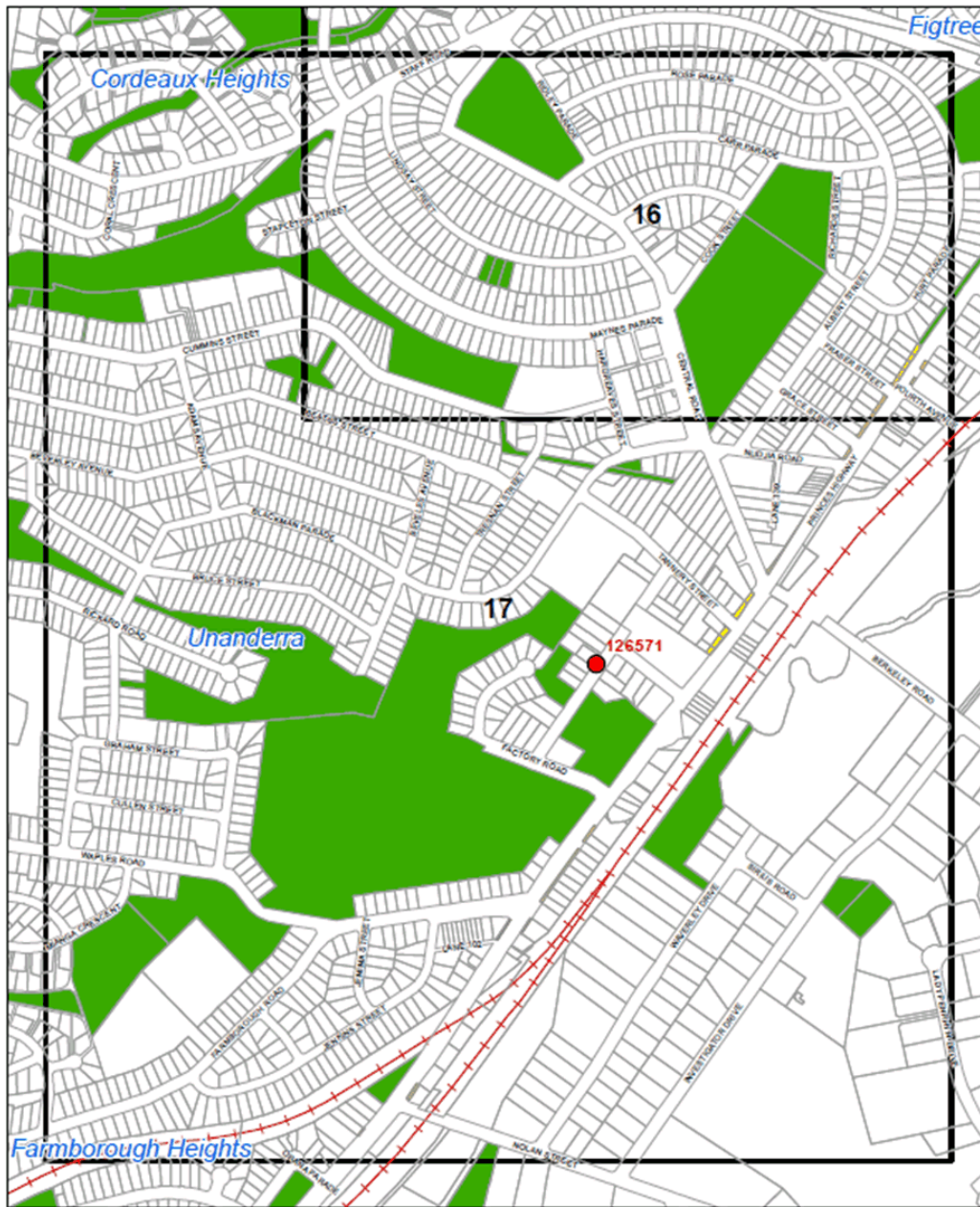


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<p>Map Grid</p>		<p>Community Land</p>		<p>LUP ref: - Sec94 City Wide_2019_mapbook</p>
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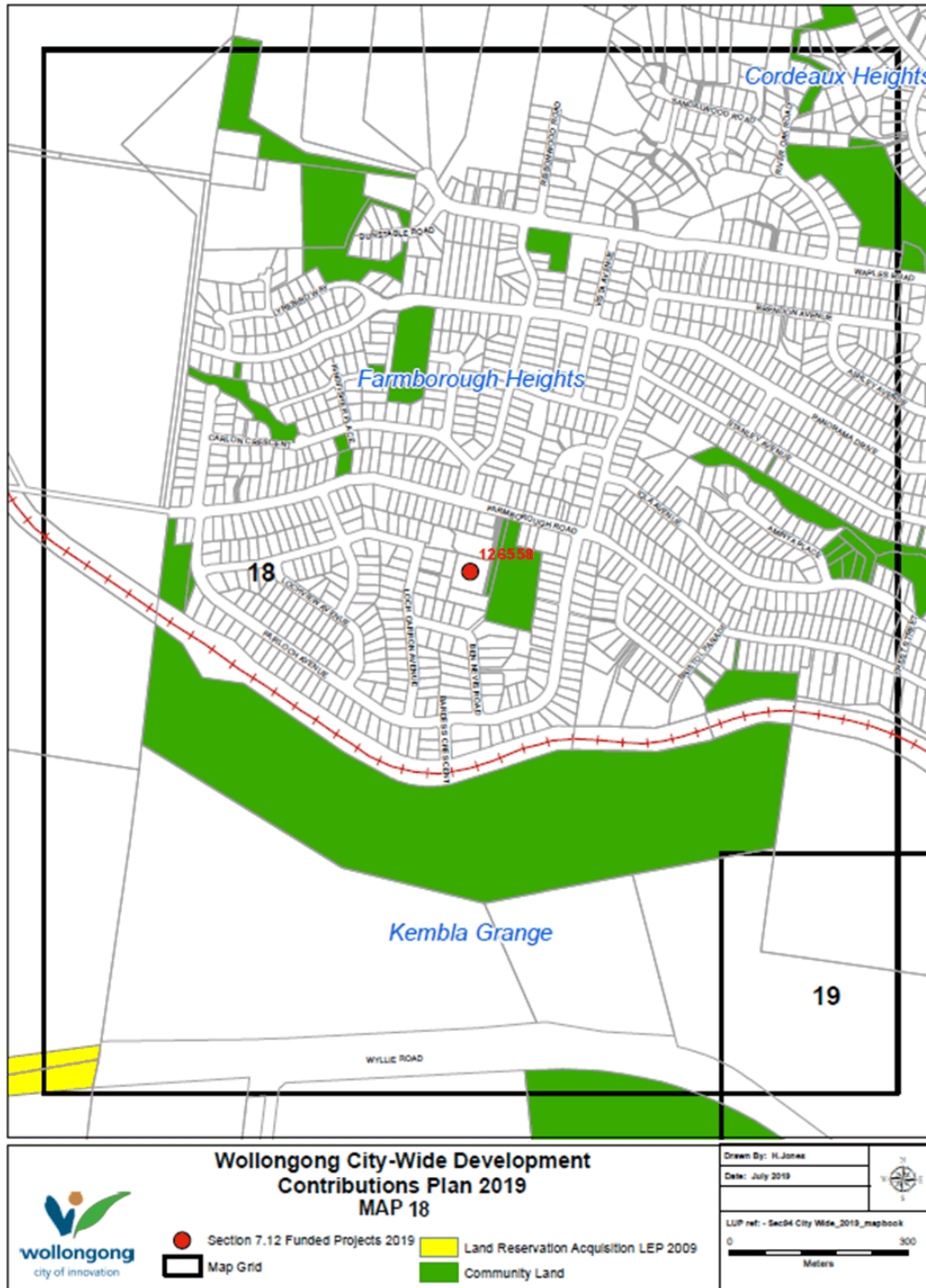


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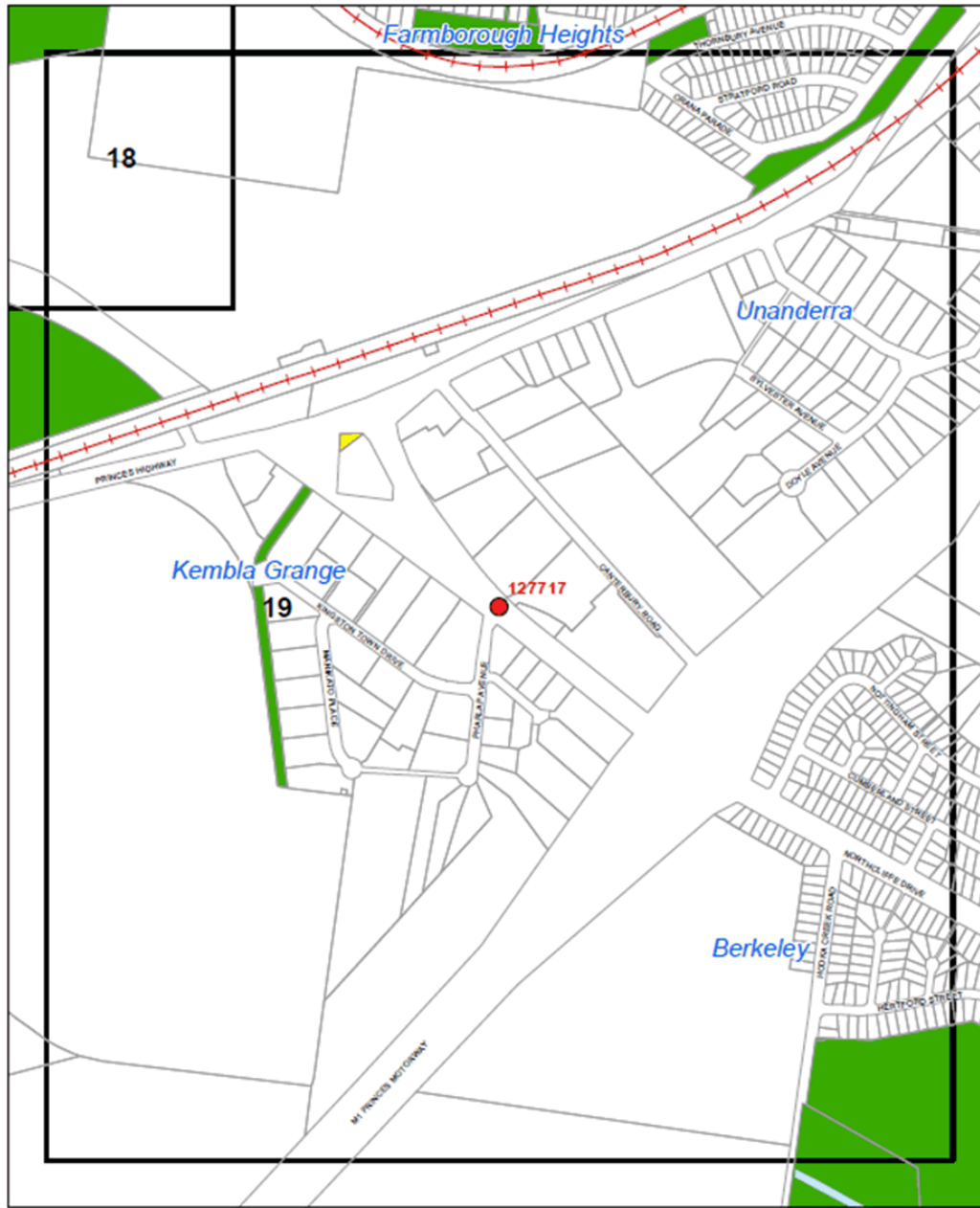


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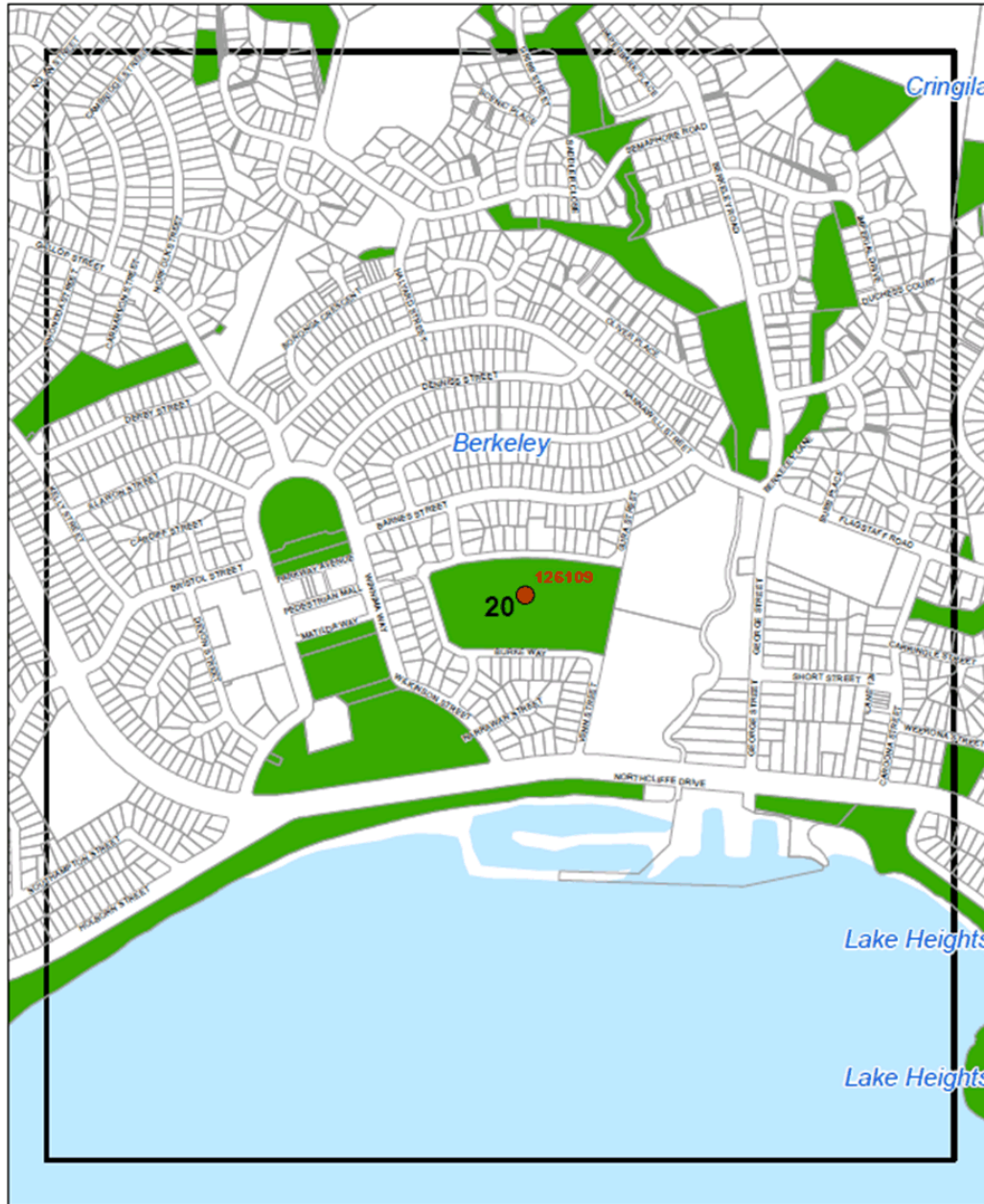


Wollongong City-Wide Development Contributions Plan (2019)



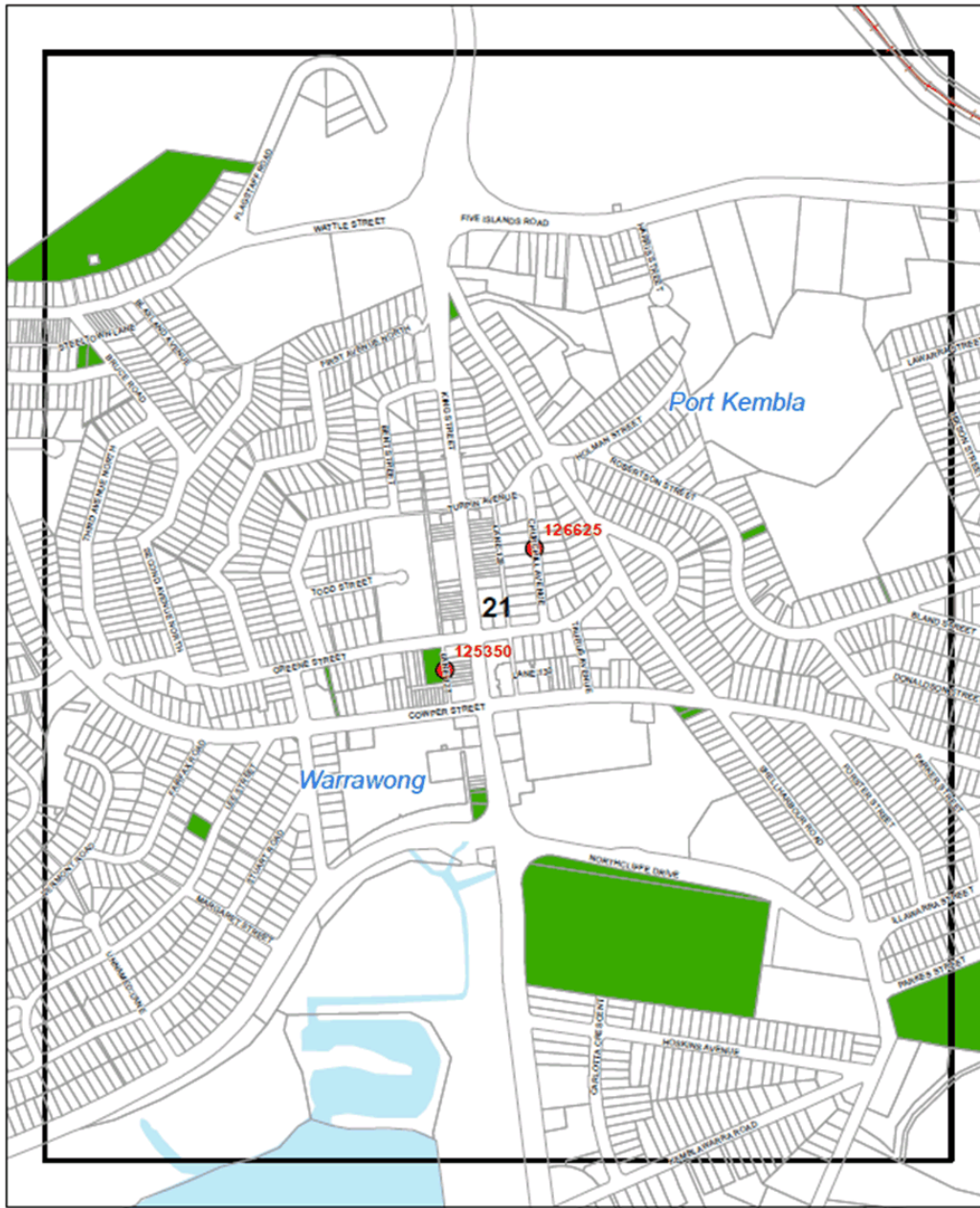
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Wollongong City-Wide Development Contributions Plan (2019)



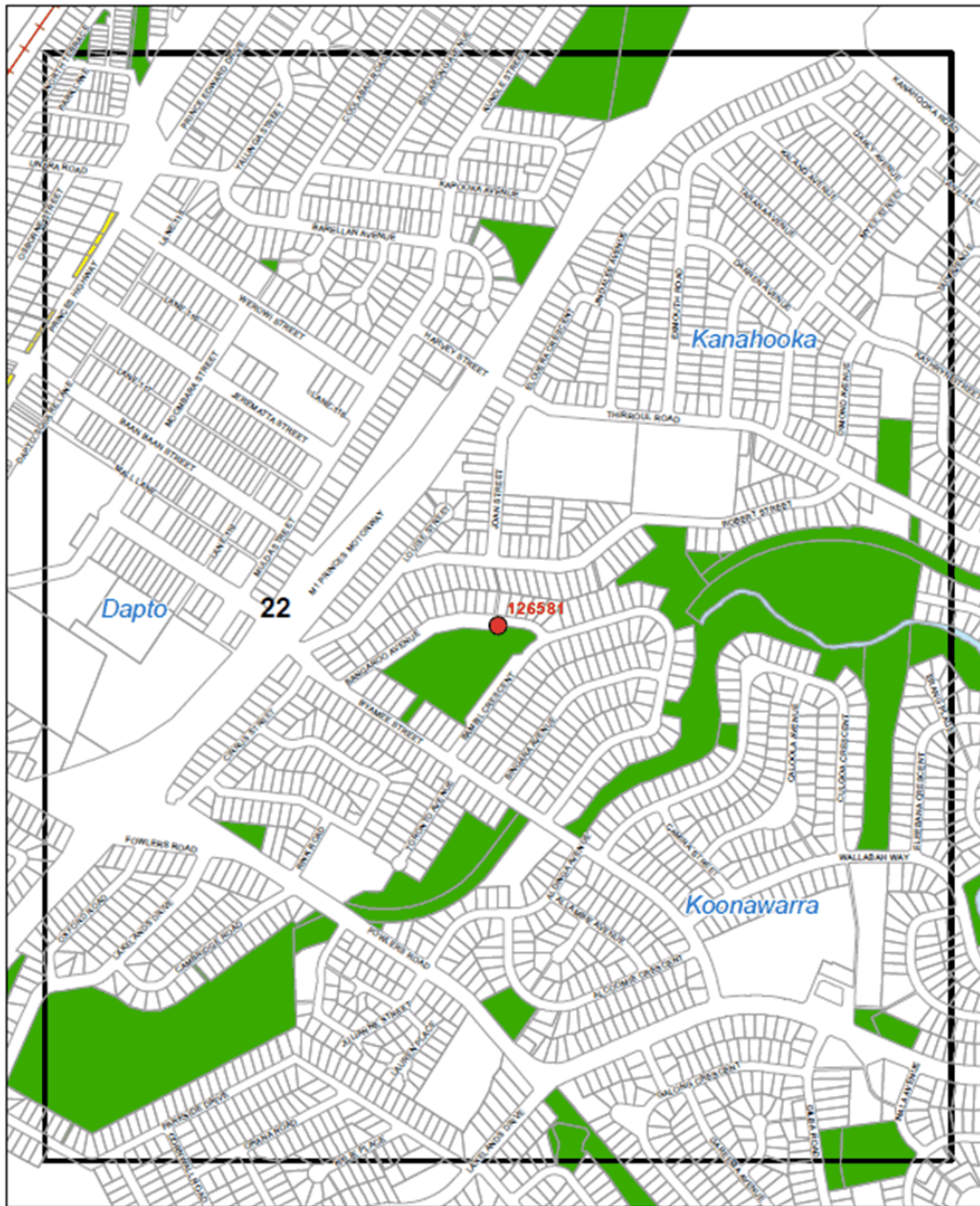
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		Section 7.12 Funded Projects 2019 	Land Reservation Acquisition LEP 2009 	
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Wollongong City-Wide Development Contributions Plan (2019)



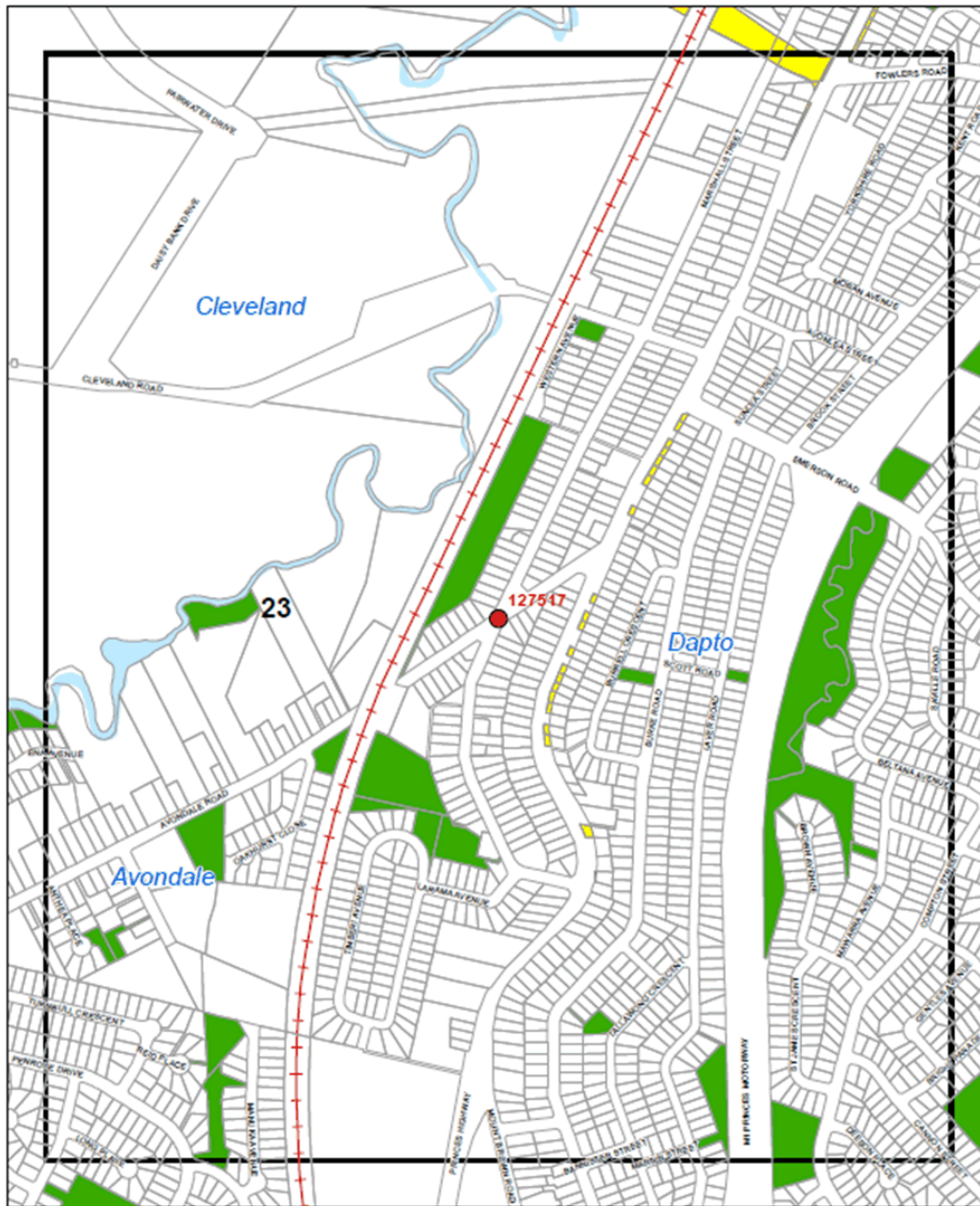
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Wollongong City-Wide Development Contributions Plan (2019)



<p>Wollongong City-Wide Development Contributions Plan 2019 MAP 22</p>		<p>Drawn By: H. Jones Date: July 2019</p>
	<p>● Section 7.12 Funded Projects 2019</p> <p>□ Map Grid</p>	<p>■ Land Reservation Acquisition LEP 2009</p> <p>■ Community Land</p>
<p>LUP ref: - Sec94 City Wide_2019_mapbook</p>		<p>0 300 Meters</p>

Wollongong City-Wide Development Contributions Plan (2019)



<p>Wollongong City-Wide Development Contributions Plan 2019 MAP 23</p>		<p>Drawn By: H.Jones Date: July 2019</p>
	<p>● Section 7.12 Funded Projects 2019</p> <p>□ Map Grid</p>	<p>■ Land Reservation Acquisition LEP 2009</p> <p>■ Community Land</p>
<p>LUP ref: - Sec04 City Wide_2019_mapbook</p>		<p>0 300 Meters</p>

ITEM 2 COMMUNITY PARTICIPATION PLAN (2019) - FOR ADOPTION

Community Participation Plans (CPPs) are a new requirement under the *Environmental Planning and Assessment Act 1979* (the Act). A CPP outlines how and when planning authorities engage with the community across their planning functions. Council is required to have the final version of the CPP published on the NSW Planning Portal by 1 December 2019.

On 23 September 2019, Council considered a report on the draft Community Participation Plan (CPP) and resolved to exhibit the draft Plan. The draft Plan was exhibited from 25 September 2019 to 23 October 2019. The CPP will replace Wollongong Development Control Plan 2009 – Appendix 1 Public Notification and Advertising Procedures, which currently outlines how Council exhibits development applications. Two submissions were received.

It is recommended that the Community Participation Plan (2019) (Attachment 1) be adopted and the current DCP Appendix be repealed.

RECOMMENDATION

- 1 The Community Participation Plan (2019) be adopted.
- 2 The Wollongong Development Control Plan – Appendix 1 Public Notification and Advertising Procedures be repealed.
- 3 A notice be placed in the local newspaper advising of the above actions.

REPORT AUTHORISATIONS

Report of: Chris Stewart, Manager City Strategy

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

ATTACHMENTS

- 1 Community Participation Plan (2019)

BACKGROUND

Wollongong Development Control Plan 2009 – Appendix 1 Public Notification and Advertising Procedures, currently outlines how, when and for what period Council exhibits development applications and modifications.

On 1 March 2018, amendments to the Environmental Planning and Assessment Act 1979 (the Act) commenced including a requirement for all councils to prepare a Community Participation Plan (CPP) by 1 December 2019. In October 2018, the (then) Department of Planning and Environment exhibited a draft Community Participation Plan for that organisation, and as a template. The stated purpose of a CPP is to provide a single document that the community can access that sets out all of council's community participation requirements under the planning legislation, including all minimum mandatory exhibition timeframes.

Currently, councils outline community participation requirements for Development Applications via Wollongong Development Control Plan 2009 – Appendix 1 Public Notification and Advertising Procedures. Other councils use other methods including a notification Development Control Plan and community engagement plan or strategy prepared under section 402 of the Local Government Act 1993. This includes information setting out specific exhibition timeframes (sometimes referred to as notification periods) for types for development applications.

The State requires councils to transfer all its planning functions community participation requirements (sometimes referred to as notification, advertising or submission periods) from Development Control Plans to their CPP or a community engagement strategy prepared to meet the CPP requirement.

Planning functions include the exhibition of development applications, draft Planning Proposals and draft Planning Policies. The CPP only applies to planning functions and not other exhibition requirements, for example draft Plans of Management exhibited under the Local Government Act 1993.

The CPP should be clear about what is meant by public exhibition, which could be described as -

- giving notice to individual land owners / occupiers
- determining an appropriate exhibition timeframe
- advertising the exhibition notice, including how submissions can be made
- making documents publicly available.

A CPP should include all other non-mandatory community participation commitments including when extended public exhibition will occur or targeted consultation.

On 23 July 2018, Council adopted the Community Engagement Policy which details how, why and when Council engages with the community on all projects. Despite Council having this overarching policy, Council is still required to prepare a CPP.

PROPOSAL

On 23 September 2019, Council endorsed the draft CPP for exhibition. The exhibition period was from 25 September 2019 to 23 October 2019. During this time two submissions were received - from Neighbourhood Forum 5 and a resident.

The following issues were raised –

Submission Author	Issues Raised	Response to Issues
Neighbourhood Forum 5	Require applicants of major development proposals, planning proposals or planning agreements to consult neighbours / community groups prior to lodging.	Council encourages applicants to consult with the local community and residents, however is not able to mandate this practice. The draft CPP indicates this under the heading ' <i>Before Lodgement</i> '.
	Require the application of the Community Engagement Policy principles when determining the level of notification, based on the possible environmental and social impacts of the proposal.	This process already occurs. Council's commitment to engaging with the community is present throughout the document. Reference is also made within the CPP to the Community Engagement Policy, which this Plan sits underneath.
	Include opportunities for mediation and alternative dispute resolution in contentious or complex situations.	There is no provision under planning legislation for mediation and dispute resolution through the assessment process. Assessing officers do however consider and respond to issues raised through submissions. Furthermore, we also have legislated independent panels (ie LPP) providing expert peer reviews and public hearings on all sensitive DAs.
	Require Council review the description of the actual proposal rather than rely on that of the proponent, as this is sometimes misleading.	Application descriptions are reviewed by Council officers before notification commences to ensure that notification is accurate.

Submission Author	Issues Raised	Response to Issues
		<p>However, applicants describe the development they are proposing on lodgement documents. This information guides the notification description, following preliminary review of the submitted documents.</p>
	<p>Ensure user friendly access to information on Council's website.</p>	<p>Council's website was updated in August 2019 and was designed to be more accessible for everyone.</p>
	<p>Include a reference to the free "Planning Alerts" web site which enables residents to be notified automatically when a Development Application is lodged within a nominated distance of their property.</p>	<p>This suggestion is supported and has been implemented on page 6 of the CPP, under the heading Where You Can View Proposals.</p>
<p>Resident Wollongong</p>	<p>Stated agreement with NF5 submission points.</p>	<p>Noted.</p>
	<p>The description should be expanded to include more detail on proposal, including number of units, levels and bedrooms, parking, and any variations to Council's plans and policies.</p>	<p>Application descriptions are reviewed by Council officers before notification commences to ensure that notification is accurate. For larger more complex proposals, significant detail is usually provided such as proposed demolition, development type, number of units, parking and tree removal.</p> <p>Variation information is generally available within the Statement of Environmental Effects, or as separate documents. These are available to view during the notification period from Council's notification web page.</p>
	<p>The Development Application (DA) file should include a copy of the DA, estimated cost, which properties were notified, a copy of the notification letter and the name of the developer and applicant.</p>	<p>Council must consider privacy matters before reprinting or providing documents for public inspection. However, some of this information can be viewed by interested parties through a GIPA (Government Information Public Access) request with Council, unless information has been requested to be suppressed.</p>
	<p>Where the proposal is next to a park and may impact, newspaper notification should occur.</p>	<p>Council consults with the Property and Recreation Division about such applications. If further notification is recommended, the request would be considered as part of the assessment process by the relevant Manager and Assessing Officer.</p>
	<p>28 day notification should apply for Joint Regional Planning Panel (JRPP) matters, or where DA does not meet LEP or DCP</p>	<p>JRPP is now known as the Regional Planning Panel (RPP). RPP matters are advertised according to their development</p>

Submission Author	Issues Raised	Response to Issues
	controls.	<p>type in Schedule 2 of the CPP and as required by the Department of Planning, Industry and Environment. There is no distinction for the various determination pathways.</p> <p>If an LEP departure is proposed as per Schedule 2 of the draft Plan, a 14 day notification period applies. DCP variations do not trigger different notification requirements. Notification requirements contained in the CPP are considered appropriate and align with the assessment process provided for under legislation.</p>
	If a proposal will affect properties in a street by driving past, those properties should be notified, not just those adjacent the site.	<p>Council notifies such persons as required by the EP&A Act and in accordance with the applicable schedule. If properties beyond the immediate vicinity the site are potentially adversely affected, the relevant Manager has the option to choose to notify them of the proposal.</p> <p>Such an application is also likely to be referred to Councils Traffic Engineer to review the likely impacts on the local road network.</p>
	If properties will lose their view, they should be notified where possible.	<p>Council notifies property owners and occupants as required by the EP&A Act and in accordance with the applicable schedule. If a significant view impact is proposed, Council endeavours to consult with those affected, where possible.</p>

Additional minor changes are proposed post-exhibition, including -

- 1 The inclusion of Appendix 1 which lists pages hyperlinked within the online document. This ensures that those who access a printed version of the plan can locate the pages at a later time.
- 2 The addition of the recommendation that people sign up to the Planning Alerts website in 'Where you can view proposals' as recommended in the submission.
- 3 Providing a new title page picture to distinguish the 2019 plan from the previous DCP Chapter.
- 4 Modifications to make the CPP more plain English and easier to navigate.
- 5 The timeframe for notifications that occur over the Christmas period has changed to align with the EP&A Act. Council will not publicly exhibit any new Development Applications between 20 December any year and 10 January the following year, and the days are not included in the exhibition period. The new timeframe assists in speeding up the Development Application assessment process and is also less onerous for applicants. Sufficient time remains for the community to view applications and respond to submissions over the Christmas period.
- 6 The timeframe for Council to acknowledge receipt of submissions has been reduced from 14 days to 7 days in Appendix 1 of the Wollongong DCP 2009. Email submissions to Council's direct email

address are automatically acknowledged. This reflects common practice, whilst allowing for unavoidable delays in traditional mail.

- 7 In Schedule 3 – Applications Where Exhibition Is Not Required, the text has been simplified.
- 8 Also, to enhance customer service to small business operators within the LGA, more exclusions have been added to Schedule 3. The Small Business Team advised that notification of these types of applications was an unnecessary cost for small business owners and often caused unnecessary delays and never received submissions. The exceptions listed ensure that small business DAs - near residential dwellings, or sensitive uses, will be notified. Manager's discretion to notify applications that may be controversial remains. Therefore, the general interests of the community are not considered to be diminished by this change.
- 9 As required by the Department of Planning, Industry and Environment (the Department), the CPP has been written in plain language to make an easily understood document that will encourage community participation in planning.

The draft CPP is structured in a sequence which reflects the notification process. Planning functions are firstly defined with information provided that is pertinent to that category. The CPP then explains how members of the community can participate in the planning functions of the Council. This includes details on how to make submissions and what information should be included. Details on how Council will respond and provide information on determinations follows.

Links are provided within the draft CPP to relevant pages of Council's, and the Department's website. This allows community members easy access to further detail on certain topics, without needing to repeat definitions and processes not required within the CPP. The principles of Community Engagement are also incorporated into the document, without replicating the entirety of the Community Engagement Strategy.

This makes the CPP a much easier plan to navigate than the previous notification policy, as it is more user friendly, and therefore inclusive.

The draft Plan includes Sections 13 - Matrix notification requirements for Development Applications and Section 1.3 – Applications for which notification/advertising is not required from Appendix 1. They have been revised and updated, in consultation with Managers and staff from Development Assessment and Compliance, and are included as Schedules 2 and 3 respectively.

CONSULTATION AND COMMUNICATION

The draft Plan was exhibited from 25 September 2019 to 23 October 2019. Copies were available on Council's website and at Council's Administration centre and libraries.

In accordance with legislative requirements, an advertisement was placed in the Wollongong Advertiser on 25 September 2019 and notification emails outlining the public exhibition and methods of making a submission were sent to relevant stakeholders on 25 September 2019.

Council's Have your Say page was viewed 86 times and 49 documents downloaded.

Two submissions were received by Council during public exhibition.

The updates to the Plan have been discussed with the Development Assessment & Certification Division and members of the Community Engagement Team. Internal feedback helped shape the final draft Plan.

PLANNING AND POLICY IMPACT

The Community Participation Plan is required to be adopted by 1 December 2019. If not, all development applications are required to be notified.

This report contributes to the delivery of Our Wollongong 2028 goal "We are a connected and engaged community".

It specifically delivers on core business activities as detailed in the Land Use Planning Service Plan 2019-20.

CONCLUSION

The Community Participation Plan is an important policy for the Council and incorporates updates to Appendix 1 of the Wollongong DCP 2009.

This report outlines the proposal to update the existing Plan following exhibition, to incorporate minor amendments.

It is recommended that the Community Participation Plan (2019) (Attachment 1) be adopted.



COMMUNITY PARTICIPATION PLAN



2019



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Document Control			
Document ID:: Community Participation Plan			
Rev No.	Adoption Date	In Force Date	Revision Details.

INTRODUCTION

The Community Participation Plan (CPP) outlines how Council will inform and engage with the community about planning and development matters. The CPP also provides information on how you, as the community, can participate in planning matters.

Council's [Community Engagement Policy](#) covers other matters not directly related to planning.

The CPP applies to all land within the Wollongong Local Government Area (LGA) and sets out public exhibition requirements for planning matters, as required by the Local Government Act 1993 and the Environmental Planning and Assessment Act 1979 (EP&A Act).

This plan replaces the Wollongong Development Control Plan 2009 – Appendix 1 Public Notification and Advertising Procedures.

The CPP provides notification and engagement requirements for all planning matters, including;

- Development Application (DA) determinations
- Preparation of strategic plans
- Planning proposals
- Other relevant planning policies
- Decisions made by the Local Planning Panel (LPP).

The CPP reflects our community engagement objectives which we use to guide our notification strategies when inviting you to participate in local planning.

We will review this Plan, periodically.

WHAT IS COMMUNITY ENGAGEMENT?

Community engagement is how we reach out and encourage you, our community, to talk with us about plans, projects and policies that may affect you. It is about asking and listening to the community to help us make decisions. We recognise that the community has an interest, and a right, to be informed about planning matters and given opportunities to participate in strategic planning for our LGA.

Community Engagement is important, it:

- Informs decision making
- Builds relationships and trust
- Strengthens community
- Builds a sense of belonging, and
- Keeps the community informed.

Our commitment to community engagement is detailed in the [Community Engagement Policy](#). This policy can be found on our website.

We are committed to the following principles for community engagement:

1. We aim to be flexible
2. We will be inclusive
3. We believe community engagement is important for good governance
4. We aim to effectively plan each engagement
5. We will give you feedback.

Public Exhibition

Public exhibition is when we put documents and information on public display, for people to learn about and comment on. There are mandatory and non-mandatory consultation and exhibition requirements for planning matters which we must follow. Mandatory requirements for community participation are set out by Section 2.6 of the EP&A Act and the Environmental Planning & Assessment (EP&A) Regulation 2000. This includes the minimum exhibition periods, the way public notification should happen and the requirement to provide reasons for planning decisions made, such as for development assessments. If a particular matter has a different exhibition or notification period that applies under the EP&A Act, the longer period applies.

Exhibition Types

If a planning matter needs to be exhibited, we may do any, or all, of the following:

- make documents publicly available
- decide an appropriate exhibition timeframe (where non-mandatory)
- give written notice to individual land owners / occupiers
- advertise the exhibition notice and advise how submissions can be made
- use social media
- hold an information session or workshop.

Plan Making and Strategic Planning

Council manages how most land in our LGA is used, protected, or developed. This includes where new roads or buildings should go, or how many houses can be built in a certain area. We have development controls to make sure buildings and public areas are safe, well designed, and meet planning rules set by the State Government. Development also includes activities like holding a big event, running a business or demolishing a building.

When we prepare new policies, such as Local Strategic Planning Statements, Planning Proposals, [Local Environmental Plans](#) (LEPs), [Development Control Plans](#) (DCPs), Community Participation Plans (CPPs) and [Development Contributions Plans](#), we will seek comments from the community. We will also consult with the community, in line with the EP&A Act, when we seek to amend a policy, or rezone a parcel of land. We want to hear your views, involve you in creating shared visions, and finding solutions to questions affecting our community.

Development Applications

A Development Application (DA) is a formal request for consent to carry out a proposed development, such as erecting a building, subdividing land, or changing the use of land. DAs have different classifications and these determine the length of the notification period. This ranges from no exhibition or short exhibition periods for minor proposals and longer exhibition periods for more complex DAs.

The length of time a DA is notified, if required, is shown in **Schedule 2** at the end of this policy. If a DA needs to be notified or advertised, the applicant will be charged a notification fee, in line with the [adopted fees and charges](#).

Schedule 3 lists DA types which don't require notification because they propose minor development. Development not mentioned in the schedules will only be notified if the responsible Assessing Officer, or Area Manager, decides this should happen.

There are [types of development](#), such as Exempt and Complying, which may not need to be notified. They are assessed under various state policies and not always by Council. Further information is available on the website.

If you are unsure if a DA should be notified, please call us on 4227 7111.

Our Commitment

We are committed to listening to community support, or concerns, that may arise from DAs and other planning matters.

All involved can be confident of an impartial, fair, and transparent assessment process.

Before Lodgement

Before you lodge a DA or Planning Proposal, we highly recommend that you discuss your draft proposal with adjacent landowners, and neighbours who may be interested. This allows any potential issues to be discussed early in the process and may allow some matters to be resolved before lodgement.

Complex and larger proposals, which have the potential to be controversial, should be raised with those in the community who may be affected, before the proposal is lodged with Council to be assessed. This can include:

- Local Community Groups
- Chambers of Commerce
- Neighbourhood Forums.

KEEPING YOU INFORMED

How you will be notified of a proposal

Council will write to you if you or your property is likely to be affected by a DA, or new policy. This includes land owners, occupants, neighbours, businesses and the general public. This is so everyone has a chance to raise any concerns, provide support, make a comment or provide useful information - before a planning decision is made.

If you think you should have been notified about a planning matter, but did not receive a letter, please call us on 4227 7111 and let us know.

1. Development Applications

If a complete DA is lodged, notification normally happens within a few days. If more information is required from the applicant, notification will be delayed until this information is received.

Generally, written notification of an application will be sent to adjoining property owners and occupants. Some notifications may extend to include those within the immediate locality.

For major or potentially contentious applications, the notification area may be extended, depending upon the nature and potential environmental impacts associated with the proposal.

If a design changes greatly during the assessment period, or additional supporting information is supplied, a DA may need to be re-notified. The decision to re-notify will be made by the responsible Assessing Officer and Area Manager.

Some proposals require the DA, letters or emails to be shared with a public authority, (e.g. government departments and statutory authorities like the NSW Rural Fire Service) where approval is required, or where we require specialist advice.

- Where a DA may affect property owners of land outside Wollongong City LGA, Council will write to the neighbouring Council to alert them to the proposal.
- Where the DA has an associated **Planning Agreement**, the Draft Planning Agreement will be reported to Council for endorsement and exhibited for a minimum period of 28 days.
- If a DA is subject to an appeal in the NSW **Local Environment Court**, and you sent in a submission, you will be notified of the appeal where it has been listed for conciliation or hearing.
- If a DA is subject to a **Review of Determination** (via Section 8.2 of the EP&A Act) we will notify the application in the same way as the original application.

Christmas period.

We will not start the exhibition of any DAs between 20 December and 10 January (inclusive), the next year, and these days are not counted within an exhibition period which has already started. Following this, any DAs that are required to be exhibited, will be exhibited for at least 14 calendar days, or longer if required by Schedule 1.

2. Planning Proposals

A planning proposal is a request to change how land is zoned so certain types of development can go ahead. When we prepare or assess a Planning Proposal, the public will be notified as soon as possible, to measure community interest. For minor proposals, the Planning Proposal may not be exhibited until we receive the Gateway Determination from the Department of Planning, Industry and Environment, advising the minimum level of consultation needed. The exhibition of new or amended Planning Proposals will not start, or finish, during school holidays.

We recommend discussing a planning proposal with adjacent landowners before submitting it to Council. This allows any potential issues to be discussed early on in the process, and may allow some matters to be resolved before it is considered by Council.

A report on feedback received in submissions will be considered by Council, after exhibition. If you made a submission, Council will let you know the report dates and what decisions have been made. You may also have opportunity to address Councillors at Council meetings, through a Public Access Forum.

Public hearings may be held for some Planning Proposals, such as the reclassification of community land to operational land. Where the Planning Proposal has an associated Planning Agreement, the Draft Planning Agreement will be reported to Council for endorsement and exhibited for a minimum period of 28 days.

If there are significant changes to a Planning Proposal before it is adopted, and you were originally notified or made a submission, we will notify you of those changes. Minor changes are unlikely to be re-notified. Specific detail on [The Gateway Process](#) and the making of Local Environmental Plans can be found on the [Department of Planning, Industry and Environment's](#) website and in Council's [Planning Proposal Policy](#).

3. Planning Policies

Planning policies are prepared by Council to inform and guide development decisions within the LGA, such as Development Control Plans. We update them regularly and will generally invite the community to comment on new policies, or changes to existing policies, before they are put into place.

We will tailor community engagement strategies in the lead up to notification and exhibition, to target those who may be interested or impacted. Methods may include reviewing documents and providing comment, community surveys and workshops, or we may ask you to visit [Council's website](#).

When Council makes or amends a Planning Policy, the public will generally be notified when the draft policy is ready for public exhibition. The exhibition timeframe depends on the type of document prepared or updated, as well as the level of community interest. **Schedule 1** lists the minimum mandatory timeframes for the various planning functions. When we prepare some policies, we may seek community input before the policy is drafted, so that the community has an opportunity to help inform the plan.

Following exhibition of a draft policy, we will review all submissions received and the draft policy will be updated to include any relevant or necessary changes.

When a new, or amended, Planning Policy is to be adopted, Council's website will be updated with the relevant details.

School Holidays

The exhibition of a new or amended Planning Policy will not start, or finish, during school holidays.

WHERE YOU CAN VIEW PROPOSALS

If you receive a notification letter, it will explain how you can view the relevant documents.

For everyone else, you can find information about proposals that are open for comment via the following:

- The [View an Application](#) page on our website
- Council's online [community engagement site](#)
- Council's Customer Service Centre, Ground Floor Administration Building, 41 Burelli Street Wollongong, between 9am and 5pm weekdays
- For some DAs, information may be available in your nearest [library](#) branch
- [Current LEP Proposals](#) on The Department of Planning Industry and Environment website
- Newspaper (Integrated and Designated development only)
- **Planning Alerts** - Email alerts of planning applications near you: www.planningalerts.org.au.

HOW YOU CAN PARTICIPATE

Submissions – Join the Conversation

Anyone with an interest in a planning matter is welcome to make a submission. If you're objecting or supporting, you need to give a clear reason why, e.g. how the proposed development may impact on you, or your property. We also encourage people to share positive suggestions or recommendations to improve the final outcome. Submissions must be received by close of business on the last day of the notification period and include the following information:

- (a) Addressed to the GENERAL MANAGER;
- (b) Application Number and location, or policy name;
- (c) Address of the property; subject of the application;
- (d) Your address; (so we can inform you of the outcome);
- (e) Date of submission;
- (f) State the reasons for support or objection expressed in the submission. You may include maps and photos;
- (g) Solutions or suggestions for possible changes that could provide a better outcome; &
- (h) Reply postal address and daytime contact telephone number.

Extensions

In certain circumstances, the relevant Area Manager may approve an extension to the closing date for submissions. Extensions will generally only occur for major applications and when it is considered reasonable. This may allow people who are interested in the proposal the opportunity to thoroughly review it and any accompanying specialist report(s), before making a submission. Such extensions will appear on the relevant website.

Privacy

Submissions are public documents, and other people can view them on request, so make sure you read our [privacy statement](#) before you comment.

You are required to tell us if you have made a reportable [political donation or gift](#). It is an offence not to make this information known under the EP&A Act. It is also an offence to make an incorrect disclosure statement. Under the Local Government Act 1993, submissions must be made available for public inspection and will not remain confidential.

If you wish to keep personal details within your submission private, a statutory declaration must be completed along with a request to keep the information private. These requests are considered and determined in accordance with the Privacy and Personal Information Protection Act 1998.

All submissions received within the notification period will be considered when the notification period finishes. Comments on social media will not be treated as submissions.

Submit your feedback, in writing, in the following ways:

- Personal delivery: Council's Customer Service Centre, Ground Floor Administration Building, 41 Burelli Street Wollongong, between 9am and 5pm weekdays;
- Post: Locked Bag 8821, Wollongong DC, NSW 2500
- Email: council@wollongong.nsw.gov.au
- Online: A submission may be made for each exhibited application directly via the online [Application tracking](#) page.

If you need assistance to provide feedback in a different format please contact 4227 7111, or visit our Customer Service Centre at 41 Burelli Street Wollongong.

HOW WE WILL RESPOND

When we receive your submission, we will write to you within 7 days confirming that it has been received. If there are numerous names on the submission, or it is a petition, we will send the reply to the head signatory. This letter will not respond to any issues raised in the submission.

If a proposal is amended while it is being considered, any person who has provided feedback on the application may be contacted about the amendments. The decision to do this is made by the Assessing Officer/Area Manager. Minor changes are generally not re-notified.

All submissions received within the exhibition period will be considered, and referenced in the Assessing Officer's report. If a submission is received after the closing date, it may not be possible to consider it in the assessment. Individual replies to questions raised in submissions are not guaranteed.

HOW TO VIEW DECISIONS

All [Development Determinations and Assessment Reports](#) are available on Council's website. If you were notified about a DA, or you wrote a submission, you will be contacted to let you know what decision was made. We will also tell you where you can review the reasons for the decision, and how submissions were taken into account.

Decisions made by the [Wollongong Local Planning Panel](#) and the [Southern Regional Planning Panel](#) are available on their respective webpages. If you made a submission, or addressed the panel, you will be notified of the decision. You can also view the decision, assessment report and panel commentary on the respective web pages.

Planning proposals can be tracked on The Department of Planning, Industry and Environment's [online tracking system](#).

When a new or amended Planning Policy is to be adopted, Council's website will be updated with the relevant details.

SCHEDULE 1- MINIMUM EXHIBITION TIMES

Plan or Application Type	Minimum Community Participation Requirement
Draft Community Participation Plans	28 days
Draft Local Strategic Planning Statements	28 days
Planning Proposals for Local Environmental Plans subject to a Gateway Determination	28 days or: (a) if a different period of public exhibition is specified in the gateway determination for the proposal—the period so specified, or (b) if the gateway determination specifies that no public exhibition is required because of the minor nature of the proposal—no public exhibition.
Draft Development Control Plans and amendments	28 days
Draft Development Contribution Plans and amendments	28 days
Development Consent (other than for Complying Development Certificate, for Designated Development or for State Significant Development)	14 days or: (a) if a different period of public exhibition is specified for the application in the relevant community participation plan—the period so specified, or (b) if the relevant community participation plan specifies that no public exhibition is required for the application—no public exhibition.
Designated Development	30 days
Modification of Development Consent - that is required to be publicly exhibited by the EP&A Regulations	14 days or: The period (if any) determined by the consent authority in accordance with the relevant community participation plan.
Development Consent for Nominated Integrated Development and Threatened Species Development	30 days
Development Consent for Integrated Development	14 days
Environmental Impact Statement obtained under Section 5.1	28 days
Review of Determination	14 days

SCHEDULE 2 - NOTIFICATION REQUIREMENTS

- ✓ Notification / Consultation required (starting on the day provided in the notification letter)
- x Notification / Consultation not required
- Area Development Manager decides whether to notify

Development Description	Written Notice to Adjoining Land	Written Notice to Neighbouring Properties	Notification Period
Designated Development	✓	✓	30 Days
Development involving an exception to a development standard	✓	✓	14 Days
Nominated Integrated Development	✓	✓	30 Days
Integrated Development	✓	✓	14 Days
Advertising Structures / Signs	✓	✓	14 Days
Agriculture	✓	●	14 Days
Amusement Centres	✓	✓	14 Days
Ancillary structures less than 0.9m from side and rear property boundaries.	✓	●	14 Days
Animal Boarding or Training Establishment	✓	✓	14 Days
Any application associated with/or without a Building Certificate seeking to legitimise illegal works	✓	●	14 Days
Any structures encroaching on building alignment (front, rear or secondary for corner allotments)	✓	●	14 Days
Attached Dwellings	✓	●	14 Days
Boarding Houses	✓	●	14 Days
Boat Building and Repair Facilities	✓	●	14 Days
Boat Launching Ramps	✓	●	14 Days
Boat Sheds	✓	●	14 Days
Brothels (Sex Services Premises)	✓	✓	14 Days
Business Premises	✓	●	14 Days
Camping Grounds	✓	✓	14 Days
Caravan Parks	✓	✓	14 Days
Car Parks	✓	✓	14 Days
Cemeteries	✓	✓	14 Days
Centre-based Child Care Facilities	✓	✓	14 Days
Charter and Tourism Boating Facilities	✓	✓	14 Days
Commercial Premises	✓	✓	14 Days
Community Facilities	✓	✓	14 Days
Crematoria	✓	✓	14 Days
Drainage Works / Flood Mitigation Works	✓	●	14 Days
Dual Occupancies	✓	●	14 Days

Development Description	Written Notice to Adjoining Land	Written Notice to Neighbouring Properties	Notification Period
Dwelling-houses (where not specified in Schedule 3) <ul style="list-style-type: none"> New dwelling-houses regardless of side setback Alterations & Additions to existing dwelling-houses 	✓	●	14 Days
Earthworks (Excavation or Land Filling Works)	✓	●	14 Days
Educational Establishments	✓	✓	14 Days
Emergency Service Facilities	✓	●	14 Days
Entertainment Facilities	✓	✓	14 Days
Environmental Protection Works	✓	●	14 Days
Exhibition Homes & Exhibition Villages	✓	●	14 Days
Extractive Industries	✓	✓	14 Days
Farm Buildings	✓	x	14 Days
Forestry	✓	●	14 Days
Function Centres	✓	✓	14 Days
Group Homes	✓	✓	14 Days
Health Services Facility or Consulting Rooms	✓	✓	14 Days
Heavy Industrial Storage Establishments	✓	●	14 Days
Helipad	✓	✓	14 Days
Heliport (or Air Transport Facilities)	✓	✓	14 Days
Home-based Child Care	✓	●	14 Days
Home Business	✓	●	14 Days
Hospitals (where Council is the consent authority)	✓	✓	14 Days
Hostels	✓	✓	14 Days
Industrial Retail Outlet	✓	●	14 Days
Industrial Training Facility	✓	●	14 Days
Industries	✓	✓	14 Days
Information and Education Facilities	✓	✓	14 Days
Intensive Livestock Agriculture	✓	✓	14 Days
Intensive Plant Agriculture	✓	✓	14 Days
Light Industries	✓	✓	14 Days
Markets	✓	✓	14 Days
Medical Centres	✓	✓	14 Days
Mixed Use Development	✓	✓	14 Days
Multi-Dwelling Housing	✓	✓	14 Days
Neighbourhood Shops	✓	✓	14 Days
Office Premises	✓	●	14 Days
Open Cut Mining	✓	✓	14 Days
Passenger Transport Facilities	✓	✓	14 Days
Places of Public Worship	✓	✓	14 Days

Development Description	Written Notice to Adjoining Land	Written Notice to Neighbouring Properties	Notification Period
Port Facilities	✓	✓	14 Days
Public Administration Buildings	✓	●	14 Days
Public Utility Undertakings	✓	●	14 Days
Pubs and Registered Clubs	✓	✓	14 Days
Recreation Areas	✓	●	14 Days
Recreation Facilities (Indoor)	✓	✓	14 Days
Recreation Facilities (Major)	✓	✓	14 Days
Recreation Facilities (Outdoor)	✓	✓	14 Days
Residential Flat Buildings	✓	✓	14 Days
Respite Day Care Centres	✓	●	14 Days
Restricted Premises	✓	✓	14 Days
Retail Premises	✓	✓	14 Days
Rural Industries	✓	●	14 Days
Rural Supplies	✓	●	14 Days
Secondary Dwellings	✓	●	14 Days
Semi-detached Dwellings	✓	●	14 Days
Seniors Housing / Residential Care Facilities	✓	●	14 Days
Service Station	✓	✓	14 Days
Shop Top Housing	✓	●	14 Days
Storage Premises	✓	●	14 Days
Subdivision	✓	✓	14 Days
Swimming Pools with a setback from any side or rear property boundary less than 0.9m	✓	●	14 Days
Swimming Pools located less than 3m from any side or rear property boundary with coping greater than 0.3m wide and higher than 0.6m above natural ground level.	✓	●	14 Days
Telecommunications & Radio-communications Facilities	✓	✓	14 Days
Temporary Uses of Land	✓	●	14 Days
Tourist and Visitor Accommodation	✓	✓	14 Days
Transport Depot	✓	✓	14 Days
Vehicle Body Repair Shop	✓	✓	14 Days
Vehicle Repair Station	✓	✓	14 Days
Veterinary Hospitals	✓	✓	14 Days
Warehouse or Distribution Centre	✓	●	14 Days
Waste or Resource Management Facility	✓	✓	14 Days
Waste or Resource Transfer Station	✓	✓	14 Days
Water Recreation Structures	✓	✓	14 Days
Water Supply System	✓	✓	14 Days
Wholesale Supplies	✓	●	14 Days

SCHEDULE 3 - APPLICATIONS WHERE EXHIBITION IS NOT REQUIRED

The following application types will **not** be notified:

1. Activity Applications under section 68 of the Local Government Act 1993
2. Minor alterations or additions to a building that are:
 - (a) to commercial or industrial buildings within a business or industrial zone (respectively), except if the site is in proximity to a dwelling, residential zone or other land use likely to be affected by the proposal; or
 - (b) internal only and are not visible from any adjoining property
3. Minor amendments to undetermined Development Applications which are, in the opinion of Council, unlikely to impact any adjoining property.
4. Ancillary structures with:
 - (a) a maximum height of 3.5m above natural ground level;
 - (b) a maximum wall/eave height of 2.7m above natural ground level and a minimum 0.9m setback from any side or rear property boundary.
5. Applications where insufficient information has been provided.
6. Balconies, decks, patios, terraces or verandahs which are greater than 3m from side and rear property boundaries and less than 1m in height from natural ground level.
7. Building Certificate applications.
8. Bushfire hazard reduction work.
9. Business identification signage applications.
10. Change of Use of premises within a Business or Industrial zone, that is not in close proximity* to a dwelling, Residential zone or other land use likely to be adversely impacted, and is not:
 - (a) a Non-Commercial land use in a Business zone;
 - (b) a Non-Industrial land use in an Industrial zone;
 - (c) a Restricted Premises;
 - (d) operating before 7am or later than 10pm;
 - (e) a development involving Sex Services;

* close proximity = adjoining / adjacent or sharing an interface.
11. Community events carried out by or on behalf of Council on Council owned or controlled land for a maximum 5 days and anticipated attendance of less than 100 people.
12. Complying Development as referred to in either: Schedule 3 of Wollongong LEP 2009 or a State Policy.
13. Demolition works for any building or structure (except where the site contains an item of environmental heritage or is within a Heritage Conservation Area).
14. Exempt development as referred to in either: Schedule 2 of Wollongong LEP 2009, or a State Policy.
15. First use of an approved light industry or warehouse distribution building.
16. Innovation Campus development proposals which are consistent with the Wollongong Innovation Campus Master Plan as approved by Council.
17. Kiosk identified within any Plan of Management for a specific public reserve.
18. Manufactured home placement within an approved manufactured home estate.
19. Modification of development consent under Section 4.55 of the EP&A Act that:
 - (a) involves the proposed correction of a minor error, misdescription or miscalculation only.
 - (b) are of minimal environmental impact and involve:
 - i. Internal alterations / additions to a dwelling-house or semi-detached dwelling, and/or
 - ii. Minor external changes which, in the opinion of Council, will not cause any adverse impact on any adjoining properties
 - (c) was previously notified and the amendment is minor and in the opinion of Council is unlikely to cause any adverse impact on any adjoining property.

20. Moveable dwelling installation or placement on a site within an approved caravan park (excluding any camping ground site).
21. Rainwater tanks which have a maximum storage capacity of 20,000 litres, are a maximum 3.5m height above natural ground level and are located at least 3m from any side or rear property boundary.
22. Single storey dwelling-houses, including applications for alterations and additions, with a setback of at least 0.9m from any side or rear property boundary.
23. Two Storey Dwelling-houses, with a setback greater than 1.5m from any side or rear property boundary.
24. Solar heating or photovoltaic cells on the roof of any residential dwelling, commercial office building or industrial building.
25. Strata subdivision of an existing or approved development, except where State Environmental Planning Policy (Affordable Rental Housing) 2009 applies.
26. Torrens title subdivision or minor boundary adjustments.

APPENDIX 1 – WEBSITES LINKED WITHIN THIS DOCUMENT.

Adopted Fees and Charges	www.wollongong.nsw.gov.au/your-council/fees-and-charges/fees-and-charges?fee=Development%20Assessment
Application Tracking	www.wollongong.nsw.gov.au/development/view-an-application
Community Engagement Policy	www.haveyoursaywollongong.com.au/214/documents/95
Community Engagement Site	www.haveyoursaywollongong.com.au
Department of Planning, Industry and Environment	www.dpie.nsw.gov.au www.leptracking.planning.nsw.gov.au
Development Contributions Plans	www.wollongong.nsw.gov.au/development/planning-and-development-policies/development-contributions
Development Control Plans	www.wollongong.nsw.gov.au/development/planning-and-development-policies/development-control-plans
Development Determinations and Assessment Reports	www.wollongong.nsw.gov.au/development/determinations
The Gateway Process	www.planning.nsw.gov.au/Plans-for-your-area/Local-Planning-and-Zoning/The-Gateway-Process
Library	http://council.wollongong.nsw.gov.au/Library/Pages/default.aspx
Local Environmental Plans	www.wollongong.nsw.gov.au/development/planning-and-development-policies/local-environmental-plans
Planning Proposal Policy	www.wollongong.nsw.gov.au/__data/assets/pdf_file/0025/8890/Planning-Proposal.pdf
Political Donation or Gift	www.wollongong.nsw.gov.au/__data/assets/pdf_file/0020/9074/Political-Donations-and-Gifts-Disclosure-Statement-to-Council.pdf
Privacy Statement	www.wollongong.nsw.gov.au/links/privacy
Southern Regional Planning Panel	www.wollongong.nsw.gov.au/development/development-assessments/southern-regional-planning-panel
Types of Development	www.wollongong.nsw.gov.au/development/types-of-development
View an Application	www.wollongong.nsw.gov.au/development/view-an-application
Wollongong City Council	www.wollongong.nsw.gov.au
Wollongong Local Planning Panel	www.wollongong.nsw.gov.au/development/development-assessments/wollongong-local-planning-panel

ITEM 3 STANWELL PARK BEACH DOG CONTROL AREAS CONSULTATION

This report summarises the community and agency feedback with respect the recent consultation regarding possible changes to the Stanwell Park Beach dog off-leash area. Community and agency support is for the retention of the existing dog off-leash area. The report also clarifies tenure and management issues for a small section of beach to the north of the existing dog off-leash area.

RECOMMENDATION

- 1 The declared off-leash dog area at Stanwell Park Beach be retained at the northern end of the beach.
- 2 The existing off-leash dog area at Stanwell Park Beach be extended north by declaring the small northern most section of the sandy beach as a dog off-leash area in accordance with Section 13.6 of the Companion Animals Act 1998.

REPORT AUTHORISATIONS

Report of: Danny Madigan, Manager Regulation and Enforcement
Authorised by: Linda Davis, Director Planning + Environment - Future City + Neighbourhoods

ATTACHMENTS

- 1 Stanwell Park Beach Dogs Off-Leash Access Engagement Report
- 2 Engagement Flyer

BACKGROUND

Council at its meeting on 22 July 2019 resolved to adopt the revised Dogs on Beaches and Parks Policy including the declaration of an off-leash dog park at Reed Park Dapto, the declaration of public bathing areas where dogs are prohibited at all flagged and lifeguard patrolled areas, and a subsequent report back to Council after the 2020 swimming season on the implementation of the revised Policy.

In addition, with regard to Stanwell Park Beach, Council resolved that -

“Specific community engagement and consultation be undertaken to seek feedback on possible changes to the Stanwell Park off-leash area to reduce confusion experienced by some beach users, with a subsequent report to be provided to Council. This shall include –

- a Consideration of moving the current off-leash dog area to the Southern end of Stanwell Park beach, rather than the Northern end, in response to the changing usage patterns of beach goers and the location of flagged/patrolled areas over the past number of years*
- b Direct mail-out of the proposal to all residents in Stanwell Park seeking their feedback, along with the on-site targeting of beach users, and the utilisation of Council’s Engagement HQ to allow for the wider Wollongong community to provide feedback on line*
- c Commencement of engagement as soon as possible with a period of 28 days for feedback.”*

The current declared dog off-leash area was established in 2010 and is located at the northern end of the beach. There are issues with the existing dog off-leash area relating to potential conflict with other beach users arising from general increased patronage of the beach, from park reserve overflow, from changes in the location of the lifeguard patrolled areas and from hang glider and paraglider landings to the south of the off-leash area.

PROPOSAL

The community, stakeholder and NSW Government agency comments in response to the engagement and consultation support the retention of the declared dog off-leash area at Stanwell Park Beach at the northern end of the beach.

The engagement also highlighted the need to clarify the northern boundary of the existing declared dog off-leash area. A small section of beach (approximately 40 metres in width) is located north of the current boundary of the declared area. This small section of beach is owned and managed by the Crown. It is a public place under the Companion Animals Act 1998 (Section 13.6) and can be included in the declared dog off-leash area. The small section of beach can from time to time be devoid of sand. The report proposes the extension of the declared dog off-leash area north of the current boundary of the area (The Drive Stanwell Park) to include this small section of sandy beach through to the northern most rocks.

CONSULTATION AND COMMUNICATION

The consultation and engagement regarding the proposal for Stanwell Park Beach ran from 9 August 2019 to 9 September 2019. A direct mail out to 949 households (residents and owners) in Stanwell Park and Stanwell Tops including a letter, feedback form and reply-paid envelope was utilised (refer to Attachment 2). In addition, signage about the proposal was erected along the beach adjacent to access-ways and at the Railway Station as well as in businesses in Stanwell Park.

Engagement and consultation also occurred with Surf Life Saving Illawarra, the Helensburgh Stanwell Park Surf Life Saving Club, Neighbourhood Forum 1, Aboriginal Groups, Stanwell Park Arts Theatre and the Stanwell Park Public School.

A total of 295 submissions were received during the exhibition by either the 'Have Your Say' website, via email, direct correspondence or the feedback form. The community engagement report is attached (Attachment 1).

Specific consultation regarding the proposal was also undertaken with relevant NSW Government agencies.

Community Comment

A total of 295 community submissions/comments were received of which 185 (62.72%) provided rationale for maintaining the dog off-leash location at the northern end of the beach. 91 submissions (30.84%) provided rationale for moving the dog off-leash area to the southern end of the beach. 11 submissions (3.73%) presented reasons why dogs should be prohibited on Stanwell Park Beach and 8 submissions (2.71%) recommended that dogs should have access to all areas of the beach but at restricted times only.

General feedback regarding the proposal was received across a number of common themes including the surf club, nippers and flag location, access and safety, environmental constraints, parking and the impacts on residents as well as general compliance and enforcement issues.

Community submissions received presented rationales across each of these themes that supported the retention of the dog off-leash area at the northern end of the beach, but also as reasons to support the re-location of the off-leash area to the southern end of the beach. The comments received across these themes identified issues with dog management at Stanwell Park Beach but indicated that the preferred area for the dog off-leash area remains at the northern end of the beach.

In addition, there were a small number of submissions that were not in support of either option suggesting that due to the overall activities on the beach that there should be no access for dogs or only access for dogs on leash at restricted times.

General comments were made seeking improvements in sign posting and community education regarding responsibilities of dog owners as well as seeking improved compliance and enforcement activities. These general comments were also consistent themes in the broader community engagement regarding the Dogs on Beach and Parks Policy that was considered by Council in July 2019. Improvements across these areas of general concern have been programmed and are being implemented at Stanwell Park and across the City.

A report detailing the implementation of the Dogs on Beaches and Parks Policy including compliance and education measures, signage improvements and Ranger enforcement activities is scheduled for Council's consideration after the summer 2020 swimming season.

Stakeholder Comment

Stakeholder submissions were received from Helensburgh-Stanwell Park Surf Life Saving Club and Surf Life Saving Illawarra. The Surf Club opposes the relocation of the dog off-leash area to the southern end of the beach on the following grounds.

1. Throughout the summer nippers' activities are conducted on the southern end of the beach each Sunday in the area where dogs would be off-leash under the proposal and could result in injury to young children.
2. The patrolled area of the beach is mostly at the southern end due to safer surf conditions. The northern end where the current dog off-leash area is located is not patrolled.
3. Many children use the southern end of the beach due to its safety record and proximity to the Surf Club and patrol members. Off-leash dogs pose a safety risk to such beach users.

Surf Life Saving Illawarra supports the retention of the dog off-leash area at the northern end of the beach. Their submissions raised the same concerns as the Surf Club but also highlighted, *"....the high visitation of park users at the northern lagoon on weekends would require substantial Ranger input to control (non-approved) movement of dogs from the northern area and carpark, along the beach to the proposed southern off-leash dog area."*

Government Agency Comment

Specific comment regarding the proposal was also sought from Government agencies and were received from the Department of Planning Industry and Environment (DPIE) and NSW Crown Lands. The submissions / comments received are summarised below.

DPIE – Environment (Coasts & Estuaries)

The Environment (Coasts and Estuaries) submission was not supportive of the proposal and advised that Stanwell Creek is an intermittently closed and open lake or lagoon (ICOLL) and is mapped as a 'Coastal Wetland' and 'Littoral Rainforest' under the NSW SEPP (Coastal Management) 2018. A map of the Stanwell Creek Coastal wetland is included below.



Map 1: Mapped Coastal Wetland and Buffer Zone.

Specific objectives for these mapped areas are established under the Coastal Management Act 2016 and are relevant to the proposed dog off-leash area. The intent of these objectives is to promote the

protection, conservation and sustainable use of coastal wetland environments. The proposal to relocate the dog off-leash area within the 'Coastal Wetland' or Littoral Rainforest' area would not be consistent with these objectives.

The proposed dog off-leash extends to the rock platform at the southern extent of the beach which provides habitat for threatened and migratory shorebirds and is located adjacent to dune vegetation. There is potential for off-leash dogs to cause harm to shorebirds and damage of dune vegetation within and adjacent to the proposed dog off-leash area. The proposed area is also a location that is highly accessed for recreational and social pursuits and surf lifesaving club activities. Relocating the off-leash area to the southern section of the beach area may result in conflict between user groups.

Coast and Estuaries recommend that Council consider initiatives that may assist with improving the existing restricted on-leash and off-leash access configuration. This may include community awareness raising, review of local signage and ensuring compliance with the Dogs on Beaches and Parks Policy through improved monitoring and regulation.

DPIE – Environment (Ecosystems)

Raised no objections to the proposal.

DPIE – Industry (Lands)

Raised no objection to the proposal but suggested the preferred location for the dog off-leash area is to the south as the majority of that area is under Council management.

DPIE – Industry (Fisheries)

Raised no objection to the proposal but does recommend that the established dog off-leash area include measures for dog owners to keep dogs away from the lagoon. Improvement of signage to this effect was suggested.

Matters for Consideration

The consultation and engagement process has highlighted a number of issues regarding the proposal.

Stanwell Park Beach is popular and very busy particularly during summer. As such there are many user groups on the beach including walkers, picnickers, beach users, hang gliders, surf life-saving and nippers, and dog owners accessing the dog off-leash area.

Council's patrolled bathing area moves along the beach dependent on tides, weather, sea and the predominant sand bank position. In the past, the mid to southern section of the beach near the Surf Life Saving Club provided better sand banks to establish a safe bathing area, but over the past summer the mid to north section of the beach was the safest area. The Dogs on Beaches and Parks Policy, adopted on 22 July 2019, declared all flagged and lifeguard patrolled areas as dog prohibited areas. Liaison with the lifeguards and signage to support this has been implemented.

The southern end of the beach has a number of environmental constraints. The rock platform and vegetation adjacent the lagoon provide shorebird habitat. Stanwell Creek entrance and lagoon at this end of the beach is also mapped as a 'coastal wetland' under the NSW (Coastal Management) SEPP 2018 and the Coastal Management Act 2016. Activities that have the potential to compromise the natural values of the wetland area around Stanwell Creek are contrary to the management objectives of the Act. Hargraves Creek at the northern end of the beach is not mapped under this legislation.

The topography of the current declared dog off-leash area at the northern end of the beach with the cliff and rocks to the west and north acts as a natural barrier and helps to contain dogs to that area. The southern end of the beach has residential properties on its boundary that may make it difficult to contain dogs to the area. There is a risk of potential entry onto the private land that adjoins the southern end of the beach.

Most coastal beaches, wetlands and lagoons have high potential for significance in regard Aboriginal heritage. Potential impacts are likely similar at both ends of the beach around Hargraves and Stanwell Creeks respectively. Reducing the impact of dogs on these important coastal areas is a general objective of the Dogs on Beaches and Parks Policy.

The engagement process also identified that a small section of the northern end of the beach (approximately 40 metres in width) is not declared or mapped as part of the existing dog off-leash area at Stanwell Park. This small section of beach reserve is owned and managed by the Crown. Legal advice has confirmed that under the Companion Animals Act 1998 this section of beach is a 'public place' and that Section 87 of that Act does bind the Crown to the provisions of the Act. On this basis Council is able to declare the area as a dog off-leash area as an addition to the currently declared dog off-leash section of the beach.

A Plan of Management (PoM) for this beach and reserve has been in place since 2009. Under the provisions of the Crown Land Management Act 2016 a new Plan of Management for the Reserve is required to be developed prior to 30 June 2021. The new PoM will reference any declared dog control areas that are in place at the time of adoption.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2028 Goal 1, "*We value and protect our environment*", and Goal 5, "*We have a healthy community in a liveable City*".

It specifically delivers on core business activities as detailed in the Regulatory Control Service Plan

FINANCIAL IMPLICATIONS

The consultation and engagement costs including postage, staff time, graphic design and promotional materials have been funded from existing budget.

CONCLUSION

Since the adoption of the Dogs on Beaches and Parks Policy in July 2019, measures aimed at improving compliance with the Policy have been developed and are being implemented. This includes signage particularly around the declared dog prohibited areas including the public swimming areas on beaches that are flagged and lifeguard patrolled, as well as the timed on-leash (Orange zones). Web based information and media material have also been developed. Promotional material and flyers regarding beach and park access for dogs generally have also been developed and distributed.

Following community and government agency engagement and consultation, a change to the Dogs on Beaches and Parks Policy in regards the location of the Stanwell Park Beach dog off-leash area is not supported. From the engagement and consultation process, it is apparent that although there are potential conflict issues with the existing dog off-leash area at the northern end of the beach, it remains the preferred option.

Usage patterns along the mid and southern section of the beach with the Surf Life Saving Club infrastructure and nippers activities, as well as the location of a mapped coastal wetland around Stanwell Creek and environmental constraints associated with it, support the retention of the existing dog off-leash area.

The northern end of the beach provides natural barriers to the declared off-leash area, with the southern end carrying risk due to the proximity of the residential properties, with some property boundaries also including small sections of the sandy beach.

In addition, a small area of the northern end of the beach (approximately 40 metres in length) that is under ownership and management by the Crown is currently located outside of the existing declared dog off-leash area. This area has been confirmed as a public space under the Companion Animal Act 1998 and should be included in the declared dog off-leash area. Minor mapping changes to the declared area would be required.



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Stanwell Park Beach Dogs Off-Leash Access

ENGAGEMENT REPORT

September 2019

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Executive Summary

Council asked the community to share their thoughts on a proposal to move the dog off-leash area on Stanwell Park beach from the current north side location to the south. The feedback received will be presented to Council to help inform the decision about the best option for a dog off-leash area on Stanwell Park beach.

Feedback was sought for a period of 28 days from Friday 9 August until 10 am Monday 9 September 2019. A direct mail out which included a letter, feedback form and replied paid envelop was sent to 949 residents and property owners in Stanwell Park and Stanwell Tops seeking their feedback. On-site targeting of beach users was undertaken through signs on the beach and station, as well as posters in businesses in Stanwell Park village. Residents could also provide feedback via Council's Engagement HQ website, email or phone.

Information was also sent to a range of community stakeholders including Aboriginal groups, Neighbourhood Forum 1, the Helensburgh Stanwell Park Lifesaving Club, Stanwell Park Arts Theatre and Stanwell Park Public School.

295 submissions were received which included 185 providing rationale for maintaining the current northern location and 91 submissions provided rationale for moving access to the south. 11 submissions presented reasons why there should be no dog off-leash areas and 8 submissions recommended dogs should have access to all areas of the beach at restricted times.

Comments in support of maintaining dog access to the northern end of the beach included its natural boundaries which contain the dogs and distance them from the surf club and associated activities such as nippers and carnivals. Other feedback stated that the south side was safer for swimming and this activity would be compromised by unleashed dogs. The environmental protection of the southern lagoon and endangered natural wildlife was a strong theme, as well as general safety of children swimming in the southern lagoon. Concerns were raised that dogs would access the private properties which are unfenced.

Comments in support of moving the area to the southern side included suggestions that the south end is less popular and provided a more appropriate space for dogs away from people, that the north is too busy with visitors, hang and para gliders and the location of the flags is often to the north of the beach. In addition, the kiosk, playground, park and car park attracted greater patronage in the north.

There was general feedback on dog behaviour, lack of control by owners, issues with dog waste and some dog owners not following off-leash rules.

There was feedback suggesting dogs be prohibited from the beach entirely and others wanted to allow dogs to access the entire beach at restricted times.

Background

The Dogs on Beaches and Parks Policy was reviewed following community engagement in late 2018. Several late submissions were received in early 2019 from residents of Stanwell Park requesting changes to the Stanwell Park off-leash beach area. The approved off-leash area at Stanwell Park Beach was established in 2010 and is located at the northern end of the beach. The submissions received raised issues with the existing off-leash area relating to conflict with other beach users. The submissions suggest that the issues have resulted from general increased patronage of the beach, park reserve overflow, the lifeguard patrolled area now being located more towards the northern end of the beach, and hang glider and paraglider landings just to the south of the off-leash area.

The revised Dogs on Beaches and Parks Policy was adopted by Council at its meeting on 22 July 2019. As part of this decision, Council resolved to undertake specific community engagement to seek feedback on the possible changes to the Stanwell Park off-leash area. The proposed change was intended to reduce confusion experienced by some beach users and in response to the changing usage patterns of beach goers and the location of flagged/ patrolled areas over the past number of years.

Council further resolved that the engagement would include a direct mail-out of the proposal to all residents in Stanwell Park seeking their feedback, along with the on-site targeting of beach users, and the utilisation of Council's Engagement HQ to allow for the wider Wollongong community to provide feedback online.

Methodology

Stakeholders were identified as residents, property owners, beach visitors, the Aboriginal community, the Helensburgh Stanwell Park Surf Lifesaving Club and Neighbourhood Forum 1.

A letter, feedback form and replied paid envelope was mailed to all residents and property owners in Stanwell Park and Stanwell Tops. Posters were distributed through Stanwell Park shops and the beach kiosk, signs were installed around the beach and at the station and emails sent to the Helensburgh Stanwell Park Surf Lifesaving Club, Stanwell Park School, Stanwell Park Arts Theatre and Neighbourhood Forum 1. Letters and emails were also sent to relevant Aboriginal Community groups. The proposal was placed on Councils Engagement HQ website with provision to provide feedback through an online survey.

Results

The following table outlines the methods in which the 295 submissions were returned

Submission Method	Number
Direct mail paper forms	162
Engagement HQ Survey	112
Email	21

Beach Crowding and Popularity

High utilisation rates were presented as a rationale for both options. Those supporting the off-leash area remaining in the north suggested the south end is highly utilised and those supporting moving access to the south suggested the north is highly utilised.

Those in support of maintaining the off-leash area in the north said that the southern end lagoon is wider, more family orientated and conducive to water activities such as nippers and swimming. It was suggested that the south is densely populated and that there is a variety of activities including board riding, picnics, swimming, beach fishing, photography and wedding groups using the southern area. There was a comment that dogs should be kept in the area that is least attractive to families and that a mums and bubs group meet at the south end. The north was identified as not being as good for surfers and not swimmable. Comments also suggested that the northern end is safer for dogs and people as it is less crowded.

Similar assertions were received from those in support of moving the off-leash area to the south end. Feedback presented that the southern end was quieter, safer and a more appropriate space for dogs with fewer day trippers, children, surfers, swimmers and sunbakers having unwanted interactions. Comments included explanations for why the south side doesn't attract the same crowds including its distance from the main park and playground, car park and kiosk and not being a flagged area due to dangerous swimming and surf conditions. Reasons against dogs remaining on the north suggested it was a much smaller and already congested area - with tourists, day trippers, bus groups, families, children, surfers, swimmers and that hang gliders 'flags and crowds are usually toward the middle/north'. It was also suggested that usage of the north area by dog walkers had 'increased significantly over the last few years due to limited access to dog beaches in the Sutherland Shire'.

There was a suggestion to put a dog park in Helensburgh to relieve stress on Stanwell Park beach.

Surf Club, Nippers and the Flags

There was contention about where the flags were usually located and which part of the beach was safer to swim in. There were a number of comments concerning the impact on weekend nippers, surf patrol and carnivals if the dog off-leash area was moved to the southern end. It was argued that it would become 'chaotic' with dogs running around and have a higher chance of bites and dogs swimming in flagged areas. It was also argued that the visibility and efficiency of surf live saving services would be

reduced and that people will swim away from flags to get away from dogs. Those in support of the north area argued the southern end of the beach is a place many children use because of its safety record, proximity to the surf club building and the patrol members.

Safety

One of the main concerns in submissions from both those for and against moving the off-leash area was that of safety and dangerous interactions between dogs and children. Examples were given of dogs biting, injuring or frightening children in the current northern off-leash area and fears were expressed about that same dog behaviour occurring if the off-leash area if it is moved to the south.

There was seen to be no risk to hang gliders on the north as they 'don't land where dogs are and that hang gliders use the park to pack up in'. Those in support of the south felt the north is 'too crowded with hang gliders and beach users to have dogs'.

There was feedback that related to safer pedestrians' access via the Drive and Station Street proposing more vehicles on the south will cause safety issues and be dangerous for pedestrians. It was also raised that a move to the proposed southern end will encourage car usage.

Benefits to dogs and dog owners

Some submissions presented the perceived benefits for dogs and their owners on the south side including that it has 'more sunlight' as the 'north end loses sun in the afternoon when most people walk dogs'; it is closer to the beach and that it has 'better access for council machinery to clean beach from dog droppings'. Better visibility on the south side was also given as a reason to have dogs there suggesting 'it is more visible from houses, the surf club and roads if I am walking my dog alone', and people 'can easily see who is using the southern area and the nature of their animals'.

Comments in support of the north suggested 'current arrangement gives separation between people and dogs, making the northern end the best option for the community to exercise their dogs and meet socially other dog owners in a safe area'. It was noted that if the location moved it would require the retraining of dogs.

Environment and Natural Boundaries

The physical boundaries of the northern end were identified as safer for dog off-leash area with comments that the 'north end is more compact and a more clearly defined zone from the inlet down to the left when approaching the beach, therefore easier for residents to keep dogs away from swimmers, visitors and sunbakers'. The boundaries created by the cliff, lagoon and hang glider area were identified as beneficial to a successful off-leash area.

Alternate views were presented, stating the physical boundaries meant dogs and people were forced into closer proximity with an increased risk of unwanted dog interactions and confrontations with dog owners.

The impassable cliff on the northern side was also raised as a benefit to achieving the Policy and that the southern side has no barriers in which to contain unleashed dogs. The lack of barriers on the south side

was identified as a negative by many. It was also presented that the high rock cliff gave more freedom for dogs where in the south 'dogs will run in the street, car parks and surf club'. The lagoon acts as a boundary, plenty of room away from houses and has easier access from park and parking areas. It was felt that dogs could be more easily monitored and controlled by owners, protected from road and cliffs and that the cliff acts as a noise barrier. There was a concern raised about barking dogs and that the north cliff provides a buffer.

Others stated that the wider area on the south would be more appropriate for dogs to play in and to provide more space between dogs and people.

Environmental concerns highlighted that the southern end is a natural bird breeding area and the negative impact dogs off-leash would have on the natural habitat. It was commented that there is a 'wading bird species on the south, foraging and nesting ICOLL area' and an off-leash area will 'create havoc with water birds in the lagoon'. The question was asked if a cultural heritage study had been done for impact on both areas and the need for a study on fauna and flora was identified. There were also environmental concerns raised about the area around the north lagoon suggesting 'grasses that support the edges of the lagoon are damaged by the track to beach' and that dogs are 'polluting the lagoon'.

Access

The south side was identified as the primary access to the beach by residents suggesting they 'have no other access to the south and would have to walk through the dog off-leash area'. The north was seen to have easier access for elderly dog owners. Some commented that having the dog off-leash on the south side would be more convenient for residents as there were 'more dog owners on the south side', that it would be 'more accessible on foot for residents' and that currently you 'need to walk around on the streets to access the dog beach'.

There was a concern that there are too many exits on the southern end with the north having one entry and exit point.

It was suggested that there is a lack of access to clean up after the dogs suggesting that 'tractor doesn't clean north end' and 'north hardly ever raked'. Other feedback contradicted this suggesting the 'north end is mechanically cleaned by Council but [there is] no access for machinery south side'.

The restricted access on the south end in periods of rain and flooding was also raised.

Impacts on Residents

There were several issues raised about the impact on residents if the dog off-leash area was moved to the south including increased noise for local residents and more cars, more traffic for Lower Coast road, dogs accessing private property which is unfenced due to high tides and storm surges.

It was also noted that 'as the owner of property that is part of the beach they do not give consent to allow dogs to use it'.

Parking

Feedback in support of the north stated that parking in the south area is already full due to current use by people accessing the surf club, café, reserve and picnic facilities and could not accommodate dog owners. Surf club events such as carnivals and nippers were described as attracting large numbers of people and the corresponding numbers of vehicles. Also, that parking availability on the north was easier to use and gave better access to the beach for people with dogs.

Feedback in support of the proposed move to the south suggested that there was not enough parking on the north end and that there was more parking availability on the south end. Respondents described that the north end parking was already full due to use by people, particularly tourists accessing the park and the kiosk.

Non Compliance and enforcement

There were concerns raised about people not following the rules such as not picking up dog poo, dogs being in flagged areas, not being controlled and not on-leash. It was also stated that people are letting dogs off-leash before the designated area and that this would be worse on south side.

There were questions and requests about regulations and signage such as 'what is stopping dogs going into yellow area?', 'need better signage and more frequent inspections', 'install signs regarding clean beach and dog supervision', 'increase ranger patrols' and 'more bins for poo'. Concerns were raised about the behaviour of dog owners who are currently non-compliant with regulations including not supervising their dogs, 'dogs swimming in north lagoon outside of dog area', ignoring the 'on-leash requirement from the car park to the beach area' as well as not picking up after their dogs.

Reason for change

A number of submissions questioned why the southern end was being proposed, it was felt the current location was working well, it is well established, sign posted and understood by all. Some concerns were also raised about whether there was evidence of the changes to usage patterns, confusion and the financial outlay without benefit. The expense to move dog infrastructure was also raised.

Not in support of either option

Whilst most submissions indicated a preference for the north or south there was also feedback that there should be no access for dogs or only access for dogs on a lead. Submissions stated that the proposed change was moving the problem from one end to the other. The issues described were that the whole beach is too busy with beach goers to accommodate dogs. Also, dogs were attacking wildlife, dog waste was a significant problem and dog owners were not in control of their dogs with many ignoring regulations. Safety and unwanted interaction with dogs were the primary concerns.

Other submissions supported allowing dogs access to all areas, suggesting that dogs can be in any location if they are properly controlled, dog waste is cleaned up by owners and problem dogs removed. Some submissions suggested dogs not in the flag area and restricted times for dogs off-leash.

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Stanwell Park Beach Dogs Off Leash Access

Feedback Form

We are considering moving the current off-leash dog area at Stanwell Park beach to the Southern end, rather than the Northern end of the beach. We want to know what the community thinks about the idea.

Let us know your thoughts before 10am Monday 9 September 2019

Current – northern end



Proposed – southern end



What is your preferred location for dog off leash area at Stanwell Park beach? *(please tick)*

Current - northern end

Proposed - southern end

Please explain why this is your preference

More overleaf...

Please return completed form to:

Email engagement@wollongong.nsw.gov.au
In person 41 Burelli Street Wollongong

Post Locked Bag 8821, Wollongong DC 2500

ITEM 4 PROPOSED ALTERATION TO WARD BOUNDARIES - RESULTS OF PUBLIC EXHIBITION

At its meeting held 23 September 2019 Council considered a proposal to amend Council Ward boundaries pursuant to Section 211 of the Local Government Act 1993 [Act]. Council resolved in accordance with s210A of the Act, to place an amended set of Ward boundaries on public exhibition and a further report be provided to Council with the results of the public exhibition.

The public exhibition period closed on Tuesday 5 November 2019 and the results of that consultation are now reported to Council.

RECOMMENDATIONS

- 1 In accordance with s210A of the Local Government Act 1993 the proposed Ward boundaries detailed in the report, and as shown in Attachment 1, be endorsed.
- 2 The endorsed Ward boundaries be forwarded to the NSW Electoral Commissioner with a request that the boundaries apply and be used for the local government elections to be held in September 2020.

REPORT AUTHORISATIONS

Report of: Michelle Martin, Governance + Risk Manager

Authorised by: Renee Campbell, Director Corporate Services - Connected + Engaged City

ATTACHMENTS

- 1 Proposed Ward Boundaries
- 2 Ward Boundary Review - Engagement Report

BACKGROUND

Council is required to regularly review its Ward boundaries, and if the electors in one Ward differs by more than 10% from the number of electors in any other Ward, Council must alter its Ward boundaries to rectify the imbalance in the number of electors in each Ward.

The variation between the largest and smallest Wards for Wollongong City Council has been above 10% for several years and was above 10% at the end of the first year of this Term of Council. As such Council is required to alter its Ward boundaries to reduce the difference to below 10%.

Council recently placed an amended set of Ward boundaries on public exhibition with a view to submit the altered boundaries to the NSW Electoral Commissioner for adoption.

PROPOSAL

A map of the proposed new Ward boundaries endorsed and placed on public exhibition is attached as Attachment 1. A summary of the significant changes to existing Ward boundaries proposed are described in detail below -

Move from Ward 1 to Ward 2

Description of area: Area bounded by Princes Highway, Memorial Drive and Bourke Street

SA1 to be moved: 1114436

Enrolled Electors: 355

Reason for change: To provide a straighter boundary between Wards 1 and 2

Move from Ward 3 to Ward 2

Description of area: Area bounded by Princes Motorway, Princes Highway, Charcoal Creek and the South Coast Rail line

SA1's to be moved: 1113447, 1114611, 1114612, 1114639, 1114640
Enrolled Electors: 1,322
Reason for change: To provide a straighter boundary between Wards 2 and 3 that follows the South Coast Rail Line for a significant distance

Move from Ward 2 to Ward 3

Description of area: Area north of the Unanderra-Moss Vale Rail line and west of the Princes Hwy, and south of the following:

Factory Road, Normandie Place, Charcoal Creek, Blackman Parade, Graham Street, Waples Road, Sugarwood Place and Charcoal Creek west to the Unanderra-Moss Vale Rail line

SA1's to be moved: 1113404, 1113405, 1113407, 1113423, 1113433 to 1113438, 1113442, 1113443, 1113445, 1113448, 1113450

Enrolled Electors: 3,733

Reason for change: Ward 3 is significantly smaller than the other Wards at present, there is little scope for adjustment of the boundary between Wards 2 and 3 in the eastern part of the Ward due to the significant industrial lands in this area. The area between the Unanderra-Moss Vale Rail and Waples Road covers almost the entire suburb of Farmborough Heights and the adjusted boundary should be easy for most residents to identify which ward they reside in.

CONSULTATION AND COMMUNICATION

Council placed the proposed Ward boundaries' amendments on public exhibition for a period of 42 days from 25 September to 5 November 2019.

The proposed Ward boundaries' changes were exhibited on Council's website and copies were available at the Council Administration Centre and all library branches for inspection. An article was also featured in the October edition of the Council Community Newsletter.

A total of 65 people visited the online exhibition of the proposal via council's "Have Your Say Wollongong" page. A total of 17 people viewed and downloaded the map of proposed ward boundaries. A total of 13 people downloaded the detailed maps of proposed changes. A summary report of the on-line consultation results is attached as Attachment 2. No community submissions were received during the consultation period.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2028 Goal 4 "We are a connected and engaged community".

It specifically delivers on core business activities as detailed in the Governance and Customer Services' Service Plan 2019-20.

RISK ASSESSMENT

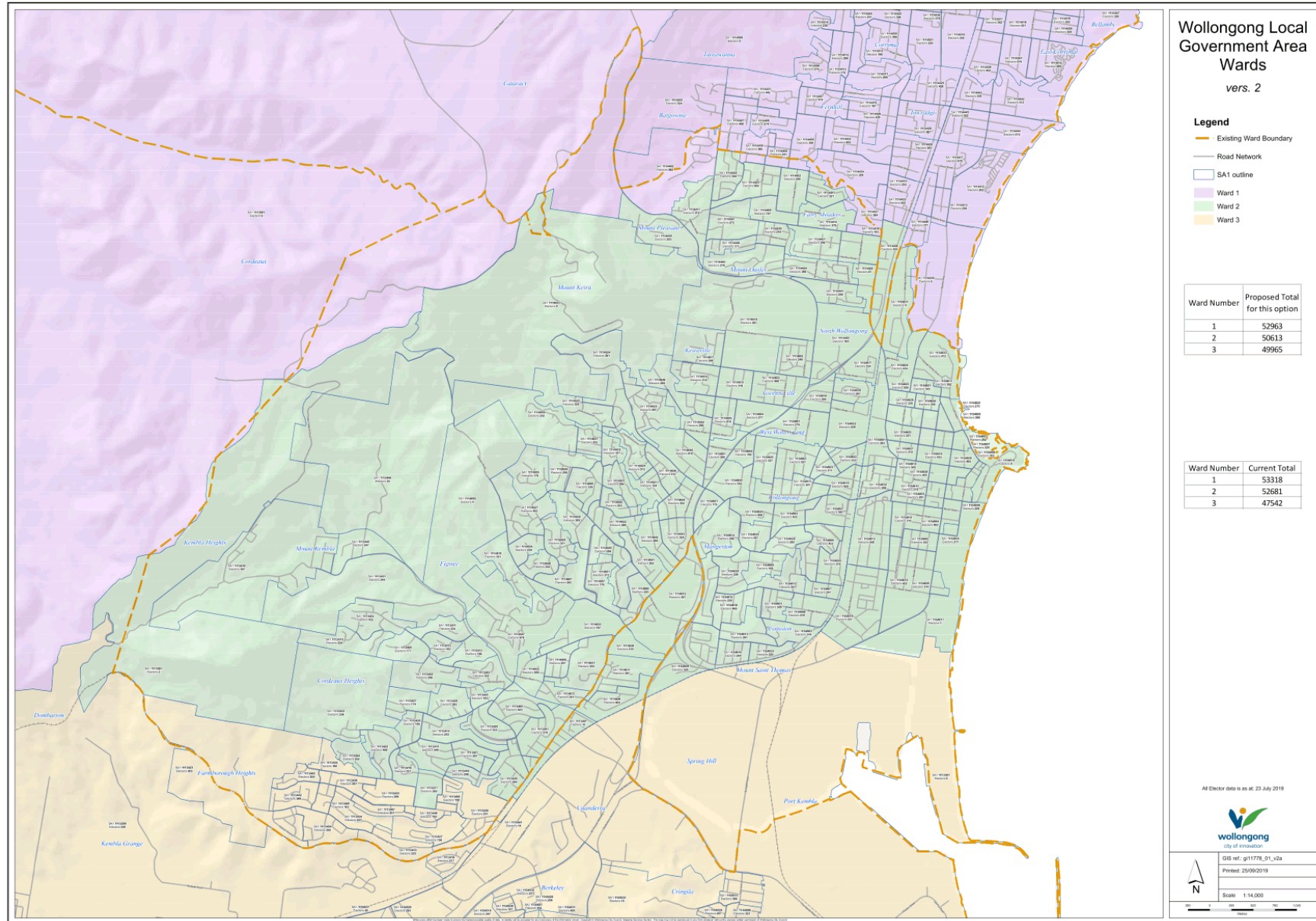
Disproportionate Ward size creates a risk to the principle of an equal vote for eligible electors. The 10% variance cap is put in place to acknowledge that numbers of electors in each Ward fluctuates, but that equality in Ward size is a key feature of electoral system. Council will be in breach of s211 of the Local Government Act 1993 if it does not alter its Ward boundaries prior to the next Council election.

FINANCIAL IMPLICATIONS

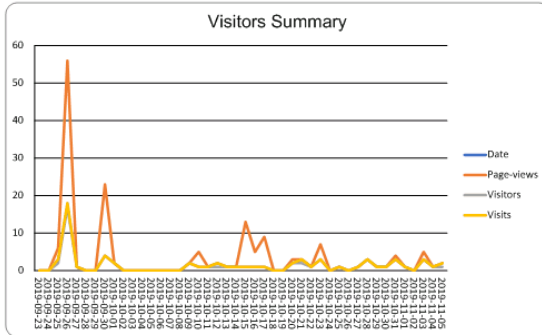
There are no direct costs associated with the application process to submit an altered Ward Boundary proposal to the NSW Electoral Commission. The process can be resourced utilising existing resources and budgets of the Governance and Customer Service Division.

CONCLUSION

An adjustment to Council's Ward boundaries is required in accordance with s211 of the Local Government Act 1993. The proposed Ward boundaries are designed to allow for anticipated higher future growth rates in Wards 2 and 3 to ensure that the proposed boundaries will not require re-adjustment for a considerable length of time.



Project Report:	Ward Boundary Review	07-Jun-2013	to	05-Nov-2019
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Project Highlights

Total Visits	65
New Registrations	1
Video views	0
Photo Views	0
Document Downloads	39

Admin Notes

ENGAGED PARTICIPANTS	1			INFORMED PARTICIPANTS	25	AWARE PARTICIPANTS	58
Engaged Actions Performed	Registered	Unverified	Anonymous	Informed Actions Performed	Participants	Aware Actions Performed	Participants
Contributed on Forums	0	0	0	Viewed a video	0	Visited at least one Page	58
Participated in Surveys	1	0	0	Viewed a photo	0		
Contributed to Newsfeeds	0	0	0	Downloaded a document	21		
Participated in Quick Polls	0	0	0	Visited the Key Dates page	0		
Posted on Guestbooks	0	0	0	Visited an FAQ list Page	9		
Contributed to Stories	0	0	0	Visited Instagram Page	0		
Asked Questions	0	0	0	Visited Multiple Project Pages	23		
Placed Pins on Places	0	0	0	Contributed to a tool (engaged)	1		
Contributed to Ideas	0	0	0				

ENGAGEMENT TOOLS SUMMARY							
Forum Topics	0	Guestbooks	0	Places	0	News Feeds	0
Qandas	0	Quick Polls	0	Stories	0	Survey Tools	1
						Ideas	0

Tool Type	Engagement Tool Name	Tool Status	Visitors	Contributors		
				Registered	Unverified	Anonymous
SurveyTools	Feedback on Ward Boundary Review	published	2	1	0	0

INFORMATION WIDGET SUMMARY									
DOCUMENTS	4	PHOTOS	0	VIDEOS	0	FAQS	1	KEYDATES	1

Widget Type	Engagement Tool Name	Visitors	Downloads/Views
Document	Proposed Ward Boundaries	17	17
Document	Current Ward Boundaries	9	9
Document	Detailed Map of changes to Ward 1 - Ward 2 boundary	8	9
Document	Detailed Map of changes to Ward 2 - Ward 3 boundary	4	4
FAQ	faqs	9	9
Key Dates	Key Date	0	0

ITEM 5 PUBLIC EXHIBITION - DRAFT CRINGILA HILLS RECREATION MASTER PLAN

The Cringila Hills recreation area provides opportunity for a range of recreation pursuits and spectacular views to the coast. The site also features areas of remnant and regenerating natural vegetation.

A draft master plan has been prepared to guide and enhance the Cringila Hills Recreation Park.

The draft master plan focuses on providing new recreational opportunities for residents and visitors to improve the activation of the area. This includes providing for an upgraded and relocated playground, improved baseball facilities and walking trails, as well as featuring beginners and intermediate mountain biking trails, a pump track and bike skills park.

Public exhibition of the draft master plan will allow the community to provide further insight and input into the refinement of the plan. This report seeks Council's endorsement of the report for public exhibition and for a subsequent report with findings from engagement be presented to Council on completion.

RECOMMENDATION

- 1 Council endorse the draft Cringila Hills Recreation Master Plan for public exhibition from 19 November 2019 to 31 January 2020.
- 2 Following public exhibition, Council receive a further report with an updated master plan incorporating the community engagement findings.

REPORT AUTHORISATIONS

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

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

ATTACHMENTS

- 1 Draft Cringila Hills Recreation Master Plan
- 2 Dirt Art Concept Design Report

BACKGROUND

Council at its 12 August 2019 meeting resolved:

1. The master plan for the Cringila International Park is expedited.
2. The master plan to incorporate the baseball fields and the proposed children's playground.
3. Consideration is given to the possibility of incorporating the proposed bike trail within the existing walk trail.
4. The community is consulted and involved in the development of the master plan.

The Cringila Hills precinct offers spectacular views and is visually the dominant elevation in the southern suburbs. The area has a history of Aboriginal custodianship, then land clearing for agriculture, industrial uses and more recently planted native revegetation. The site also has important areas of remnant and regenerating natural vegetation, notably patches of the Endangered Ecological Community – Illawarra Subtropical Rainforest.

The site is currently home to the Wollongong Cardinals Baseball Club and is a popular place for passive recreational activities such as walking and bird watching. Cringila Community Park, which forms part of the study area, is significant to the Cringila community. This area has over many decades been host to various landscape and cultural initiatives that reflect the diversity and interest of the local surrounding community, such as the 'World Forest', community bread oven, community garden and well executed public art feature on the entrance gates.

A small local playground is also located in the middle reaches of Cringila Community Park. The playground is difficult to access, has poor passive surveillance and from observation is underutilised.

Council at its meeting on 24 June 2019 resolved to relocate the existing playground to near the baseball field.

The study area does incorporate a number of site constraints including steep and uneven topography, previous industrial uses, evidence of illegal dumping and motor bike riding. The area has poor connectivity with the local residential area which has historically limited recreational uses of the site.

To assist in further understanding the capability of the site, Council commissioned significant investigations including a site survey, terrain mapping, geotechnical assessment, service location analysis, contaminated land mapping, amenity assessment, site hydrology, bushfire studies, ecological assessments and more recently concept designs for a future mountain bike park.

PROPOSAL

In accordance with the Council meeting of 12 August 2019, a draft master plan has been developed to provide Council with an evidence base and strategic direction for the sustainable long-term development and enhancement of the Cringila Hills precinct.

The draft master plan focuses on providing multiple recreational opportunities for residents and visitors to improve activation of the area. This includes providing for existing uses such as an upgraded and relocated playground, incorporating accessible play features, baseball facilities and opportunities for walking, but adding beginners and intermediate mountain biking trails, a pump track and bike skills park to the mix. More walking trails would be added including an accessible pathway around the existing baseball area and linking to an upgraded carpark located adjacent to baseball field and servicing all park elements.

Key aspects of the draft master plan include:

- Relocation of the existing playground with additional features and rubber soft fall – a larger area is envisioned that in future will allow additional play offerings
- A variety of mountain bike trails, a bike skills park and pump track
- A new formal car parking area and asphalt driveway connecting Lackawanna Street
- Improvements to entry of park including signage, new gates and landscaping
- A formalised walking trail network including an accessible walking circuit
- Park amenity upgrades including tree planting, picnic settings and drinking water
- Perimeter security improvements to limit unauthorised access and activities
- An emphasis to prepare and implement a vegetation management plan.

The relocated playground is sited on the draft master plan adjacent to baseball field and west of the school fence. The draft plan provides for an area up to 1,000-1,500m² for the playground which will allow the relocation of existing playground and additional equipment and rubber soft fall, plus space for future landscaping and play elements, picnic shelters, tree planting, pathways etc.

The topography of the site and its natural setting lend itself to mountain biking. The draft master plan has been carefully structured around the aspiration of developing the Cringila Hills site as a bike-park style facility that caters for recreational riding for both locals and visitors. The proposed bike park concept plan seeks to provide recreational opportunities for a variety of mountain biking styles and cater for riders of all abilities and ages having a strong focus on the provision of trail experiences for beginners to intermediate riders to complement the current advanced rider offerings within the Illawarra region.

The proposed bike park plan offers 11.8km of concept trail alignments as well as a dirt jumps area and pump track. The facility capitalises on the undulating terrain of the site while framing the spectacular views. A 'stacked loop' configuration has been implemented throughout the network to offer maximum flexibility for riders to compose their own unique rides to suit their fitness, ability, and time within the park. The 'stacked loop' concept also allows one or two loops to be opened to the public while successive loops are constructed and added over time.

The addition of the mountain bike park is supported by Council's *Sportsground and Sporting Facilities Strategy 2017-2021* which outlines the need to invest in infrastructure to support and accommodate emerging sports and independent recreation pursuits. The strategy specifically notes the need to create a mountain bike riding park within the LGA.

Due to the difficulty of accessing the site by walking and public transport, a new 80-100 space public car park has been included in plans to service the relocated playground, baseball field and mountain bike park. The car park is centrally located to service all park elements.

The existing baseball facilities will be strengthened by upgrading the sporting amenities to incorporate new change rooms, toilets, and kiosk whilst additional spectator seating is proposed to support game day activities.

To assist park users, upgraded amenities include public toilets, sporting amenities; tree planting, signage, picnic shelters, barbecues, pathways and water bubbler are also envisaged.

Finally, perimeter control including fencing and other security measures are proposed to limit unauthorised access and activities eg motor bike riding occurring on site.

CONSULTATION AND COMMUNICATION

This project includes a diverse range of stakeholders who will be engaged as part of the project to clarify aspirations for the site. They include:

- Local community groups and residents
- Illawarra Local Aboriginal Lands Council
- Wollongong Cardinals Baseball Club
- Sydney Water
- Local schools and preschools
- Local mountain bike clubs/groups
- Non-government service providers working within the local area.

The community engagement is anticipated to run from 19 November 2019 to 31 January 2020 and will involve the following:

- Mail out – all households/businesses within 400m of site
- Have your Say Page with online survey, FAQ, key documents
- Media release
- Newspaper notice
- Flyers/posters/feedback forms dropped off at local libraries
- Engagement stalls at Cringila Public School and Cringila Hall
- Workshops with local school and pre-school children to inform playground embellishment
- Social media.

The findings of the community engagement will be used to refine the master plan for Council's future consideration.

PLANNING AND POLICY IMPACT

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

Community Strategic Plan	Delivery Program 2018-2021	Operational Plan 2019-20
Strategy	3 Year Action	Operational Plan Actions
5.1.1 We work in partnership to build on opportunities to strengthen vulnerable communities	5.1.2.3 Use data to assess the current community infrastructure available, community demand and develop a strategic framework and policies to either rationalise, enhance or expand to meet community needs	Undertake a detailed site assessment for the future development of a Cringila Hills Master Plan
	5.1.2.3 Use data to assess the current community infrastructure available, community demand and develop a strategic framework and policies to either rationalise, enhance or expand to meet community needs	In consultation with the community develop the Cringila Hills Master Plan
	5.1.4.1 Provide an appropriate and sustainable range of quality passive and active open spaces and facilities	Relocate and enhance the Cringila Hills playground

It is recognised that a number of other projects are running concurrently that should be taken into consideration in planning for Cringila Hills. In particular, planning has commenced for the UCI–Road World Championship in 2022. This master plan provides an opportunity for investment in legacy infrastructure for the local community and its visitors in the lead up to an international event.

ECOLOGICAL SUSTAINABILITY

The draft master plan has carefully considered the natural values of the site in developing this mountain bike concept plan ensuring minimal disturbance by aligning trail concepts to avoid areas of high sensitivity and/or conservation value. This includes the remnant patches of Endangered Ecological Community, Illawarra Subtropical Rainforest and populations of the threatened plant, *Cynanchum elegans*.

New trails proposed in this study feature predominantly gentle, sustainable gradients, which eliminate any issues associated with erosion and sediment dispersion, resulting in a greatly reduced or eliminated environmental impact.

Whilst primary revegetation areas are shown on the draft plan, also identified is the need to prepare a vegetation management plan to manage the site to ensure that biodiversity on the site is protected, maintained and enhanced whilst supporting proposed activities.

FINANCIAL IMPLICATIONS

The draft master plan envisages significant works that will provide new and upgraded recreational facilities, additional supporting amenities and improved security of site.

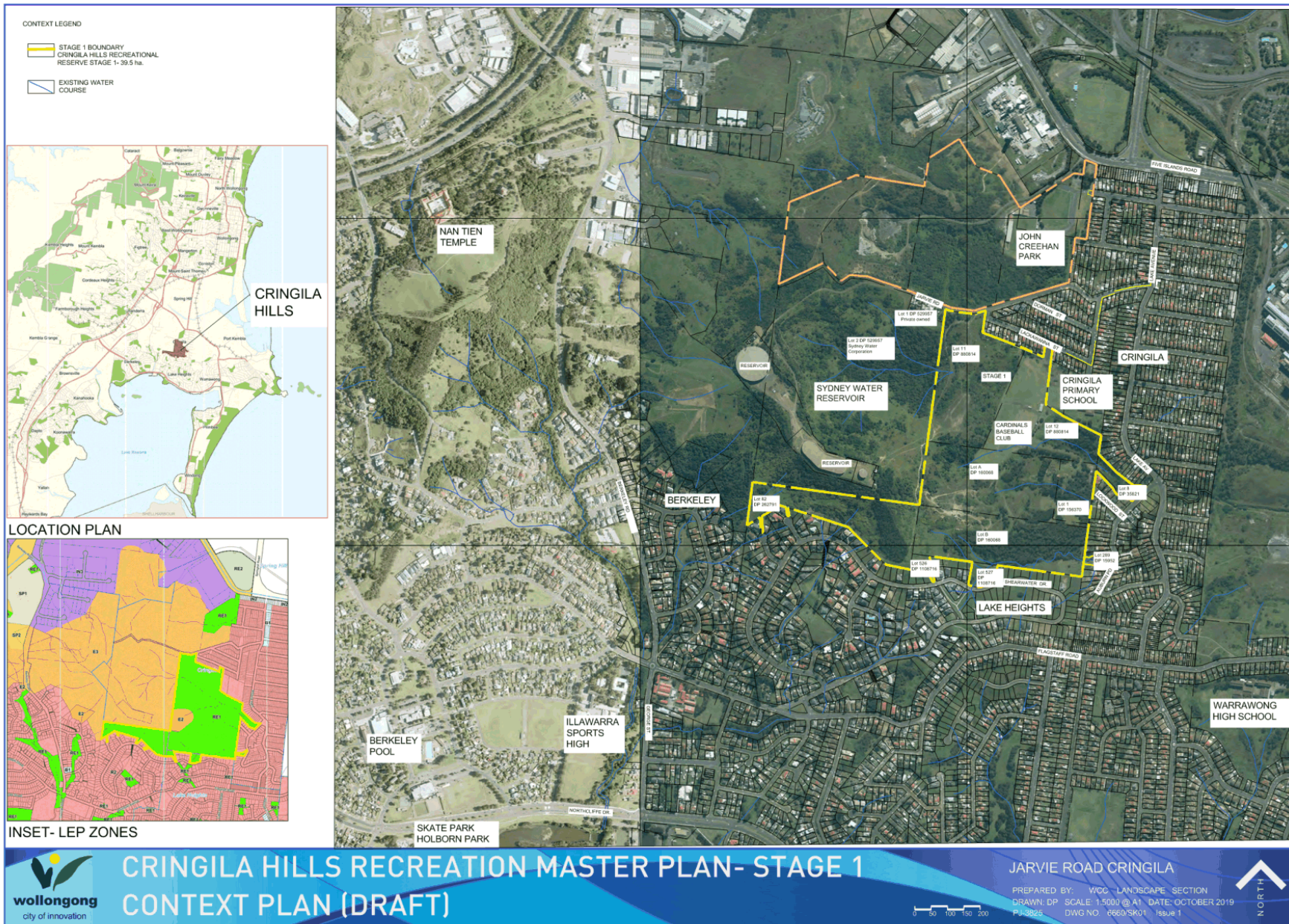
More information regarding the initial cost estimates will be provided to Council in March 2020 following community feedback and development of a revised master plan and an accompanying implementation plan.

It is anticipated that once adopted, the master plan will help inform the forward capital delivery program requirements and external grant opportunities.

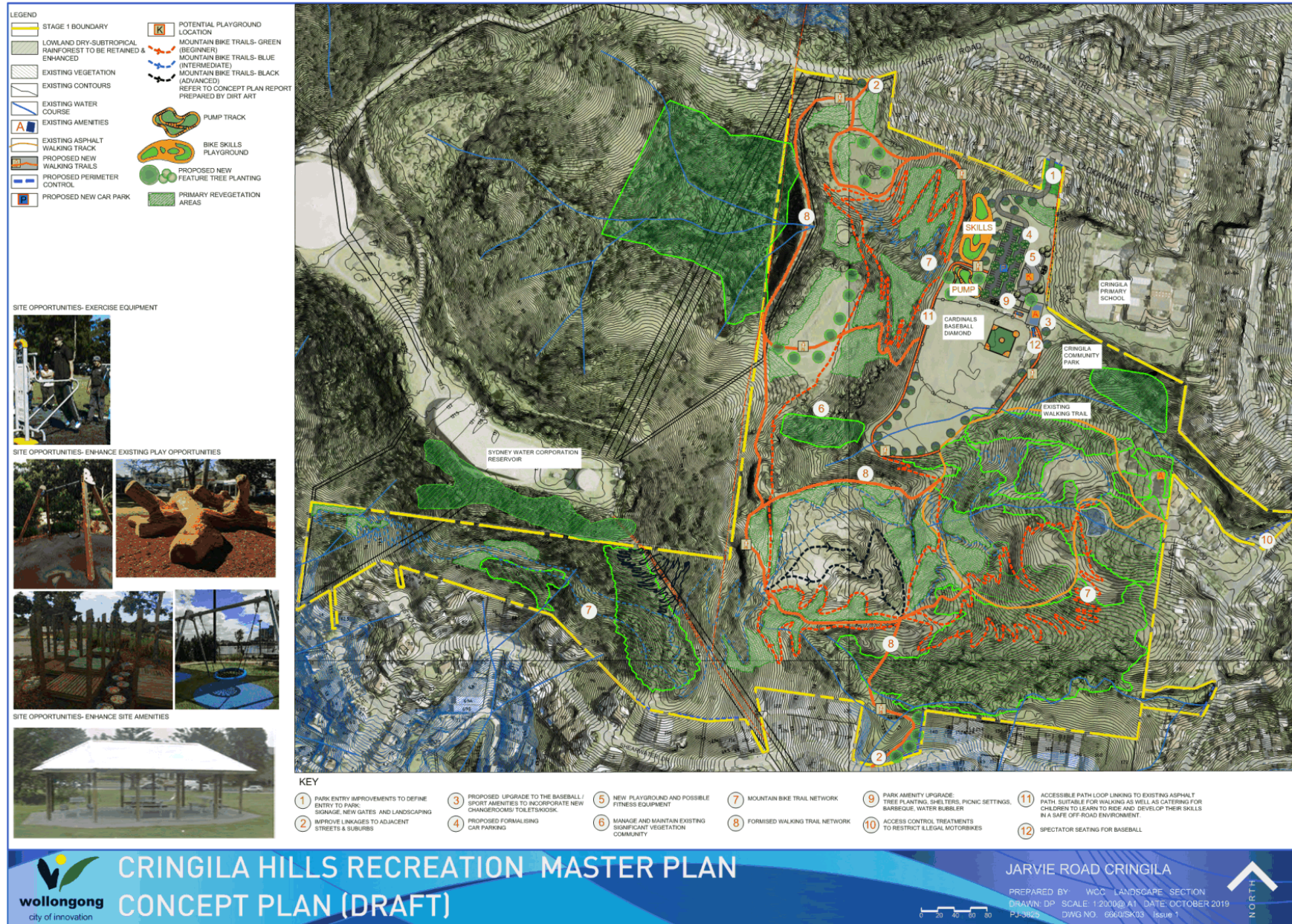
CONCLUSION

A draft Cringila Hills Recreation Master Plan has been developed to stimulate community input into the future development of Cringila Hills. The draft master plan focuses on expanding recreational opportunities for residents and visitors and includes providing for existing uses such as an upgraded and relocated playground, enhanced baseball facilities and opportunities for walking. A key feature of the draft master plan is the addition of beginners and intermediate mountain biking trails, a pump track and bike skills park. More walking trails are incorporated including an accessible pathway around the existing baseball area and linking to an upgraded carpark located adjacent to baseball field and servicing all park elements.

Endorsement of the draft Cringila Hills Recreation Master Plan for public exhibition will allow community feedback and input to assist in refining the master plan ensuring its success.











 **DIRTART**
WORLD LEADERS IN TRAILS

CONCEPT DESIGN REPORT
Cringila Hills Mountain Bike Park

mountain bikers

about us.

Dirt Art are a team of specialist consultants, designers and construction experts dedicated to the design, construction and management of innovative and sustainable mountain bike, and walking trails and facilities. We produce fresh and exciting trail concepts based upon proven construction technologies.



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1 DOCUMENT CONTROL

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Concept Design Report - Cringila Hills Mountain Bike Park

Prepared by Dirt Art Pty Ltd, August 2019

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EXECUTIVE SUMMARY

2 EXECUTIVE SUMMARY

New South Wales has one of the largest concentrations of mountain bike riders in Australia, and the least number of formally sanctioned mountain bike trails. As one of the fastest growing adventure-based activities in the world, mountain biking is quickly emerging into a mass-market pursuit with an ever-increasing demand for trails and destinations to cater for a multitude of riding styles and abilities.

The Greater Wollongong area has an extensive network of informal trails located across the Illawarra Escarpment, and a popular private facility, Greenvalleys Mountain Bike Park, is located just a short 30-minute drive from the CBD. At this time, the majority of trails on offer generally cater for the intermediate to advanced sector of the mountain biking market.

The purpose of this report is to provide details relating to the proposed concept design plan for the Cringila Hills site in Wollongong's south. The Council owned and managed land is currently underutilised and experiencing issues relating to unauthorised access and illegal rubbish dumping. The site itself holds significant development potential with undulating terrain, scenic ocean views, and good accessibility. One of the greatest strengths of the site is the single tenure, which vastly improves the viability of the proposed developments by avoiding the complexities relating to cross-tenure dependencies.

The concept design process has involved the following key tasks;

- Liaise with the client to establish the projects aims and aspirations
- Explore and review the site including analysis of; existing amenities, infrastructure, roads and access points
- Provide a current mountain bike market overview
- Develop a facility plan that compliments and where possible enhances the natural values of the site; where possible allowing these values to be sensitively experienced by trail users
- Target trail experiences to the "wants and needs" of local riders
- Develop a variety of trail concepts that facilitate a variety of riding styles and caters for all abilities

- **Develop a budgeted and staged construction implementation plan**

The proposed design seeks to compliment the current trail offerings in Wollongong by providing a peri-urban bike park that focuses on beginner to intermediate level riders and promotes the safe progression of skills in a purpose-built public facility. A total of 16 trail concepts have been proposed in variety of styles with difficulties ranging from beginner (Green Circle) to advanced (Black Diamond). A 'stacked loop' design has been utilised to maximise user configurability; riders are able to shorten or lengthen their rides by choosing different trails. In addition to these trails, a mountain bike skills park and asphalt pump track area have been proposed to add value to the development by broadening the market offering to include other disciplines such as BMX, scooters, skateboards, strider bikes, and roller blades.

A total of 11.5km (approx.) of new trail concepts have been proposed, across both cross country/trail and gravity riding styles, suitable for all rider skill levels. An additional 3.1km (approx.) of new walking trail concepts have also been proposed to supplement the offerings of the park.



PROJECT OVERVIEW

3 PROJECT OVERVIEW

3.1 PROJECT METHODOLOGY

Dirt Art has employed the following methodology in developing this mountain bike concept plan;

3.2 PLANNING AND DESIGN CONTEXT

3.2.1 Overview

The development of any trail facility must be undertaken with an approach that is sensitive and considerate to the natural environment. *Dirt Art* have carefully considered the natural values of the site in developing this mountain bike concept plan ensuring minimal disturbance by aligning trail concepts to avoid areas of high sensitivity and/or conservation value. An environmentally sensitive approach also improves the trail users' experience and lowers planning and construction costs.

Dirt Art will undertake a comprehensive background analysis during the development of all mountain bike facilities. This background research ensures all relevant past planning and research documents are considered when formulating the final facility plan.

3.2.2 Natural environment, native flora and fauna

The area proposed for development has wide-ranging environmental values though, notably, higher sensitivity sites have been avoided. This includes the remnant patches of Endangered Ecological Community (ECC), Illawarra Subtropical Rainforest and populations of the threatened plant, *Cynanchum elegans*.

New trails proposed in this study predominantly feature a gentle sustainable gradient, which eliminate any issues associated with erosion and sediment dispersion and results in a greatly reduced environmental impact.

3.2.3 Other user groups

The proposed development areas have limited evidence of use by other formal user groups including horse riding and motor-bike riding. There is evidence of illegal dumping in specific sites throughout the development area. The project seeks to eliminate this by introducing a more active and positive use of the entire site; more frequent visitation results in greater passive surveillance.

The proposed trail network has carefully considered other users where relevant, and where possible has avoided any potential conflict between users. This has been achieved by;

- Proposing trails, where possible, away from areas frequented by other formal users such as the existing Cringila Baseball grounds
- Keeping trail alignments away from neighbouring houses
- Providing connections to existing pathways / bike paths
- Transforming areas that are prone to illegal rubbish dumping to more active sites, e.g. trailhead / carpark

3.2.4 Project aims and aspirations

The proposed development has been carefully structured around the aspiration of developing the Cringila Hills site as a bike-park style facility that caters for recreational riding. The network of trails has been composed to offer a series of varying styles of trails ranging from cross-country, all-mountain, and gravity focused experiences. A dirt jumps area and associated pump track provide opportunities for further skills development and caters for a user group that is not currently serviced in the region.

The facility has a strong focus on beginner to intermediate riders while also providing more challenging trails for advanced riders. The network uses a 'stacked loop' configuration to offer maximum diversity and options for riders of all ages, fitness, and abilities. This arrangement of the various trails allows riders to choose their own adventure by mixing and matching trails to suit their

needs. It also provides a solid basis for the local mountain bike club to organise regular cross-country races, something which is lacking as there is no formal place to facilitate this currently. The 'stack loop' configuration allows a range of different race courses to be set at the same facility.

3.3 PREVIOUS REPORTS AND PLANS

3.3.1 Cringila Hills Preliminary Site Assessment – Final Report

A preliminary analysis of the Cringila Hills project site was conducted by *Eco Logical Australia* (ELA) on behalf of *Wollongong City Council* (WCC) in mid 2013. ELA were responsible for compiling information relating to the following opportunities and constraints of the given study area:

- Terrain
- Geotechnical conditions (conducted by Douglas Partners)
- Contaminated lands (conducted by Douglas Partners)
- Site hydrology
- Infrastructure (recreational facilities and services)
- Natural values
- Visual amenity
- Bushfire hazard
- Heritage

The report has been reviewed by *Dirt Art* prior to undertaking concept trail design works. The opportunities and constraints identified in the report have formed the basis by which the concept trail alignments have been designed and established.



4 THE MOUNTAIN BIKE MARKET - OVERVIEW

4.1 THE MOUNTAIN BIKE MARKET - NATIONAL AND LOCAL

4.1.1 History

Mountain biking has been well established in Australia since the early 90's, though the sport really began to prosper in the mid-late 90's, which saw a period of some of the first purpose-built mountain bike infrastructure in Australia. In 2004 some of Australia's first large-scale mountain bike parks were developed, namely Glenorchy Mountain Bike Park in Tasmania and Mount Stromlo in Canberra. Prior to these developments, mountain biking was taking place largely on existing walking trails and on informal trails created by the riders themselves.

Between 2005 and present day there have been significant advances in mountain bike technology, which is contributing to defining the type of riding experience achievable for and desired by riders. While some trends in riding have come and gone, the format of downhill and cross-country have remained, with some blurring between these styles of riding with the emergence of the all-mountain bicycle.

4.1.2 Current market

The current mountain bike market is dominated by longer travel cross-country mountain bikes, broadly referred to as 'all-mountain' or 'enduro' bicycles. This style of bike is incredibly capable at both climbing and descending and has effectively increased the capability of the average rider.

Currently riders are seeking a broad range of experiences from local urban and peri-urban trails through to remote wilderness style longer distance riding experiences. Generally speaking, the mountain bike tourist market is seeking these destination-

adventure experiences in more remote natural environments, involving longer distance loops or point-to-point trails. Trails proximate to urban areas are typically most popular with local riders because of their accessibility and convenience, though visitors drawn to an area for other experiences may also ride them.

Research consistently indicates that the current demographic of riders is predominately male, with an age of 30-40 years and a high disposable income.¹ This market is a key target for tourism as they are seeking longer, destination-based stays and typically seek out high quality dining and accommodation options.

Demand for gravity-based trail experiences in Australia is very high, with a major undersupply affecting this segment of the market across Australia.

4.1.3 Mountain bike tourism markets

4.1.3.1 Overview

Tourists engaging in mountain biking can be divided into two distinct categories, the 'complementary market'; those who engage in mountain biking as a complementary activity (not as a primary motivator or sole purpose for travel), and the 'enthusiast market'; those who have travelled with mountain biking being the primary reason for their trip.

4.1.3.2 Complementary tourist market

Mountain bike riding as a complementary activity has risen dramatically in popularity in recent years, as the sport has moved beyond the 'extreme sport' image of the past, and more towards the more accurate perception of the sport as a safe, inclusive

¹ Koepke, J. (2005) Exploring the Market Potential for Yukon Mountain Bike Tourism, Cycling Association of Yukon, Canada, page 5.

and fun adventure activity. The emergence of mountain biking as a commercially viable complementary activity has been driven largely through the development of safer, more beginner-friendly trails, and by the growing number of commercial operators including the sport in their activity programs. Commercial viability of mountain biking as a complimentary activity requires a lower volume of trail than for the enthusiast market, though the required quality and maintenance demand of trails will be higher. As a complementary activity, mountain biking offers genuine avenues for commercial return, while also potentially lengthening the duration of stay for existing guests. In addition to this, targeted marketing may draw in guests that may otherwise have travelled to an alternative location.

4.1.3.3 Enthusiast tourist market

The enthusiast market is defined by the principle of mountain biking acting as a primary motivator/purpose for their travel. The enthusiast market seeks out new and exciting mountain bike destinations, and typically travel multiple times annually to engage in mountain biking.

The mountain bike enthusiast market is typically populated by 25-45-year-old males with a high disposable income, who are seeking opportunities to travel to destinations with the primary purpose of going mountain bike riding. While mountain bike riding may be a primary travel motivator, the availability of alternative activities will still influence this traveller as they will often look for destinations where they can viably travel with family, their spouse or non-enthusiast travelling companion/s. The mountain bike enthusiast is typically travelling for multi-day stays and is seeking unique and high-quality trail experiences. These users will typically seek higher volumes of trail, as they will often ride 30-40km+ per day.

4.1.4 The success stories - Australia

Current participation data for mountain biking in Australia is distinctly lacking, although as new commercial venues emerge more data is becoming available. Traditionally the recording of trail usage numbers has been a relatively rare practice, but in a current climate, often characterised by particularly frugal government and corporate investment, this practice is increasingly being used to justify investment in trails. Sample data from some of Australia's key mountain bike destinations can be found below.

Blue Derby (Tasmania) is widely-regarded as the current mountain bike destination market leader in Australia. Housing a purpose built 80km trail network, Blue Derby combines a ride in/ride out town, with high quality trails, and unique Tasmanian wilderness. A range of trail experiences are on offer, with stand-out experiences being the destination's wilderness descents; the Blue Tier Trail and Atlas.

Thredbo (NSW) has a long history of mountain bike activity and is currently the only ski resort in Australia with a dedicated season-long lift-assisted trail network. Thredbo is investing significantly in trails over the next two seasons, which has already seen resort visitation increase significantly. Unfortunately, Thredbo's mountain bike visitation statistics are not publicly available.

Mount Buller (Victoria) have invested over \$2m over a five-year period in developing predominantly all-mountain and cross-country mountain bike trails. Data for the resort from the 2011/12 summer recorded a total rider count of 23,000 over a five-month period.² The resort notes a 6% increase in mountain bike visitation between 12/13 and 13/14, though this small increase is likely related to the development staging at the time, and the style of trail being developed at Mount Buller, which is similar to many other cross-country trail networks closer to urban centres.

More recently, Mount Buller has slowed down trail development, and is seeing a fairly static annual visitation.

² www.world-trail.com accessed 25th November 2012.

You Yangs (Victoria) consistently records annual rider visitation over 150k p.a.³

4.1.5 The future

4.1.5.1 *The future- general*

The sport of mountain biking has continued to see sustained and expanding growth both in Australia and overseas. With current demand for high-quality riding opportunities still far exceeding supply, there exists significant potential to see excellent return on investment when developing world-class mountain bike trails and facilities.

The next few years will likely see the all mountain category of riding continue to grow, resulting in an increasing demand for more challenging, descending-focused riding. *Dirt Art* suggests that the next five years will see a huge increase in demand for chairlift or shuttle accessed descending cross country and all mountain trail experiences.

4.1.5.2 *The future- E bikes*

While traditional bike technology is likely to continue to stabilise, the rapid emergence of the E-bike is likely to have a profound impact on the sport. In *Dirt Art's* view, E-bikes will never replace the traditional mountain bike, but as technology improves the bikes will become a much more common feature on the trails. E-bikes make the sport more accessible to newer and less-capable riders and increase the ride duration for more experienced riders.

³ Data provided by Parks Victoria staff July 2011.

It is important to recognise the distinction in E-bikes between high-powered throttle assisted bikes and lower-powered pedal-assisted bikes. Pedal assisted bikes have no additional impacts on trails, whereas throttle powered bikes are illegal in most public areas and will cause significant additional damage to trails.

4.2 THE GENERAL CYCLING MARKET

4.2.1 Overview

While aspects of the proposed development are targeted at the enthusiast mountain bike rider, much of the initial stage of the proposed development is targeted at the recreational cyclist who may be a visitor to the area regardless of the mountain bike program on offer. This complementary market of users is better analysed by looking at data relating to the general recreational cycling market. *Dirt Art* suggest that many visitors with some cycling experience will be highly-motivated to engage with the proposed mountain bike activities, despite not recognising themselves as a mountain bike rider.

4.2.2 Cycling participation data

Research for the Australian Bicycle Council and Austroads surveyed 8,375 randomly selected households, who were interviewed regarding cycling participation. This survey sample represented 20,879 individuals.⁴

Key findings included:

- 36.3% of Australians had participated in cycling in the last year
- 24.3% of Australians had participated in cycling in the last month

⁴ *National Cycling Participation Survey (2015)* conducted by CDM

- 17.4% of Australians had participated in cycling in the last week
- 85.5% of those who cycled in the past month did so for recreational purposes.

Unlike many cycling participation surveys, the *National Cycling Participation Survey* does include children in the data, providing a more holistic picture of cycling participation in Australia.

There is no currently specific data on mountain bike participation rates in Australia, however it is widely accepted that mountain biking makes up a substantial proportion of the overall cycling participation rates; noting studies have shown that approximately 70% of the bicycles sold in Australia are mountain bikes.⁵

⁵ *The Australian Bicycle Industry Report 2006*



THE SITE

5 THE SITE

5.1 LOCATION

Cringila Hills is located in Wollongong's south near Mt Kembla and sits within the local government area of Wollongong City Council. The project site is made up of three separate land parcels totalling 72.6ha. The proposed development area occurs between Five Islands Road, The Southern Freeway, and Northcliff Drive. The three land parcels form a horse shoe shape that wraps around the lower foothills of a large parcel of land owned by Sydney Water, which occupies the upper portions of the hill as well as the summit. The site offers spectacular views out to the ocean and is visually dominant from the Southern Freeway.

The project site is split into two distinct areas bisected by Jarvie Road:

1. Current Development Area (approx. 39.5ha)

Community land on the southern side of Jarvie Road comprising of the former the following:

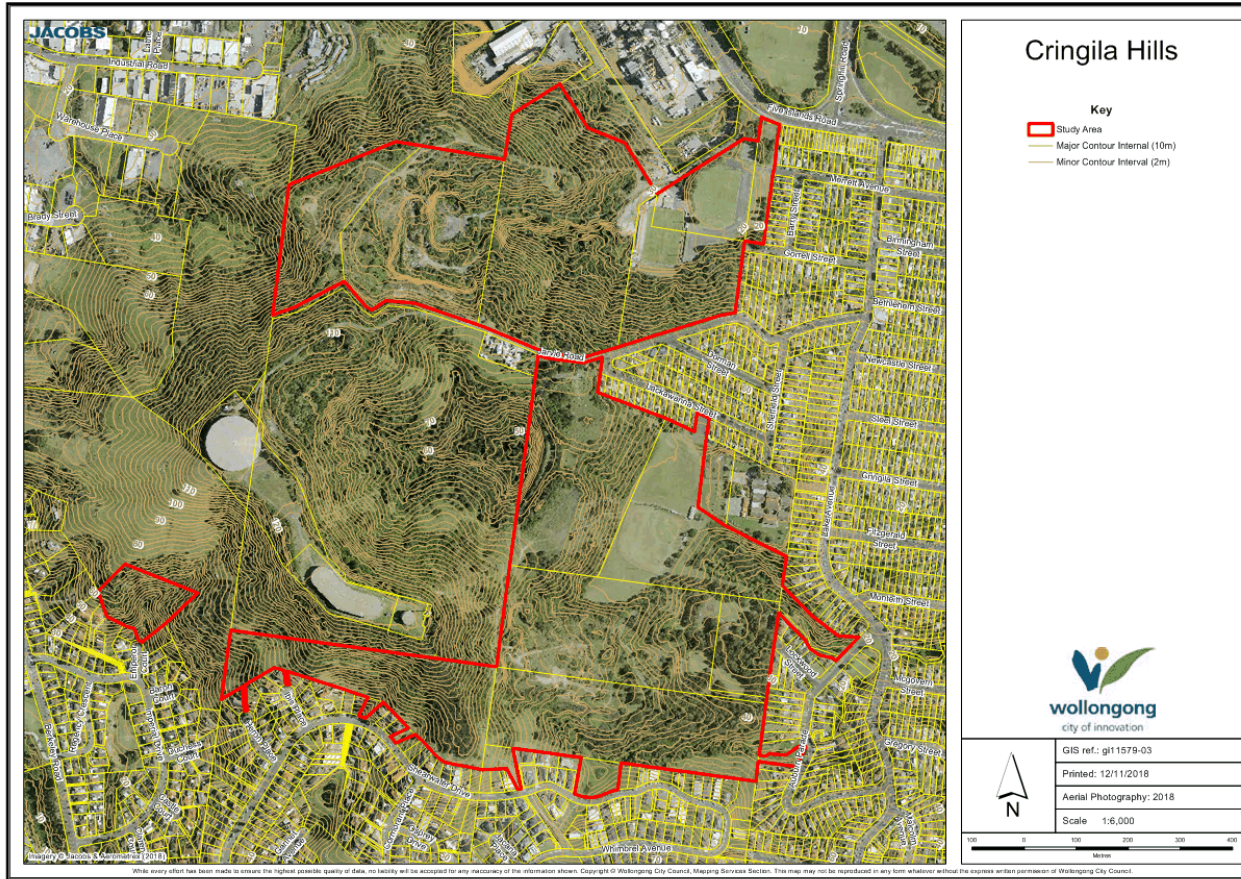
- 'FutureWorld' site
- Cringila Community Park
- Cringila Baseball Grounds

2. Future Development Area (approx. 31 ha)

Refers to the operational and community land area north of Jarvie Road comprising of the following:

- Former quarry
- John Creehan Park

5.2 SITE MAP



5.3 LAND ZONING

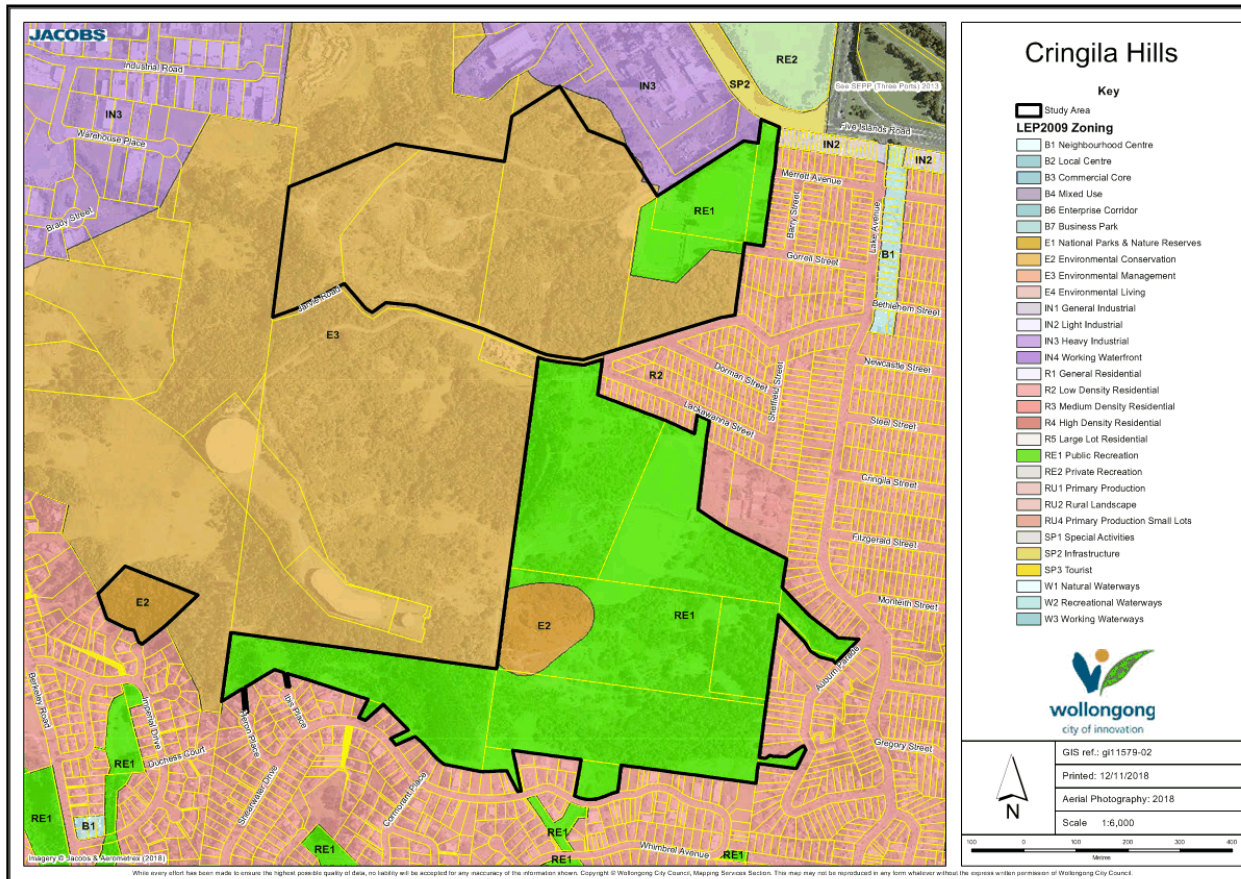
Current Development Area

The majority of the site to the south of Jarvie Road is currently zoned as Public Recreation (RE1), with a small section in the middle marked as Environmental Conservation (E2). This development area represents the primary focus of the project as it is the least constrained out of the two available areas and the undulating terrain is suited to variety of different trail styles.

Future Development Area

The site located to the north of Jarvie Road is predominately zoned as Environmental Management (E3) with the exception of the playing fields in the north-eastern corner, which are zoned as Public Recreation (RE1). This development area is highly constrained with the steeper topography being less conducive to beginner to intermediate riding experiences. The future development site would be better suited to intermediate to advanced trails given the nature of the terrain.

5.4 ZONING MAP





DESIGN CONCEPT

6 DESIGN CONCEPT

6.1 OVERVIEW

The proposed bike park concept plan at Cringila Hills seeks to provide recreational opportunities for a variety of mountain biking styles and cater for riders of all abilities and ages. There is a strong focus on the provision of trail experiences for beginners to intermediate riders to compliment the current offerings within the Illawarra region.

The proposed bike park plan offers 11.5km of concept trail alignments as well as a mountain bike skills park and pump track. The facility capitalises on the undulating terrain of the site while framing the spectacular ocean views. A 'stacked loop' configuration has been implemented throughout the network to offer maximum flexibility for riders to compose their own unique rides to suit their fitness, ability, and time within the park.

Notably, all proposed trail alignments are conceptual in nature and will require a detailed design process and route flagging to confirm viability and precise location.

6.2 OPPORTUNITIES ANALYSIS

6.2.1 Land Parcels Overview

Through the concept design process, *Dirt Art* has analysed the three separate development areas identified for this project (please refer to map in **Section 6.2.3**) as listed below:

1. Current Development Area
2. Future Development Area

3. Area to be Preserved

These three respective sites have been investigated via desktop analysis, limited field surveys, and reviewing previous reports by external consultants. The area marked as 'Current Development Area' has proven to be the most conducive to trail development with a variety in the terrain on offer combined with pre-existing access points and associated amenities. In addition to this, the land parcel has minimal areas that pose high conservation or environmental value – with most being isolated to specific areas and thereby easily avoidable.

6.2.2 Rejected Land Spaces

Both parcels of land marked as 'Future Development Area' and 'Area to be Preserved' have been rejected for use in the bike park scheme due to their environmental constraints and sensitivities.

Future Development Area

The foremost site refers to the operational and community land area north of Jarvie Road (approx. 31ha), which is made up of a former quarry to the west and John Creehan Park to the east. The quarry site has been identified as a safety hazard in the *Cringila Hills Preliminary Site Analysis* (prepared by Eco Logical Australia) due to potentially contaminated builders waste and household waste. In addition, the area of natural vegetation situated between the quarry and John Creehan Park is classified as a 'Natural Resource Sensitivity – Biodiversity' area. As such, for these two reasons, the Future Development Area has been omitted from the concept design until further investigations are completed by a suitably qualified consultant.

Area to be Preserved

The isolated parcel of land to the west has been identified as an area for preservation and therefore left alone. The area does not offer any foreseeable benefit to the bike park scheme.

6.2.3 Development Areas Map



6.3 OVERALL TRAIL DIFFICULTY RATING SYSTEM (TDRS) BREAKDOWN

Green Circle	Blue Square	Blue Square (Freeride)	Black Diamond	Black Diamond
4.6km	3.3km	1.9km	1.1km	0.6km
42%	30%	18%	10%	5%

The above TDRS breakdown provides a diverse facility, that will cater for the broadest possible market of riders. The nearby Illawarra Escarpment network of informal mountain bike trails currently caters for the upper spectrum of the trail difficulties in the intermediate to advanced level. As a result, there has been a strong focus placed on the beginner (Green Circle) and intermediate (Blue Square) market with 42% and 46% of the proposed trails in these respective categories. The proposal also recognises the importance of providing a series of trails to progress from and offers a smaller selection of more challenging advanced (Black Diamond) trails. The proposed trail difficulty breakdown offers a diverse network of high-quality trails for all abilities.

6.4 GUIDING DESIGN PRINCIPLES

New trail concepts proposed have been developed based upon a number of guiding principles. All trails are listed in priority (numbered) order, based upon a suggested staging approach to trail construction. Overall project priority staging can be found in the action plan for this project. Guiding principles for the new trail concepts proposed are as follows;

- Develop trails in a way that is sympathetic to the environmental, cultural and social values of the Cringila Hills area
- Provide high-quality, purpose-built beginner trail experiences that focus on fun, free-flowing trail experiences
- Design trails to provide structured trail heads/intersections, to allow simple navigation and optimal network flow
- Develop a range of trails to provide multiple, long distance riding loop options in the area
- Develop an area focusing on descending trail experiences, capitalising on maximum available elevation in the area

6.5 OVERVIEW OF THE CONCEPT DESIGN PROCESS

All new trails proposed in this document have been developed as working desktop concepts, and do not represent detailed trail designs. *Dirt Art* undertakes a structured concept design process, based upon the below workflow;



Dirt Art has ground-truthed trails to approximately 10m corridor accuracy. Concepts have in most cases been designed to feature average gradients of approximately 4-7%, and to reside in areas conducive to construction of economical, high-quality trail infrastructure. Average gradients have been calculated using detailed contour and elevation data for the target area.

Due to the conceptual nature of trail alignments, and the highly varied topography of the site, a comprehensive on-ground design phase will be required for all new trails proposed. During the detailed design process, alignments and trail distances will be subject to change.

6.6 MOUNTAIN BIKE TRAIL SUMMARY

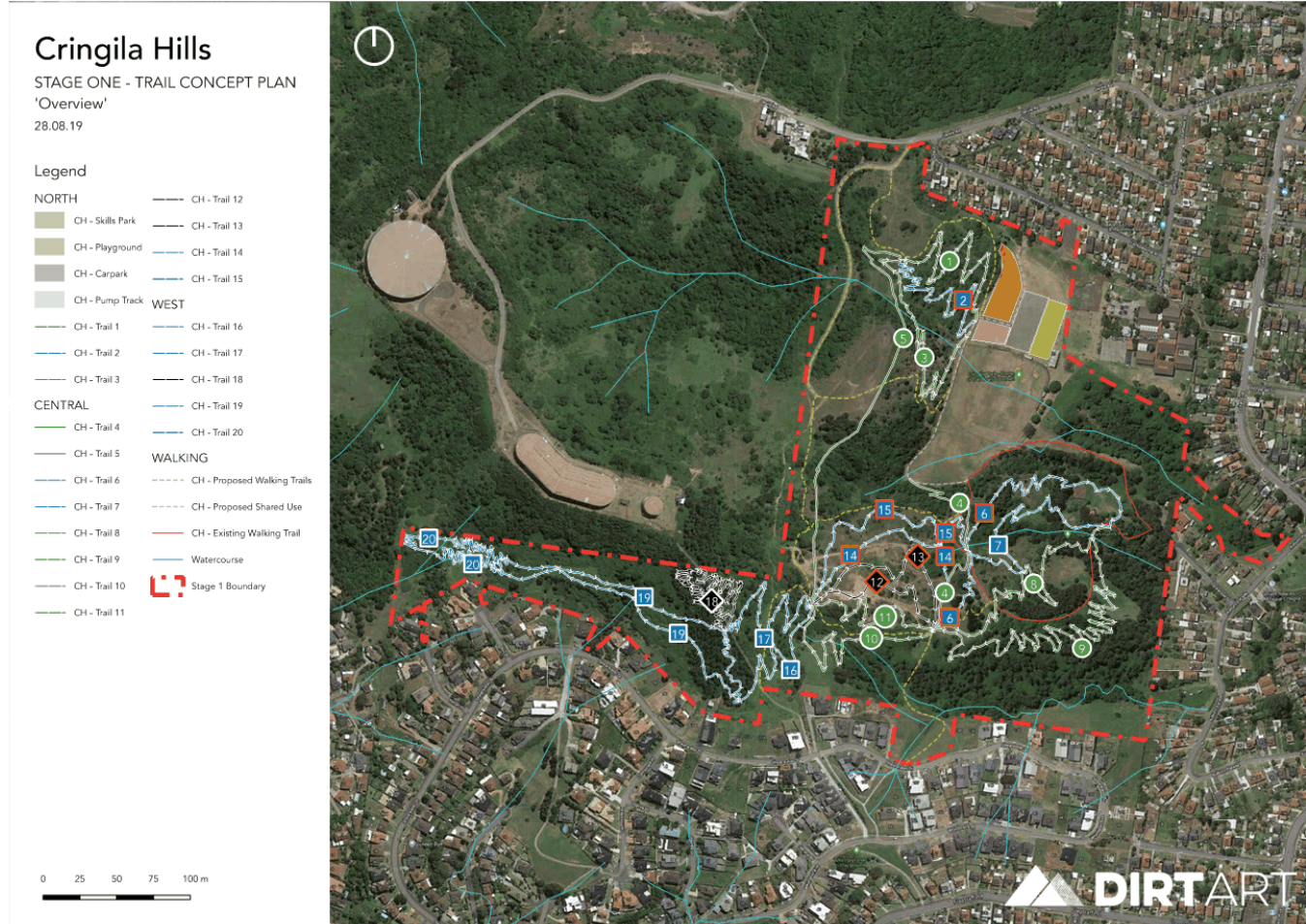
Trail No.	Trail Zone	Trail Direction	Trail Style	Trail Difficulty	Trail Length (m)
1	NORTH	Descent	XC	Green Circle	511
2	NORTH	Descent	Freeride	Blue Square	535
3	NORTH	Climb	XC	Green Circle	539
4	CENTRAL - MID	Two-Way	Link	Green Circle	358
5	CENTRAL - UPPER	Two-Way	Link	Green Circle	667
6	CENTRAL - UPPER	Descent	Freeride	Blue Square	643
7	CENTRAL - UPPER	Descent	Flow	Blue Square	474
8	CENTRAL - UPPER	Descent	XC	Green Circle	589
9	CENTRAL - LOWER	Climb	XC	Green Circle	1169
10	CENTRAL - LOWER	Descent	XC	Green Circle	420
11	CENTRAL - LOWER	Climb	XC	Green Circle	337
12	CENTRAL - LOWER	Descent	Freeride	Black Diamond	233
13	CENTRAL - LOWER	Descent	Freeride	Black Diamond	340
14	CENTRAL - LOWER	Descent	Freeride	Blue Square	285
15	CENTRAL - LOWER	Descent	Freeride	Blue Square	468
16	WEST	Climb	XC	Blue Square	566
17	WEST	Descent	All Mountain	Blue Square	456
18	WEST	Loop	All Mountain	Black Diamond	1102

19	WEST	Loop	XC	Blue Square	665
20	WEST	Loop	All Mountain	Blue Square	1097
TOTAL =					11,454m
					11.5km

6.7 WALKING TRAIL SUMMARY

Trail No.	Trail Zone	Trail Direction	Trail Style	Trail Difficulty	Trail Length (m)
N/A	NORTH	Two-Way	Shared	N/A	521
W1	NORTH	Two-Way	Walking	N/A	468
W2	NORTH	Two-Way	Walking	N/A	451
W3	NORTH	Two-Way	Walking	N/A	291
W4	CENTRAL	Two-Way	Walking	N/A	200
W5	CENTRAL	Two-Way	Walking	N/A	279
W6	CENTRAL	Two-Way	Walking	N/A	457
W7	CENTRAL	Two-Way	Walking	N/A	200
W8	CENTRAL	Two-Way	Walking	N/A	271
TOTAL =					3,138
					3.1km

6.8 MOUNTAIN BIKE TRAIL MAP



6.9 WALKING TRAIL MAP



6.10 NORTHERN TRAIL ZONE

6.10.1 Overview

The northern trail zone represents the primary access point to the proposed Cringila Hills Bike Park. The proposal utilises an existing carpark entry located on Lackawanna Street, which provides access to the current Cringila Park. The northern zone has a strong beginner focus and provides opportunities for shorter riding options that are close to carparking. The trails in this area present a good introduction to visitors that are new to the sport and the adjoining mountain bikes skills park and pump track facility provide further opportunities for riders to warm-up before heading off to the trails.

6.10.2 Carparking / Trailhead

The large vacant section to the north of the existing baseball field is proposed to be redeveloped to house a formal carpark that will service both the baseball ground and the bike park. The existing entrance situated on Lackawanna Street will be utilised as the primary entrance. The design seeks to exploit the level topography of this area and re-purpose it as the facility's primary trailhead to incorporate a mountain bike skills park and adjoining pump track. There is scope for a children's playground to the east of the proposed carpark.

6.10.3 Skills Park / Pump Track Area

A mountain bike skills park and pump track are proposed to the west of the carpark, nestled at the foothills of the northern trail zone. The area marked for the skills park and pump track is conveniently located to the primary trailhead and allows riders to pass the skills facilities on their way to the main trails. The proximity of the facility to the carpark provides a fantastic opportunity for families with younger children to enjoy the skills facilities and pump track without having to travel to far from the carpark.

6.10.3.1 Concept Imagery



Figure 1 – Skills Park - Balance Features



Figure 2 – Skills Park – Jumps Features



Figure 3 – Intermediate Freeride / Jumps Trail Feature



Figure 4 – Asphalt Pump Track – Advanced Rider

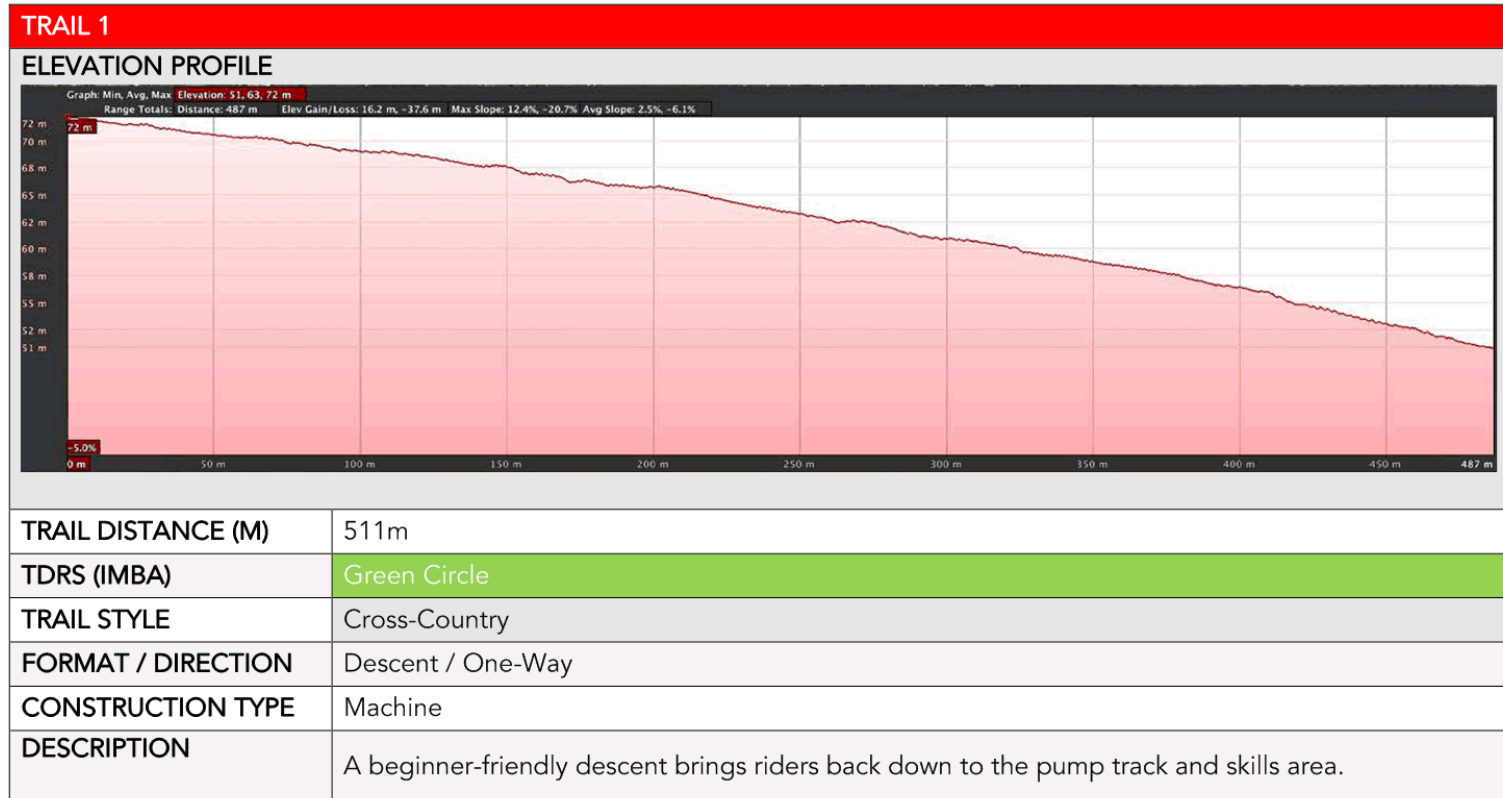


Figure 5 – Asphalt Pump Track – Beginner Rider

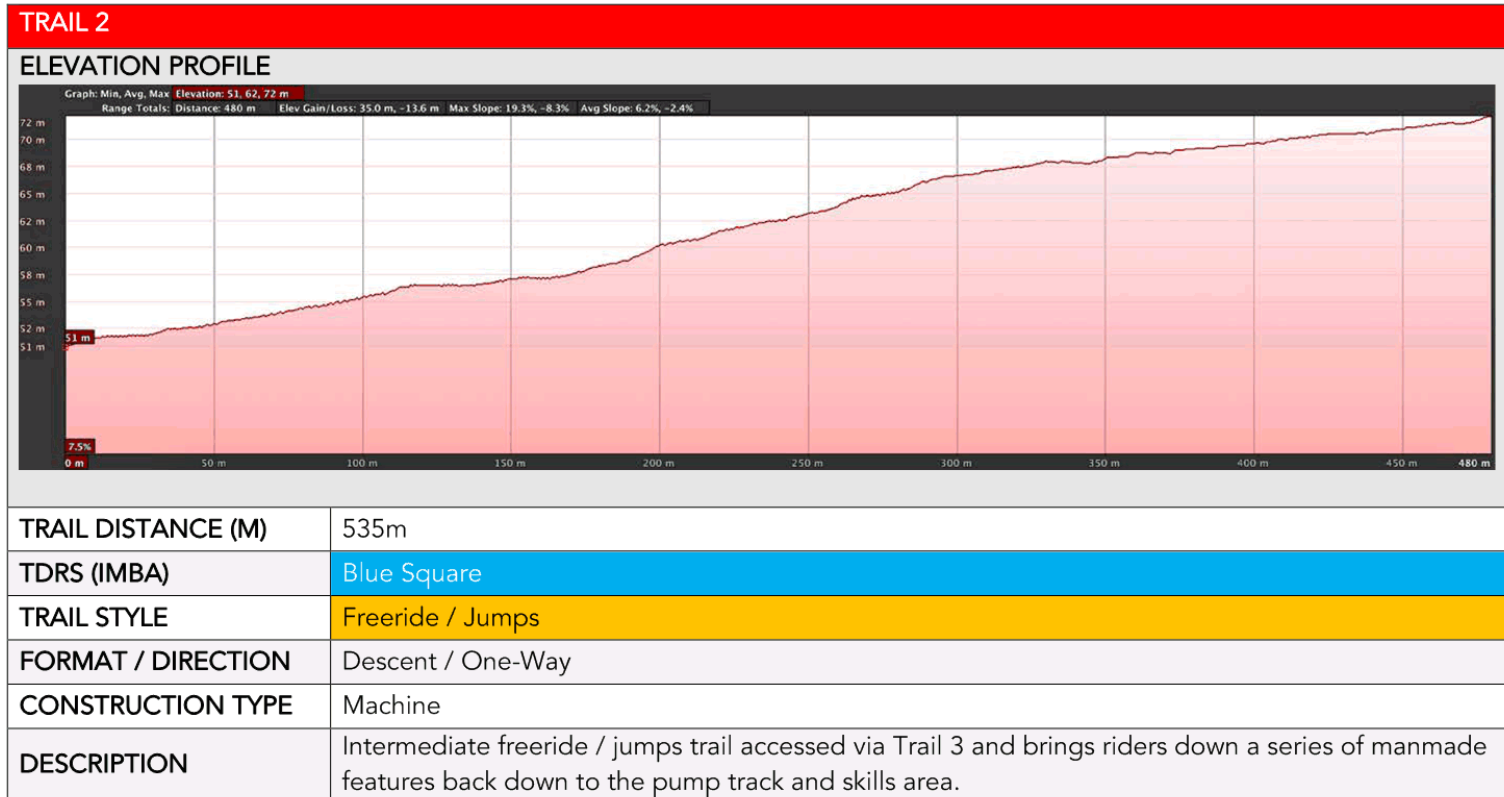
6.10.4 Northern Zone – Trail Map



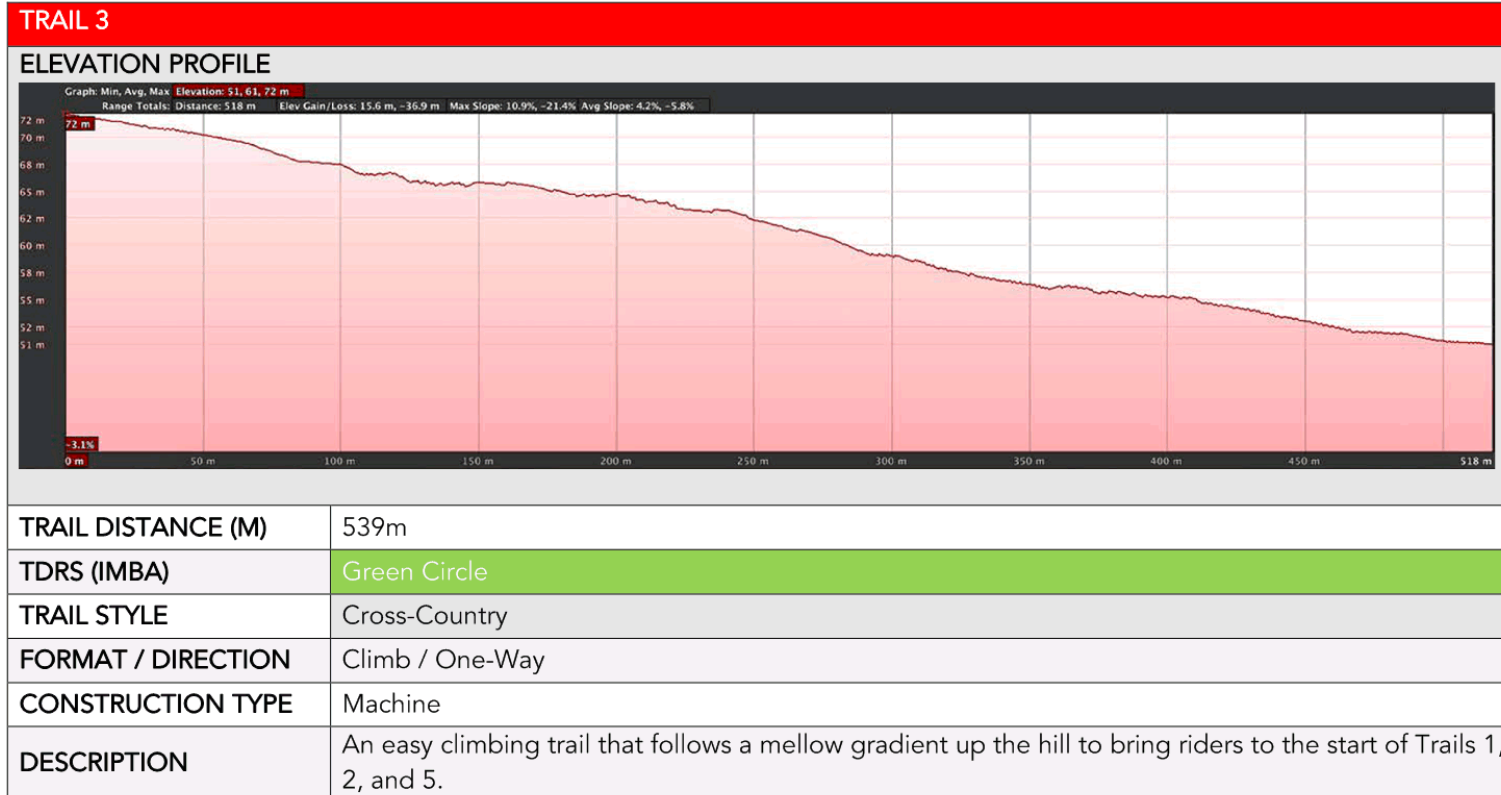
6.10.5 Trail One



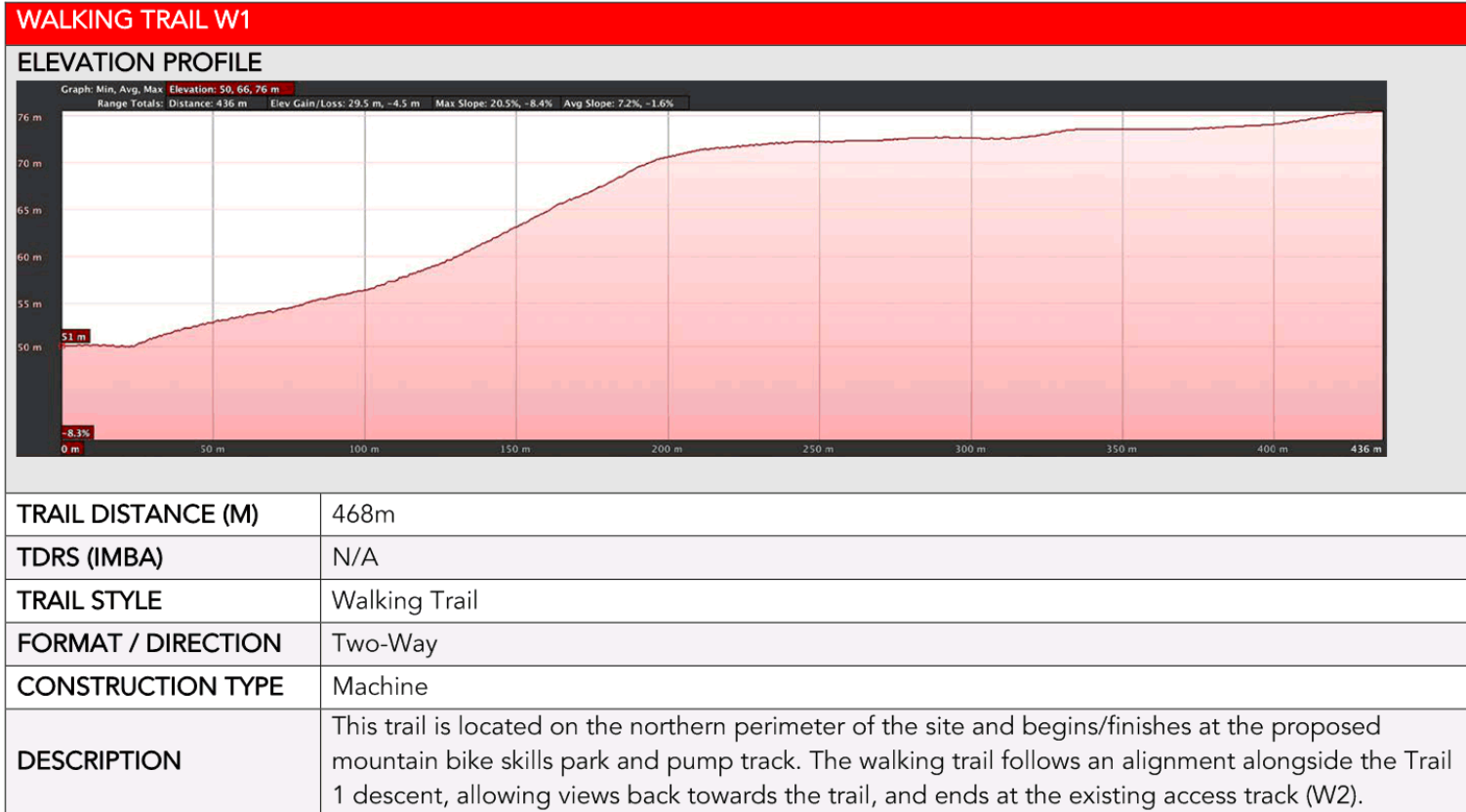
6.10.6 Trail Two



6.10.7 Trail Three



6.10.8 Walking Trail W1



6.10.9 Walking Trail W2

WALKING TRAIL W2

ELEVATION PROFILE

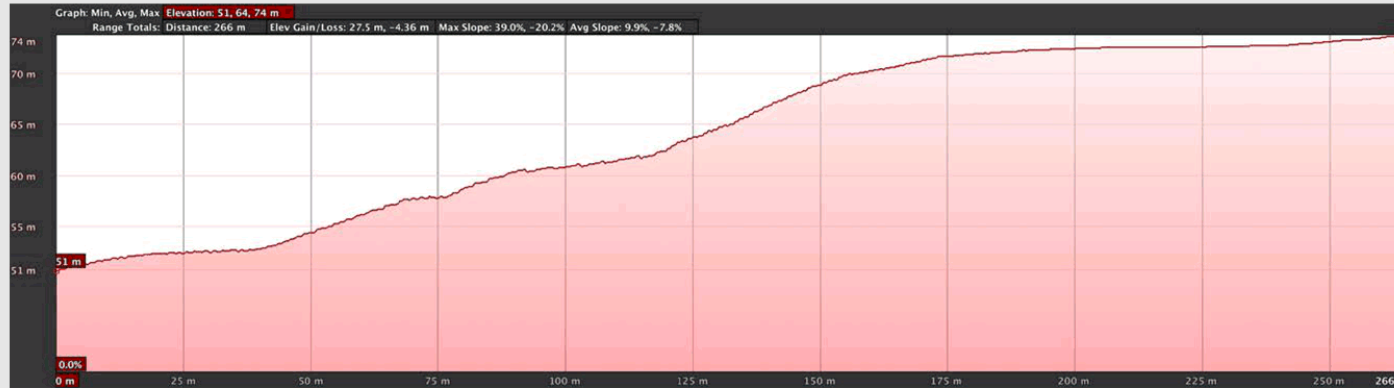


TRAIL DISTANCE (M)	451m
TDRS (IMBA)	N/A
TRAIL STYLE	Walking Trail
FORMAT / DIRECTION	Two-Way
CONSTRUCTION TYPE	Existing Access Track
DESCRIPTION	W2 utilises the existing access track from Jarvie Road and formalises it within the network of proposed trails in the park. The track provides a link to the proposed W3 walking trail located to the south.

6.10.10 Walking Trail W3

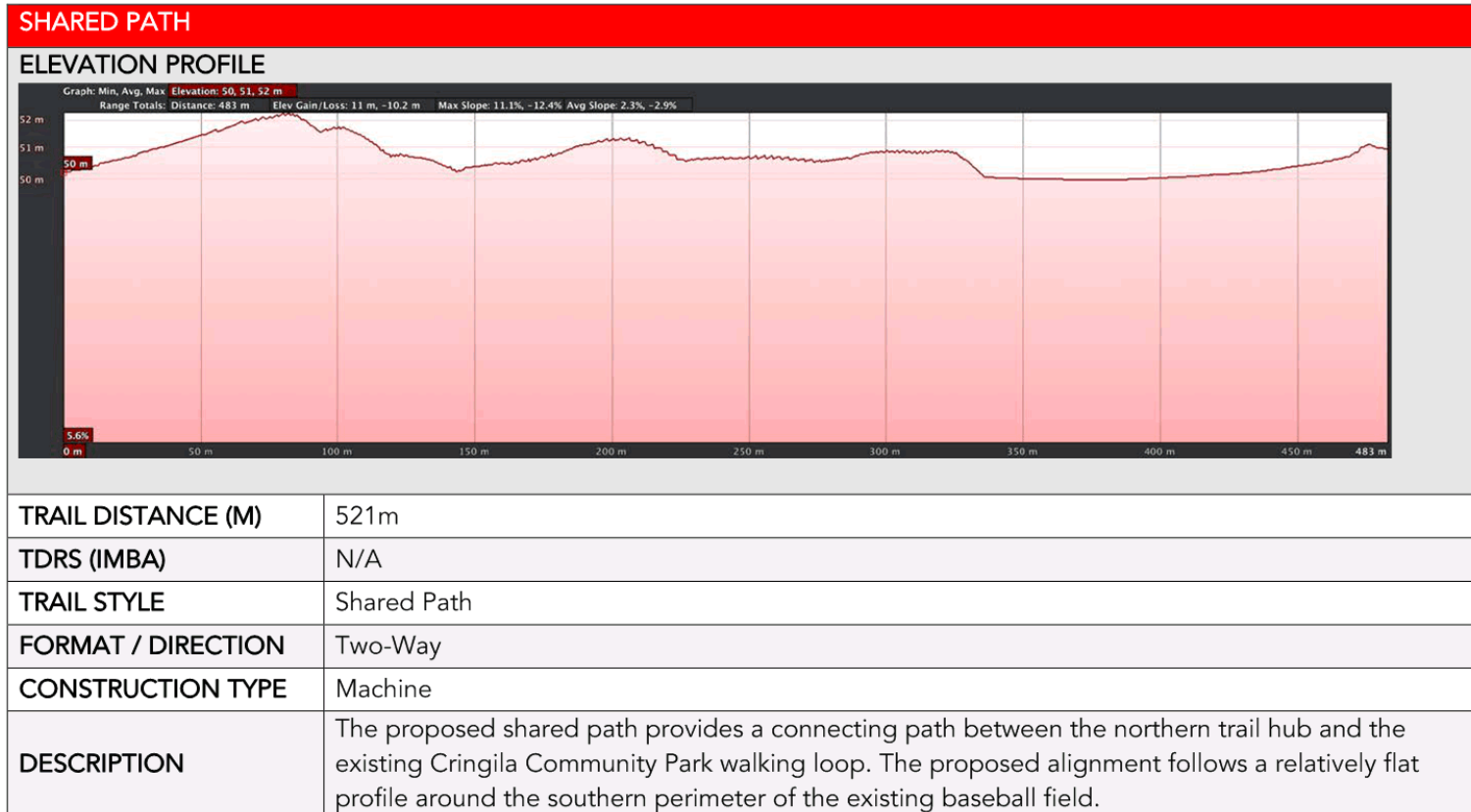
WALKING TRAIL W3

ELEVATION PROFILE



TRAIL DISTANCE (M)	291m
TDRS (IMBA)	N/A
TRAIL STYLE	Walking Trail
FORMAT / DIRECTION	Two-Way
CONSTRUCTION TYPE	Machine
DESCRIPTION	This trail allows users to create a smaller loop with W1 and W2, bringing individuals back to the base trail hub / carpark

6.10.11 Shared Path



6.11 CENTRAL TRAIL ZONE

6.11.1 Overview

The central trail zone houses the greatest proportion of trails in the bike park with the hill being split into upper and lower zones by Trail 4. The splitting of the hill into two halves allows riders to shorten or lengthen their rides as they please to suit their fitness or available time. It promotes the use of a single climb (Trail 9 and 10) to service a multitude of descending options and creates opportunities to cater for a range of descending experiences for riders. The central trail zone is designed to allow an assortment of trails to be combined to form a cross-country race course for the local mountain biking club.

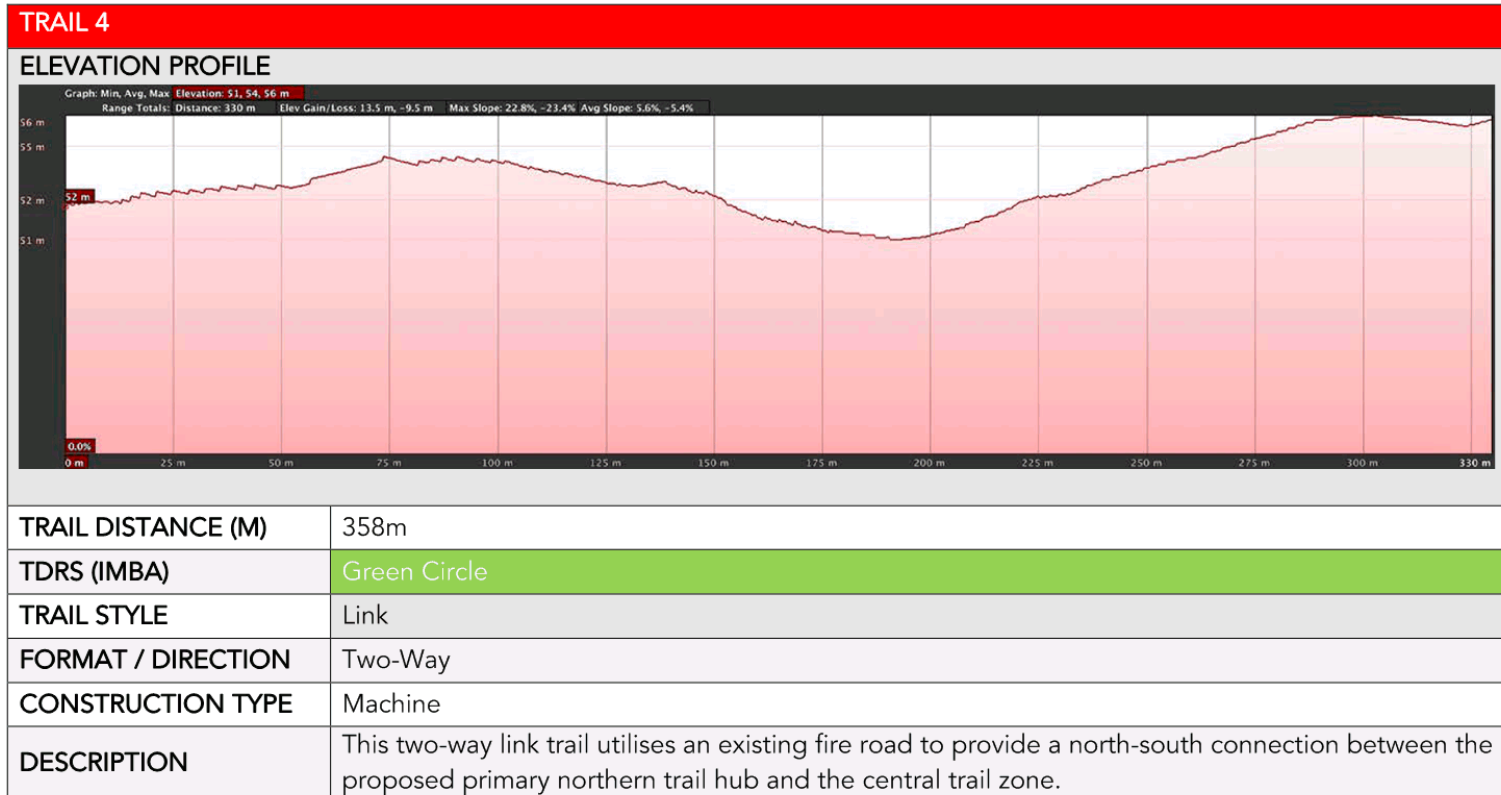
6.11.2 Carparking / Trailhead

The lower trail hub is located at the existing Cringila Community Park, which offers existing amenities such as toilets and a sealed road for limited vehicular access. There is minimal available parking in this area and no further expansion is proposed. The access point to the bike park is seen as predominately catering to riders pedaling into the park from adjacent suburbs. The hub is proposed to be a secondary access point into the bike park, with the main trailhead located to the north and accessed via Lackawanna Street. After consultation with the client and stakeholders, Dirt Art deemed it insensitive to surrounding residents to funnel the expected high volumes of vehicular traffic from bike park visitors through a narrow suburban street (Lockwood Street). Instead, the northern entry will be promoted as the official and primary trailhead / bike park entry.

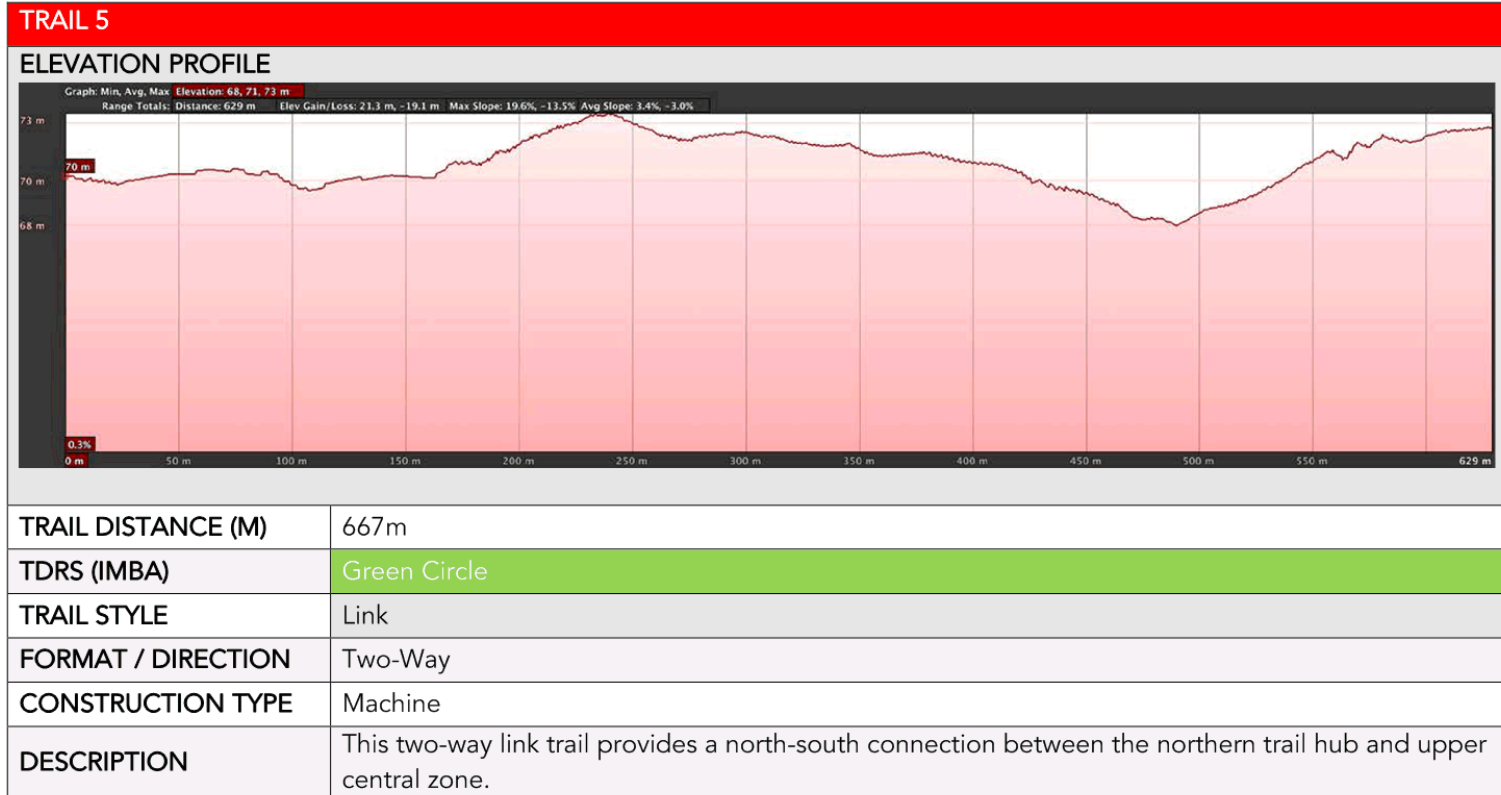
6.11.3 Central Zone – Trail Map



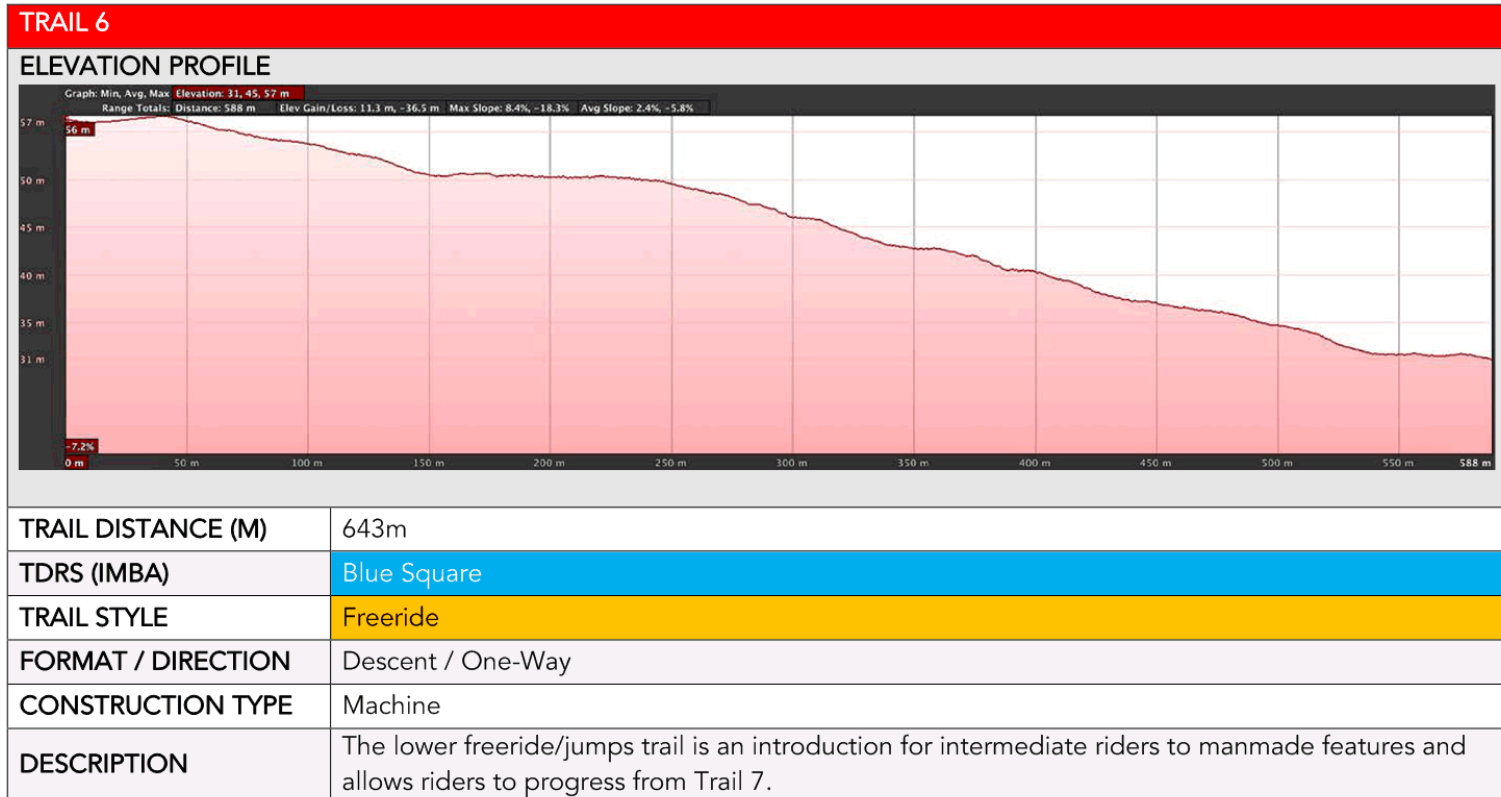
6.11.4 Trail Four



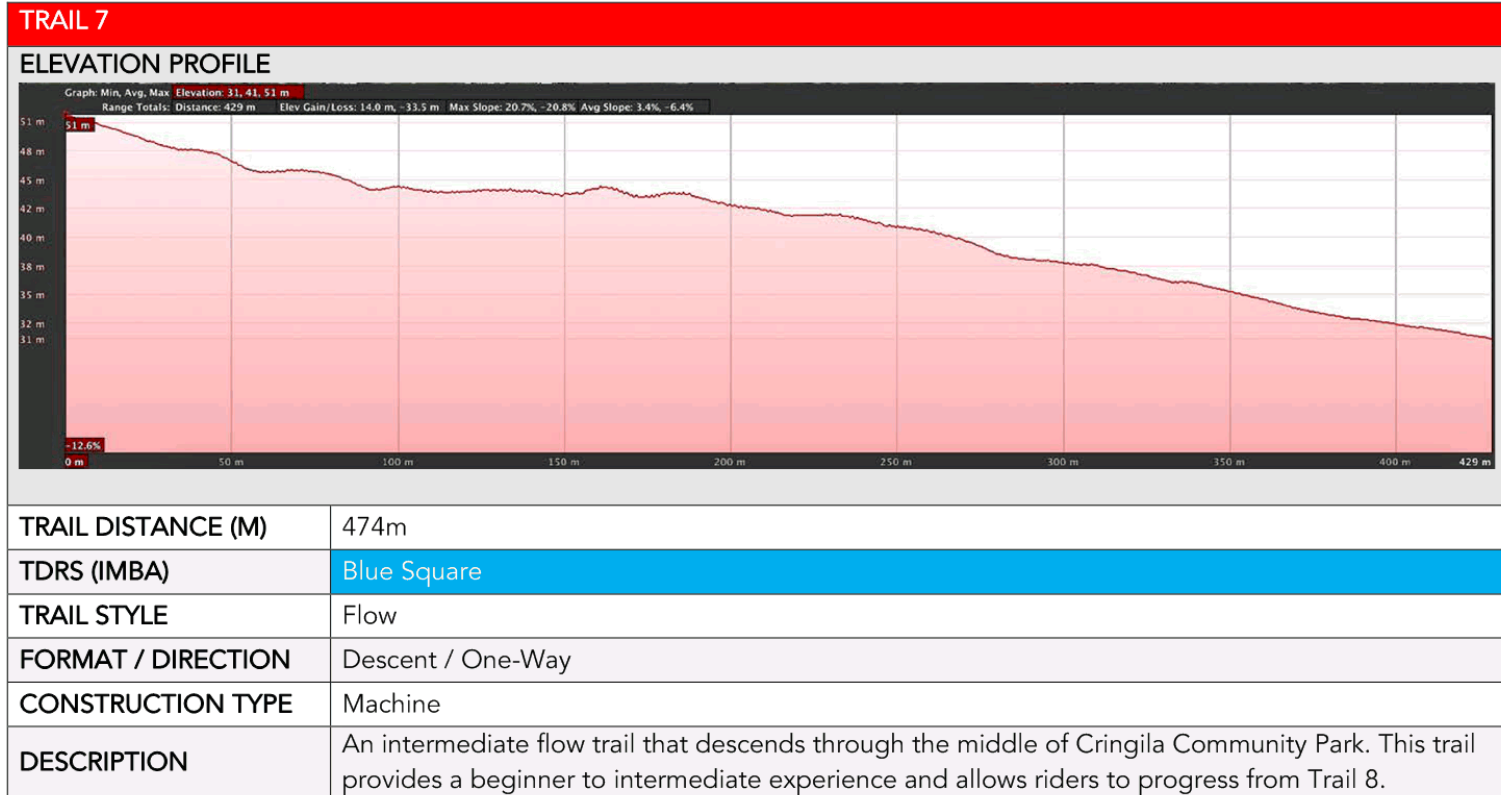
6.11.5 Trail Five



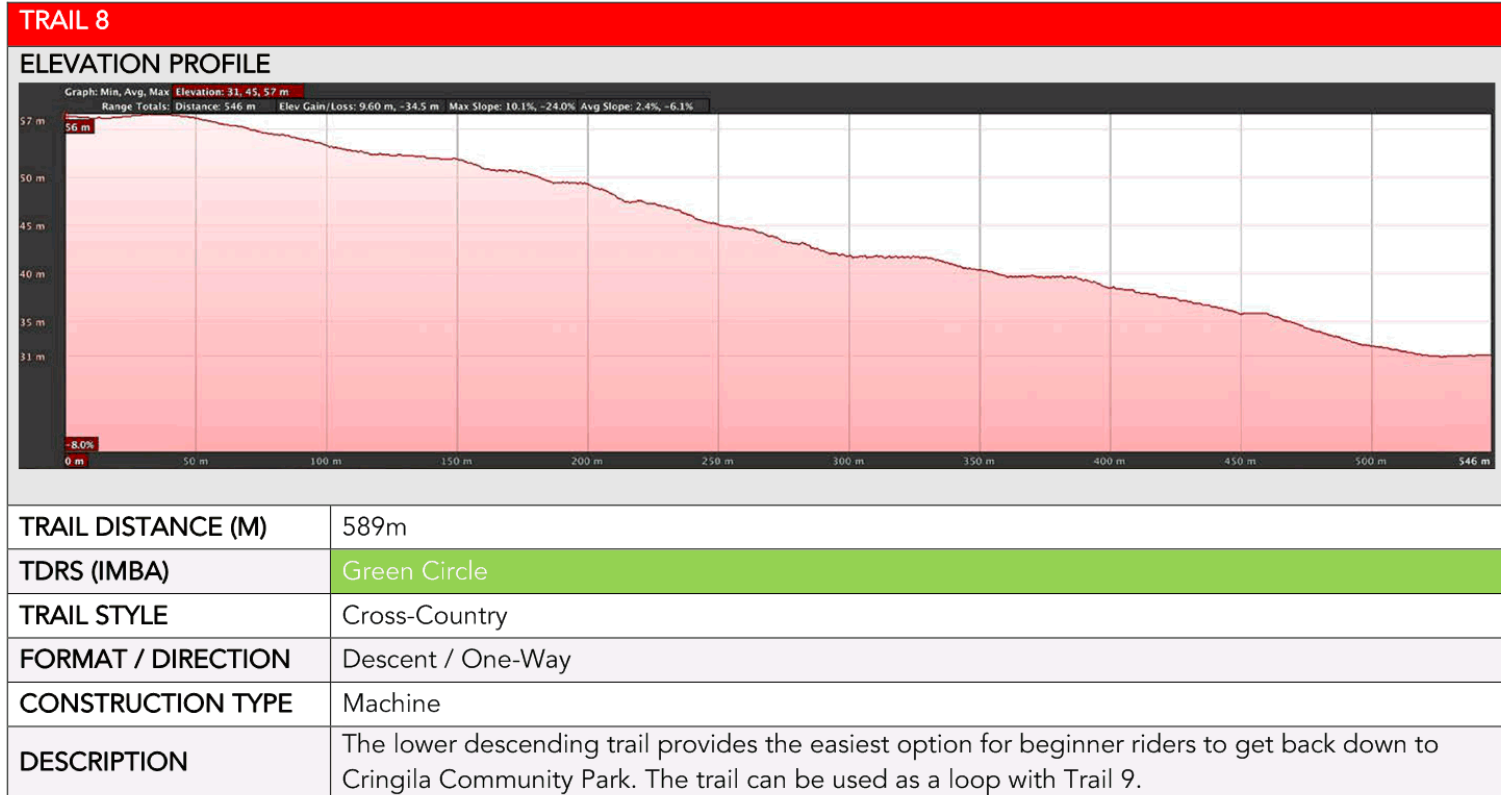
6.11.6 Trail Six



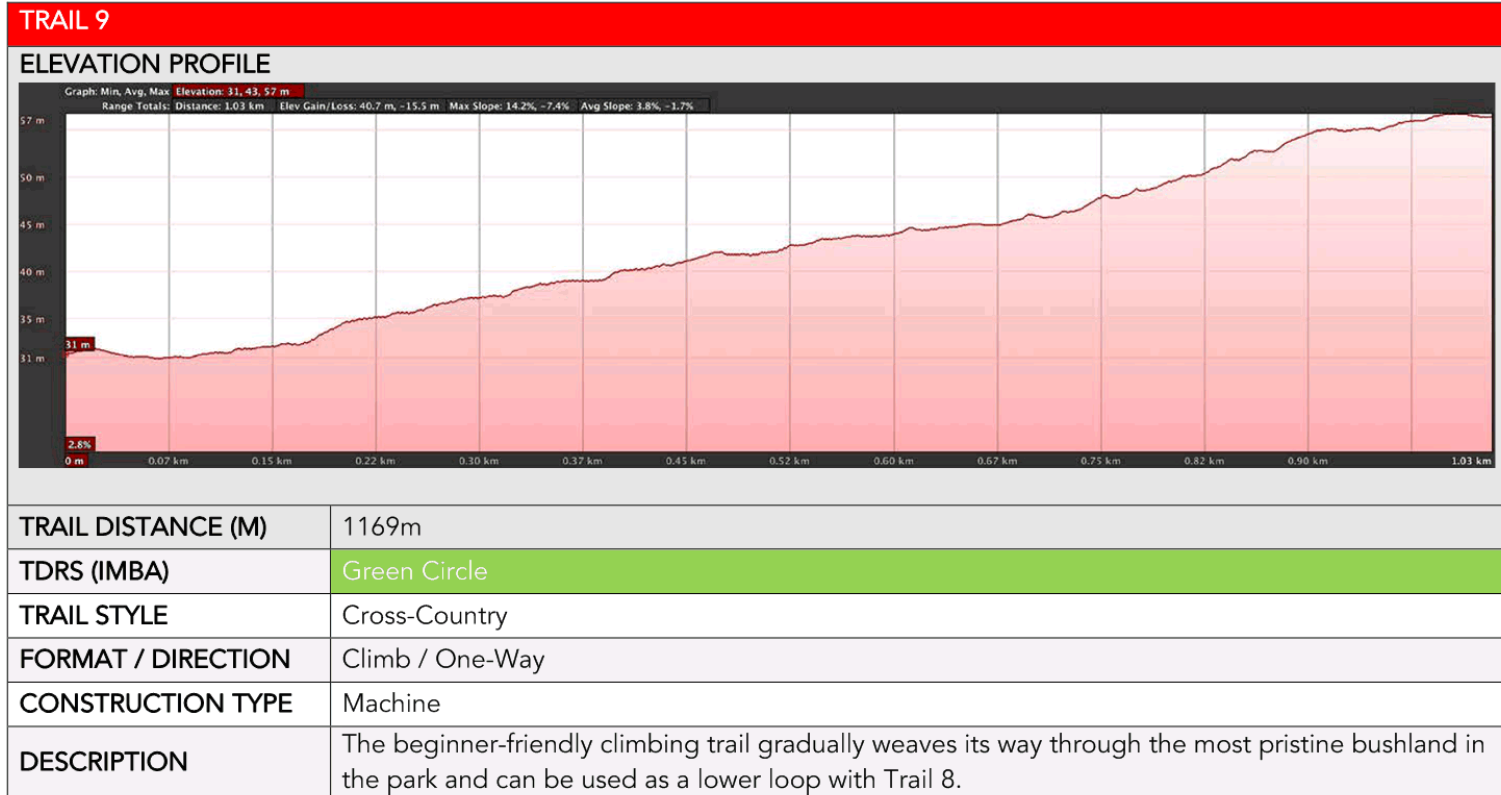
6.11.7 Trail Seven



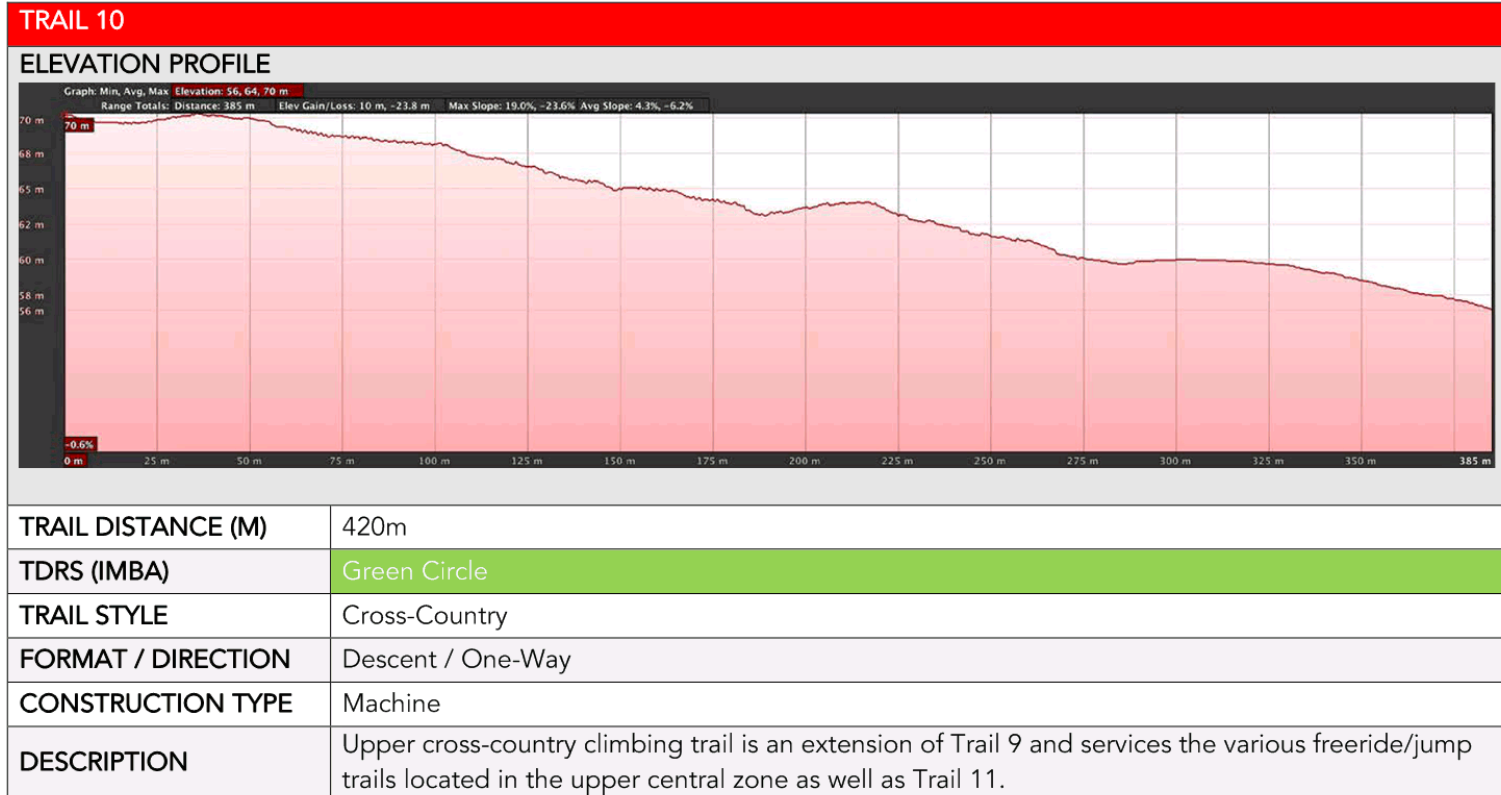
6.11.8 Trail Eight



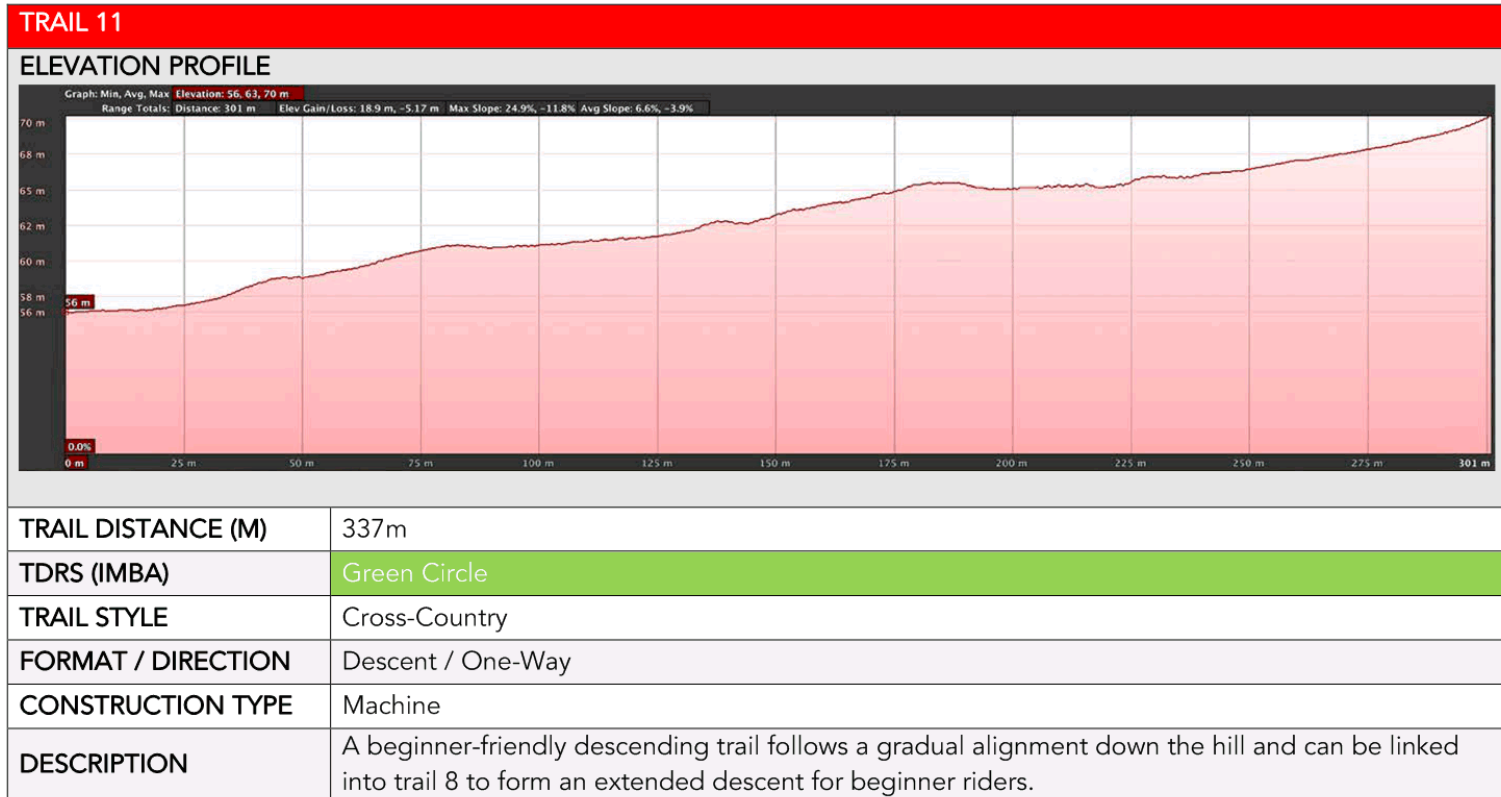
6.11.9 Trail Nine



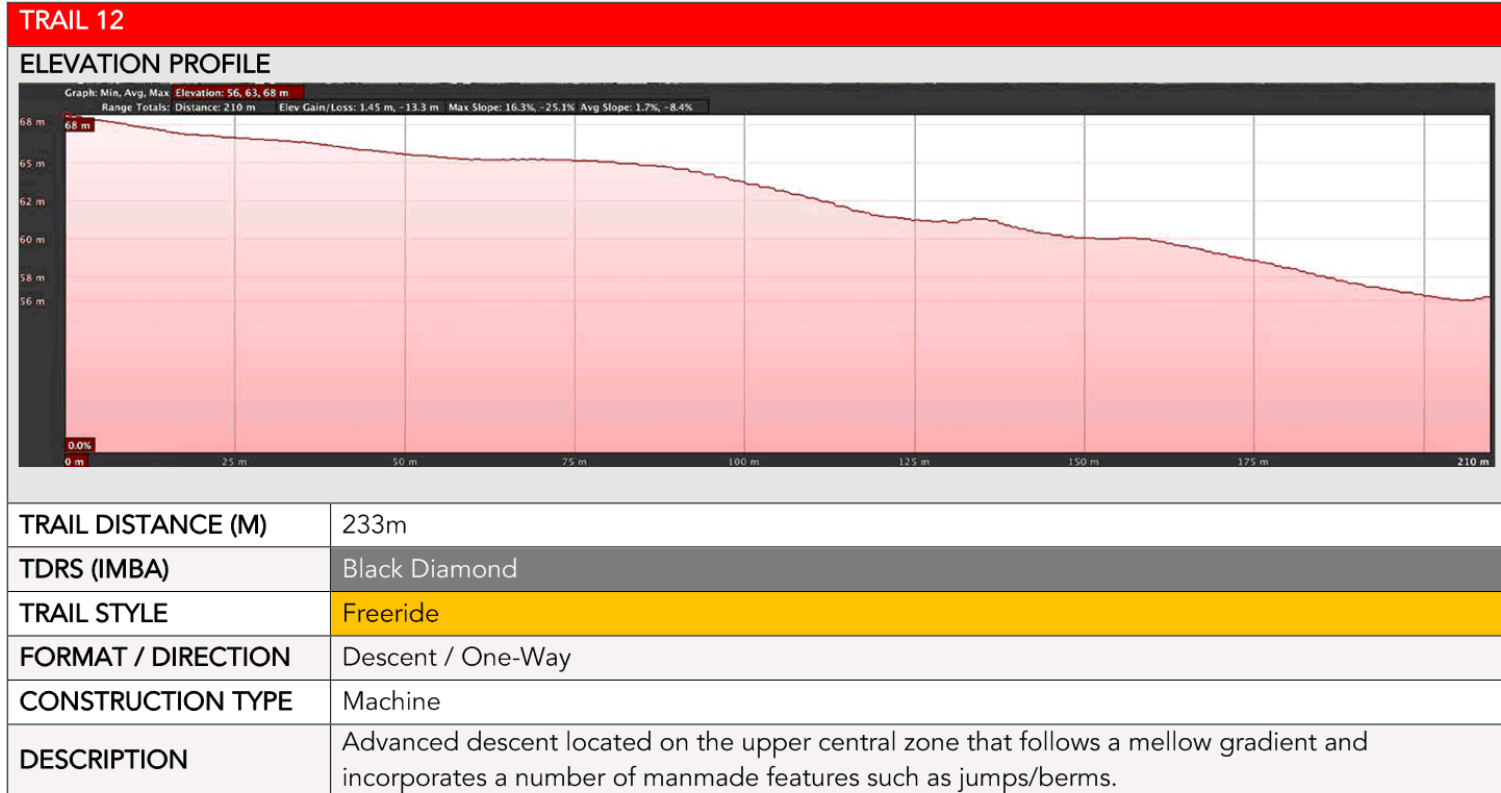
6.11.10 Trail Ten



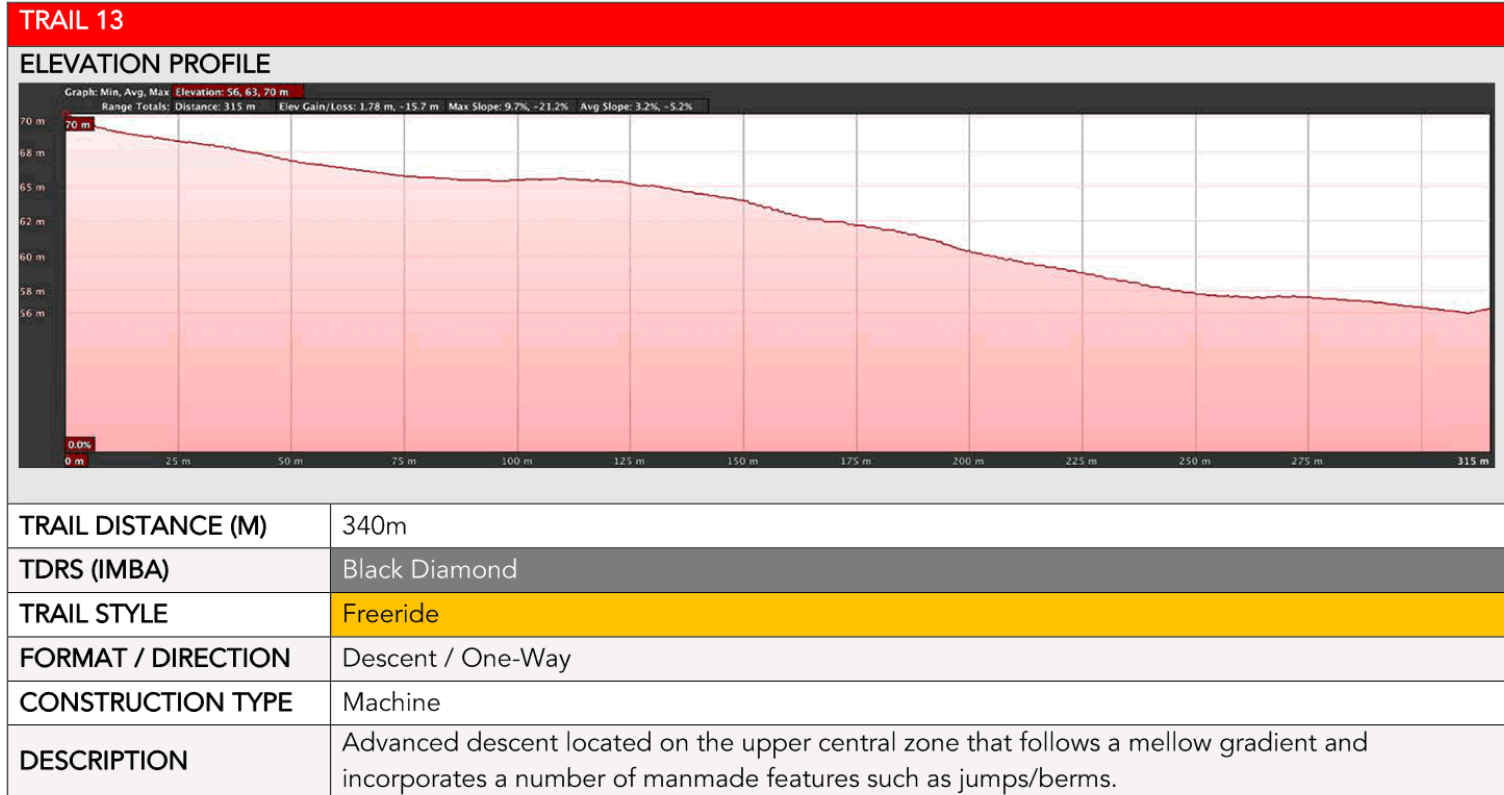
6.11.11 Trail Eleven



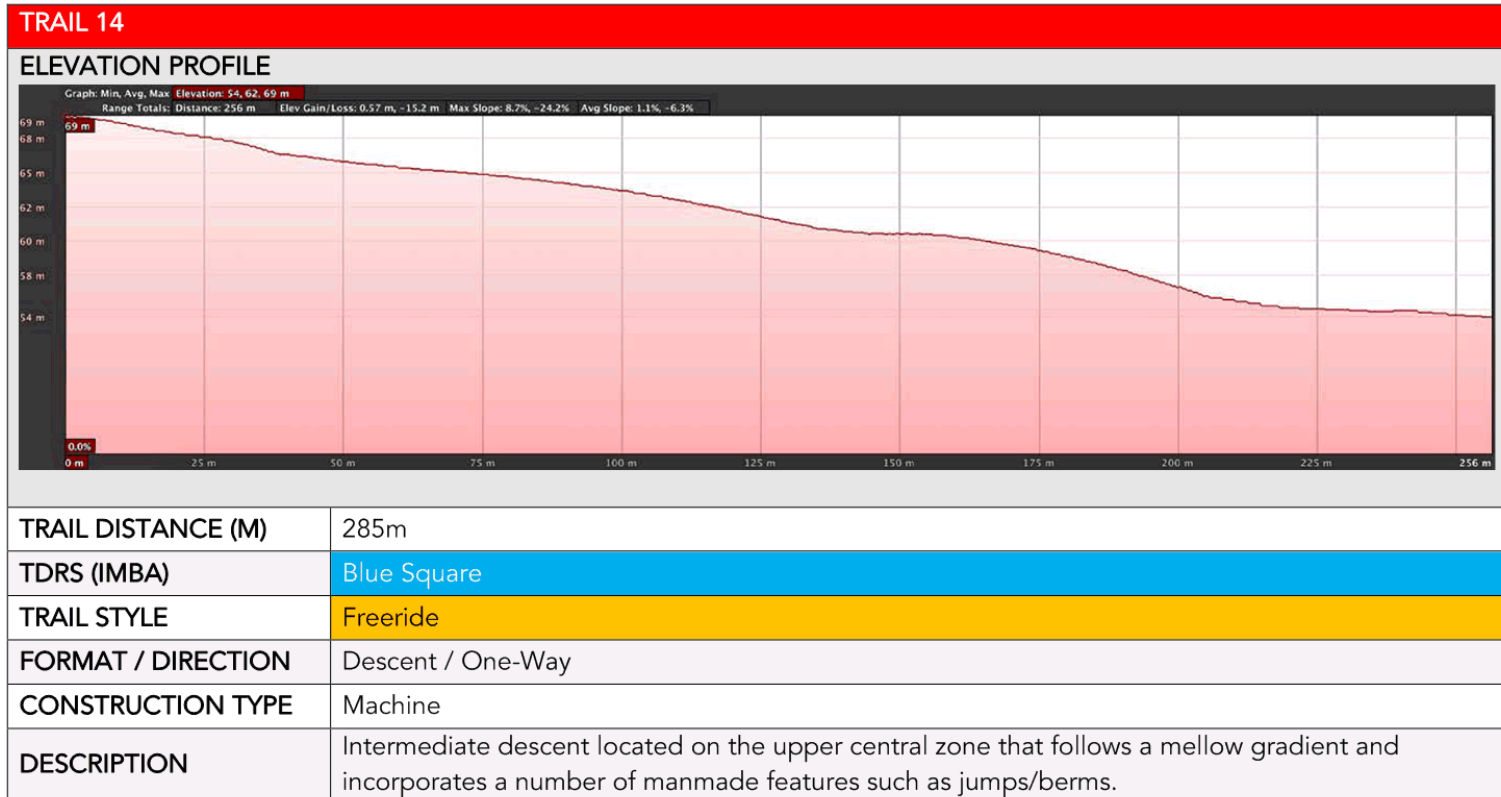
6.11.12 Trail Twelve



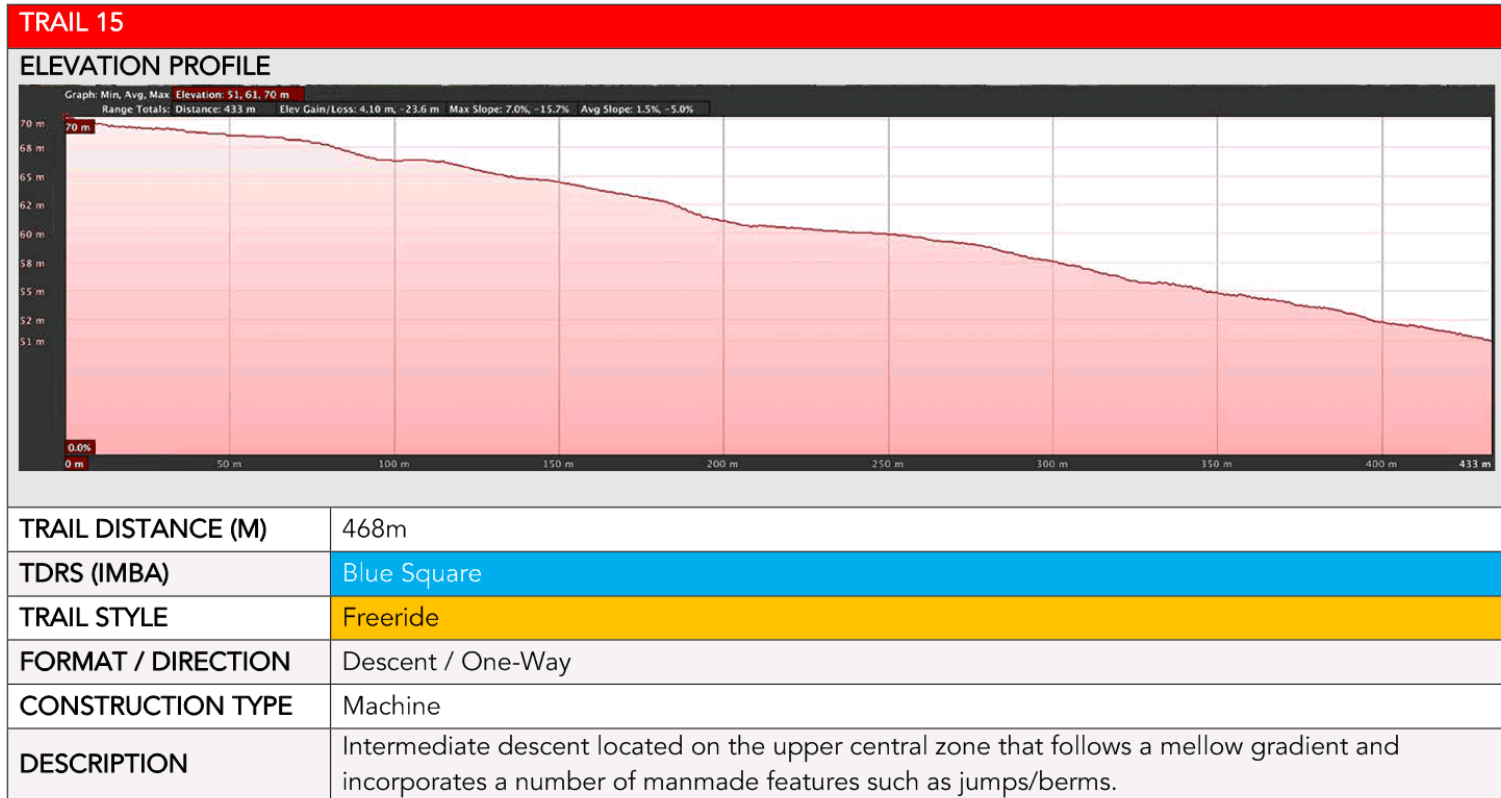
6.11.13 Trail Thirteen



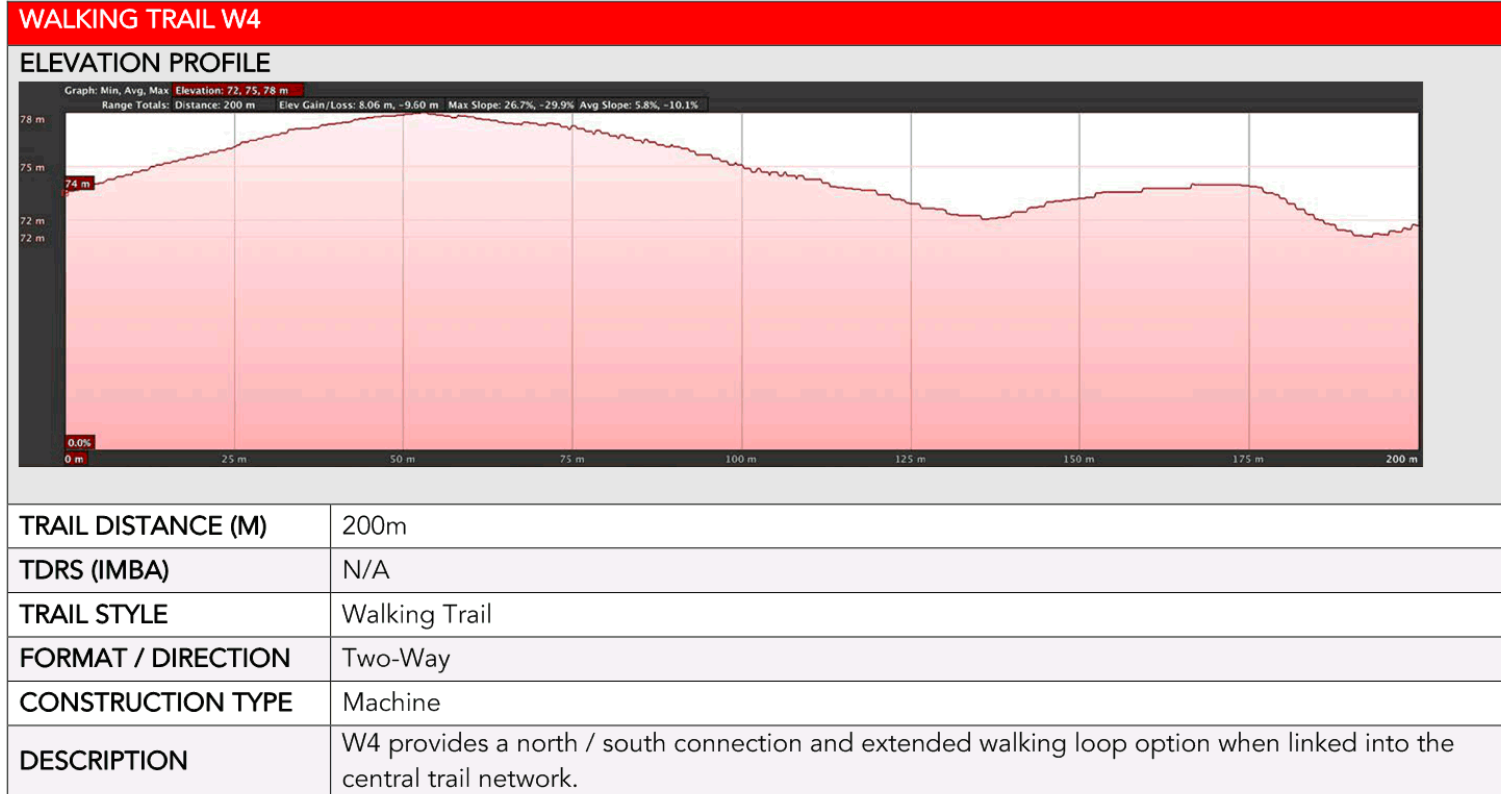
6.11.14 Trail Fourteen



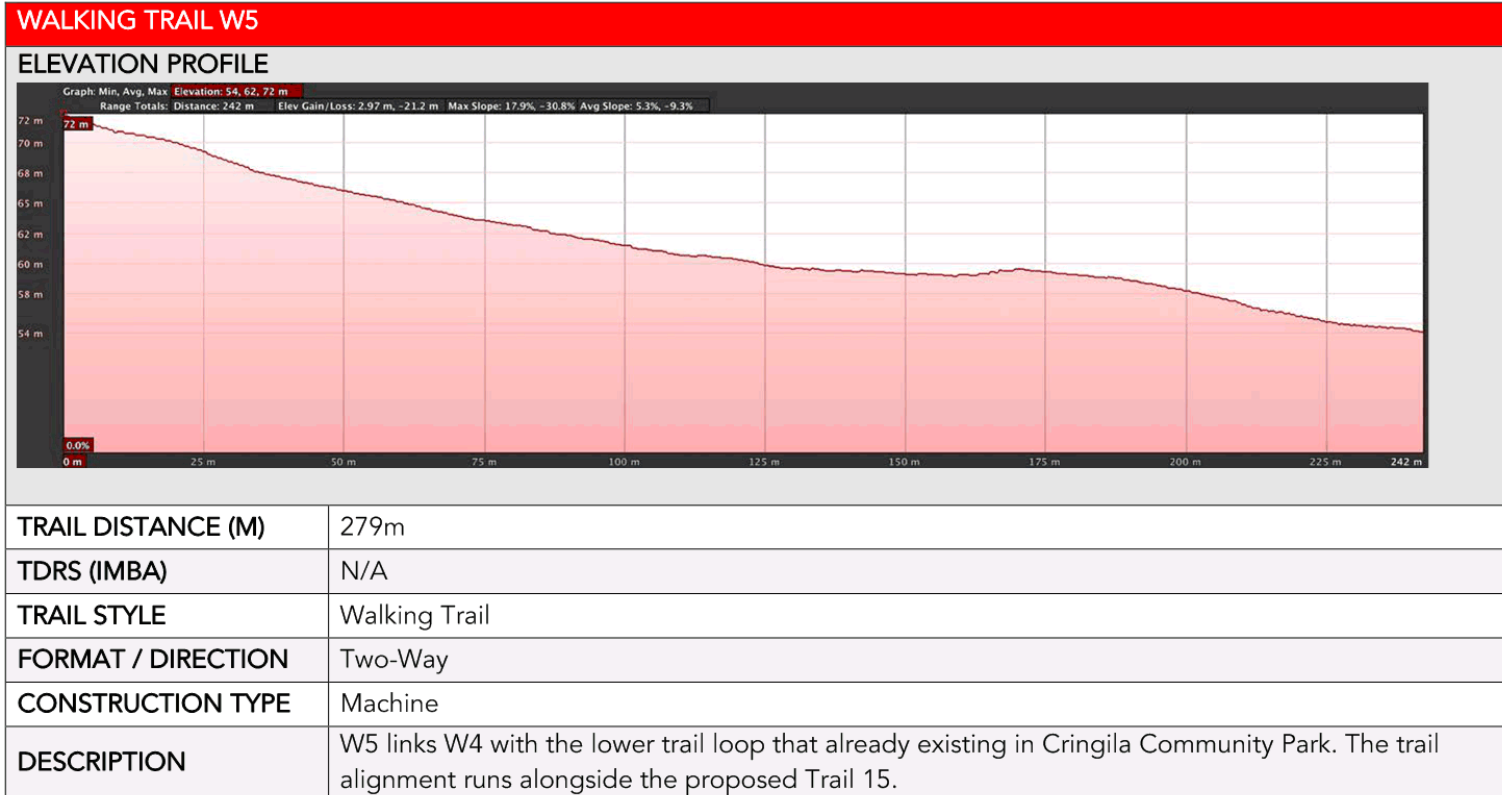
6.11.15 Trail Fifteen



6.11.16 Walking Trail W4



6.11.17 Walking Trail W5



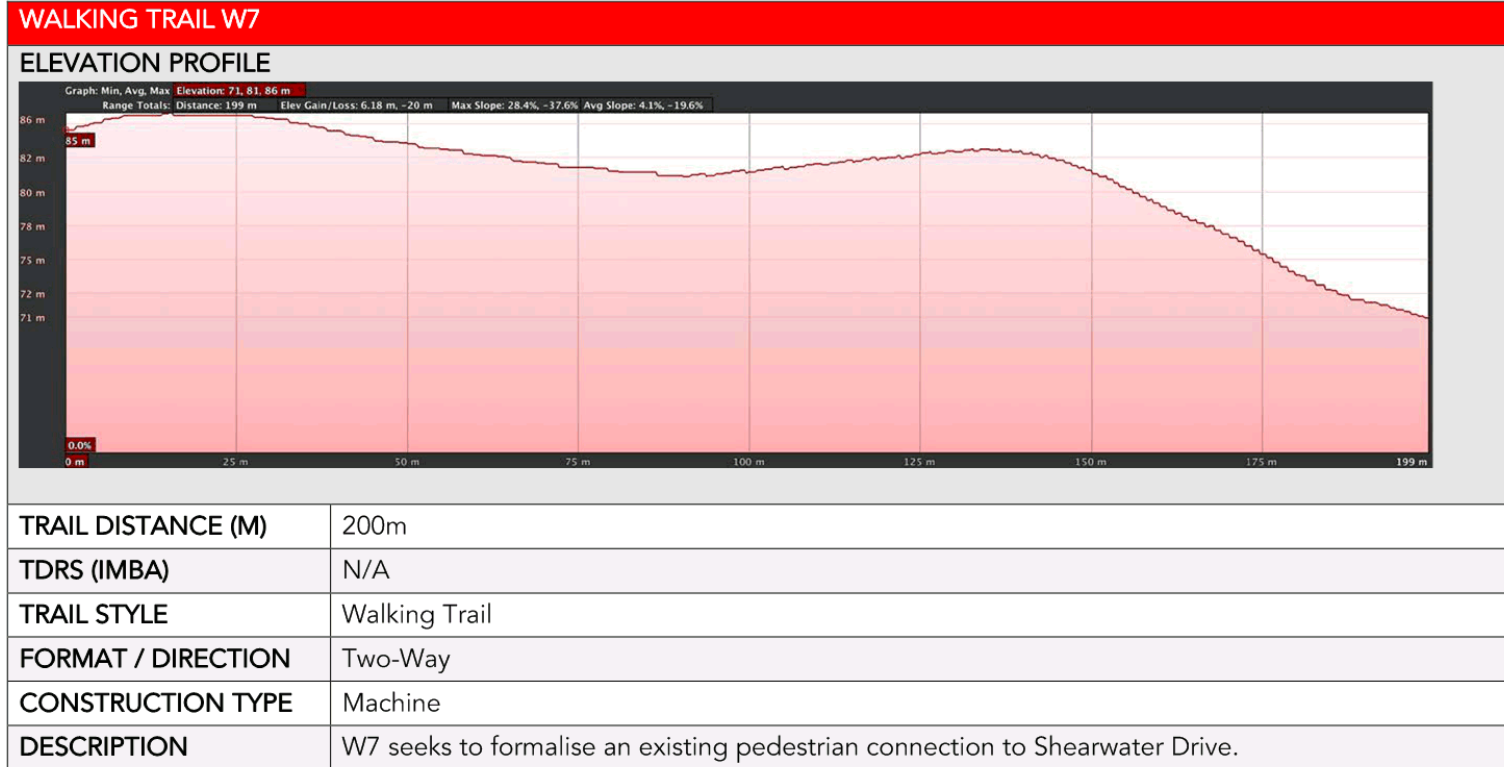
6.11.18 Walking Trail W6

WALKING TRAIL W6

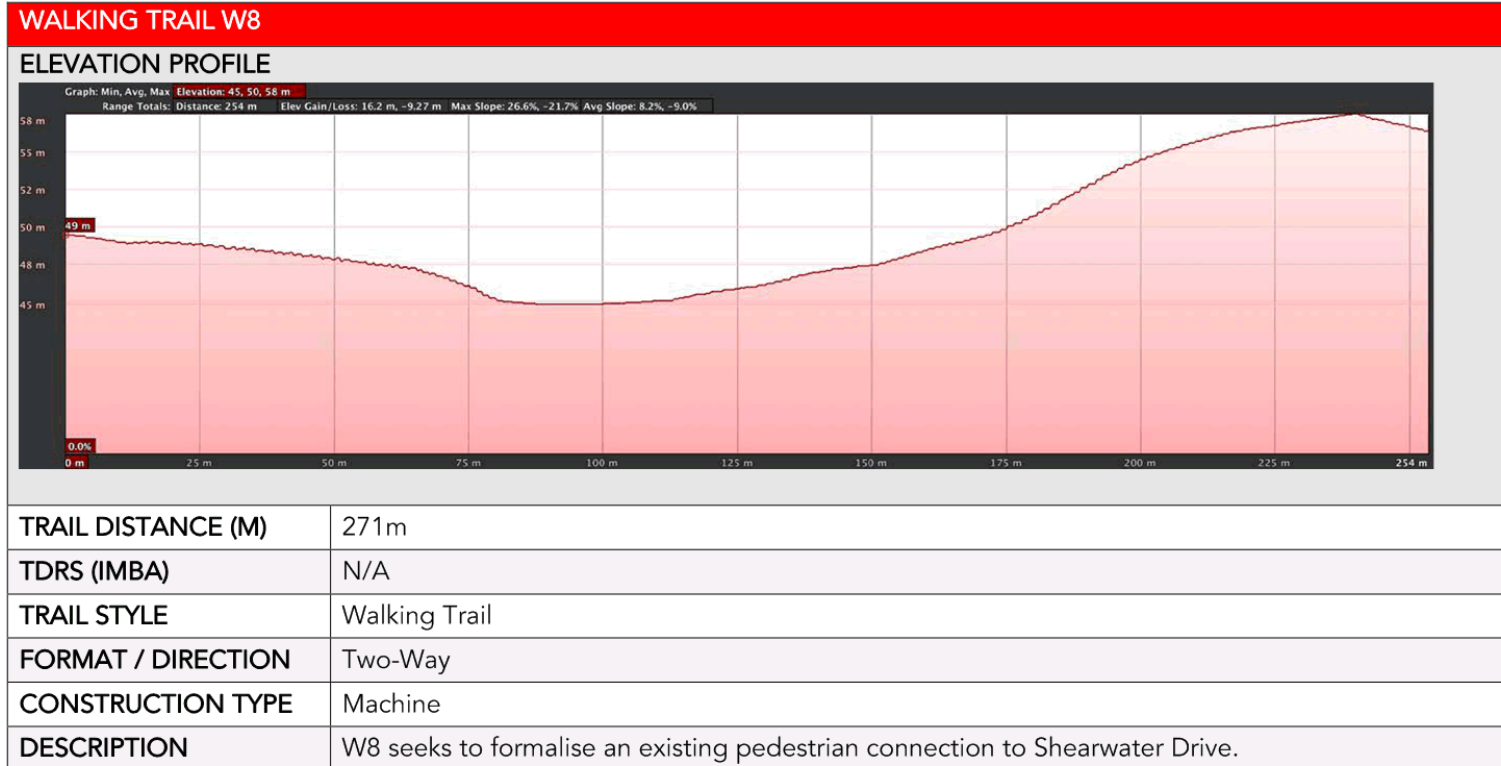


TRAIL DISTANCE (M)	457m
TDRS (IMBA)	N/A
TRAIL STYLE	Walking Trail
FORMAT / DIRECTION	Two-Way
CONSTRUCTION TYPE	Machine
DESCRIPTION	W6 forms an upper walking loop with W5 and can be used as a natural extension of the existing Cringila Community Park loop.

6.11.19 Walking Trail W7



6.11.20 Walking Trail W8



6.12 WESTERN TRAIL ZONE

6.12.1 Overview

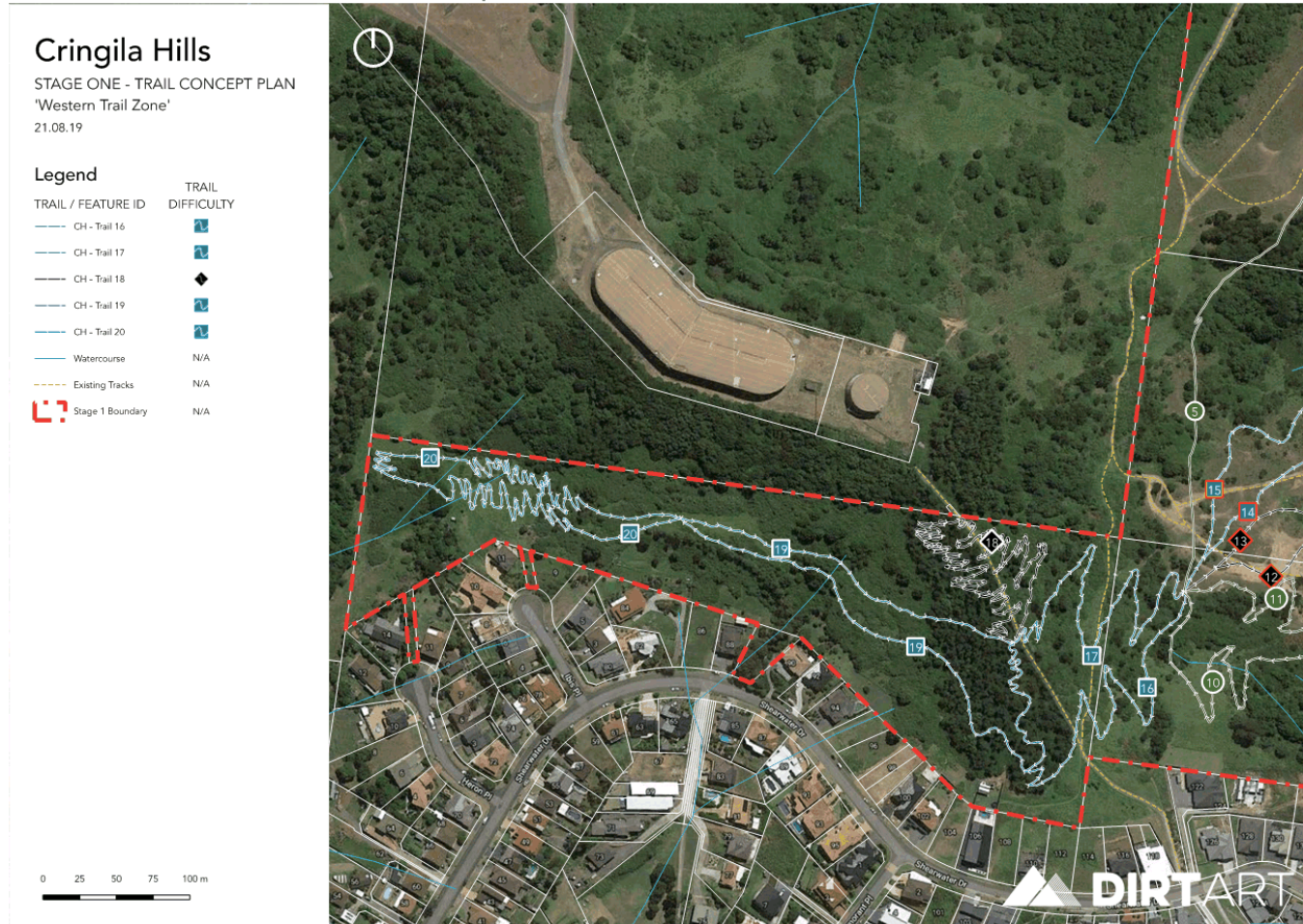
The western trail zone has some of the steepest terrain on the site and the undulating topography combined with the narrow land parcel makes it conducive to an out and back riding loop – that is, Trails 19 and 12. The highest point of the project site is also located in the western trail zone and sits directly under the Sydney Water reservoirs, which currently visually dominate the landscape. An all-mountain loop is proposed to take riders to this highpoint, before descending back down to the trail junction of Trail 19 (extended western loop) and Trail 17 (descent back to the central trail zone).

6.12.2 Access

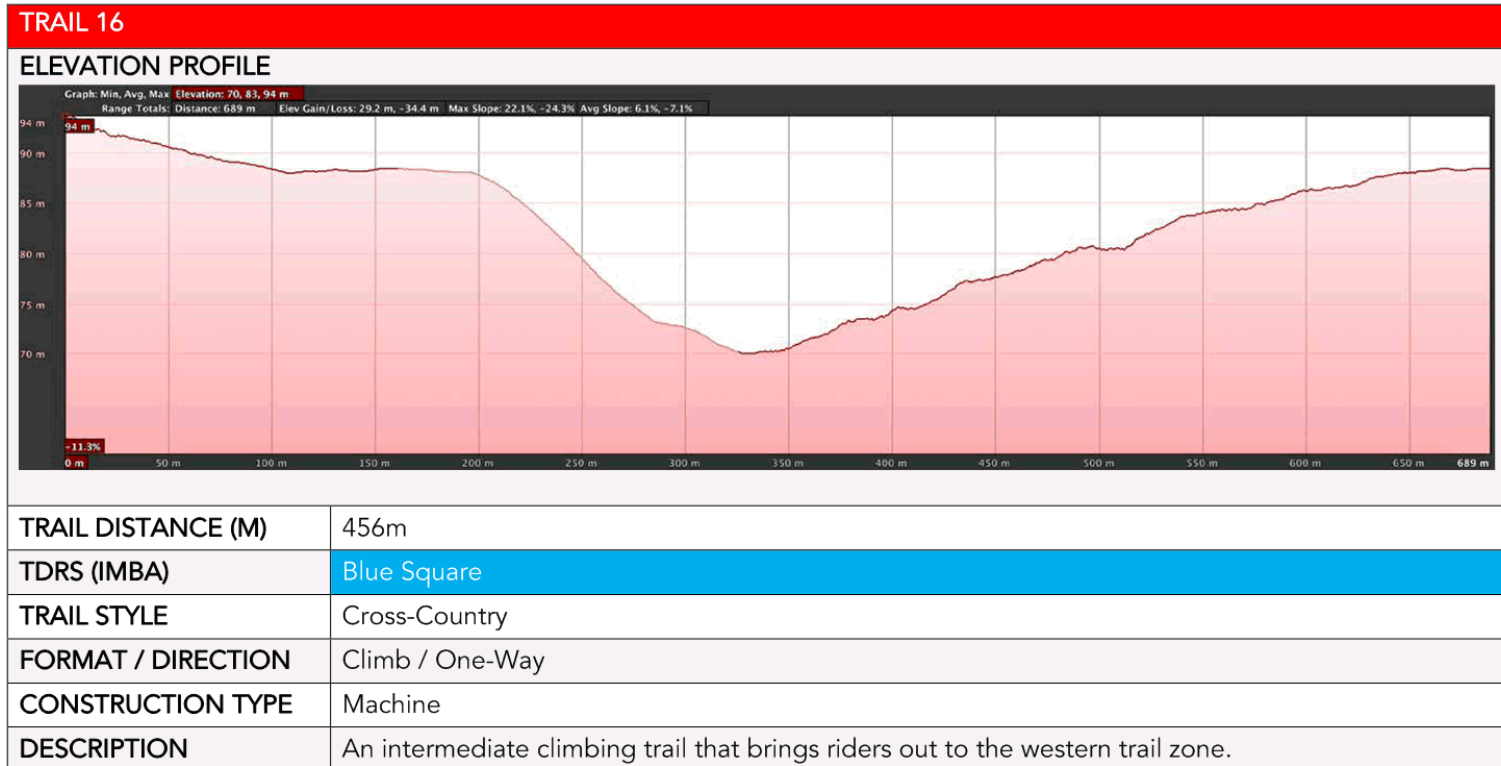
There is no vehicular accessible entry point proposed for the western trail zone other than those for the purposes of emergency services access (Ibis Place / Shearwater Drive). Instead, the zone is accessible via Trail 16 and Trail 17, which bring riders to and from the area respectively. The trails in this zone are designed to be more challenging, both in terms of trail difficulty (intermediate to advanced) and physical fitness (steeper/sustained climbing). Thus, the location of the western trail zone is specifically made as pedal-access only to ensure riders who arrive at this outer network are adequately prepared; having already been filtered through less demanding trails to get there.

Trails 19 and 20 are particularly suited to cross-country racing with an out and back loop through naturally undulating and challenging terrain.

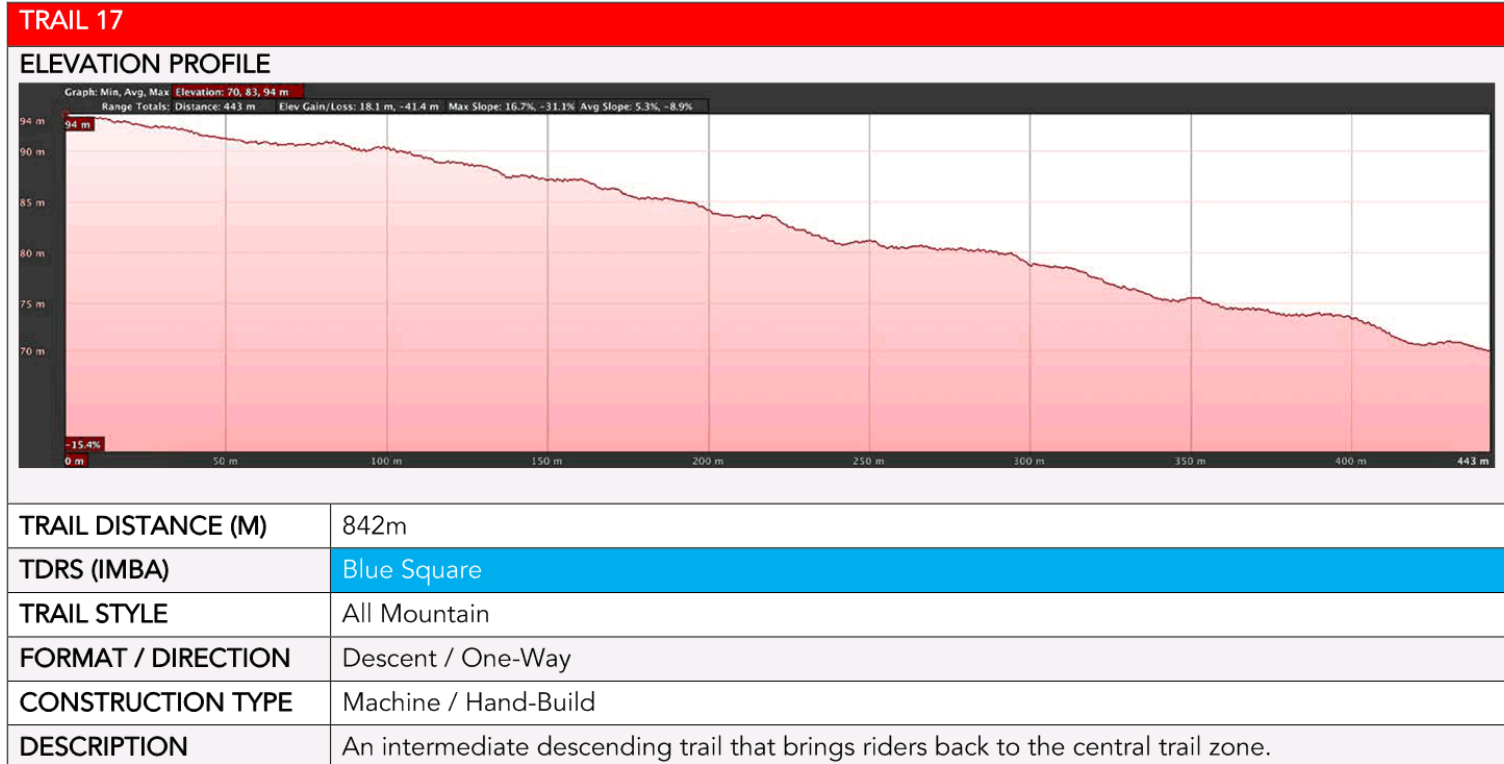
6.12.3 Western Zone – Trail Map



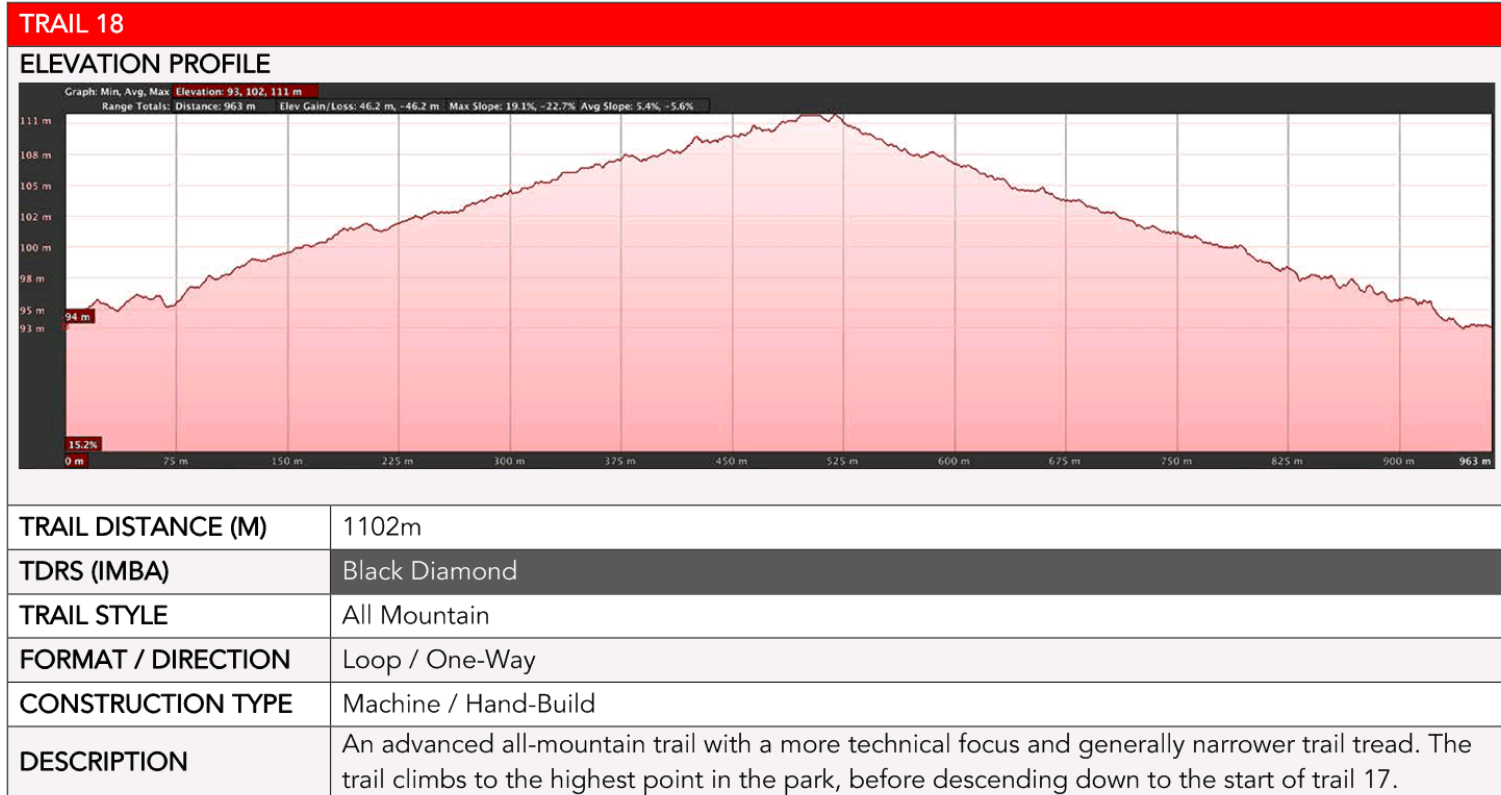
6.12.4 Trail 16



6.12.5 Trail 17



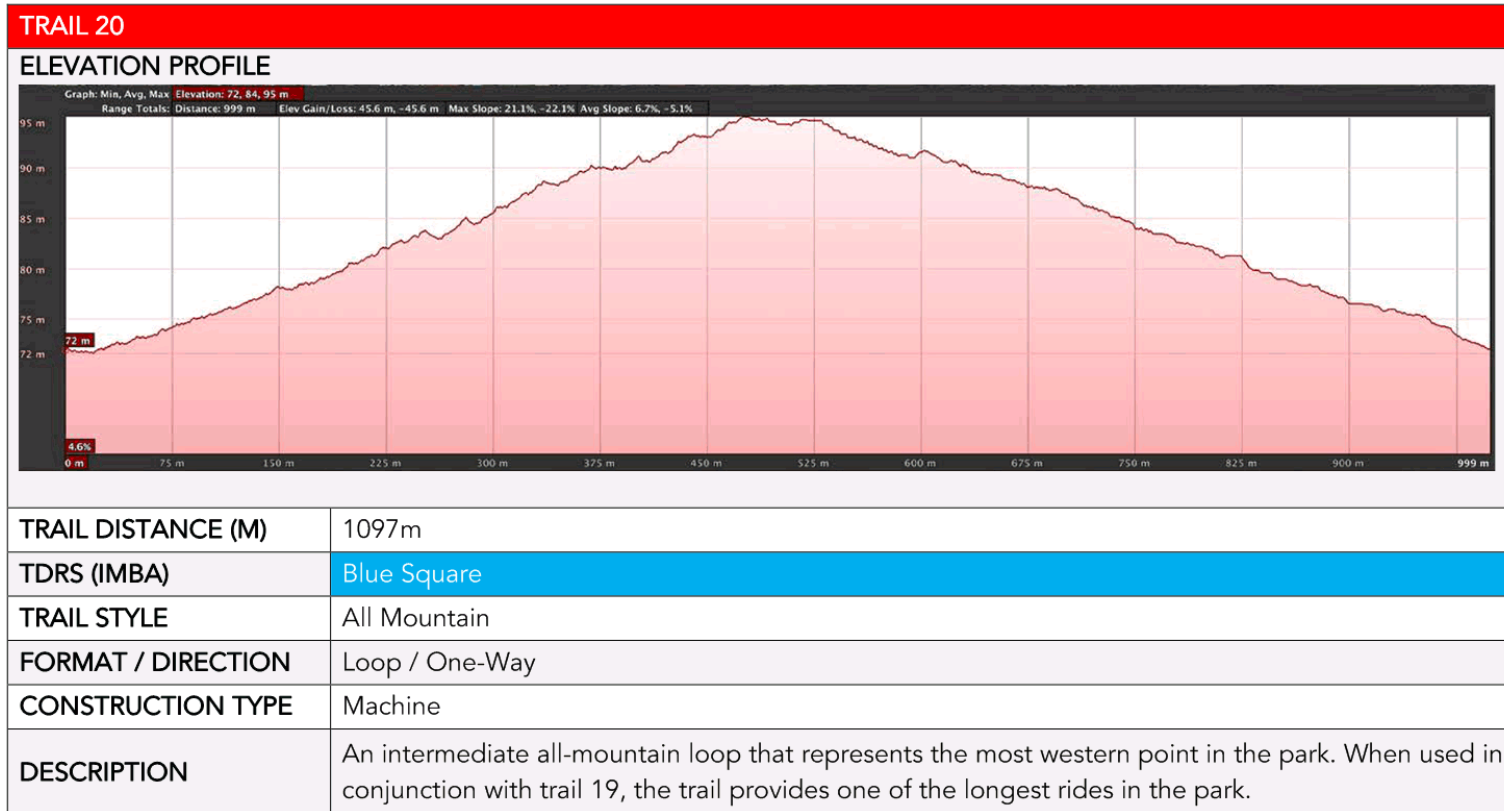
6.12.6 Trail 18



6.12.7 Trail 19



6.12.8 Trail 20





7 IMPLEMENTATION PLAN

7.1 OVERVIEW

The proposed implementation plan provides a suggested approach for delivering the various aspects of the trail development proposed in this mountain bike concept plan. While not intended to be prescriptive in its nature, the prioritised order provided has been carefully developed to allow for optimal progression through the development process in a logical, cost-effective fashion.

Dirt Art suggests a staged approach, which commences design and construction of the northern trailhead as the priority to ensure this becomes the park's primary access point. Trails 1, 2, and 3 are proposed to be built first in conjunction with the pump track and mountain bike skills park. In addition to this, proposed walking trails W1, W2, and W3 are recommended to be implemented into this stage along with the Shared Path connection to the existing Cringila Community Park walking loop. The first stage will have a heavy focus on providing trails and facilities that target beginner riders as well as a popular intermediate freeride/jumps trail.

Stage 2 implements the bulk of the new trails in the southern area of the site with a secondary access point via the Cringila Community Park. It seeks to bolster the offerings of the bike park by establishing a range of different descending trails and extended riding options. An extended walking loop is proposed to supplement the existing Cringila Community Park loop and link into the proposed walking trails in Stage 1.

The last stage of the development, Stage 3, focuses on the western sector of the site and providing intermediate to advanced riding opportunities. These trails seek to provide riders with extended riding loops over more challenging and undulating terrain.

7.2 APPROVALS COST ESTIMATES

Cost of approvals can vary significantly from project to project, though *Dirt Art* typically recommends a budget of approximately 5% of construction capital expenditure, though notably this figure does not include internal or external project management time required to prepare and administer the approvals process.

The cost for sourcing approvals includes satisfying council approval process, as well as approvals from other relevant agencies. The budgeted costs are inclusive of external consultancy around areas such as environmental and cultural assessments.

7.3 TRAIL DESIGN AND CONSTRUCTION COST ESTIMATES

The cost estimates provided represent current upper-end market rates for all services, materials and equipment listed. The information contained in this section of the report has been based around *Dirt Art's* experience in development and operational plans for a range of large-scale mountain bike facilities around Australia. The information should not be considered financial advice and is provided for indicative purposes only. Exact planning and development costs can only be ascertained through a formal quotation process with relevant providers. The rates for trail construction provided represent upper-end market rates and do not necessarily represent the rates that may be provided through a formal construction quotation from *Dirt Art*.

7.4 STAGE ONE – NORTHERN TRAIL ZONE

7.4.1 Trail Design and Approvals

Item / Description	Type	Trail Length (m)	Rate (\$/Lm)	Total Cost (ex. GST)
Trail Design	Design	3316	\$1.00	\$ 3,316.00
Approvals (5% of Design & Construction Cost)	Approvals	N/A	N/A	\$ 21,766.30
TOTAL =				\$ 25,082.30

7.4.2 Trail Construction

Trail No.	Trail Style	Trail Difficulty	Trail Length (m)	Rate (\$/Lm)	Total Cost (ex. GST)
1	XC	Green Circle	511	\$35.00	\$ 17,885.00
2	Freeride	Blue Square	535	\$50.00	\$ 26,750.00
3	XC	Green Circle	539	\$35.00	\$ 18,865.00
W1	Walking	N/A	468	\$50.00	\$ 23,400.00
W2	Walking	N/A	451	\$10.00	\$ 4,510.00
W3	Walking	N/A	291	\$50.00	\$ 14,550.00
Shared Path		N/A	521	\$50.00	\$ 26,050.00
Pump Track		N/A	N/A	N/A	\$ 200,000.00
Skills Park		N/A	N/A	N/A	\$ 100,000.00
TOTAL =					\$ 432,010.00

7.4.3 Ancillaries

Item / Description	Type	Rate (\$/Lm)	Total Cost (ex. GST)
Trail Signage (2.5% Construction)	Signage	N/A	\$ 10,800.25
Marketing (2.5% Construction)	Marketing	N/A	\$ 10,800.25
Landscaping (5% Construction)	Landscaping	N/A	\$ 21,600.50
TOTAL =			\$ 43,201.00

7.4.4 Total Stage 1 Development Cost

Item / Description	Total Cost (ex. GST)
Total Design and Approvals Cost	\$ 25,082.30
Total Construction Cost	\$ 432,010.00
Total Ancillaries Cost	\$ 43,201.00
TOTAL STAGE 1 DEVELOPMENT COST =	\$ 500,293.30

7.5 STAGE TWO – CENTRAL TRAIL ZONE

7.5.1 Design and approvals

Item / Description	Type	Trail Length (m)	Rate (\$/Lm)	Total Cost (ex. GST)
Trail Design	Design	7032	\$1.00	\$ 7,032.00
Approvals (5% of Design & Construction Cost)	Approvals	N/A	N/A	\$ 15,378.35
TOTAL =				\$ 22,410.35

7.5.2 Trail Construction

Trail No.	Trail Style	Trail Difficulty	Trail Length (m)	Rate (\$/Lm)	Total Cost (ex. GST)
5	Link	Green Circle	667	\$ 30.00	\$ 20,010.00
6	Freeride	Blue Square	643	\$ 50.00	\$ 32,150.00
7	Flow	Blue Square	474	\$ 50.00	\$ 23,700.00
8	XC	Green Circle	589	\$ 35.00	\$ 20,615.00
9	XC	Green Circle	1169	\$ 35.00	\$ 40,915.00
10	XC	Green Circle	420	\$ 35.00	\$ 14,700.00
11	XC	Green Circle	337	\$ 35.00	\$ 11,795.00
12	Freeride	Black Diamond	233	\$ 50.00	\$ 11,650.00
13	Freeride	Black Diamond	340	\$ 50.00	\$ 17,000.00
14	Freeride	Blue Square	285	\$ 50.00	\$ 14,250.00
15	Freeride	Blue Square	468	\$ 50.00	\$ 23,400.00
W4	Walking	N/A	200	\$ 50.00	\$ 10,000.00
W5	Walking	N/A	279	\$ 50.00	\$ 13,950.00
W6	Walking	N/A	457	\$ 50.00	\$ 22,850.00
W7	Walking	N/A	200	\$ 50.00	\$ 10,000.00
W8	Walking	N/A	271	\$ 50.00	\$ 13,550.00
				TOTAL =	\$ 300,535.00

7.5.3 Ancillaries

Item / Description	Type	Rate (\$/Lm)	Total Cost (ex. GST)
Trail Signage (2.5% Construction)	Signage	N/A	\$ 7,513.38
Marketing (2.5% Construction)	Marketing	N/A	\$ 7,513.38
Landscaping (5% Construction)	Landscaping	N/A	\$ 15,026.75
TOTAL =			\$ 30,053.50

7.5.4 Total Stage 2 Development Cost

Item / Description	Total Cost (ex. GST)
Total Design and Approvals Cost	\$ 22,410.35
Total Construction Cost	\$ 300,535.00
Total Ancillaries Cost	\$ 30,053.50
TOTAL STAGE 2 DEVELOPMENT COST =	\$ 352,998.85

7.6 STAGE THREE – WESTERN TRAIL ZONE

7.6.1 Trail Design and Approvals

Item / Description	Type	Trail Length (m)	Rate (\$/Lm)	Total Cost (ex. GST)
Trail Design	Design	3886	\$1.00	\$ 3,886.00
Approvals (5% of Design & Construction Cost)	Approvals	N/A	N/A	\$ 7,821.30
TOTAL =				\$ 11,707.30

7.6.2 Trail Construction

Trail No.	Trail Style	Trail Difficulty	Trail Length (m)	Rate (\$/Lm)	Total Cost (ex. GST)
16	XC	Blue Square	566	\$ 35.00	\$ 19,810.00
17	All Mountain	Blue Square	456	\$ 35.00	\$ 15,960.00
18	All Mountain	Black Diamond	1102	\$ 50.00	\$ 55,100.00
19	XC	Blue Square	665	\$ 35.00	\$ 23,275.00
20	All Mountain	Blue Square	1097	\$ 35.00	\$ 38,395.00
TOTAL =					\$ 152,540.00

7.6.3 Ancillaries

Item / Description	Type	Rate (\$/Lm)	Total Cost (ex. GST)
Trail Signage (2.5% Construction)	Signage	N/A	\$ 3,813.50
Marketing (2.5% Construction)	Marketing	N/A	\$ 3,813.50
Landscaping (5% Construction)	Landscaping	N/A	\$ 7,627.00
		TOTAL =	\$ 15,254.00

7.6.4 Total Stage 3 Development Cost

Item / Description	Total Cost (ex. GST)
Total Design and Approvals Cost	\$ 11,707.30
Total Construction Cost	\$ 152,540.00
Total Ancillaries Cost	\$ 15,254.00
TOTAL STAGE 3 DEVELOPMENT COST =	\$ 179,501.30

7.7 TOTAL DEVELOPMENT COST

Stage / Trail Zone	Total Cost (ex. GST)
Stage 1 – Northern Trail Zone	\$ 500,293.30
Stage 2 – Central Trail Zone	\$ 352,998.85
Stage 3 – Western Trail Zone	\$ 179,501.30
TOTAL DEVELOPMENT COST =	\$1,032,793.45



CONCEPT TO CONSTRUCTION

8 MOVING FROM CONCEPT TO CONSTRUCTION

8.1 OVERVIEW

Dirt Art suggest that all trail and facility elements described in this plan be constructed by a professional mountain bike trail company with significant experience in these specialised areas of development. Professional construction ensures all elements of the facility should meet relevant safety and sustainability standards, and that the trails will ultimately 'flow' well and will be enjoyable for users. While the designs provided for trail corridors in the plan provide the suggested optimum corridors for development, the final 'character' of the trail will be dictated by the construction team undertaking the trail build.

8.2 FINAL DESIGN

The new trail concepts provided in this concept plan constitute a broader high-level vision for the proposed development rather than detailed trail designs. These concept corridors have been established through limited on-ground exploration and desktop research. The proposed corridors have not been completely ground-truthed and as such a final design phase will be required prior to any trail development.

Cost estimates for final trail design have been included in the implementation plan section of this report.

8.3 MANAGEMENT STRUCTURE

Dirt Art suggests that Wollongong City Council utilises the services of a professional trail builder to maintain the trails and associated skills facilities. Regular trail maintenance will be essential to ensuring the longevity and safety of the public facility. Thus, a detailed maintenance plan should be created and implemented on a scheduled weekly/monthly basis.

8.4 PLANNING APPROVALS AND ASSESSMENTS

8.4.1 Overview

The planning and approvals process for this type of process is multi-faceted, and if not undertaken by those with significant relevant experience may be lengthy and costly. *Dirt Art* suggests that public and stakeholder consultation is a key component in the process and will often result in a more streamlined approvals process.

The below approvals do allow for some parallel processes, which can reduce the total approvals timeframe significantly. *Dirt Art* suggest that the likely approvals timeframe will be approximately 6+ months, with a shorter timeframe possible with streamlined processes and parallel works through the approvals process.

8.4.2 Required and potential approvals

The approval process for proposed trails will be dependent on their tenure. The following key processes will likely form components of the required approvals and assessments required prior to construction commencing;

- Council development application (DA)
- Environmental assessments

Dirt Art suggests that an EPBC federal referral is unlikely to be required, though this should be confirmed by a suitably qualified consultant.

8.5 TIMEFRAMES

8.5.1 Detailed trail design/construction plan development

Detailed design of the entire network would require approximately 20 days (4 weeks).

Compilation of a construction plan could be completed in approximately 2 weeks.

TOTAL TIME REQUIRED- 6 Weeks

8.5.2 Natural Values Assessment (NVA)

This stage in the process will vary greatly depending on the requirements for field time, which will be largely dictated by the level of environmental assessment required for the site(s).

Desktop assessment should be completed in 1-week and may require revisions to trail designs.

A window of 8 weeks should be allowed for field assessments and report preparation.

TOTAL TIME REQUIRED- 8 Weeks

8.5.3 EPBC referral (if required)

Dirt Art suggest that an Environmental Protection and Biodiversity Conservation referral should not be required for this project, though independent specialist advice should be sought for confirmation.

If required, an EPBC assessment process would vary depending on the nature of the referral (statutory maximum timeframes are not always relevant). *Dirt Art* estimates that if a referral is required, a resolution time of 20 weeks should be expected.

TOTAL TIME REQUIRED- 20 Weeks

8.5.4 Council Development Application

Dirt Art suggest a development application (DA) approval window greater than the statutory approvals timeframe. This extended timeframe allows for delays due to request for information (RFI) requests, and responses to negative representations.

Notably, the project has at the potential to receive a number of negative representations through the development application phase. There is potential that these representations may lead to an appeal in the event of an approved DA. In the event of a DA appeal, the timeframes suggested would no longer apply.

TOTAL TIME REQUIRED- 16 Weeks

8.5.5 Summary of timeframes

TASK / APPROVAL	TIME REQUIRED
Detailed Trail Design	6 weeks
Natural Values Assessment	8 weeks
EPBC Referral	N/A
Council DA	16 weeks
TOTAL =	30 weeks

Dirt Art suggests that with parallel works, the above could be completed within 6 months, potentially less with streamlined processes.

8.6 ENGAGING A SUITABLE CONSTRUCTION PROVIDER

Unlike a commercial or residential construction project, there is only so much design detail that can be given in a trail design process. The natural environment poses many unique challenges that will often dictate a change in trail alignment that could never have been anticipated during the design process. Buried bedrock, animal habitats and underground springs are all examples of factors that will force a change in trail alignment should they appear during construction. Additionally, the 'flow' of a trail that is critical to user enjoyment, and the trail drainage measures that are critical to sustainability typically require many adjustments during construction. For these reasons, it is essential that mountain bike trails and facilities are built by highly experienced, specialist construction companies, with significant experience building mountain bike trails.

The final character and style of a trail is entirely dictated by the construction team and particularly the machine operator involved in the construction process. A mountain bike trail has an absolute reliance on developing a riding 'flow', where braking is

minimised and the trail carries a rider along in a smooth, undulating fashion. Unlike a walking trail, which typically relies on a flat, even surface, a mountain bike trail is about creating a landscape. This again is an essential reason for engaging a suitable construction company to complete the project.

A suitable construction company will also hold appropriate public liability and professional indemnity insurance and have extensive experience in trail design and construction; important considerations in managing risk and liability. Unless a provider has mountain bike trail design and construction specifically noted in their insurance terms, there is a very high likelihood that their cover will be forfeited should an incident proceed to legal action.

A number of avenues are available for involving trainees, volunteers and/or retrained workers, but this should be as part of a professionally managed trail team.

8.7 CONSTRUCTION METHODS- PROFESSIONAL

8.7.1 Overview

Currently the majority of professionally built mountain bike trails are completed utilising machinery, in most cases a small excavator. A mini-excavator, if professionally driven is a fast, economical and ultimately optimal method of building most mountain bike trails. These machines allow for simple construction of a variety of trail features, rock walls, TTF's, rolling terrain, drainage, bermed corners and jumps, all features that consume significant time if hand built. Ultimately in most cases machinery allows for construction of a much more exciting, engaging and sustainable trail experience.

8.7.2 General Team Configurations

All excavation work should be followed with extensive hand finishing. *Dirt Art* typically compose project teams in the following make up;

Management Team

- (x1) Project Manager
- (x1) Office Support/logistics Team

Construction Team (1-2 teams)

- (x1) Machine Operator
- (x2) Trail Crew/Finishing Team

Typically, projects are conducted with more than one machine operator, in most cases utilising two finishing/trail crew members behind each piece of machinery.

8.8 CONSTRUCTION METHODS- VOLUNTEER

8.8.1 Overview

Given the bike park style of the project, *Dirt Art* suggests that the construction work is undertaken professionally. There may be limited scope to involve volunteers in some aspects of the construction process. However, this will likely be focused on training local volunteers to undertake a regular trail maintenance program.

8.8.2 Recommendations for managing volunteers during trail maintenance

Dirt Art suggests that the following management principles are enacted;

- All volunteers to undergo a formal trail maintenance training program
- All volunteers to agree to follow a basic set of workplace health and safety (WHS) guidelines, and to operate under an agreed safe work method statement/s (SWMS) for all construction activity in the area
- Volunteers to work on agreed, professionally designed projects only
- Trail construction to follow agreed standards, based upon the IMBA trail construction guidelines
- All volunteer projects to be regularly assessed during construction to ensure compliance (assessment by third party and/or land management agencies)
- All completed volunteer projects to be formally assessed and signed off prior to opening for public use (assessment by third party and/or land management agencies).

While the above management principles may represent a culture change in current practices, they ensure that ultimately the area will benefit from safe, well-organised and sustainable trail network. There remains significant scope within this management model for individuals and groups to develop their own 'style' of trail and to work independently while doing so.

The notion of a diverse style of volunteer developed trails is very valuable, but it must occur in an organised and sustainable fashion to ensure user safety and ongoing trail sustainability.

8.9 CONSTRUCTION CONSIDERATIONS

8.9.1 Seasonal construction considerations

Dirt Art suggest that sustainable trail construction should be possible in the bike park year-round, with optimal construction seasons being spring and autumn.

8.9.2 Watercourses / Wet Areas

Several active and non-active watercourses were identified during the design process. Trails concepts have been designed to minimize the number of crossings necessary and the proposed corridors have allowed some flexibility to re-route alignments on the ground as required during the detailed design / ground-truthing stage. Notwithstanding, during the detailed design stage, it will be important to identify the specific crossing points and implement the most effective treatment type for each site. More often than not, a crossing may be avoided through a simple realignment of the trail to avoid the low-lying area or gully. When a crossing is deemed necessary, the following treatment types may be employed (listed in order of their preference):

1. Rock-paved crossing
 - Rideable Surface:
 - Local onsite rock
 - Imported rock
 - Structure:
 - Rock
2. Raised boardwalk / platform
 - Rideable Surface:
 - Fibre-reinforced Plastic (FRP)

- Timber
 - Steel Mesh
 - Structure:
 - Timber
 - Steel
 - Plastic
3. Bridge
- Rideable Surface:
 - Fibre-reinforced Plastic (FRP)
 - Timber
 - Steel Mesh
 - Structure:
 - Timber
 - Steel
 - Plastic

8.9.2.1 Example Images



Example – Paved drainage culvert



Example – FRP / Steel raised platform



Example – FRP / Steel bridge over watercourse

8.9.2.2 Potential Watercourse Crossings



8.10 OTHER CONSIDERATIONS

8.10.1 Trail Safety / Filters

The proposed network of mountain bike and walking trails have been designed to optimize the potential of the given site and naturally undulating terrain. The network has been configured in a 'stacked loop' configuration to promote a natural filter for trail users. As the trails travel further away from the main trailheads, the difficulty and physicality of the trails increase accordingly. Of note, the western trail zone contains the park's most isolated trails as well as most physically demanding given the steeper/undulating terrain akin to this sector of the site.

8.10.2 Emergency Access Points

The following preliminary emergency access points have been identified for the site with their relative levels of accessibility noted below:

ID	TRAIL ZONE	ACCESS STREET / ROAD	EMERGENCY ACCESS TYPE	
			VEHICLE	PEDESTRIAN
E1	WESTERN	Heron Place	Limited – End of cul-de-sac	Limited – No existing track
E2	WESTERN	Ibis Place	Limited – End of cul-de-sac	Limited – No existing track
E3	WESTERN	Shearwater Drive	Limited – Proposed track	Yes – Proposed track
E4	CENTRAL	Shearwater Drive	Yes	Yes
E5	CENTRAL	Lockwood Street	Yes	Yes
E6	NORTHERN	Lackawanna Street	Yes	Yes
E7	NORTHERN	Jarvie Road	Yes	Yes

8.10.3 Emergency Access Map



8.11 MARKETING

***Dirt Art* suggest a marketing budget of 2.5% of construction capital expenditure in year one, and an annual expenditure of 0.5% of capital expenditure every year for a minimum of five years thereafter.**

Effective marketing is absolutely critical to the success of any mountain bike destination. While word-of-mouth has traditionally been the most commonly utilised approach for promoting trails, this approach in isolation is no longer adequate for promoting nationally significant destinations. *Dirt Art* suggest a multi-faceted marketing approach, which includes;

- Destination digital media marketing: Utilisation of providers such as Flow Mountain Bike to undertake digital destination marketing. The creation of high-quality content during these visits can be recycled throughout ongoing marketing campaigns.
- Social media: Social media is an excellent platform for targeting the broadest section of the mountain bike market. Key platforms are Facebook and Instagram, followed by Snapchat and Twitter. *Dirt Art* suggest creating and utilising platforms during the construction process, which allows for a greater potential to build an audience, while also bringing followers 'along for the ride' during construction. A focus should be made on delivering high-quality, regular content, and where possible frequently engaging with the audience.
- Merchandise: Quality merchandise is an excellent way for visitors to contribute revenue back to the trails, but more importantly act as advocates for the destination upon their departure.
- Events: Events are a powerful marketing tool, which can have a profound impact on elevating the profile of a destination.

Dirt Art recommend developing a formal marketing plan for the project, ensuring that the project will be at the centre of riders' decision making when they plan their next holiday.



CONCLUSION

9 CONCLUSION

The Cringila Hills Bike Park project offers strong potential to add to Wollongong's growing network of mountain bike experiences, providing a new and exciting public facility that would provide recreational riding opportunities for a diverse market. Currently, the Illawarra Escarpment contains the majority of informal trail riding offerings in the region. However, as often is the case, these user and enthusiast-built trails cater for the upper echelon of advanced riders, which is in part due to the steeper terrain found along the Escarpment. Thus, an opportunity exists to provide a formalised network of trails on a unique piece of land that is currently underutilised.

The concept design for the Cringila Hill utilises existing access points and amenities and provides a series of trail offerings to activate and redefine the site. A total of twenty trails are proposed in the park with the addition of a mountain bike skills park and adjoining pump track. The northern entrance to the site via Lackawanna Street and represents the primary trailhead in conjunction with the proposed carpark and adjoining facilities. This sector is home to the skills park and pump track area; there is a specific focus on beginner and family friendly riding options here. A central trail zone is located to the southern portion of the site, which houses the greatest density of trails in the proposal and targets beginner to intermediate riders with options for a multitude of shorter or longer rides. A secondary access point utilises the existing Cringila Community Park as pedal-access for local riders. Lastly, the western trail zone offers a series of more challenging trails with steeper and more undulating terrain to test riders' skill and fitness.

All three trail zones target specific user groups and offer a variety of trail styles and difficulties to suit a range of riders. A 'stacked loop' configuration encourages creativity and diversity by allowing riders to choose multiple descents, which are generally linked with a universal climbing trail. Two linking trails, Trails 4 and 5, act as north-south connectors and create options to shorten, lengthen, or repeat certain sections of trail.

The proposed peri-urban bike park would be an immensely popular facility given its proximity to an established contingent of mountain bikers (as evidenced in the extensive network of informal trails in the region) as well as the broader community and

densely populated suburb of Cringila. Furthermore, the project is sited directly adjacent to Cringila Public School with two high schools located nearby: Warrawong High School and Illawarra Sports High School. The area is well-serviced with local shops and a nearby railway station. The bike park presents a fantastic opportunity to transform an underutilised parcel of land into a community asset.

The Cringila Hill Bike Park proposes development of 11.5km of quality mountain bike trails and 3.1km of walking trails, which capitalise on the natural assets of the site to create a unique peri-urban mountain bike facility to cater for a range of rider styles and abilities.

10 APPENDIX TWO- MOUNTAIN BIKING MARKET SEGMENTS AND RIDING STYLES

10.1 OVERVIEW

The mountain bike market is divided into various groups of riding activity, with bicycles themselves developed to meet the needs of these market sectors. While the below outlines the main categories of mountain bike activity, it must be acknowledged that this is by no means an exhaustive list. In recent years, there has also been significant advancements in bicycle technology, which is resulting in many riders choosing one bicycle to engage in multiple styles of riding. This market sector is broadly referred to as all mountain riding, and typically involved a dual suspension bicycle with 5-7 inches of front and rear suspension travel.

10.2 ENDURO AND ALL MOUNTAIN

Enduro and all mountain is the largest and fastest growing category of riders in the industry, making up approximately 60% of all riders. This style of riding typically involves longer travel dual suspension bikes, which have a gravity focus, but are also capable climbers. Generally speaking, this style of riding involves less focus on climbing, and more focus on descending. Riders will either climb to the top of a trail or use a chairlift or vehicle uplift.

10.3 CROSS-COUNTRY AND TRAIL RIDING

Cross-country and is the second largest sector of the mountain bike market and is the mountain bike discipline included in the Olympic Games. This style of riding typically involves front suspension bikes or shorter travel dual suspension bikes. Cross-

country riding involves an equal focus on climbing and descending, with riders climbing to the top of any descents they encounter.

10.4 DOWNHILL

Downhill mountain biking typically refers to purely descending riding, where riders utilise a course of between 2-5 minutes in length. This market segment typically involves more robust bicycles with greater suspension travel (8-10 inches front and rear). Downhill riders typically utilise a chairlift or vehicle shuttle to deliver them to the trail head, as downhill-specific bicycles are not designed for uphill riding.

Downhill mountain biking typically involves more challenging riding terrain and steeper trail gradients, though the emergence of all mountain riding has brought more downhill trail elements into every-day mountain biking.

10.5 DIRT JUMPING

Dirt jumping is widely considered as a market segment only populated by younger riders, and while these users may make up the dominant demographic in this style of riding there is a broad cross section of riders who engage in dirt jump riding.

Dirt jumping involved a point-to-point or loop course typically populated by a variety of jumps, rollers and bermed corners. Users aim to gain maximum airtime while riding as smoothly as possible. More advanced dirt jump riders complete many different aerial manoeuvres including 360's, back flips and front flips.

Dirt jumping has a direct crossover with BMX riding, with both user groups utilising the same facility type.

10.6 PUMP TRACKS

Pump track riding is a relatively new though fast-growing style of mountain biking, which involves a small, low lying track populated with a variety of rollers and bermed corners. The aim is to 'pump' the bike through the track, gaining momentum without the need for pedalling. These simple, low maintenance facilities have a small footprint and relatively low development costs and are thus perfect for an urban and peri-urban facility setting.

10.7 HEAD-TO-HEAD

Head-to-head mountain biking is predominantly racing-focused discipline, which has seen a variety of different formats over the past ten years. The discipline began with a dual slalom format, whereby two riders raced each other down separate, parallel courses. This format was changed to four cross in 2004, which involved four riders racing down a single, wide course populated by a variety of natural terrain features, jumps and corners.

In 2012 the UCI (Union Cycliste Internationale)⁶ removed four cross from its World Cup racing calendar, which resulted in many national federations removing the discipline from their race schedules. A decision has not yet been published regarding four cross racing either in Australia or on the world stage.

⁶ The UCI is the international governing body responsible for all cycling disciplines

10.8 MOUNTAIN BIKE RACING FORMATS⁷

10.9 CROSS COUNTRY OLYMPIC (XCO)

XCO is the mountain bike discipline included in the Olympic Games and provides a diverse riding experience including climbing and descending. An XCO course must be between 4km and 6km in length, preferably using the venue in the form of a cloverleaf to provide optimum course contact with the race village. No more than 15% of the course may be on paved or sealed road.

10.10 CROSS COUNTRY ENDURO/TIMED FORMAT (XCEN)

A multi-lap cross country event based on a set time format of 1-24 hours in duration. Riders are judged on the number of laps they complete in the given time frame. Course length should be at least 5km, with a longer course required for larger competitor numbers.

10.11 CROSS COUNTRY POINT-TO-POINT (XCP)

A cross country format event utilising a point-to-point course of between 20-60km in length. Variations to course length may be allowed at the discretion of the Technical Delegate.

10.12 CROSS COUNTRY MARATHON (XCM)

XCM utilises a course of between 60km and 120km. The event can be run in the following formats; single loop, point-to-point, or over a maximum of three laps. In the event of a single lap format no part of the course may be covered twice. In the event of a multi-lap event short cuts for some classes are not permitted.

⁷ Information from Mountain Bike Australia (MTBA) 2011 Technical Regulations. www.mtba.asn.au

10.13 CROSS COUNTRY SHORT COURSE (XCC)

XCC utilises a course of up to 800 metres in length, which should allow for passing opportunities throughout the entire course length. The course may have artificial features if they are safe and easily passable by the majority of riders.

10.14 CROSS COUNTRY ELIMINATOR (XCE)

XCE is a short course cross country racing format where riders contest a course up to 1km in length. Riders race in groups of four and are eliminated in a format similar to four cross racing. The course may include a range of natural and artificial obstacles. Qualification rounds will take place in a similar format to a 4X event.

10.15 SUPER D (SD)

A point-to-point event involving a predominantly descending course contested in a mass start, eliminator or time trial format. A Super D requires a course of at least 2.5km in length with multiple passing opportunities. The course length will often dictate the racing format utilised, with longer courses being more suitable for mass start racing.

10.16 GRAVITY ENDURO

Gravity enduro is the newest and fastest growing mountain bike event format, which is exponential growth across the world. The format involves a range of transition stages, with riders racing the descending section of trails. While descending in focus, race stages may include flat sections and short climbs. The format combines the fun and action of downhill with a reduced risk of crash/injury, and the fun of cross-country racing without the strenuous climbing.

10.17 DOWNHILL (DHI)

DHI is a point-to-point format race involving a course of between 1.5km and 3.5 km. Total race time should be between two and five minutes. The course must contain a maximum of 3% paved roads and will consist of a variety of different terrain types. There should be an emphasis on technical skills rather than pedalling.

10.18 FOUR CROSS (4X)

4X involves a descending course of between 30 and 60 seconds in length. The course should involve a variety of terrain including; jumps, banked turns, flat turns and natural terrain features. 4X is a competition that consists of qualifying round/s or timed qualifying, followed by a series of races (motos) where four riders share the one course. The first and second placed riders in each moto advance to the next round.

ITEM 6

REVIEW OF CHAPTERS E13: FLOODPLAIN MANAGEMENT AND E14: STORMWATER MANAGEMENT OF WOLLONGONG DCP

On 15 December 2009 Council endorsed the Wollongong Development Control Plan (DCP) 2009. The DCP came into force on the 3 March 2010, following the commencement of the Wollongong Local Environmental Plan 2009.

The DCP includes Chapters E13: Floodplain Management and E14: Stormwater Management. A review of Chapters E13 and E14 has resulted in proposed amendments. This report recommends Council endorse the reviewed documents for public exhibition.

The changes to the DCP chapters are recommended to provide greater clarity, simplify some modelling processes, ensure consistency with the LEP, and implement recommendations from adopted floodplain risk management plans and coastal zone management plan.

RECOMMENDATION

- 1 Draft Wollongong Development Control Plan (2009) Chapters E13: Floodplain Management and E14: Stormwater Management be exhibited for a minimum period of 28 days.
- 2 A further report outlining the submissions received from the public exhibition process with recommendations regarding progression of the draft DCP amendments be prepared for Councils consideration.

REPORT AUTHORISATIONS

Report of: Mike Dowd, Manager Infrastructure Strategy + Planning
Authorised by: Andrew Carfield, Director Infrastructure + Works

ATTACHMENTS

- 1 Draft Chapter E13: Floodplain Management
- 2 Draft Chapter E13: Floodplain Management Change Log
- 3 Draft Chapter E14: Stormwater Management
- 4 Draft Chapter E14: Stormwater Management Change Log

BACKGROUND

The Wollongong DCP (2009) commenced on 3 March 2010 and includes Chapters E13: Floodplain Management and E14: Stormwater Management. The two chapters have not been reviewed since the commencement of the DCP.

In this period, several Floodplain Risk Management Studies and Plans containing DCP related recommendations have been adopted by Council. These recommendations have been included in the review of E13: Floodplain Management.

Council's Conduit Blockage Policy (2002) was reviewed in 2016, and also contains recommendations to update Chapters E13 and E14. New national guidance following the Australian Rainfall & Runoff (2019) release is also being progressively adopted by Council and partly included in Chapters E13 and E14.

The review of Chapters E13 and E14 is occurring over 2 Stages. This review represents Stage 1.

Stage 1

- Amend inconsistent & ambiguous sections;
- Clarify definition of detrimental increases in flood impacts;
- Ensure DCP chapters is consistent with Wollongong Local Environment Plan (2009);
- Clarify Council's 117 direction exemption within DCP;
- Implement DCP related recommendations from Flood Risk Management Studies; and
- Implement recommendations from Coastal Zone Management Plan (2017).

Stage 2

Council will implement Stage 2 as Floodplain Risk Management Studies are completed (over the next 5 years). Stage 2 will further incorporate Australian Rainfall and Runoff 2019 and update Flood Risk Precincts in line with national guidance.

PROPOSAL

The reviewed draft DCP Chapters E13: Floodplain Management and E14: Stormwater Management be placed on Public Exhibition for a minimum of 28 days.

CONSULTATION AND COMMUNICATION

On the 7th December 2018, an industry forum was held which outlined the proposed changes to E13 and E14. The review was generally supported. Three submissions were received from local consultants outlining technical matters they would like to see considered in the review.

A Councillor briefing outlining the key changes to the reviewed chapters was held on 4th November 2019.

If Council endorses the draft amendment to the DCP for public exhibition, the public exhibition will include:

- Notification in the local newspaper of the exhibition dates;
- Exhibition website with the draft material and opportunity for comment;
- Physical copies available in the Wollongong Library;
- Industry forum to present the changes to local consultants and answer questions.

Following the exhibition period, submissions will be reviewed and reported to Council with further recommendations regarding progression of the DCP chapters.

PLANNING AND POLICY IMPACT

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

Community Strategic Plan	Delivery Program 2018-2021	Operational Plan 2019-20
Strategy	3 Year Action	Operational Plan Actions
1.1.3 The potential impacts of natural disasters, such as those related to flood and landslips are managed and risks are reduced to protect life, property and the environment	1.1.3.2 Establish effective urban stormwater and floodplain management programs	Develop and implement Floodplain Risk Management Plans

RISK ASSESSMENT

The revised DCP chapters will provide more clarity to Council and industry regarding Floodplain and Stormwater Management requirements. The exhibition process will allow the community to provide further input to the revised chapters.

CONCLUSION

The Wollongong DCP Chapters E13: Floodplain Management and E14: Stormwater Management have been reviewed following internal and external consultation. It is recommended that the revised draft DCP chapters be exhibited for community and industry input.

Following the exhibition period and industry forum, submissions will be reviewed and reported to Council with further recommendations regarding the progression of the guiding documents.



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DRAFT

1 INTRODUCTION

- a) This chapter of the DCP provides Council's requirements for development upon flood prone land and land below the flood planning level within the City of Wollongong Local Government Area (LGA).
- b) This chapter of the DCP has been developed as an outcome of Floodplain Risk Management Plans (FRMPs) prepared in accordance with the process outlined by the NSW Government Flood Prone Lands Policy and the NSW Floodplain Development Manual (FDM) 2005. In areas where FRMPs have not yet been adopted the planning controls reflect Council Policy and are considered to be consistent with the principles of the State Government Flood Prone Lands Policy and FDM.
- c) The Department of Planning and the Department of Environment and Climate Change (Now Department of Planning Industry and Environment, DPIE) confirmed that there were exceptional circumstances that allowed Wollongong Council to apply flood related controls to residential development above the 1% Annual Exceedance Probability (AEP) flood level (plus freeboard) in accordance with Ministerial Directions outlined in Planning Circular PS-07-003.
- d) Other Chapters of this DCP include flood risk management provisions, which relate to the specific development requirements for specific land uses.

2 LAND TO WHICH THE PLAN APPLIES

1. The Plan applies to all floodplains and land below the flood planning level area within the City of Wollongong LGA. Figure 1 shows catchment boundaries within the Wollongong LGA. **Error! Reference source not found.**
2. The extents of adopted catchment wide flood studies and floodplain risk management studies and plans can be viewed at:

<https://www.wollongong.nsw.gov.au/development/maps>

>planning and environment map>Constraints and Planning DCPs layer

Please note the flood information is only viewable at a scale of 1:15000.

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3 OBJECTIVES

1. The key objectives of this chapter are to:
 - a) Maintain the existing flood regime and flow conveyance capacity;
 - b) Maintain the function of floodway and flood storage areas;
 - c) Reduce the impact of flooding and flood liability on individual owners and occupiers of flood prone land;
 - d) Reduce private and public losses from flooding;
 - e) Improve public safety with respect to flooding;
 - f) Minimise the potential impact of development and other activity upon the aesthetic, recreational and environmental value of the waterway corridors;
 - g) Increase public awareness of the hazard and extent of land affected by the full range of potential floods;
 - h) Ensure new development must, as far as practical, reduce the existing flood risk, and in no circumstances should the flood risk be worsened;
 - i) Ensure new development (with the exception of waterway crossings) does not encroach within areas susceptible to channel erosion, migration, bank failure and slumping; and
 - j) Deal equitably and consistently with all matters requiring Council approval on flood affected land, in accordance with the principles within the latest version of the NSW Floodplain Development Manual or its update.

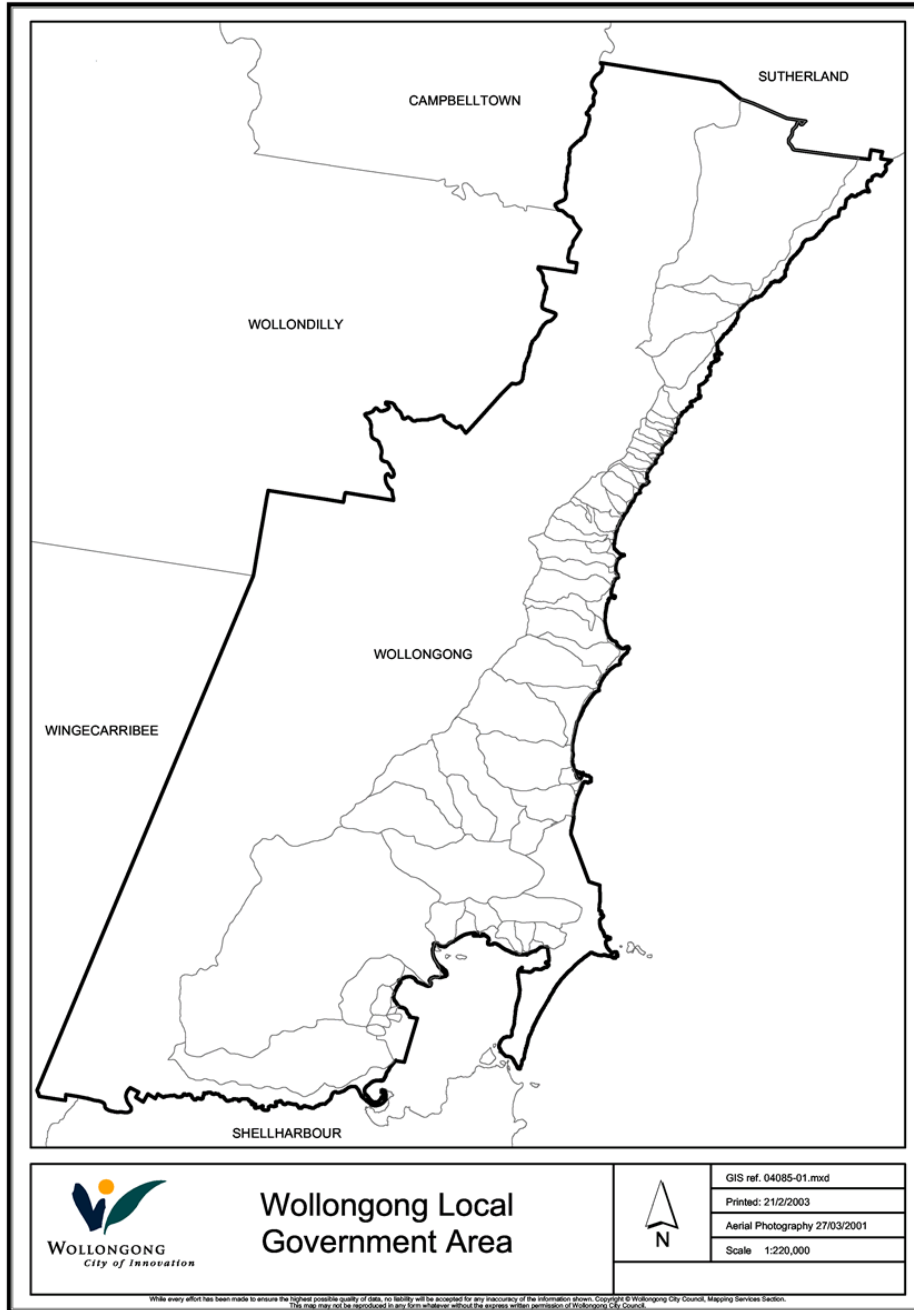


Figure 1 Catchments within the Wollongong Local Government Area.

4 DEFINITIONS

For the purposes of this chapter of the DCP, the following definitions and technical terms apply:

Annual exceedance probability (AEP)	The chance of a flood of a given or larger size occurring in any one year, usually expressed as a percentage. Example, if a peak flood discharge of 500 m ³ /s has an AEP of 1%, it means that there is a 1% chance (that is one-in-100 chance) of a 500 m ³ /s or larger event occurring in any one year.
Australian Height Datum (AHD)	Australian Height Datum: National reference datum for level.
Average Recurrence Interval (ARI)	the long-term average number of years between the occurrence of a flood as big as, or larger than, the selected event. For example, floods with a discharge as great as, or greater than, the 20 year ARI flood event will occur on average once every 20 years. ARI is another way of expressing the likelihood of occurrence of a flood event.
ARR1987	Australian Rainfall and Runoff: 1987 published by the Institute of Engineers, Australia
ARR2019	Australian Rainfall and Runoff 2019, published by the Commonwealth of Australia (Geoscience Australia).
Basement Car Parking	Refers to a car parking area wholly or partly accommodated underground, below a building. The roof of this space, including any solid walls on the podium, must not exceed 1.2m in height above natural ground level or finished ground level, whichever is the greatest distance.
Deck	An outdoor living area attached to a dwelling, which may be covered or uncovered, and is not capable of being used or adapted for use as habitable floor area.
Enclosed car parking	Car parking that is potentially subject to rapid inundation, which consequently increases danger to human life and property damage (such as basement or bunded car parking areas). The following criteria apply for the purposes of determining what is enclosed car parking: (a) Flooding of surrounding areas may raise water levels above the perimeter which encloses the car park (normally the entrance), resulting in rapid inundation of the car park to depths greater than 0.8m, and (b) Drainage of accumulated water in the car park has an outflow discharge capacity significantly less than the potential inflow capacity
Extreme flood	An estimate of the probable maximum flood, which is the largest flood likely to ever occur
Filling	Depositing of soil, rock or other material. Filling does not include the depositing of topsoil, or feature rock imported to the lot, that is intended for use in garden landscaping, turf or garden bed establishment or topdressing of lawns.
Flood	A relatively high stream flow which overtops the natural or artificial banks in any part of a stream, river, estuary, lake or dam, and/or local overland flooding associated with major drainage as defined by the FDM before entering a

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	watercourse, and/or coastal inundation resulting from super-elevated sea levels and/or waves overtopping coastline defences excluding tsunami.
Flood awareness	An appreciation of the likely effects of flooding and a knowledge of the relevant flood warning and evacuation procedures.
Flood compatible building components	A combination of measures incorporated in the design and/or construction and alteration of individual buildings or structures subject to flooding, and the use of flood compatible materials for the reduction or elimination of flood damage.
Flood compatible materials	Those materials used in building which are resistant to damage when inundated. A list of flood compatible materials is attached in Schedule
Flood evacuation strategy	The proposed strategy for the evacuation of areas within effective warning time during periods of flood as specified within any policy of Council, the FRMP, the relevant State Government disaster plan, by advices received from the State Emergency Services (SES) or as determined in the assessment of individual proposals.
Flood Planning Area	The area where flood related development controls apply. It includes land below the flood planning level (FPL) and may extend to include other areas of land where the high consequences in low probability events require additional flood related controls to reduce damages or to not alter the floodway in rarer flood events.
Flood planning levels (FPLs)	<i>flood planning level</i> In the Wollongong LGA, the FPL is the level of a 1 % AEP flood event plus 0.5 metres freeboard, unless otherwise stated in an adopted Floodplain Risk Management Study and/or Floodplain Risk Management Plan
Flood Prone Land	Land susceptible to flooding by the PMF event. Flood Prone Land is synonymous with flood liable land.
Flood Refuge Area	An onsite refuge above the PMF that provides reasonable shelter for the likely occupants of the development commensurate with the period of time that refuge is likely to be required in floods up to the PMF. Note: In general, it is not acceptable to rely on a refuge provided by or on other development sites. In all cases where an onsite refuge is provided, it is to be both intrinsically accessible to all people on the site, sheltered and an integrated part of the development (i.e. a second storey with internal stair access). The route to the refuge is to be fail safe, plainly evident and self-directing.
Flood Fringe Areas	The remaining areas of flood prone land after floodway and flood storage areas have been identified
Floodway Areas	Areas of the floodplain where a significant discharge of water occurs during floods. They are often aligned with naturally defined channels. Floodways are areas that, even if only partially blocked would cause a significant redistribution of flow or a significant increase in flood levels. Where not mapped in an adopted Flood Study or FRMS floodway areas are defined as areas where the velocity x depth product exceeds 0.4 m ² /s.
Flood Storage Areas	those parts of the floodplain that are important for the temporary storage of floodwaters during the passage of a flood. The extent and behaviour of flood storage areas may change with flood severity, and loss of flood storage can

	increase the severity of flood impacts by reducing natural flood attenuation. Hence, it is necessary to investigate a range of flood sizes before defining flood storage areas.
Floodplain	Synonymous with <i>flood liable</i> and <i>flood prone land</i> is the area of land that is subject to inundation by the probable maximum flood (PMF).
Floodplain Development Manual (FDM)	Floodplain Development Manual (2005) or the latest version.
Floodplain Risk Management Plan (FRMP)	A plan prepared for one or more floodplains in accordance with the requirements of the FDM.
Floodplain Risk Management Study (FRMS)	A study prepared for one or more floodplains in accordance with the requirements of the FDM.
Freeboard	<p>The height above the design flood used, in consideration of local and design factors, to provide reasonable certainty that the risk exposure selected in deciding on a particular design flood is actually provided. It is a factor of safety typically used in relation to the setting of flood levels, levee crest levels and so on. Freeboard compensates for a range of factors including wave action, localised hydraulic behaviour and levee settlement, all of which increase water levels or reduce the level of protection provided. Freeboard should not be relied upon to provide protection for flood events larger than the relevant defined flood event of a design flood.</p> <p>Freeboard is included in the design flood planning level and therefore used in the derivation of the flood planning area.</p>
Government Infrastructure Projects	Infrastructure projects undertaken by public authorities.
Habitable Floor Area	<ul style="list-style-type: none"> • In a residential situation: a living or working area, such as a lounge room, dining room, rumpus room, kitchen, bedroom or workroom; • In an industrial or commercial situation: an area used for offices or to store valuable possessions susceptible to flood damage in the event of a flood.
Hazard	A source of potential harm or a situation with a potential to cause loss. In relation to this plan, the hazard is flooding which has the potential to cause harm or loss to the community.
Overland Flow	Runoff from rainfall that flows over the land before entering a watercourse, creek, river, lake or dam. Overland flow can flow down roads, driveways and through homes and buildings. It is typically shallow and fast flowing.
Merit Approach	An approach, the principles of which are embodied in the Floodplain Development Manual that weighs social, economic, ecological and cultural impacts of land use options for different flood prone areas together with flood damage, hazard and behaviour implications, and environmental protection and wellbeing of the State's rivers and floodplains.

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Outbuilding	A building which is ancillary to a principal residential building and includes sheds, garages, car ports and similar buildings.
Practical	That which in the opinion of Council can be achieved within the design of the development, while not necessitating: <ul style="list-style-type: none"> (a) floor levels to be raised in a way that would unreasonably hinder access to and from existing floor levels or ground levels on the same site or adjacent public areas; and (b) the raising of a structure to a height that would result in unacceptable impacts on the amenity of adjacent residential properties; and (c) the height or presentation of a building that would be inconsistent with the existing or planned streetscape.
Probable maximum flood (PMF)	The largest flood that could conceivably occur at a particular location, usually estimated from probable maximum precipitation.
Probable maximum precipitation (PMP)	The greatest depth of precipitation for a given duration meteorologically possible over a given size storm area at a particular location at a particular time of the year, with no allowance made for long-term climatic trends (World Meteorological Organisation, 1986). It is the primary input to the estimation of the probable maximum flood.
Probability	A statistical measure of the expected chance of flooding (see ARI).
Reliable access	during a flood means the ability for people to safely evacuate an area subject to imminent flooding within effective warning time, having regard to the depth and velocity of flood waters, the suitability of the evacuation route, and without a need to travel through areas where water depths increase.
Risk	The chance of something happening that will have an impact. It is measured in terms of consequences and probability (likelihood). In the context of this chapter, it is the likelihood of consequences arising from the interaction of floods, communities and the environment.
Survey plan	is a plan prepared by a registered surveyor which shows the information required for the assessment of an application in accordance with the provisions of this Policy.
Suitably Qualified Civil Engineer	A civil engineer who is included in the National Professional Engineers Register, administered by the Institution of Engineers Australia or is eligible for membership of Engineers Australia.

5 KEY STEPS IN THE PROCESS

1. Please read this document carefully and seek assistance from Council officers as required.
2. Figure 2 is a summary of the major steps in the Development Application process for any development within a floodplain.
3. If the proposal does not comply with the prescriptive controls, determine whether the performance criteria and objectives are nonetheless achieved.
4. The assistance of Council staff or an experienced floodplain consultant may be required at various steps in the process to ensure that the requirements of this Plan are fully and satisfactorily addressed.

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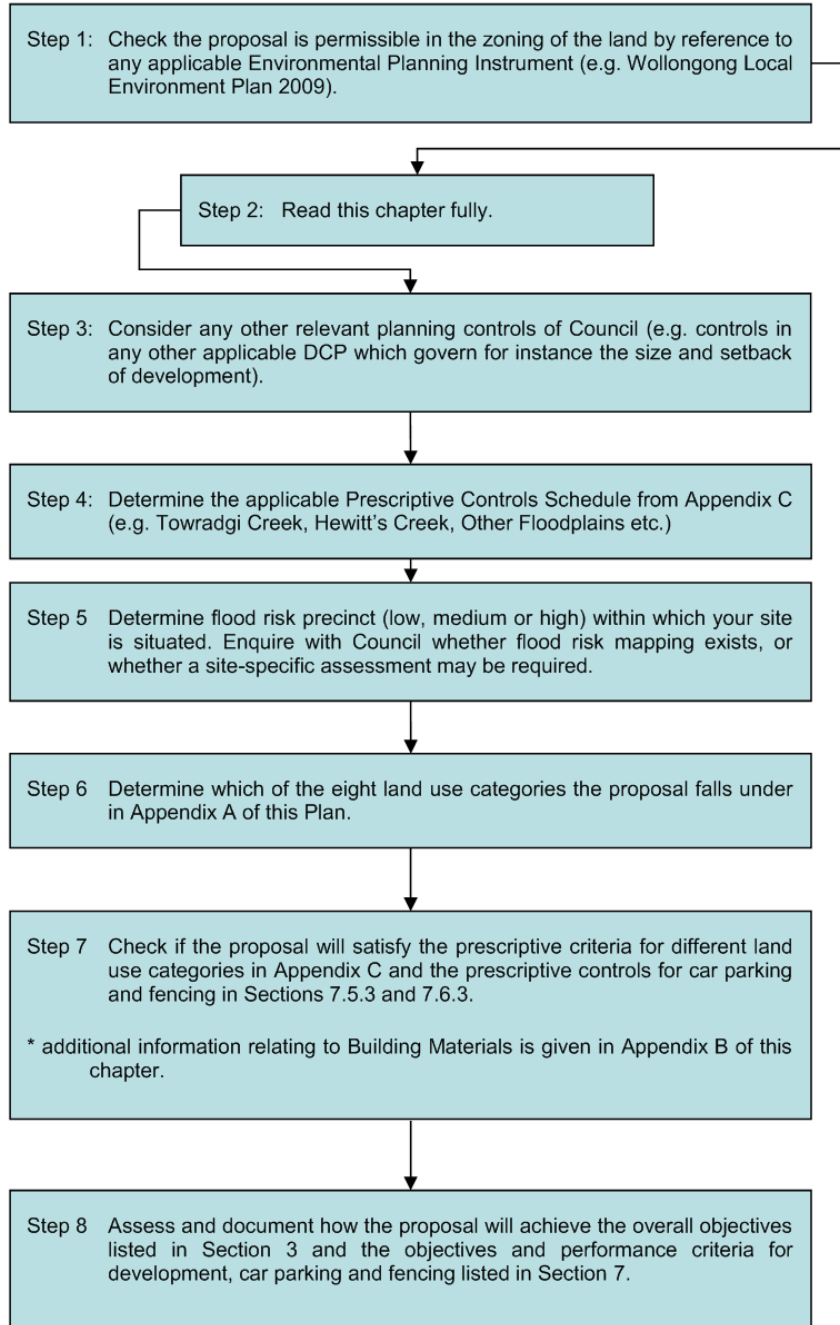


Figure 2: Summary of the major steps in the Development Application process for any development within a floodplain

6 FLOOD STUDIES

- a) Flood studies must be prepared by a suitably qualified engineer. The flood study must be prepared in accordance with the relevant sections of this Chapter. The 20% AEP, 1% AEP and PMF flood events must be modelled to assess the flooding impact of a proposed development to property, infrastructure and the environment.
- b) An investigation of the effects on the proposed development of upstream diversions caused by blockages and inappropriate development needs to be undertaken as part of the overall flood study.

Council will request a flood study to determine the effects of a proposed development on flooding or conversely, the effect of flooding on a proposed development. Flood studies will be required for any type of development where the development occurs in the floodplain or in areas where overland flow is suspected. Section 6.1 details the requirements for hydraulic design; Section 6.2 details requirements for conduit blockage.

Flood studies shall be prepared using a fully dynamic 1 or 2 dimensional computer model unless it can be demonstrated such modelling is not required. The model chosen shall be calibrated against a recorded storm event if available. All input parameters and assumptions made must be clearly described and justified. A hard copy of the report, including all results, results summary table, and all the relevant information must be submitted with the application.

6.1 Hydraulic Design and Analysis

- a) An appropriate computer model must be used for hydraulic design and analysis.
- b) The data required for the hydraulic modelling including channel cross sections, hydraulic properties (e.g. roughness), survey and digital elevation models shall be obtained by the developer. This data shall be documented clearly and reflect both the existing and proposed hydraulic characteristics of the creek channel and floodplain. The developer must document any assumptions made.
- c) A sufficient number of cross-sections selected at appropriate locations both within the site and extending sufficiently upstream and downstream of the site shall be analysed in order to reflect flood behaviour. This would normally require that the model extend to a boundary condition at the hydraulic control downstream of the site. Alternatively, where a 2-dimensional hydraulic model is used a suitable grid size shall be adopted to accurately determine flood behaviour and flood impacts for the development at a development specific level
- d) If modifications are required to the creek channel or floodplain or if the proposal involves activities with 40 metres of the top of the creek bank. A controlled Activity Approval under the Water Management Act 2000 may be required.
- e) Council is transitioning to ARR2019 through the completion of Floodplain Risk Management Studies and Plans. During this transition, flow estimates are to use ARR1987 IFDs and hydrologic procedures. The hydrologic techniques used in adopted Council Flood Studies and Floodplain Risk Management Studies will be used for and development related flood study.

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6.2 Conduit Blockage

Blockage of bridges, culverts and other stormwater conduits is a key consideration for Wollongong City Council.

- a) Applicability of this section:
 - i) Blockage applies to all watercourses including creeks, floodways and other trunk drainage systems within the City of Wollongong with the exception of the minor system as defined in Chapter E14 of this DCP. It does not apply to pit blockage. Pit blockage considerations are set out in Section 6.2 of Chapter E14. It does not apply to pipes where the only upstream entry points are from kerb/gutter stormwater inlets (e.g. the minor system).
- b) Conduit Blockage Factors
 - i) The blockage factors in Table 1 are to be applied to structures across all watercourses and overland flow paths for all flood-modelling purposes.

These applications include:

- Estimation of design flood levels, velocities, and depths for flood studies;
 - Determining flood hazard and hydraulic categories, including the delineation of Flood Risk Precincts, Floodways and Flood Storage Areas;
 - Infrastructure design;
 - Structural design of proposed development;
 - Impact assessment of proposed development;
 - Assessing the benefit of proposed flood mitigation works;
 - Estimating flood damages;
 - Assessment of risk to life and evacuation considerations; and
 - Setting Flood Planning Levels (FPLs), such as floor levels for new development.
- c) Peak Flood Envelopes
 - i) Flooding and impacts are to be assessed using the following two scenarios :
 - No Blockage; and
 - Blockage factors.
 - i) Scenarios requiring various combinations of blockage (e.g. no blockage at some culverts, partial blockage at others) are generally not required.
 - d) Overtopping and Cross-Catchment Flow Diversion Investigation
 - i) Where flows exceed the capacity of the structure (applying the relevant blockage factor), flood modelling or other calculations should be undertaken to identify the overtopping flow behaviour. The modelling or calculations must be sufficient to identify where flows will return into the watercourse downstream of the structure, and whether flow will be diverted along other overland flow paths.
 - ii) Modelling or other calculations must be sufficient to identify whether cross catchment flows from other watercourses need to be considered at the site of interest.

e) Design of New Structures

- i) The structure is to be designed using the relevant blockage factor at every stage in the calculations;
- ii) Impacts of the structure on existing flood behaviour (levels, velocity and hazard) are to be quantified for a range of flood events, including larger and smaller events than the design AEP;
- iii) Impacts are to be mitigated in accordance with the guidance specified in Chapter E13: Floodplain Management of this DCP; and
- iv) All aspects of the proposed design with the potential to affect flow behaviour, including ancillary structures such as headwalls, handrails, safety barriers, noise walls, etc., are to be appropriately considered in the flood calculations.

f) Design of detention basins

- i) Basins volumes and low flow outlets to be sized assuming no blockage;
- ii) Basin weirs/spillway sized assuming relevant blockage factors of the outlet;
- iii) Outlets to have debris management structure where blockage affects performance and where there is an identified source of debris upstream.

g) Blockage Factors

- i) Culvert and bridge classifications are defined as follows:
 - **Class 1.** Pipes 1.2 m internal diameter or smaller. Box culverts or bridges with a diagonal opening less than 1.5 m, and a width or height less than 0.9 m.
 - **Class 2.** Pipes greater than 1.2 m internal diameter. Box culverts or bridges with a diagonal opening of more than or equal to 1.5 m, less than 3 m and minimum dimension of 0.9 m for both width and height.
 - **Class 3.** Box culverts or bridges with a diagonal opening of more than or equal to 3 m, less than 6 m, and a minimum dimension of 1.2 m for both width and height.
 - **Class 4.** Box culverts or bridges with a diagonal opening greater than or equal to 6 m, and a minimum dimension of 2.5 m for both width and height.
- ii) For bridges, the dimension refer to the waterway opening between piers, not the total bridge dimensions. When determining the clearance of bridges above a natural channel, a reasonable level representing the long term channel bottom level should be used, using an averaged profile slope. For instance, it is not appropriate to propose localised excavation of the normal channel bed to increase the clearance above 3 m and satisfy the Class 4 requirements.
- iii) The blockage factors are to be applied as a reduction in the effective flow area of the unblocked waterway of the structure. The blockage is to be a consistent effective reduction of the total flow area across the entire cross-section (that is, not bottom-up, top-down, or other selective partial blockage of the waterway area). This will typically involve a consistent reduction of the cross-section width (1D hydraulic models) or computational cell width (2D or 3D hydraulic models) representing the structure. For software packages which

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implement a blockage factor as a parameter for bridges or culverts, this parameter should be used.

- iv) The blockage factors are to be applied to all bridges, culverts and other conduits in the catchment that have the potential to influence the flow behaviour at the point of interest.
- v) The blockage factors are to be applied for all locations within the Wollongong LGA, regardless of current land use or other considerations such as creek slope.
- vi) Fences, rails and barriers which are within the overtopping flow path of a structure are to be modelled with appropriate energy losses (i.e. using the parameter K which represents the energy losses as a factor of dynamic head ($V^2/2g$), to reflect the influence of the rails on upstream flow. Energy losses resulting from the drag and turbulence induced by the form of the embankment between the culvert soffit (top) and the overtopping crest level are to be included where appropriate.

Table 1 Blockage Factors

Design AEP	Bridge/Culvert Classification				Debris Blockage of Overtopping Flows
	Class 1	Class 2	Class 3	Class 4	
20% AEP	60%	50%	35%	5%	Must appropriately represent obstructions to flow such as bridge decks, fences, handrails, buildings noise barriers etc. Modelling of pervious structures such as fences and railings above the structure should assume a 75% debris blockage of the unblocked flow area through the obstruction, plus associated energy losses.
Rarer than 20% and more frequent than 2% AEP (e.g. 10%, 5% AEP)	75%	65%	50%	10%	
2% AEP or Greater (e.g. 2%, 1% AEP, PMF)	95%	75%	60%	15%	

6.3 Modelling of Buildings

Modelling of proposed and existing buildings will be consistent with the method used in the adopted flood study or FRMS. If the site is not within the extent of an adopted flood study or FRMS, buildings must be represented using a method consistent with those recommended in:

Australian Rainfall and Runoff Revision Project 15: Two-dimensional simulations in urban areas – Representation of buildings in 2D numerical flood models.

Representing proposed or existing buildings on piers or suspended slabs using Layered Flow Constrictions in TUFLOW is not permitted as:

- Open areas under the building may become enclosed in the future;
- Open areas under the building may become blocked from stored items and trapped debris; and
- Currently (2019), no research or guidance supports this approach.

6.4 Ocean Levels

- a) Flood surface profiles must be determined using the following criteria:
 - i) Adopting a 100 year ARI ocean level of RL 2.9m* AHD and a 10 year ARI fluvial flood.
 - ii) Adopting an ocean level of RL 1.9m* AHD and a 1% AEP fluvial flood.
- b) The greater value of the above shall be adopted to determine the minimum habitable floor level.

6.5 Modifications to Watercourses

- a) Modifications to natural watercourses are generally not permitted, as they adversely impact on a number of issues including:
 - Hydraulic function
 - Channel pattern and form
 - Long-term channel stability
 - Aesthetic appearance
 - Aquatic and bankside habitat diversity
 - Water quality
- b) Any proposals involving modifications to watercourses will require the submission of a detailed hydraulic assessment as well as a thorough environmental impact assessment of the prepared watercourse modification. Modifications to watercourses will only be considered where no other alternative exists, such as when scour within the watercourse threatens the stability of a dwelling or other high value asset. The reduction of development potential is not be considered justification for waterway modification.

Note: lodgement of an Integrated Development Application will be required for any involving modified to a watercourse since the concurrence of the NSW Department Water and Energy will be required pursuant to the requirements of the Water management Act 2000.

- i) Buildings including decks will not be permitted over watercourses.

6.6 Overland Flow

Overland flow is runoff from rainfall which flows over the land before entering a watercourse, creek, river or lake or dam. Overland flow is typically shallow and fast flowing. Where a watercourse has been filled or piped, flooding resulting from overflows from the filled/piped watercourse is considered mainstream flooding and not overland flow.

The flood planning level for overland flow is the 1% AEP plus 0.3m. In an overland flow path, where the difference between the PMF and 1% flood level is greater than 0.3m, freeboard of 0.5m to the 1% flood applies. All other development controls of this chapter and E14 – Stormwater management also apply to overland flow.

In locations where there is uncertainty whether flooding is mainstream of overland flow, Council will decide.

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7 WHAT ARE THE KEY CRITERIA FOR DETERMINING APPLICATIONS?

7.1 General

1. The criteria for determining applications for proposals potentially affected by flooding are structured in recognition that different controls are applicable to different land uses and levels of potential flood inundation and hazard.
2. The procedure to determine what controls apply to proposed development are:
 - a) Identify the land use category of the development (Appendix: A);
 - b) Determine which floodplain and which part of that floodplain the land is located within (Section 7.3) and relevant flood risk mapping; and
 - c) Applying the controls outlined under Clause 7.4.
3. Sections 7.4, 7.5 and 7.6 provide objectives, performance criteria and prescriptive controls for development, car parking and fencing within the floodplain and flood planning area.
 - **The objectives** represent the outcomes that the Council wishes to achieve from each control.
 - **The performance criteria** represent a means of assessing whether the desired outcomes will be achieved.
 - **The prescriptive controls** are preferred ways of achieving the outcome. While adherence to the prescriptive controls may be important, it is paramount that the objectives and the performance criteria are clearly satisfied.

7.2 Land Use Categories

1. Eight major land use categories are defined for floodplain management. The specific uses, as defined by the applicable Environmental Planning Instruments, and other specially defined uses, have been grouped within each of these 8 categories.

7.3 Flood Risk Precincts

1. Each of the floodplains within the Wollongong LGA area can be classified based on different levels of potential flood risk. This classification of floodplains into flood risk precincts (FRPs) is achieved by considering the probabilities and consequences of all floods that could potentially occur. The full range of flood events are considered including frequent flooding (e.g. 20% AEP), rare flooding (e.g. the 1% AEP) and extreme flooding (E.g. the PMF).
2. The mapping of FRPs has been undertaken for some floodplains in the Wollongong LGA and some catchments are being reviewed. Studied catchments can be viewed at <https://www.wollongong.nsw.gov.au/development/maps> within the planning and environment map. Note – flood information is within the Constraints and Planning DCPs layer and viewable at a scale of 1:15000.
3. Council has adopted a three tier FRP classification as follows:



- a) **High Flood Risk Precinct** - The High FRP is where high flood damages, potential risk to life and/or evacuation problems would be anticipated or where development would significantly or adversely alter flood behaviour. This area includes floodways. In this precinct, there would be a significant likelihood of flood damages and/or danger to life. The High FRP includes:
 - i) Areas greater than H3 hazard conditions during a 1% AEP flood from Figure 3;
 - ii) Land within 10m from the top of a watercourse bank; and
 - iii) Floodways.
 - b) **Medium Flood Risk Precinct** - In this precinct there would be a significant likelihood of flood damage and/or danger to life, but these damages or danger to life can be minimised by the application of appropriate development controls. The Medium FRP includes:
 - i) Includes land below the 1 % AEP level plus 0.5 metres that is not within the High FRP area inundated in a 1% AEP plus freeboard and not classified as High FRP.
 - c) **Low Flood Risk Precinct** - This precinct is where the likelihood of damages is low for most land uses. The Low FRP.
 - i) All areas within the floodplain (i.e. within the extent of the PMF) but not identified within either the High FRP or the Medium FRP; and
 - ii) All areas within the 2100 Coastal Zone Inundation Extent not classified Medium Flood Risk or High Flood Risk Precinct.
3. Where the FRP mapping has not been undertaken as part of the FRMS process it may be required as part of a flood study prepared for an individual development application. Such FRP mapping is to be undertaken by a suitably qualified engineer.
 4. The NSW FDM (2005) is currently being reviewed (October 2019). The Australian Institute for Disaster Resilience (ADR, 2017) recommends the use of Flood Planning Constraint Categories (FPCCs) rather than Flood Risk Precincts. Should the future versions of the NSW FDM also recommend the use of FPCC, council will transition to FPCCs through the review of relevant floodplain risk management studies and plans.

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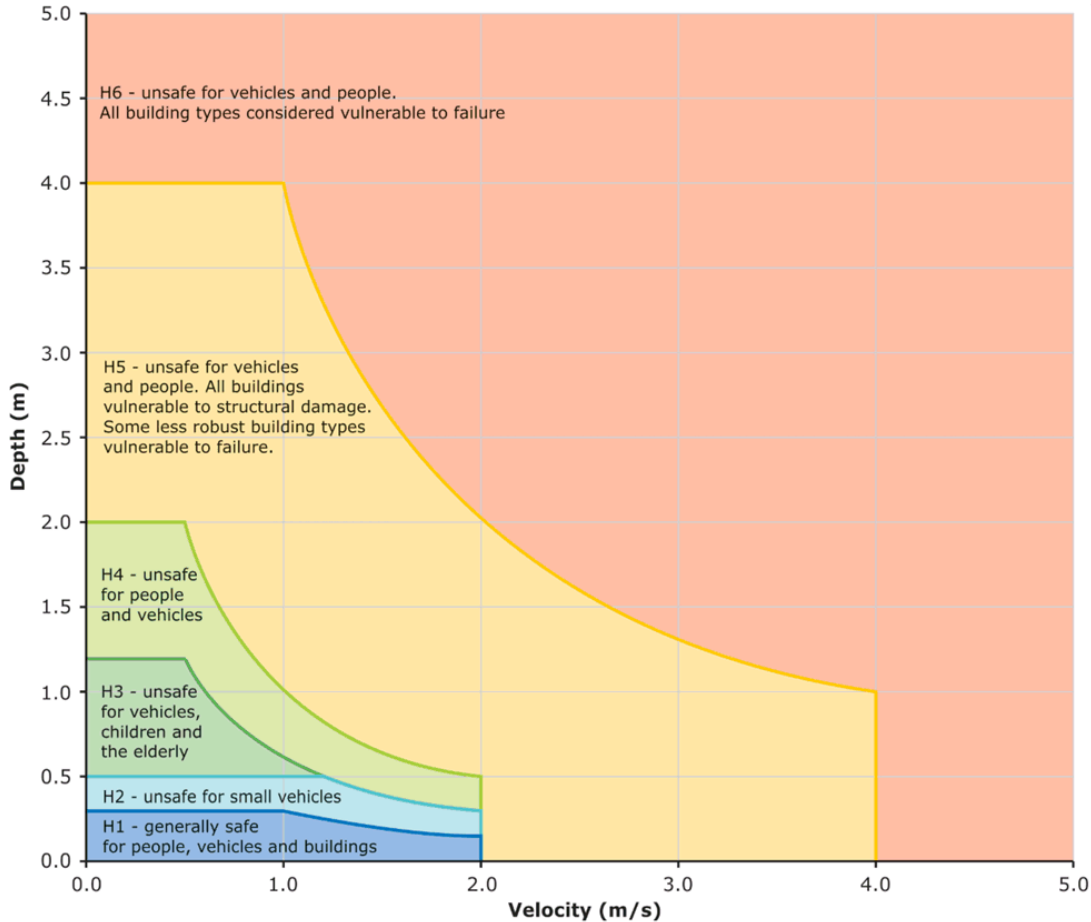


Figure 3: Combined Flood Hazard Curves (Smith et al., 2014)

7.4 Which controls apply to proposed developments?

1. The development controls apply to all land within a Flood Risk Precinct. The controls are graded relative to the severity and frequency of potential floods.
2. If no such study or plan exists, a site specific flood study may be required in accordance with Chapters E13 and E14 of this DCP.
3. The categories applicable to each floodplain are depicted on the planning matrices contained in the following schedules at Appendix C:

Note: Council is to insert controls for other floodplains as FRMPs are prepared and become adopted. Numbering of schedules takes into account studies yet to be completed. Schedule numbers shown relate to those which have been adopted by Council and included in Appendix C.

- Schedule 1 –Towradgi Creek Floodplain;
- Schedule 2 – Hewitts/Slacky/Woodlands/Tramway/ Thomas Gibson Creeks Floodplain;

- Schedule 3 – Minnegang Creek Floodplain;
- Schedule 4 – Allan’s Creek Floodplain;
- Schedule 5 – Fairy and Cabbage Tree Creeks Floodplain;
- Schedule 6 – Mullet/Brooks Creeks Floodplain;
- Schedule 7 – Wollongong City Floodplain;
- Schedule 8 - Whartons, Collins, Farrahars Creeks, Bellambi Gully and Bellambi Lake Floodplains ;
- Schedule 9 – Lake Illawarra Floodplain;
- Schedule 9a – Lake Illawarra - Windang Peninsula; and
- Schedule 10 – All other floodplains.

7.4.1 Objectives

- a) To ensure the proponents of development and the community in general are fully aware of the potential flood hazard and consequent risk associated with the use and development of land within the floodplain;
- b) To require developments with high sensitivity to flood risk (e.g. critical public utilities) be sited and designed such that they are subject to no or minimal risk from flooding and have reliable access;
- c) Allow development with a lower sensitivity to the flood hazard to be located within the floodplain, subject to appropriate design and siting controls, provided that the potential consequences that could still arise from flooding remain acceptable having regard to the State Government’s Flood Policy and the likely expectations of the community in general;
- d) To prevent any intensification of the use of High Flood Risk Precinct or floodways, and wherever appropriate and possible, allow for their conversion to natural waterway corridors;
- e) To ensure that design and siting controls required to address the flood hazard do not result in unreasonable impacts upon the amenity or ecology of an area; and
- f) To minimise the risk to life during flooding.

7.4.2 Performance Criteria

- a) The proposed development should not result in any increased risk to life;
- b) Development should not detrimentally increase the potential flood affectation on other development or properties either individually or in combination with the cumulative impact of development that is likely to occur in the same floodplain;
- c) Development should not result in impacts upon the amenity of an area by way of unacceptable overshadowing of adjoining properties, privacy impacts (e.g. by unsympathetic house-raising) or by being incompatible with the streetscape or character of the locality;
- d) The proposal must not have an adverse impact upon the ecological value of the waterway corridors, and where possible, should provide for their enhancement. Proposed development must be consistent with ESD principles; and

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- e) The geomorphic stability of a waterway corridor does not impose additional risk to human life or property.

7.4.3 Prescriptive Controls

- a) Appendix C (Schedules 1 – 10) outlines the prescriptive controls that apply to each of the floodplains to which this Plan applies;
- b) Table 2 provides permissible impacts for various development types for flood events up to the 1% AEP flood;
- c) Flood impacts in the PMF will be assessed on merit and will consider:
 - i) Impacts to evacuation routes and onsite refuge service levels;
 - ii) Additional flood affected allotments;
 - iii) Flood warning times; and
 - iv) Changes to above yard and above floor flooding.

Table 2. Permissible Flood Impacts

Development/ Project Type	Allowable Impact (mm)					
	Critical Uses and Facilities	Sensitive Uses and Facilities	Residential	Commercial or Industrial	Tourist Related Development	Recreation or Non-urban Uses
Individual Property	10	10	20	20	20	20
Multi Lot Subdivision	10	10	20	50	50	50
Government Infrastructure Projects	20	20	100	150	150	150

New development must not increase the frequency of over floor flooding for residential, commercial or industrial buildings in a 20%, 1% or PMF event.

7.5 Car Parking – Flood Related Requirements

7.5.1 Objectives

- a) To minimise the damage to motor vehicles from flooding;
- b) To ensure that motor vehicles do not become moving debris during floods;
- c) To minimize damage to garages and their contents from flooding; and
- d) To minimise the risk to human life resulting from the inundation of car parking, or driveway areas.

7.5.2 Performance Criteria

- a) The proposed car parking should not result in any increased risk to vehicle damage;
- b) The proposed garage should not detrimentally increase the potential flood affectation on other development;
- c) The parking should be designed considering the hazard curves in Figure 3;
- d) The proposed parking or driveway area must not increase the risk to life from flooding; and
- e) The parking should be designed to ensure that vehicles will not be transported by floodwaters.

7.5.3 Prescriptive Standards

- a) Open car parking – open car parking subject to inundation should be designed giving regard to vehicle stability in terms of depths and velocity during inundation by floodwaters, ensuring that each car parking space is within hydraulic hazard category H1 in Figure 3 during a 1 % AEP flood.
- b) Garage addition or open car parking to an existing house – the minimum floor level should be as high as practical but shall be no lower than 300mm above adjacent finished ground levels. Refer to Schedule 1 for the maximum floor areas within the various FRPs.
- c) Garage as part of new development and redevelopment;
 - i) Not permitted within a floodway;
- d) Basement car parks – are to be protected from inundation during a 1 % AEP flood, ensuring all vehicular access, doors and ventilation points are a minimum of 0.2 metres above the 1 % AEP flood level.

7.6 Fencing – Flood Related Requirements

7.6.1 Objectives

- a) To ensure that fencing does not result in the undesirable obstruction of the free flow of floodwaters;
- b) To ensure that fencing does not become unsafe during floods and potentially become moving debris which threatens the integrity of structures or the safety of people; and
- c) To ensure that fencing does not obstruct connectivity and the movement of fauna along riparian corridors.

7.6.2 Performance Criteria

- a) Fencing is to be constructed in a manner which does not affect the flow of floods so as to detrimentally increase flood affectation on surrounding land;
- b) Ability to be certified by a suitably qualified engineer, that the proposed fencing is adequately constructed so as to withstand the forces of floodwaters, or collapse in a controlled manner to prevent impediment to flood waters; and
- c) Where fencing is required across riparian corridors, the fencing is to be of the type that will not harm or obstruct the movement of native fauna.

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7.6.3 Prescriptive Standards

- a) Fencing within a floodway or High FRP will not be permissible except for security/ permeable/ open type/safety fences of a type approved by Council.
- b) Council requires a Development Application for all new solid (non-porous) and continuous fences above 0.6m high, in the High and Medium FRP's.
- c) An applicant must demonstrate that the fence would not impede flow or flood water. Appropriate fences must satisfy the following:
 - i) An open collapsible hinged fence structure of pool fence type;
 - ii) Brick or other masonry type fence (which will generally not be permitted) or;
 - iii) A fence type and citing criteria prescribed by Council.

Council will consider other forms of fencing subject to compliance with the performance criteria.

8 FILLING OF THE FLOODPLAIN

1. Filling in flood prone areas is not permitted unless:
 - A FRMP for the catchment has been adopted which allows filling to occur; or
 - a report from a suitably qualified engineer is submitted to Council that satisfies the requirements of items 2 and 3 below and certifies that the development, in combination with similar filling of developable sites in the area, will not increase flood affectation elsewhere
2. Filling of individual sites in isolation without consideration of the cumulative effects is not permitted. A case by case decision making approach cannot take into account the cumulative impact on flooding behaviour and associated risks caused by individual developments. Any proposal to fill a site must be accompanied by an analysis of the effect on flood levels of similar filling of developable sites in the area.
3. This analysis would form part of a flood study prepared in accordance with Chapters E13 and E14 of this DCP.
4. There is to be no net increase in fill in the floodplain. Compensatory excavation may be used to offset fill, however the compensatory excavation must be taken from an adjacent area of similar flood function that is lower in the floodplain (i.e. at a lower AEP inundation extent) than the proposed fill areas. Cut and fill drawings and volume calculations must be supplied to Council.

9 OTHER CONSIDERATIONS

1. When assessing proposals for development or other activity within the area to which this Policy applies, Council will take into consideration the following specific matters.
 - a) The proposal does not have a significant direct or cumulative detrimental impact on:
 - i) Water quality;
 - ii) Native bushland vegetation;

- iii) Riparian vegetation;
 - iv) Estuaries, wetlands, lakes or other water bodies;
 - v) Aquatic and terrestrial ecosystems;
 - vi) Indigenous flora and fauna; and
 - vii) Fluvial geomorphology.
- b) Development pursued to mitigate the potential impact of flooding (e.g. house raising) must be undertaken in a manner which minimises the impact upon the amenity and character of the locality.
- c) The proposal must not constrain the orderly and efficient utilisation of the waterways for multiple purposes.
- d) Proposals for house raising must provide appropriate documentation including a report from a suitably qualified engineer to demonstrate the raised structure will not be at risk of failure from the forces of floodwaters and the provision of details such as landscaping and architectural enhancements which ensure that the resultant structure will not result in significant adverse impacts upon the amenity and character of an area.
- e) Requirements for Concessional Development as listed in Appendix A.

10 WHAT INFORMATION IS REQUIRED WITH AN APPLICATION TO ADDRESS THIS CHAPTER?

1. Applications must include information which addresses all relevant controls listed above, and the following matters as applicable.
2. Applications for Concessional Development (see Appendix A) to an existing dwelling on Flood Prone Land shall be accompanied by documentation from a registered surveyor confirming existing floor levels to AHD.
3. Development Applications affected by this plan shall be accompanied by a survey plan showing:
 - a) The position of the existing building/s or proposed building/s
 - b) The existing ground levels to Australian Height Datum around the perimeter of the building and contours of the site; and
 - c) The existing or proposed floor levels to Australian Height Datum.
4. Applications for earthworks, filling of land and subdivision shall be accompanied by a survey plan (with a contour interval of 0.25m) showing levels in AHD and design plan showing design surface levels (also in AHD with 0.25m contour intervals).
5. For large scale developments, or developments in critical situations, particularly where an existing catchment based flood study is not available, a flood study using a fully dynamic one or two dimensional computer model is required. For smaller developments consideration may be given to the use of the existing flood study if available and suitable (e.g. it contains sufficient local detail), or otherwise a flood study prepared in a manner consistent with the Australian Rainfall and Runoff 1987 publication, Chapters E13 and E14 of this DCP and the Floodplain Development Manual

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(FDM), will be required. From this study, the following information shall be submitted in plan form for the pre-developed and post-developed scenarios:

- a) Catchment plan;
 - b) Hydrologic calculations/analysis including model input and results files;
 - c) 2D model domain, grid size, boundary conditions, roughness layers;
 - d) Hydraulic structures and blockage factors applied
 - e) Survey data
 - f) Results (including depths, levels, FRP, hydraulic categories, velocity and hazard)
 - g) Impact maps
 - h) Water surface contours;
 - i) Velocity vectors;
 - j) Velocity and depth product contours;
 - k) Delineation of flood risk precincts relevant to individual floodplains; and
 - l) Flood profiles for the full range of events for total development including all structures and works (such as revegetation /enhancements).
6. Where the controls for a particular development proposal require an assessment of structural soundness during potential floods, the following impacts must be addressed:
- a) Hydrostatic pressure;
 - b) Hydrodynamic pressure;
 - c) Impact of debris; and
 - d) Buoyancy forces.
7. Foundations need to be included in the structural analysis.

Appendix: A LAND USE CATEGORIES – WLEP(2009)

Essential Community Facilities	Critical Utilities	Subdivision	Residential
Emergency services facilities; public administration building that may provide an important contribution to the notification or evacuation of the community during flood events (e.g. SES Headquarters and Police Stations); Hospitals.	Community facility; telecommunications facility; institutions; educational establishments; child care centre; liquid fuel depot; public utility undertaking (including electricity generating works; sewerage treatment plant; sewerage system; telecommunications facility; utility installations and water treatment facility) which are essential to evacuation during periods of flood or if affected would unreasonably affect the ability of the community to return to normal activities after flood events; residential care facility; group home; school and seniors housing.	Earthworks; excavation; subdivision of land which involves the creation of new allotments with potential for further development.	Affordable housing; attached dwelling; backpackers' accommodation; caravan park (with permanent occupants i.e. other than short term sites)(1); dual occupancy; dwelling; dwelling house; exhibition home; farm stay accommodation; home business; home industry; home occupancy; home occupation (sex services); hostel; hotel or motel accommodation; moveable dwelling; multi dwelling housing; neighbourhood shop; permanent group home; residential accommodation; residential flat building; rural worker's dwelling; secondary dwelling; semi-detached dwelling; serviced apartments; tourist and visitor accommodation and transitional group home.

(1) As defined by the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005

Note: Where the Environmental Planning Instrument (EPI) land use definition is not used, the bracketed text refers to the EPI land use definition.

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Appendix: A LAND USE CATEGORIES (cont.)

Commercial or Industrial	Tourist Related Development	Recreation or Non-urban Uses	Concessional Development
<p>Agricultural produce industry; air transport facility; airport; amusement centre; brothel; bulky goods premises; business premises; car park; cellar door premises; community facility (other than critical and sensitive uses and facilities); correctional centre; crematorium; depot; entertainment facility; exhibition village; feed lot, food and drink premises; freight transport facility; function centre; funeral chapel; funeral home; hazardous industry; hazardous storage establishment; health care professional; health consulting rooms; health services facility; heavy industry; heliport; highway service centre; industrial retail outlet; industry; light industry; liquid fuel depot; livestock processing industry; market; medical centre; mixed use development; mortuary; offensive industry; offensive storage establishment; office premises; passenger transport facility; place of public worship; pub; public administration building (other than critical uses and facilities); recreation facility (major); registered club; restaurant; restricted dairy; restricted premises; retail premises; rural industry; rural supplies; sawmill or log processing works; self-storage units; service station; sex services premises; shop; shop top housing; storage premises; take away food or drink premises; timber and building supplies; transport depot; truck depot; vehicle body repair workshop; vehicle repair station; vehicle sales or hire premises; veterinary hospital; warehouse or distribution centre; waste disposal facility; waste management facility; waste or resource management facility; waste or resource transfer stations; and wholesale supplies.</p>	<p>Camp site and caravan site – short term sites (1) only.</p>	<p>Agriculture; airstrip; animal boarding or training establishment; aquaculture; biosolid waste application; biosolids treatment facility; boat launching ramp; boat repair facility; boat shed; caravan park (with non-permanent occupants); charter and tourism boating facility; dairy (pasture based), environmental facility; environmental protection works; extensive agriculture; extractive industry; farm building; horticulture; helipad; information and education facility; intensive livestock agriculture; intensive plant agriculture; kiosk; jetty; landscape and garden supplies; marina; mine; mining; natural water-based aquaculture; port facilities; pond-based aquaculture; public utility undertaking (other than critical uses or facilities); recreation area; recreation facility (indoor); recreational facility (outdoor); research station; resource recovery facility; restriction facilities; roadside stall; stock and sale yard; tank-based aquaculture; turf farming; utility installations (other than critical uses and facilities); viticulture; water recreation structure; water recycling facility; and water storage facility.</p>	<p>(a) Redevelopment for the purposes of substantially reducing the flood risk to the existing building and its occupants;</p> <p>(b) Redevelopment within the existing footprint of approved structures. Existing elevated footings or crawl space must be maintained to allow floodwaters to flow beneath the structure.</p> <p>(c) Council may consider the construction of a single dwelling up to 250m² (external) within the high flood risk precinct on vacant land. Vacant land refers to residential allotments which was zoned residential and vacant prior to 2009.</p> <p>(d) In relation to an existing dwelling:</p> <ul style="list-style-type: none"> (i) additions or alterations to the dwelling; and/or (ii) garages or outbuildings; and/or (iii) decks; <p>provided that the total of:</p> <ul style="list-style-type: none"> • the gross floor area from (i); and • the area of garages from (ii); and • the area of decks from (iii), <p>approved since 7 February 2005, does not exceed:</p> <ul style="list-style-type: none"> • 40m² in the Medium Flood Risk Precinct; or



			<ul style="list-style-type: none"> • 20m² in the High Flood Risk Precinct. <p>(Note that for the purposes of this clause, the area of garages and the area of decks referred to above means the plan area measured to the external edge of the structure).</p>
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- (1) As defined by the Local Government (Caravan Park and Camping Grounds) Transitional Regulation 1993.

Note: Where the Environmental Planning Instrument (EPI) land use definition is not used, the bracketed text refers to the EPI land use definition.

APPENDIX: A LAND USE CATEGORIES - TEMPORARY EVENTS

Temporary public events include markets, circuses music festivals, outdoor cinema's etc. When such events include temporary structures, public congregation areas or car parking areas within the 1% AEP flood extent, an event specific flood risk assessment and management plan is required. The risk assessment and management plan must be prepared by a suitably qualified engineer with relevant experience in floodplain management.

The risk assessment must include the depth, velocity and timing of inundation in a 20% and 1% event. The management plan must demonstrate how the flood risk will be managed.

In areas of flash flooding, which includes the majority of the Wollongong LGA (except Lake Illawarra floodplain), it is often not possible to provide an appropriate flood response during an event due to the fast rate of rise of floodwaters and limited response time. Therefore, the only way to mitigate the flood risk in flash flood areas is to include provisions in the event management plan that require monitoring of weather forecasts in the days leading up to the event, and a requirement that the event be cancelled if there is a risk of flooding and/or a forecast for heavy or prolonged rainfall.

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Appendix: B FLOOD COMPATIBLE MATERIALS

BUILDING COMPONENT	FLOOD COMPATIBLE MATERIAL
Flooring and Sub-floor	<ul style="list-style-type: none"> • Concrete slab-on-ground monolith construction.
Structure	<ul style="list-style-type: none"> • Suspended reinforced concrete slab.
Floor Covering	<ul style="list-style-type: none"> • Clay tiles. • Concrete, precast or in situ. • Concrete tiles. • Epoxy, formed-in-place. • Mastic flooring, formed-in-place. • Rubber sheets or tiles with chemical-set adhesives. • Silicone floors formed-in-place. • Vinyl sheets or tiles with chemical-set adhesive. • Ceramic tiles, fixed with mortar or chemical-set adhesive. • Asphalt tiles, fixed with water resistant adhesive.
Wall Structure	<ul style="list-style-type: none"> • Solid brickwork, blockwork, reinforced, concrete or mass concrete.
Roofing Structure (for Situations Where the Relevant Flood Level is Above the Ceiling)	<ul style="list-style-type: none"> • Reinforced concrete construction. • Galvanised metal construction.
Doors	<ul style="list-style-type: none"> • Solid panel with water proof adhesives. • Flush door with marine ply filled with closed cell foam. • Painted metal construction. • Aluminium or galvanised steel frame.
Wall and Ceiling Linings	<ul style="list-style-type: none"> • Fibro-cement board. • Brick, face or glazed. • Clay tile glazed in waterproof mortar. • Concrete.



BUILDING COMPONENT	FLOOD COMPATIBLE MATERIAL
	<ul style="list-style-type: none"> • Concrete block. • Steel with waterproof applications. • Stone, natural solid or veneer, waterproof grout. • Glass blocks. • Glass. • Plastic sheeting or wall with waterproof adhesive.
Insulation	<ul style="list-style-type: none"> • Foam (closed cell types).
Windows	<ul style="list-style-type: none"> • Aluminium frame with stainless steel rollers or similar corrosion and water resistant material.
Nails, Bolts, Hinges and Fittings	<ul style="list-style-type: none"> • Brass, nylon or stainless steel. • Removable pin hinges. • Hot dipped galvanised steel wire nails or similar.
Electrical and Mechanical Equipment	<p>For dwellings constructed on land to which this chapter applies, the electrical and mechanical materials, equipment and installation should conform to the following requirements.</p> <ul style="list-style-type: none"> • Main power supply <p>Subject to the approval of the relevant authority the incoming main commercial power service equipment, including all metering equipment, shall be located above the relevant flood level. Means shall be available to easily disconnect the dwelling from the main power supply.</p> <ul style="list-style-type: none"> • Wiring <p>All wiring, power outlets, switches, etc., should, to the maximum extent possible, be located above the relevant flood level. All electrical wiring installed below the relevant flood level should be suitable for continuous submergence in water and should contain no fibrous components. Earth core leakage systems (or safety switches) are to be installed. Only submersible-type splices should be used below the relevant flood level. All conduits located below the relevant designated flood level should be so installed that they will be self-draining if subjected to flooding.</p> <ul style="list-style-type: none"> • Equipment <p>All equipment installed below or partially below the relevant flood level should be capable of disconnection by a single plug and socket assembly.</p> <ul style="list-style-type: none"> • Reconnection

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BUILDING COMPONENT	FLOOD COMPATIBLE MATERIAL
	<ul style="list-style-type: none">Should any electrical device and/or part of the wiring be flooded it should be thoroughly cleaned or replaced and checked by an approved electrical contractor before reconnection.

Appendix: C PRESCRIPTIVE STANDARDS - SPECIFIC FLOODPLAINS

- Schedule 1 – Towradgi Creek Floodplain;
- Schedule 2 – Hewitts/Slacky/Woodlands/Tramway/ Thomas Gibson Creeks Floodplain;
- Schedule 3 – Minnegang Creek Floodplain;
- Schedule 4 – Allan's Creek Floodplain;
- Schedule 5 – Fairy and Cabbage Tree Creeks Floodplain;
- Schedule 6 – Mullet/Brooks Creeks Floodplain;
- Schedule 7 – Wollongong City Floodplain;
- Schedule 8 - Whartons, Collins, Farrahars Creeks, Bellambi Gully and Bellambi Lake Floodplains ;
- Schedule 9 – Lake Illawarra Floodplain;
- Schedule 9a – Lake Illawarra - Windang Peninsula; and
- Schedule 10 – All other floodplains.

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SCHEDULE 1: PRESCRIPTIVE CONTROLS – TOWRADGI CREEK FLOODPLAIN

Planning Consideration	Flood Risk Precincts (FRP's)																								
	Low Flood Risk								Medium Flood Risk								High Flood Risk (& Interim Riverine Corridor)								
	Essential Community Facilities	Critical Utilities	Subdivision	Residential	Commercial & Industrial	Tourist Related Development	Recreation & Non-Urban	Concessional Development	Essential Community Facilities	Critical Utilities	Subdivision	Residential	Commercial & Industrial	Tourist Related Development	Recreation & Non-Urban	Concessional Development	Essential Community Facilities	Critical Utilities	Subdivision	Residential	Commercial & Industrial	Tourist Related Development	Recreation & Non-Urban	Concessional Development	
Floor Level	3										2,7	2 or 5	2	1	2,4 6									1	2,4 6
Building Components	2										1	1	1	1	1									1	1
Structural Soundness	3		2		3						2	2	3	2	2									1	1
Flood Affection	2	2		2	2					1	1 or 2	1	1	1	2									1	1
Evacuation	2, 4	5	3, 4	4	3, 4					5	3,4	1,4	3,4	1										1	
Management & Design	4, 5	1								1		2,3 5	2,3 5	2,3 5	2,3 5									2,3 5	2,3 5
Not Relevant	Unsuitable Land Use																								

Note:

- Filling of the site, where acceptable to Council, may change the FRP considered to determine the controls applied in the circumstances of individual applications.
- Terms in *italics* are defined in the glossary of this plan and Schedule 2 specifies development types included in each land use category. These development types are generally as defined within Environmental Planning Instruments applying to the local government area.
- Freeboard** equals an additional height of 500mm.

Floor Level

- 1 All Floor Levels to be equal to or greater than the 5% AEP flood level plus freeboard unless justified by site specific assessment.
- 2 *Habitable floor* levels to be equal to or greater than the 1% AEP flood level plus freeboard.
- 3 All Floor Levels to be equal to or greater than the *PMF flood* level plus *freeboard*.
- 4 Floor levels to be as close to the flood planning level as practical & no lower than the existing floor level when undertaking alterations or additions.
- 5 Floor levels of shops to be as close to the flood planning level as practical. Where below the flood planning level, more than 30% of the floor area to be above the flood planning level or premises to be flood proofed below the flood planning level.
- 6 Garage floor level to be no lower than 300mm above finished adjacent ground.
- 7 Garage and all other non-habitable internal flood levels to be no lower than the 1% AEP flood level minus 300mm or 300mm above finished adjacent ground (whichever is the greater).

Building Components & Method

- 1 All structures to have *flood compatible building components* below or at the 100 year *flood* level plus *freeboard*.
- 2 All structures to have *flood compatible building components* below or at the *PMF* level plus *freeboard*.

Structural Soundness

- 1 Engineers report to certify that any structure can withstand the forces of floodwater, debris & buoyancy up to & including a 1% AEP flood level plus freeboard.
- 2 Applicant to demonstrate that any structure can withstand the forces of floodwater, debris & buoyancy up to & including a 1% AEP flood level plus freeboard , *PMF* plus *freeboard* if required to satisfy evacuation criteria (see below).
- 3 Applicant to demonstrate that any structure can withstand the forces of floodwater, debris & buoyancy up to & including a *PMF flood* plus *freeboard*.

Flood Affection

- 1 Engineers report required to certify that the development will not increase *flood* affection elsewhere, includes medium & high density residential proposals.
- 2 The impact of the development on flooding elsewhere to be considered, includes low density residential.

Note: When assessing *flood* affection the following must be considered:

1. Loss of storage in the *floodplain*.
2. Changes in *flood* levels & velocities caused by alteration of conveyance of *flood* waters.

Evacuation

- 1 *Reliable access* or *refuge* required during a 100 year *flood*.

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- 2 *Reliable access* for pedestrians and vehicles required during a *PMF flood*.
- 3 Reliable access for pedestrians or vehicles is required from the building, commencing at a minimum level equal to the lowest *habitable floor* level to an area of refuge above the *PMF level*, or a minimum of 20sqm of the dwelling to be above the *PMF level*.
- 4 The development is to be consistent with any relevant *flood evacuation strategy* or similar plan.
- 5 Applicant to demonstrate that evacuation of potential development as a consequence of a subdivision proposal can be undertaken in accord with this Plan.

Management and Design

- 1 Applicant to demonstrate that potential development as a consequence of a subdivision proposal can be undertaken in accord with this Plan.
- 2 *Site Emergency Response Flood plan* required (except for single dwelling-houses) where floor levels are below the *flood planning level*.
- 3 Applicant to demonstrate that area is available to store goods above the 1% AEP *flood level* plus *freeboard*.
- 4 Applicant to demonstrate that area is available to store goods above the *PMF level* plus *freeboard*.
- 5 No external storage of materials below the *flood planning level* which may cause pollution or be potentially hazardous during any *flood*.

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SCHEDULE 2: PRESCRIPTIVE CONTROLS – HEWITTS CREEK FLOODPLAIN

	Flood Risk Precincts (FRP's)																									
	Low Flood Risk						Medium Flood Risk						High Flood Risk (& Interim Riverine Corridor)													
Planning Consideration	Essential Community Facilities	Critical Utilities	Subdivision	Residential	Commercial & Industrial	Tourist Related Development	Recreation & Non-Urban	Concessional Development	Essential Community Facilities	Critical Utilities	Subdivision	Residential	Commercial & Industrial	Tourist Related Development	Recreation & Non-Urban	Concessional Development	Essential Community Facilities	Critical Utilities	Subdivision	Residential	Commercial & Industrial	Tourist Related Development	Recreation & Non-Urban	Concessional Development		
Floor Level		3									2, 7	2 or 5	2	1	2, 4, 6									1	2, 4, 6	
Building Components		2									1	1	1	1	1										1	1
Structural Soundness		3		3		3						3	2	3	2	2									1	1
Flood Affection		2	2		2	2					1	1 or 2	2	2	2	2									1	1
Evacuation		2, 4	5	3, 4	4	3, 4					5	3, 4	1, 4	3	1										1	
Management & Design		4, 5	1								1		2, 3, 5	2	2	2, 3, 5									2	2, 3, 5

Not Relevant	Unsuitable Land Use
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Note:

- a. Filling of the site, where acceptable to Council, may change the FRP considered to determine the controls applied in the circumstances of individual applications.
- b. For the Hewitt's Catchments it is recommended that filling in floodplain areas east of the Main South Coast Railway embankment be permitted, provided that the applicant can demonstrate there are no local hydraulic impacts on adjoining property as a result of this filling. Filling in floodplain areas west of the Main South Coast Railway is not to be permitted unless an Engineers report is provided that certifies that the development will not increase flood affection elsewhere.
- c. Terms in italics are defined in the glossary of this plan and Schedule 2 specifies development types included in each land use category. These development types are generally as defined within Environmental Planning Instruments applying to the local government area.
- d. *Freeboard* equals an additional height of 500mm.

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Floor Level

- 1 All Floor Levels to be equal to or greater than the 5% AEP *flood level plus freeboard* unless justified by site specific assessment.
- 2 *Habitable floor* levels to be equal to or greater than the 100 year *flood level plus freeboard*.
- 3 All Floor Levels to be equal to or greater than the *PMF flood level plus freeboard*.
- 4 Floor levels to be as close to the flood planning level as practical & no lower than the existing floor level when undertaking alterations or additions.
- 5 Floor levels of shops to be as close to the flood planning level as practical. Where below the *flood planning level*, more than 30% of the floor area to be above the *flood planning level* or premises to be flood proofed below the *flood planning level*.
- 6 Garage floor level to be no lower than 300mm above finished adjacent ground.
- 7 Garage and all other non-habitable internal flood levels to be no lower than the 1% AEP flood level minus 300mm or 300mm above finished adjacent ground (whichever is the greater).

Building Components & Method

- 1 All structures to have *flood compatible building components* below or at the 1% AEP *flood level plus freeboard*.
- 2 All structures to have *flood compatible building components* below or at the *PMF level plus freeboard*.

Structural Soundness

- 1 Engineers report to certify that any structure can withstand the forces of floodwater, debris & buoyancy up to & including a 1% AEP *flood plus freeboard*.
- 2 Applicant to demonstrate that any structure can withstand the forces of floodwater, debris & buoyancy up to & including a 1% AEP *flood plus freeboard*.
- 3 Applicant to demonstrate that any structure can withstand the forces of floodwater, debris & buoyancy up to & including a *PMF flood plus freeboard*.

Flood Affection

- 1 Engineers report required to certify that the development will not increase *flood* affection elsewhere, includes medium & high density residential proposals.
- 2 The impact of the development on flooding elsewhere to be considered, includes low density residential.

Note: When assessing *flood* affection the following must be considered:

1. Loss of storage in the *floodplain*.
2. Changes in *flood* levels & velocities caused by alteration of conveyance of *flood* waters.

Evacuation

- 1 *Reliable access or refuge required during a 1% AEP flood*.
- 2 *Reliable access* for pedestrians and vehicles required during a *PMF flood*.

-
- 3 Reliable access for pedestrians or vehicles is required from the building, commencing at a minimum level equal to the lowest *habitable floor* level to an area of refuge above the *PMF level*, or a minimum of 20sqm of the dwelling to be above the *PMF level*.
 - 4 The development is to be consistent with any relevant *flood evacuation strategy* or similar plan.
 - 5 Applicant to demonstrate that evacuation of potential development as a consequence of a subdivision proposal can be undertaken in accord with this Plan.

Management and Design

- 1 Applicant to demonstrate that potential development as a consequence of a subdivision proposal can be undertaken in accord with this Plan.
- 2 *Site Emergency Response Flood plan* required (except for single dwelling-houses) where floor levels are below the *flood planning level*.
- 3 Applicant to demonstrate that area is available to store goods above the 1% AEP *flood level* plus *freeboard*.
- 4 Applicant to demonstrate that area is available to store goods above the *PMF level* plus *freeboard*.
- 5 No external storage of materials below the *flood planning level* which may cause pollution or be potentially hazardous during any *flood*.

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SCHEDULE 3: PRESCRIPTIVE CONTROLS – MINNEGANG CREEK FLOODPLAIN

		Flood Risk Precincts (FRP's)																								
		Low Flood Risk						Medium Flood Risk						High Flood Risk (and Interim Riverine Corridor)												
Planning Consideration		Essential Community Facilities	Critical Utilities	Subdivision	Residential	Commercial & Industrial	Tourist Related Development	Recreation & Non-Urban	Concessional Development	Essential Community Facilities	Critical Utilities	Subdivision	Residential	Commercial & Industrial	Tourist Related Development	Recreation & Non-Urban	Concessional Development	Essential Community Facilities	Critical Utilities	Subdivision	Residential	Commercial & Industrial	Tourist Related Development	Recreation & Non-Urban	Concessional Development	
	Floor Level		3										2,6	2 or 5	2,6	1	2,4									1
Building Components		2										1	1	1	1	1									1	1
Structural Soundness		3		2		3						2	2	2	2	2									1	1
Flood Affection		2	2		2	2						1	2	2	2	2									1	1
Evacuation		2, 4	*	3, 4	4	3, 4						*	3, 4	1,4	3,4	1									1	
Management & Design		4, 5	1									1		2,3 5	2,3 5	2,3 5	2,3 5								2,3 5	2,3 5
Not Relevant		Unsuitable Land Use							*	Refer to 'Management & Design' planning consideration for subdivision																

Notes:

1. Filling of the site, where acceptable to Council, may change the FRP considered to determine the controls applied in the circumstances of individual applications.
2. Terms in italics are defined in the glossary of this Plan and Schedule 2 specifies development types included in each land use category. These development types are generally as defined within Environmental Planning Instruments applying to the local government area.

Floor Level

- 1 All floor levels to be equal to or greater than the 5% AEP *flood level plus freeboard* unless justified by site specific assessment.
- 2 *Habitable floor* levels to be equal to or greater than the 1% AEP *flood level plus freeboard*.
- 3 All floor levels to be equal to or greater than the *PMF flood level plus freeboard*.
- 4 Floor levels to be as close to the flood planning level as practical and no lower than the existing floor level when undertaking alterations or additions.
- 5 Floor levels of shops to be as close to the flood planning level as practical. Where below the *flood planning level*, more than 30% of the floor area is to be above the *flood planning level* or premises to be flood-proofed below the *flood planning level*.
- 6 Garage and all other non-habitable internal flood levels to be no lower than the 1% AEP flood level minus 300mm or 300mm above finished adjacent ground (whichever is the greater).

Building Components and Method

- 1 All structures to have *flood compatible building components* below or at the 1% AEP *flood level plus freeboard*.
- 2 All structures to have *flood compatible building components* below or at the *PMF flood level plus freeboard*.

Structural Soundness

- 1 Engineers report to certify that any structure can withstand the forces of floodwater, debris and buoyancy up to and including a 1% AEP *flood plus freeboard*.
- 2 Applicant to demonstrate that any structure can withstand the forces of floodwater, debris and buoyancy up to and including a 1% AEP *flood plus freeboard*.
- 3 Applicant to demonstrate that any structure can withstand the forces of floodwater, debris and buoyancy up to and including a *PMF flood plus freeboard*.

Flood Affection

- 1 Engineers report required to certify that the development will not increase *flood* affection elsewhere.
- 2 The impact of the development on flooding elsewhere to be considered.

Note: When assessing *flood* affection the following must be considered:

1. Loss of storage in the *floodplain*.
 2. Changes in *flood* levels and velocities caused by alteration of conveyance of *flood* waters.
-

Evacuation

- 1 *Reliable access or refuge required during a 1% AEP flood*.
- 2 *Reliable access* for pedestrians and vehicles required during a *PMF flood*.

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- 3 *Reliable access* for pedestrians or vehicles is required from the building, commencing at a minimum level equal to the lowest *habitable floor* level to an area of refuge above the *PMF flood* level, or a minimum of 40% of the gross floor area of the dwelling to be above the *PMF flood* level.
- 4 The development is to be consistent with any relevant *flood evacuation strategy* or similar plan.

Management and Design

- 1 Applicant to demonstrate that potential development as a consequence of a subdivision proposal can be undertaken in accordance with this Plan.
- 2 Site Emergency Response Flood plan required (except for single- dwelling houses) where floor levels are below the *flood planning level*.
- 3 Applicant to demonstrate that area is available to store goods above the 1% AEP *flood* level plus *freeboard*.
- 4 Applicant to demonstrate that area is available to store goods above the *PMF flood* level plus *freeboard*.
- 5 No external storage of materials below the *flood planning level* which may cause pollution or be potentially hazardous during any *flood*.

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SCHEDULE 4: PRESCRIPTIVE CONTROLS – ALLANS CREEK FLOODPLAIN

Planning Consideration	Flood Risk Precincts (FRP's)																							
	Low Flood Risk^					Medium Flood Risk^					High Flood Risk^ (& Interim Riverine Corridor)													
	Essential Community Facilities	Critical Utilities	Subdivision	Residential	Commercial & Industrial	Tourist Related Development	Recreation & Non-Urban	Concessional Development	Essential Community Facilities	Critical Utilities	Subdivision	Residential	Commercial & Industrial	Tourist Related Development	Recreation & Non-Urban	Concessional Development	Essential Community Facilities	Critical Utilities	Subdivision	Residential	Commercial & Industrial	Tourist Related Development	Recreation & Non-Urban	Concessional Development
Floor Level	3										2, 6	1, 2 or 5	2, 6	1	2, 4						1		1	2, 4 or 6
Building Components	2										1	1	1	1	1	1					1		1	1
Structural Soundness	3		3		3						3	2	3	2	2	2					1		1	1
Flood Affection	2	2		2	2					1	1	1	1	1	1	2					1		1	1
Evacuation	2, 4	*	3, 4	4	3, 4					*	3, 4	1, 4	3, 4	1							*		1	
Management & Design	4, 5	1								1		2, 3 5	2, 3 5	2, 3 5, 6	2, 3 5						2, 3 5		2, 3 5	2, 3 5

Not Relevant	Unsuitable Land Use	*	Refer to 'Management & Design' planning consideration for subdivision	Industrial Only, Commercial Not Permitted
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Floor Level

- 1 For industrial land use only – All Floor Levels to be equal to or greater than the 1% AEP flood unless justified by site specific assessment.
- 2 Habitable floor levels to be equal to or greater than the 1% AEP flood level plus 0.5m (freeboard).
- 3 All Floor Levels to be equal to or greater than the PMF flood level plus 0.5m (freeboard).
- 4 Floor levels to be as close to the flood planning level as practical & no lower than the existing floor level when undertaking alterations or additions.
- 5 Floor levels of shops to be as close to the flood planning level as practical. Where below the *flood planning level*, more than 30% of the floor area to be above the *flood planning level* or premises to be flood proofed below the *flood planning level*.
- 6 Garage and all other non-habitable internal flood levels to be no lower than the 1% AEP flood level minus 300mm or 300mm above finished adjacent ground (whichever is the greater).

Building Components & Method

- 1 All structures to have flood compatible building components below or at the 1% AEP flood level plus 0.5m (freeboard).
- 2 All structures to have flood compatible building components below or at the PMF level plus 0.5m (freeboard).

Structural Soundness

- 1 Engineers report to certify that any structure can withstand the forces of floodwater, debris and buoyancy up to and including a 1% AEP flood plus freeboard.
- 2 Applicant to demonstrate that any structure can withstand the forces of floodwater, debris and buoyancy up to and including a 1% AEP flood plus freeboard, or a PMF plus freeboard if required to satisfy evacuation criteria (*see below*).
- 3 Applicant to demonstrate that any structure can withstand the forces of floodwater, debris and buoyancy up to and including a PMF flood plus freeboard.

Flood Affection

- 1 Engineers report required to certify that the development will not increase flood affection elsewhere, includes medium and high density residential proposals.
- 2 The impact of the development on flooding elsewhere to be considered, includes low density residential.

Evacuation

- 1 Reliable access or refuge required during a 1% AEP flood.
- 2 Reliable access for pedestrians and vehicles required during a PMF flood.
- 3 Reliable access for pedestrians or vehicles is required from the building, commencing at a minimum level equal to the lowest habitable floor level to an area of refuge above the PMF level, or a minimum of 20sqm of the dwelling/premises to be above the PMF level.
- 4 The development is to be consistent with any relevant flood evacuation strategy or similar plan.

-
- 5 Applicant to demonstrate that evacuation of potential development as a consequence of a subdivision proposal can be undertaken in accord with this Plan.

Management and Design

- 1 Applicant to demonstrate that potential development as a consequence of a subdivision proposal can be undertaken in accordance with this chapter.
 - 2 Site Emergency Response Flood plan required (except for single dwelling-houses) where floor levels are below the PMF.
 - 3 Applicant to demonstrate that area is available to store goods above the 1% AEP flood level plus 0.5m (freeboard).
 - 4 Applicant to demonstrate that area is available to store goods above the PMF plus 0.5m (freeboard).
 - 5 No external storage of materials below the *flood planning level* which may cause pollution or be potentially hazardous during any flood.
- * adapted from this chapter for Towradgi Creek and modified for the Allan's Creek Floodplain.
- ^ Flood Risk Precinct Definitions for Allan's Creek – see Section 3.

Any proposed development will also need to be consistent with other Council requirements.

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SCHEDULE 5: PRESCRIPTIVE CONTROLS – FAIRY CABBAGE TREE CREEK

Planning Consideration	Flood Risk Precincts (FRP's)																									
	Low Flood Risk						Medium Flood Risk						High Flood Risk (& Interim Riverine Corridor)													
	Essential Community Facilities	Critical Utilities	Subdivision	Residential	Commercial & Industrial	Tourist Related Development	Recreation & Non-Urban	Concessional Development	Essential Community Facilities	Critical Utilities	Subdivision	Residential	Commercial & Industrial	Tourist Related Development	Recreation & Non-Urban	Concessional Development	Essential Community Facilities	Critical Utilities	Subdivision	Residential	Commercial & Industrial	Tourist Related Development	Recreation & Non-Urban	Concessional Development		
Floor Level	3										2,7	2 or 5	2	1	2,4 6									1	2,4 6	
Building Components	2										1	1	1	1	1										1	1
Structural Soundness	3		2		3						2	2	3	2	2										1	1
Flood Affection	2	2		2	2					1	1 or 2	1	1	1	1	2									1	1
Evacuation	2, 4	5	3, 4	4	3, 4					5	3,4	1,4	3,4	1										1		
Management & Design	4, 5	1								1		2,3 5	2,3 5	2,3 5	2,3 5									2,3 5	2,3 5	
Not Relevant	Unsuitable Land Use																									

Note:

- Filling of the site, where acceptable to Council, may change the FRP considered to determine the controls applied in the circumstances of individual applications.
- Terms in italics are defined in the glossary of this plan and Schedule 2 specifies development types included in each land use category. These development types are generally as defined within Environmental Planning Instruments applying to the local government area.
- Freeboard** equals an additional height of 500mm.

Floor Level

- 1 All Floor Levels to be equal to or greater than the 5% AEP flood level plus freeboard unless justified by site specific assessment.
- 2 Habitable floor levels to be equal to or greater than the 1% AEP flood level plus freeboard.
- 3 All Floor Levels to be equal to or greater than the PMF flood level plus freeboard.
- 4 Floor levels to be as close to the flood planning level as practical & no lower than the existing floor level when undertaking alterations or additions.
- 5 Floor levels of shops to be as close to the flood planning level as practical. Where below the *flood planning level*, more than 30% of the floor area to be above the *flood planning level* or premises to be flood proofed below the *flood planning level*.
- 6 Garage and all other non-habitable internal flood levels to be no lower than the 1% AEP flood level minus 300mm or 300mm above finished adjacent ground (whichever is the greater).

Building Components & Method

- 1 All structures to have flood compatible building components below or at the 1% AEP flood level plus freeboard.
- 2 All structures to have flood compatible building components below or at the PMF level plus freeboard.

Structural Soundness

- 1 Engineers report to certify that any structure can withstand the forces of floodwater, debris & buoyancy up to & including a 1% AEP flood plus freeboard.
- 2 Applicant to demonstrate that any structure can withstand the forces of floodwater, debris & buoyancy up to & including a 1% AEP flood plus freeboard, PMF plus freeboard if required to satisfy evacuation criteria (see below).
- 3 Applicant to demonstrate that any structure can withstand the forces of floodwater, debris & buoyancy up to & including a PMF flood plus freeboard.

Flood Affection

- 1 Engineers report required to certify that the development will not increase flood affection elsewhere, includes medium & high density residential proposals.
- 2 The impact of the development on flooding elsewhere to be considered, includes low density residential.

Note: When assessing *flood* affection the following must be considered:

1. Loss of net storage of flood waters in the *floodplain*. Compensatory cut to fill earthworks in the floodplain may be a means to ensure no net loss of flood water storage.
2. Changes in *flood* levels and velocities caused by alteration of conveyance of *flood* waters.

Evacuation

- 1 Reliable *access or refuge* required during a 1% AEP flood.
- 2 Reliable *access* for pedestrians and vehicles required during an PMF flood.

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- 3 Reliable access for pedestrians or vehicles is required from the building, commencing at a minimum level equal to the lowest habitable floor level to an area of refuge above the PMF level, or a minimum of 20sqm of the dwelling to be above the PMF level.
- 4 The development is to be consistent with any relevant flood evacuation strategy or similar plan.
- 5 Applicant to demonstrate that evacuation of potential development as a consequence of a subdivision proposal can be undertaken in accord with this Plan.

Management and Design

- 1 Applicant to demonstrate that potential development as a consequence of a subdivision proposal can be undertaken in accord with this Plan.
- 2 *Site Emergency Response Flood plan* required (except for single dwelling houses) where floor levels are below the *flood planning level*.
- 3 Applicant to demonstrate that area is available to store goods above the 1% AEP flood level plus freeboard.
- 4 Applicant to demonstrate that area is available to store goods above the PMF level plus freeboard.
- 5 No external storage of materials below the *flood planning level* which may cause pollution or be potentially hazardous during any flood.

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SCHEDULE 6: PRESCRIPTIVE CONTROLS – MULLET AND BROOKS CREEK

Planning Consideration	Flood Risk Precincts (FRP's)																							
	Low Flood Risk						Medium Flood Risk						High Flood Risk (& Interim Riverine Corridor)											
	Essential Community Facilities	Critical Utilities	Subdivision	Residential	Commercial & Industrial	Tourist Related Development	Recreation & Non-Urban	Concessional Development	Essential Community Facilities	Critical Utilities	Subdivision	Residential	Commercial & Industrial	Tourist Related Development	Recreation & Non-Urban	Concessional Development	Essential Community Facilities	Critical Utilities	Subdivision	Residential	Commercial & Industrial	Tourist Related Development	Recreation & Non-Urban	Concessional Development
Floor Level		3									2,7	2 or 5	2	1	2,4 6								1	2,4 6
Building Components		2									1	1	1	1	1								1	1
Structural Soundness		3		2		3					2	2	3	2	2								1	1
Flood Affection		2	2		2	2					1	1 or 2	1	1	1	2							1	1
Evacuation		2, 4	5	3, 4	4	3, 4					5	3,4	1,4	3,4	1								1	
Management & Design		4, 5	1								1		2,3 5	2,3 5	2,3 5	2,3 5							2,3 5	2,3 5
Not Relevant		Unsuitable Land Use																						

Note:

- Filling of the site, where acceptable to Council, may change the FRP considered to determine the controls applied in the circumstances of individual applications.
- Terms in *italics* are defined in the glossary of this plan and Schedule 2 specifies development types included in each land use category. These development types are generally as defined within Environmental Planning Instruments applying to the local government area.
- Freeboard** equals an additional height of 500mm.

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Floor Level

- 1 All Floor Levels to be equal to or greater than the 5% AEP *flood level plus freeboard* unless justified by site specific assessment.
- 2 *Habitable floor* levels to be equal to or greater than the 1% AEP *flood level plus freeboard*.
- 3 All Floor Levels to be equal to or greater than the *PMF flood level plus freeboard*.
- 4 Floor levels to be as close to the flood planning level as practical & no lower than the existing floor level when undertaking alterations or additions.
- 5 Floor levels of shops to be as close to the flood planning level as practical. Where below the *flood planning level*, more than 30% of the floor area to be above the *flood planning level* or premises to be flood proofed below the *flood planning level*.
- 7 Garage and all other non-habitable internal flood levels to be no lower than the 1% AEP flood level minus 300mm or 300mm above finished adjacent ground (whichever is the greater).

Building Components & Method

- 1 All structures to have *flood compatible building components* below or at the 1% AEP *flood level plus freeboard*.
- 2 All structures to have *flood compatible building components* below or at the *PMF level plus freeboard*.

Structural Soundness

- 1 Engineers report to certify that any structure can withstand the forces of floodwater, debris & buoyancy up to & including a 1% AEP *flood plus freeboard*.
- 2 Applicant to demonstrate that any structure can withstand the forces of floodwater, debris & buoyancy up to & including a 1% AEP *flood plus freeboard*, *PMF plus freeboard* if required to satisfy evacuation criteria (see below).
- 3 Applicant to demonstrate that any structure can withstand the forces of floodwater, debris & buoyancy up to & including a *PMF flood plus freeboard*.

Flood Affection

- 1 Engineers report required to certify that the development will not increase *flood* affection elsewhere, includes medium & high density residential proposals.
- 2 The impact of the development on flooding elsewhere to be considered, includes low density residential.

Note: When assessing *flood* affection the following must be considered:

1. Loss of storage in the *floodplain*.
2. Changes in *flood* levels & velocities caused by alteration of conveyance of *flood* waters.

Evacuation

- 1 *Reliable access or refuge required during a 1% AEP flood*.
- 2 *Reliable access* for pedestrians and vehicles required during a *PMF flood*.

-
- 3 Reliable access for pedestrians or vehicles is required from the building, commencing at a minimum level equal to the lowest *habitable floor* level to an area of refuge above the *PMF level*, or a minimum of 20sqm of the dwelling to be above the *PMF level*.
 - 4 The development is to be consistent with any relevant *flood evacuation strategy* or similar plan.
 - 5 Applicant to demonstrate that evacuation of potential development as a consequence of a subdivision proposal can be undertaken in accord with this Plan.

Management and Design

- 1 Applicant to demonstrate that potential development as a consequence of a subdivision proposal can be undertaken in accord with this Plan.
- 2 *Site Emergency Response Flood plan* required (except for single dwelling-houses) where floor levels are below the *flood planning level*.
- 3 Applicant to demonstrate that area is available to store goods above the 1% AEP *flood level* plus *freeboard*.
- 4 Applicant to demonstrate that area is available to store goods above the *PMF level* plus *freeboard*.
- 5 No external storage of materials below the *flood planning level* which may cause pollution or be potentially hazardous during any *flood*.

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SCHEDULE 7: PRESCRIPTIVE CONTROLS – WOLLONGONG CITY FLOODPLAIN

Planning Consideration	Flood Risk Precincts (FRP's)																							
	Low Flood Risk						Medium Flood Risk						High Flood Risk (& Interim Riverine Corridor)											
	Essential Community Facilities	Critical Utilities	Subdivision	Residential	Commercial & Industrial	Tourist Related Development	Recreation & Non-Urban	Concessional Development	Essential Community Facilities	Critical Utilities	Subdivision	Residential	Commercial & Industrial	Tourist Related Development	Recreation & Non-Urban	Concessional Development	Essential Community Facilities	Critical Utilities	Subdivision	Residential	Commercial & Industrial	Tourist Related Development	Recreation & Non-Urban	Concessional Development
Floor Level	3		8	8	8		8				2	1,2 or 5	2	1	2,4								1	2,4 6
Building Components	2										1	1	1	1	1								1	1
Structural Soundness	3		3		3						3	2	3	2	2								1	1
Flood Affection	2	2		2	2					1	1	1	1	1	2								2	1,2
Evacuation	2, 4	*	3, 4	4	3, 4					*	3, 4	1,4	3,4	1	4								1	4
Management & Design	4, 5	1								1		2,3 5	2,3 5	2,3 5,6	2,3 5								2, 3 5	2,3 5

	Not Relevant	Unsuitable Land Use	*	Refer to 'Management & Design' planning consideration for subdivision
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Note:

- Filling of the site, where acceptable to Council, may change the FRP considered to determine the controls applied in the circumstances of individual applications.
- Terms in italics are defined in the glossary of this plan and Schedule 2 specifies development types included in each land use category. These development types are generally as defined within Environmental Planning Instruments applying to the local government area.
- Freeboard** equals an additional height of 500mm

Floor Level

- 1 All Floor Levels to be equal to or greater than the 5% AEP *flood level plus freeboard* unless justified by site specific assessment.
- 2 *Habitable floor levels* to be equal to or greater than the 1% AEP *flood level plus freeboard*.
- 3 All Floor Levels to be equal to or greater than the *PMF flood level plus freeboard*.
- 4 Floor levels to be as close to the flood planning level as practical & no lower than the existing floor level when undertaking alterations or additions.
- 5 Floor levels of shops to be as close to the flood planning level as practical. Where below the *flood planning level*, more than 30% of the floor area to be above the *flood planning level* or premises to be flood proofed below the *flood planning level*.
- 7 Garage and all other non-habitable internal flood levels to be no lower than the 1% AEP flood level minus 300mm or 300mm above finished adjacent ground (whichever is the greater).
- 8 Habitable flood level to be a minimum of 300mm above finished adjacent ground level.

Building Components & Method

- 1 All structures to have *flood compatible building components* below or at the 1% AEP *flood level plus freeboard*.
- 2 All structures to have *flood compatible building components* below or at the *PMF level plus freeboard*.

Structural Soundness

- 1 Engineers report to certify that any structure can withstand the forces of floodwater, debris & buoyancy up to & including a 1% AEP *flood plus freeboard*.
- 2 Applicant to demonstrate that any structure can withstand the forces of floodwater, debris & buoyancy up to & including a 1% AEP *flood plus freeboard*, *PMF plus freeboard* if required to satisfy evacuation criteria (see below).
- 3 Applicant to demonstrate that any structure can withstand the forces of floodwater, debris & buoyancy up to & including a *PMF flood plus freeboard*.

Flood Affection

- 1 Engineers report required to certify that the development will not increase *flood* affection elsewhere, includes medium & high density residential proposals.
- 2 The impact of the development on flooding elsewhere to be considered, includes low density residential.

Note: When assessing *flood* affection the following must be considered:

1. Loss of storage in the *floodplain*.
2. Changes in *flood* levels & velocities caused by alteration of conveyance of *flood* waters.

Evacuation

- 1 *Reliable access or refuge required during a 1% AEP flood*.

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- 2 *Reliable access* for pedestrians and vehicles required during a *PMF flood*.
- 3 Reliable access for pedestrians or vehicles is required from the building, commencing at a minimum level equal to the lowest *habitable floor* level to an area of refuge above the *PMF level*, or a minimum of 20sqm of the dwelling to be above the *PMF level*.
- 4 The development is to be consistent with any relevant *flood evacuation strategy* or similar plan.



Management and Design

- 1 Applicant to demonstrate that potential development as a consequence of a subdivision proposal can be undertaken in accord with this Plan.
- 2 *Site Emergency Response Flood plan* required (except for single dwelling-houses) where floor levels are below the *flood planning level*.
- 3 Applicant to demonstrate that area is available to store goods above the 1% AEP *flood level plus freeboard*.
- 4 Applicant to demonstrate that area is available to store goods above the *PMF level plus freeboard*.
- 5 No external storage of materials below the *flood planning level* which may cause pollution or be potentially hazardous during any *flood*.

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SCHEDULE 8: PRESCRIPTIVE CONTROLS – COMBINED CATCHMENTS OF WHARTONS, COLLINS AND FARRAHARS CREEKS, BELLAMBI GULLY AND BELLAMBI LAKE FLOODPLAINS

	Flood Risk Precincts (FRP's)																									
	Low Flood Risk						Medium Flood Risk						High Flood Risk (& Interim Riverine Corridor)													
Planning Consideration	Essential Community Facilities	Critical Utilities	Subdivision	Residential	Commercial & Industrial	Tourist Related Development	Recreation & Non-Urban	Concessional Development	Essential Community Facilities	Critical Utilities	Subdivision	Residential	Commercial & Industrial	Tourist Related Development	Recreation & Non-Urban	Concessional Development	Essential Community Facilities	Critical Utilities	Subdivision	Residential	Commercial & Industrial	Tourist Related Development	Recreation & Non-Urban	Concessional Development		
Floor Level		3									2, 7		2 or 5	2	1	2, 4, 6									1	2, 4, 6
Building Components		2									1		1	1	1	1									1	1
Structural Soundness		3		3		3						2	2	3	2	2									1	1
Flood Affection		2	2		2	2					1	1 or 2	1	1	1	2									1	1
Evacuation		2, 4	*	3, 4	4	3, 4					*	3, 4	1, 4	3, 4	1										1	
Management & Design		4, 5	1								1		2, 3, 5	2, 3, 5	2, 3, 5	2, 3, 5									2, 3, 5	2, 3, 5

 Not Relevant	 Unsuitable Land Use	* Refer to 'Management & Design' planning consideration for subdivision
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Notes:

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- a. Filling of the site, where acceptable to Council, may change the FRP considered to determine the controls applied in the circumstances of individual applications..
- b. Terms in italics are defined in the glossary of this plan and Schedule 2 specifies development types included in each land use category. These development types are generally as defined within Environmental Planning Instruments applying to the local government area.
- c. Freeboard equals an additional height of 500mm.

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Floor Level

- 1 All Floor Levels to be equal to or greater than the 5% AEP *flood level plus freeboard* unless justified by site specific assessment.
- 2 *Habitable floor* levels to be equal to or greater than the 1% AEP *flood level plus freeboard*.
- 3 All Floor Levels to be equal to or greater than the *PMF flood level plus freeboard*.
- 4 Floor levels to be as close to the flood planning level as practical & no lower than the existing floor level when undertaking alterations or additions.
- 5 Floor levels of shops to be as close to the flood planning level as practical. Where below the *flood planning level*, more than 30% of the floor area to be above the *flood planning level* or premises to be flood proofed below the *flood planning level*.
- 7 Garage and all other non-habitable internal flood levels to be no lower than the 1% AEP flood level minus 300mm or 300mm above finished adjacent ground (whichever is the greater).

Building Components & Method

- 1 All structures to have *flood compatible building components* below or at the 1% AEP *flood level plus freeboard*.
- 2 All structures to have *flood compatible building components* below or at the *PMF level plus freeboard*.

Structural Soundness

- 1 Engineers report to certify that any structure can withstand the forces of floodwater, debris & buoyancy up to & including a 1% AEP *flood plus freeboard*.
- 2 Applicant to demonstrate that any structure can withstand the forces of floodwater, debris & buoyancy up to & including a 1% AEP *flood plus freeboard*, *PMF plus freeboard* if required to satisfy evacuation criteria (see below).
- 3 Applicant to demonstrate that any structure can withstand the forces of floodwater, debris & buoyancy up to & including a *PMF flood plus freeboard*.

Flood Affection

- 1 Engineers report required to certify that the development will not increase *flood* affection elsewhere, includes medium & high density residential proposals.
- 2 The impact of the development on flooding elsewhere to be considered, includes low density residential.

Note: When assessing *flood* affection the following must be considered:

1. Loss of storage in the floodplain.
2. Changes in *flood* levels & velocities caused by alteration of conveyance of flood waters.

Evacuation

- 1 *Reliable access or refuge required during a 1% AEP flood*.
- 2 *Reliable access* for pedestrians and vehicles required during a *PMF flood*.

-
- 3 Reliable access for pedestrians or vehicles is required from the building, commencing at a minimum level equal to the lowest *habitable floor* level to an area of refuge above the *PMF level*, or a minimum of 20sqm of the dwelling to be above the *PMF level*.
 - 4 The development is to be consistent with any relevant *flood evacuation strategy* or similar plan.

Management and Design

- 1 Applicant to demonstrate that potential development as a consequence of a subdivision proposal can be undertaken in accord with this Plan.
- 2 *Site Emergency Response Flood plan* required (except for single dwelling-houses) where floor levels are below the *flood planning level*.
- 3 Applicant to demonstrate that area is available to store goods above the 1% AEP *flood level* plus *freeboard*.
- 4 Applicant to demonstrate that area is available to store goods above the *PMF level* plus *freeboard*.
- 5 No external storage of materials below the *flood planning level* which may cause pollution or be potentially hazardous during any *flood*.

Part E- General Controls – Environmental Controls
Chapter E13: Floodplain Management

SCHEDULE 9: PRESCRIPTIVE CONTROLS – LAKE ILLAWARRA

Planning Consideration	Flood Risk Precincts (FRP's)																									
	Low Flood Risk						Medium Flood Risk						High Flood Risk (& Interim Riverine Corridor)													
	Essential Community Facilities	Critical Utilities	Subdivision	Residential	Commercial & Industrial	Tourist Related Development	Recreation & Non-Urban	Concessional Development	Essential Community Facilities	Critical Utilities	Subdivision	Residential	Commercial & Industrial	Tourist Related Development	Recreation & Non-Urban	Concessional Development	Essential Community Facilities	Critical Utilities	Subdivision	Residential	Commercial & Industrial	Tourist Related Development	Recreation & Non-Urban	Concessional Development		
Floor Level		3										2,6 or 7	2 or 5	2	1	2,4 6								1	2,4 6	
Building Components		2		2								2	1	2	1	1									1	1
Structural Soundness		3		3		3						3	2	3	2	2									1	1
Flood Affection		2,3			2,3	2,3						2,3	2,3	2,3	2,3	2									1,3	1,3
Evacuation		2,4		3,4	4	3,4						3,4	1,4	3,4	3,4										1	
Management & Design		4,5											2,3 5	2,3 5	2,3 5	2,3 5								2,3 5	2,3 5	
	Not Relevant	Unsuitable Land Use						Concessional development to use the 1% AEP including Medium Sea Level Rise (0.4m), all other development to use the 1% AEP including High Sea Level Rise (0.91m).																		

Floor Level

- 1 All floor levels to be equal to or greater than the 5% AEP *flood* level plus freeboard unless justified by site specific assessment.
- 2 Habitable floor levels to be equal to or greater than the 1% AEP flood level plus 0.5m freeboard.
- 3 All floor levels to be equal to or greater than the PMF.
- 4 Floor levels to be as close to the flood planning level as practical and no lower than the existing floor level when undertaking alterations or additions.
- 5 Floor levels of shops to be as close to the flood planning level as practical. Where below the *flood planning level*, more than 30% of the floor area to be above the *flood planning level* or premises to be flood proofed below the *flood planning level*.
- 6 Garage floor level to be no lower than 300mm above finished adjacent ground.
- 7 Garage and all other non-habitable internal flood levels to be no lower than the 1% AEP flood level minus 300mm or 300mm above finished adjacent ground (whichever is the greater).

Building Components and Method

- 1 All structures to have flood compatible building components below or at the 1% AEP flood level plus freeboard.
- 2 All structures to have flood compatible building components below or at the PMF.

Structural Soundness

- 1 Engineers report to certify that any structure can withstand the forces of floodwater, debris and buoyancy up to and including a 1% AEP flood plus 0.5m freeboard.
- 2 Applicant to demonstrate that any structure can withstand the forces of floodwater, debris and buoyancy up to and including a 1% AEP flood plus 0.5m freeboard.
- 3 Engineers report to demonstrate that any structure can withstand the forces of floodwater, debris and buoyancy up to and including a PMF event.

Flood Affection

- 1 Engineers report required to certify that the development will not increase flood affection elsewhere.
- 2 The impact of the development on flooding elsewhere to be considered.
- 3 No wholesale filling of sites around the foreshore of the lake is permitted, unless supported by a sensitivity analysis indicating that there is no significant impact on flood levels. Also, filling that impacts on active flow areas in the stream networks feeding Lake Illawarra will not be supported. However, filling within existing building areas is permitted. Filling of depressions outside of the existing building areas may be permitted subject to it being demonstrated that there is no loss of flood storage across the site in all events up to the PMF.

Evacuation

- 1 Reliable access or refuge required during a 1% AEP flood.
- 2 Reliable access for pedestrians and vehicles required during a PMF event.
- 3 Reliable access for pedestrians or vehicles is required from the building, commencing at a minimum level equal to the lowest habitable floor level to an area of refuge above the PMF, or a minimum of 20m² of the dwelling to be above the PMF level.
- 4 The development is to be consistent with any relevant flood evacuation strategy or similar plan.
- 5 Applicant to demonstrate that evacuation of potential development as a consequence of a subdivision proposal can be undertaken in accord with this Plan.

Management and Design

- 1 Applicant to demonstrate that potential development as a consequence of a subdivision proposal can be undertaken in accord with this Plan.
- 2 Site Emergency Response Flood plan required (except for single dwelling-houses) where floor levels are below the *flood planning level*.
- 3 Applicant to demonstrate that area is available to store goods above the 1% AEP flood level plus 0.5m freeboard.

Part E- General Controls – Environmental Controls

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- 4 Applicant to demonstrate that area is available to store goods above the PMF.
- 5 No external storage of materials below the *flood planning level* which may cause pollution or be potentially hazardous during any flood.

Part E- General Controls – Environmental Controls
Chapter E13: Floodplain Management

SCHEDULE 9a: PRESCRIPTIVE CONTROLS – LAKE ILLAWARRA – WINDANG PENINSULA

	Flood Risk Precincts (FRP's)																																
	Low Flood Risk						Medium Flood Risk						High Flood Risk (& Interim Riverine Corridor)						Isolation Risk <small>-Applies to the entire Windang Peninsula as shown in Figure 9a. -These controls apply in addition to those applied in flood risk precincts.</small>														
Planning Consideration	Essential Community Facilities	Critical Utilities	Subdivision	Residential	Commercial & Industrial	Tourist Related Development	Recreation & Non-Urban	Concessional Development	Essential Community Facilities	Critical Utilities	Subdivision	Residential	Commercial & Industrial	Tourist Related Development	Recreation & Non-Urban	Concessional Development	Essential Community Facilities	Critical Utilities	Subdivision	Residential	Commercial & Industrial	Tourist Related Development	Recreation & Non-Urban	Concessional Development	Essential Community Facilities	Critical Utilities	Subdivision	Residential	Commercial & Industrial	Tourist Related Development	Recreation & Non-Urban	Concessional Development	
Floor Level		3										2,6 or 7	2 or 5	2	1	2,4 6									1	2,4 6							
Building Components		2		2								2	1	2	1	1									1	1							
Structural Soundness		3		3		3						3	2	3	2	2									1	1							
Flood Affection		2,3			2,3	2,3						2,3	2,3	2,3	2,3	2									1,3	1,3							
Evacuation		2,4		3,4	4	3,4						3,4	1,4	3,4	3,4										1				3,4	4	3,4		
Management & Design		4,5											2,3 5	2,3 5	2,3 5	2,3 5									2,3 5	2,3 5			1		1		
	Not Relevant	Unsuitable Land Use						Concessional development to use the 1% AEP including medium level sea level rise, all other development to use the 1% AEP including high sea level rise.																									

Floor Level

- 1 All floor levels to be equal to or greater than the 5% AEP *flood* level plus freeboard unless justified by site specific assessment.
- 2 Habitable floor levels to be equal to or greater than the 1% AEP flood level plus 0.5m freeboard.
- 3 All floor levels to be equal to or greater than the PMF.
- 4 Floor levels to be as close to the flood planning level as practical and no lower than the existing floor level when undertaking alterations or additions.
- 5 Floor levels of shops to be as close to the flood planning level as practical. Where below the *flood planning level*, more than 30% of the floor area to be above the *flood planning level* or premises to be flood proofed below the *flood planning level*.
- 6 Garage floor level to be no lower than 300mm above finished adjacent ground.
- 7 Garage and all other non-habitable internal flood levels to be no lower than the 1% AEP flood level minus 300mm or 300mm above finished adjacent ground (whichever is the greater).

Building Components and Method

- 1 All structures to have flood compatible building components below or at the 1% AEP flood level plus freeboard.
- 2 All structures to have flood compatible building components below or at the PMF.

Structural Soundness

- 1 Engineers report to certify that any structure can withstand the forces of floodwater, debris and buoyancy up to and including a 1% AEP flood plus 0.5m freeboard.
- 2 Applicant to demonstrate that any structure can withstand the forces of floodwater, debris and buoyancy up to and including a 1% AEP flood plus 0.5m freeboard.
- 3 Engineers report to demonstrate that any structure can withstand the forces of floodwater, debris and buoyancy up to and including a PMF event.

Flood Affection

- 1 Engineers report required to certify that the development will not increase flood affection elsewhere.
- 2 The impact of the development on flooding elsewhere to be considered.
- 3 No wholesale filling of sites around the foreshore of the lake is permitted, unless supported by a sensitivity analysis indicating that there is no significant impact on flood levels. Also, filling that impacts on active flow areas in the stream networks feeding Lake Illawarra will not be supported. However, filling within existing building areas is permitted. Filling of depressions outside of the existing building areas may be permitted subject to it being demonstrated that there is no loss of flood storage across the site in all events up to the PMF.

Evacuation

- 1 Reliable access or refuge required during a 1% AEP flood.
- 2 Reliable access for pedestrians and vehicles required during a PMF event.



- 3 Reliable access for pedestrians or vehicles is required from the building, commencing at a minimum level equal to the lowest habitable floor level to an area of refuge above the PMF, or a minimum of 20m² of the dwelling to be above the PMF level.
- 4 The development is to be consistent with any relevant flood evacuation strategy or similar plan.
- 5 Applicant to demonstrate that evacuation of potential development as a consequence of a subdivision proposal can be undertaken in accord with this Plan.

Management and Design

- 1 Applicant to demonstrate that potential development as a consequence of a subdivision proposal can be undertaken in accord with this Plan.
- 2 Site Emergency Response Flood plan required (except for single dwelling-houses) where floor levels are below the *flood planning level*.
- 3 Applicant to demonstrate that area is available to store goods above the 1% AEP flood level plus 0.5m freeboard.
- 4 Applicant to demonstrate that area is available to store goods above the PMF.
- 5 No external storage of materials below the *flood planning level* which may cause pollution or be potentially hazardous during any flood.

Part E- General Controls – Environmental Controls
Chapter E13: Floodplain Management

SCHEDULE 10: PRESCRIPTIVE CONTROLS – OTHER FLOODPLAINS

	Flood Risk Precincts (FRP's)																									
	Low Flood Risk						Medium Flood Risk						High Flood Risk (& Interim Riverine Corridor)													
Planning Consideration	Essential Community Facilities	Critical Utilities	Subdivision	Residential	Commercial & Industrial	Tourist Related Development	Recreation & Non-Urban	Concessional Development	Essential Community Facilities	Critical Utilities	Subdivision	Residential	Commercial & Industrial	Tourist Related Development	Recreation & Non-Urban	Concessional Development	Essential Community Facilities	Critical Utilities	Subdivision	Residential	Commercial & Industrial	Tourist Related Development	Recreation & Non-Urban	Concessional Development		
Floor Level		3										2, 7	2 or 5	2	1	2, 4 6								1	2, 4 6	
Building Components		2										1	1	1	1	1									1	1
Structural Soundness		3		2		3						2	2	3	2	2									1	1
Flood Affection		2	2		2	2					1	1 or 2	1	1	1	2									1	1
Evacuation		2, 4	5	3, 4	4	3, 4					5	3, 4	1, 4	3, 4	1										1	
Management & Design		4, 5	1								1		2, 3 5	2, 3 5	2, 3 5	2, 3 5									2, 3 5	2, 3 5
Not Relevant		Unsuitable Land Use																								

Note:

- a. Filling of the site, where acceptable to Council, may change the FRP considered to determine the controls applied in the circumstances of individual applications.
- b. Terms in italics are defined in the glossary of this plan and Schedule 2 specifies development types included in each land use category. These development types are generally as defined within Environmental Planning Instruments applying to the local government area.
- c. **Freeboard** equals an additional height of 500mm.

Floor Level

- 1 All floor levels to be equal to or greater than the 5% AEP *flood* level plus freeboard unless justified by site specific assessment.
- 2 Habitable floor levels to be equal to or greater than the 100 year flood level plus freeboard.
- 3 All floor levels to be equal to or greater than the PMF flood level plus freeboard.
- 4 Floor levels to be as close to the *flood planning level* as practical and no lower than the existing floor level when undertaking alterations or additions.

- 5 Floor levels of shops to be as close to the *flood planning level* as practical. Where below the *flood planning level*, more than 30% of the floor area to be above the *flood planning level* or premises to be flood proofed below the *flood planning level*.
- 6 Garage floor level to be no lower than 300mm above finished adjacent ground.
- 7 Garage and all other non-habitable internal flood levels to be no lower than the 1% AEP flood level minus 300mm or 300mm above finished adjacent ground (whichever is the greater).

Building Components and Method

- 1 All structures to have flood compatible building components below or at the 1% AEP flood level plus freeboard.
- 2 All structures to have flood compatible building components below or at the PMF level plus freeboard.

Structural Soundness

- 1 Engineers report to certify that any structure can withstand the forces of floodwater, debris and buoyancy up to and including a 100 year flood plus freeboard.
- 2 Applicant to demonstrate that any structure can withstand the forces of floodwater, debris and buoyancy up to and including a 100 year flood plus freeboard, or a PMF plus freeboard if required to satisfy evacuation criteria (*see below*).
- 3 Applicant to demonstrate that any structure can withstand the forces of floodwater, debris and buoyancy up to and including a PMF flood plus freeboard.

Flood Affectionation

- 1 Engineers report required to certify that the development will not increase flood affectionation elsewhere, includes medium and high density residential proposals.
- 2 The impact of the development on flooding elsewhere to be considered, includes low density residential.

Note: When assessing flood affectionation the following must be considered:

1. Loss of storage in the floodplain.
 2. Changes in flood levels and velocities caused by alteration of conveyance of flood waters.
-

Evacuation

- 1 Reliable access for pedestrians required during a 100 year flood.
- 2 Reliable access for pedestrians and vehicles required during a PMF flood.
- 3 Reliable access for pedestrians or vehicles is required from the building, commencing at a minimum level equal to the lowest habitable floor level to an area of refuge above the PMF level, or a minimum of 20m² of the dwelling to be above the PMF level.
- 4 The development is to be consistent with any relevant flood evacuation strategy or similar plan.
- 5 Applicant to demonstrate that evacuation of potential development as a consequence of a subdivision proposal can be undertaken in accord with this Plan.

Part E- General Controls – Environmental Controls
Chapter E13: Floodplain Management

Management and Design

- 1 Applicant to demonstrate that potential development as a consequence of a subdivision proposal can be undertaken in accord with this plan.
- 2 Site Emergency Response Flood plan required (except for single dwelling-houses) where floor levels are below the *flood planning level*.
- 3 Applicant to demonstrate that area is available to store goods above the 100 year flood level plus freeboard.
- 4 Applicant to demonstrate that area is available to store goods above the PMF level plus freeboard.
- 5 No external storage of materials below the *flood planning level* which may cause pollution or be potentially hazardous during any flood.

Section	Change	Comment
1 Introduction	Consistent with 2012 review (which was not complete or adopted)	
2 Land to which the plan applies	The Plan applies to all floodplains and land below the flood planning area within the City of Wollongong LGA.	Removed reference to flood panning maps. Not all flood planning maps are in LEP. Also, LEP has not been updated with latest mapping
3. Objectives	<ul style="list-style-type: none"> a) Maintain the existing flood regime and flow conveyance capacity; b) Maintain the function of floodway and flood storage areas; c) Reduce the impact of flooding and flood liability on individual owners and occupiers of flood prone property; d) Reduce private and public losses from flooding; e) Improve public safety with respect to flooding; f) Minimise the potential impact of development and other activity upon the aesthetic, recreational and environmental value of the waterway corridors; g) Increase public awareness of the hazard and extent of land affected by the full range of potential floods; h) Ensure development must, as far as practical, reduce the existing flood risk, and in no circumstances should the flood risk be worsened; i) Control development within floodplains susceptible to channel erosion, migration, bank failure and slumping; and j) Deal equitably and consistently with all matters requiring Council approval on flood affected land, in accordance with the principles within the latest version of the NSW Floodplain Development Manual or its update. 	More consistent with LEP. More focus on safety and flooding rather than environmental outcomes which are included in E15 - WSUD and E23 - Riparian Management.
4. Definitions	AEP The chance of a flood of a given or larger size occurring in any one year, usually expressed as a percentage. Example, if a peak flood discharge of 500 m ³ /s has an AEP of 1%, it means that there is a 1% chance (that is one-in-100 chance) of a 500 m ³ /s or larger event occurring in any one year. Annual Exceedance Probability: The probability of a rainfall or flood event of given magnitude being equalled or exceeded in any one year.	Consistent with FDM (2005)

4. Definitions	Deck is an outdoor living area attached to a dwelling, which may be covered or uncovered, and is not capable of being used or adapted for use as habitable floor area .	Added following 2012 review
4. Definitions	Enclosed car parking means car parking that is potentially subject to rapid inundation, which consequently increases danger to human life and property damage (such as basement or bunded car parking areas). The following criteria apply for the purposes of determining what is enclosed car parking: a) Flooding of surrounding areas may raise water levels above the perimeter which encloses the car park (normally the entrance), resulting in rapid inundation of the car park to depths greater than 0.8m, and b) Drainage of accumulated water in the car park has an outflow discharge capacity significantly less than the potential inflow capacity.	Added following 2012 review
4. Definitions	Filling means the depositing of soil, rock or other material, Filling does not include the depositing of topsoil, or feature rock imported to the lot, that is intended for use in garden landscaping, turf or garden bed establishment or topdressing of lawns.	
4. Definitions	Floodway Areas Areas of the floodplain where a significant discharge of water occurs during floods. They are often aligned with naturally defined channels. Floodways are areas that, even if only partially blocked would cause a significant redistribution of flow or a significant increase in flood levels. Where not mapped in an adopted Flood Study or FRMS floodway areas are defined as areas where the velocity x depth product exceeds 0.4 m ² /s.	
4. Definitions	Freeboard The height above the design flood used, in consideration of local and design factors, to provide reasonable certainty that the risk exposure selected in deciding on a particular design flood is actually provided. It is a factor of safety typically used in relation to the setting of flood levels, levee crest levels and so on. Freeboard compensates for a range of factors including wave action, localised hydraulic behaviour and levee settlement, all of which increase water levels or reduce the level of protection provided by levees, Freeboard should not be relied upon to provide protection for flood events larger than the relevant defined flood event of a design flood.	

4. Definitions	<p>Practical means that which in the opinion of Council can be achieved within the design of the development, while not necessitating:</p> <p>a) floor levels to be raised in a way that would unreasonably hinder access to and from existing floor levels or ground levels on the same site or adjacent public areas; and</p> <p>b) the raising of a structure to a height that would result in unacceptable impacts on the amenity of adjacent residential properties; and</p> <p>c) the height or presentation of a building that would be inconsistent with the existing or planned streetscape.</p>	Added following 2012 review. May allow some flexibility in assessment
4. Definitions	<p>Suitably Qualified Civil Engineer A civil engineer who is included in the National Professional Engineers Register, Australia administered by the Institution of Engineers Australia or is eligible for membership of Engineers Australia.</p>	Council engages consultants who are not on the NER for flood studies and stormwater designs
6. Flood Studies	Moved from E14	More relevant in E13
6.1 Hydraulic Design - Estimation of Design flood level	Moved from E14	More relevant in E13
6.2 Conduit Blockage	Modified from Policy 2016. Only including the "Risk Management" factors	See EMC Report
6.3 Modelling of Buildings	Many different methods are being applied by industry.	

<p>6.7 Overland Flow</p>	<p>Overland flow is runoff from rainfall which flows over the land before entering a watercourse, creek, river or lake or dam. Overland flow is typically shallow and fast flowing. Where a watercourse has been filled or piped, flooding resulting from overflows from the filled/piped watercourse is considered mainstream flooding and not overland flow. The flood planning level for overland flow is the 1% AEP plus 0.3m. In an overland flow path, where the difference between the PMF and 1% flood level is greater than 0.3m, freeboard of 0.5m to the 1% flood applies. All other development controls of this chapter and E14 – Stormwater management also apply to overland flow. In locations where there is uncertainty whether flooding is mainstream of overland flow, Council will decide.</p>	<p>Aims to clarify Councils position regarding overland flow.</p>
<p>7.3 Flood Risk Precincts</p>	<p>High Flood Risk Precinct - The High FRP is where high flood damages, potential risk to life and/or evacuation problems would be anticipated or where development would significantly or adversely alter flood behaviour. This area includes floodways. In this precinct, there would be a significant likelihood of flood damages and/or danger to life. The High FRP includes: i) Areas greater than H3 hazard conditions during a 1% AEP flood from Figure 3; ii) Land within 10m from the top of a watercourse bank; and iii) Floodways.</p>	<p>H3 better aligns with current best practice flood hazard mapping. Floodways not previously captured</p>
<p>7.3 Flood Risk Precincts</p>	<p>Low Flood Risk Precinct - i) All areas within the floodplain (i.e. within the extent of the PMF) but not identified within either the High FRP or the Medium FRP; and ii) All areas within the 2100 Coastal Zone Inundation Extent not classified Medium Flood Risk or High Flood Risk Precinct.</p>	<p>Added: All areas within the 2100 Coastal Zone Inundation Extent not classified Medium Flood Risk or High Flood Risk Precinct. Recommended in the Wollongong Coastal Zone Management Plan (2017)</p>

<p>7.4 Which controls apply to proposed developments?</p>	<p>Included:</p> <ul style="list-style-type: none"> • Schedule 5 – Mullet/Brooks Creeks Floodplain; • Schedule 6 – Fairy and Cabbage Tree Creeks Floodplain; • Schedule 7 – Wollongong City Floodplain; • Schedule 8 - Whartons, Collins, Farrahars Creeks, Bellambi Gully and Bellambi Lake Floodplains • Schedule 9 – Lake Illawarra Floodplain; and 																																			
<p>7.4.2 Performance Criteria</p>	<p>a) The proposed development should not result in any increased risk to life;</p>	<p>Supports objectives</p>																																		
<p>7.4.3 Prescriptive Controls</p>	<p>Table 2. Permissible Flood Impacts</p> <table border="1"> <thead> <tr> <th rowspan="2">Development/ Project Type</th> <th colspan="6">Allowable Impact (mm)</th> </tr> <tr> <th>Critical Uses and Facilities</th> <th>Sensitive Uses and Facilities</th> <th>Residential</th> <th>Commercial or Industrial</th> <th>Tourist Related Development</th> <th>Recreation or Non-urban Uses</th> </tr> </thead> <tbody> <tr> <td>Individual Property</td> <td>10</td> <td>10</td> <td>20</td> <td>20</td> <td>20</td> <td>20</td> </tr> <tr> <td>Multi Lot Subdivision</td> <td>10</td> <td>10</td> <td>20</td> <td>50</td> <td>50</td> <td>50</td> </tr> <tr> <td>Government Infrastructure Projects</td> <td>20</td> <td>20</td> <td>100</td> <td>150</td> <td>150</td> <td>150</td> </tr> </tbody> </table> <p>New development must not increase the frequency of over floor flooding for residential, commercial or industrial buildings in a 20%, 1% or PMF event.</p>	Development/ Project Type	Allowable Impact (mm)						Critical Uses and Facilities	Sensitive Uses and Facilities	Residential	Commercial or Industrial	Tourist Related Development	Recreation or Non-urban Uses	Individual Property	10	10	20	20	20	20	Multi Lot Subdivision	10	10	20	50	50	50	Government Infrastructure Projects	20	20	100	150	150	150	<p>Allowable impact in events up to the 1% AEP flood. PMF impacts merit based.</p>
Development/ Project Type	Allowable Impact (mm)																																			
	Critical Uses and Facilities	Sensitive Uses and Facilities	Residential	Commercial or Industrial	Tourist Related Development	Recreation or Non-urban Uses																														
Individual Property	10	10	20	20	20	20																														
Multi Lot Subdivision	10	10	20	50	50	50																														
Government Infrastructure Projects	20	20	100	150	150	150																														

<p>8. Filling of the Flood Plain</p>	<p>1. Filling in flood prone areas is not permitted unless:</p> <ul style="list-style-type: none"> • A FRMP for the catchment has been adopted which allows filling to occur; or • a report from a suitably qualified engineer is submitted to Council that certifies that the development will not increase flood affectation elsewhere. <p>2. Filling of individual sites in isolation without consideration of the cumulative effects is not permitted. A case by case decision making approach cannot take into account the cumulative impact on flooding behaviour and associated risks caused by individual developments. Any proposal to fill a site must be accompanied by an analysis of the effect on flood levels of similar filling of developable sites in the area.</p> <p>3. This analysis would form part of a flood study prepared in accordance with Chapters E13 and E14 of this DCP.</p> <p>4. There is to be no net loss of floodplain storage. Compensatory cuts maybe used to offset loss of floodplain storage. Cut areas must be taken form lower in the floodplain than fill areas. Cut and fill drawings must be supplied to Council.</p> <p>5. No net loss of flood storage is permitted in any flood event up to and including the PMF unless identified as permissible in a FRMS/P. Cut and fill plans must demonstrate no net loss of floodplain storage. Cut areas must be taken from lower in the floodplain than fill areas.</p>	
<p>Appendix A - Land Use Categories</p>	<p>From WLEP (2009)</p>	
<p>Appendix A - Land Use Categories</p>	<p>Concessional Development. Redevelopment within the existing footprint of approved structures. Existing elevated footings or crawl space must be maintained to allow floodwaters to flow beneath the structure.</p>	<p>Allow knockdown rebuilds</p>
<p>Appendix A - Land Use Categories</p>	<p>Council may consider the election of a single dwelling up to 250m2 (external) within the high flood risk precinct on vacant land. Vacant land refers to residential allotments which existed prior to 2009 .</p>	<p>In place of the Special Considerations - Section 8.1.f) - To allow for land zoned residential prior to 2009 DCP.</p>

<p>Appendix: A LAND USE CATEGORIES - TEMPORARY EVENTS</p>	<p>Temporary public events include markets, circuses music festivals, outdoor cinema's etc. When such events include temporary structures, public congregation areas or car parking areas within the 1% AEP flood extent, an event specific flood risk assessment and management plan is required. The risk assessment and management plan must be prepared by a suitably qualified engineer with relevant experience in floodplain management.</p> <p>The risk assessment must include the depth, velocity and timing of inundation in a 20% and 1% event. The management plan must demonstrate how the flood risk will be managed.</p> <p>In areas of flash flooding, which includes the majority of the Wollongong LGA (except Lake Illawarra floodplain), it is often not possible to provide an appropriate flood response during an event due to the fast rate of rise of floodwaters and limited response time. Therefore, the only way to mitigate the flood risk in flash flood areas is to include provisions in the event management plan that require monitoring of weather forecasts in the days leading up to the event, and a requirement that the event be cancelled if there is a risk of flooding and/or a forecast for heavy or prolonged rainfall.</p>	<p>Clarify Councils position</p>
<p>All Schedules</p>	<p>Garage and <u>all other non-habitable internal flood levels</u> to be no lower than the 1% AEP flood level minus 300mm or 300mm above finished adjacent ground (whichever is the greater).</p>	<p>Added <u>all other non-habitable internal flood level</u></p>
<p>All Schedules</p>	<p>Removed requirement for evacuation/refuge for concessional development</p>	<p>Concessional development is not considered an intensification</p>



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1 INTRODUCTION

1. This chapter of the DCP details Council's requirements for stormwater drainage design and on-site stormwater detention for all developments within the City of Wollongong Local Government Area (LGA). Stormwater drainage design and on-site stormwater detention must be carried out in accordance with this chapter. Adherence to the requirements contained in this chapter of the DCP will help facilitate the expeditious processing of applications involving engineering related issues.
2. This chapter of the DCP should be read in conjunction with:
 - a) Wollongong Local Environmental Plan;
 - b) Wollongong City Council DCP Chapter E13: Floodplain Management;
 - c) Wollongong City Council DCP Chapter E15: Water Sensitive Urban Design;
 - d) Australian Rainfall and Runoff (1987 and 2019 versions);
 - e) Sydney Water Guidelines for Building over or Adjacent to Stormwater Assets;
 - f) Austroads; and
 - g) Other relevant local and state guidance.
3. This chapter of the DCP embraces the concept of the "Major/Minor" approach. The minor system includes the gutter and underground pipe network. The major system refers to the overland flow paths/stormwater routes that are to be designed to convey major storm flows when the capacity of the minor system is exceeded.

1.1 OBJECTIVES

1. The objectives of this chapter are to:
 - a) Achieve a uniform standard of stormwater drainage design for all developments;
 - b) Reduce peak flows from sites into Council's stormwater drainage system;
 - c) Reduce the probability of downstream flooding;
 - d) Minimise the potential impacts of new development and redevelopment in areas affected by local overland stormwater run-off or flooding, such that no increase in stormwater peak flows occurs downstream;
 - e) Minimise stormwater run-off volumes;
 - f) Reduce peak run-off flows from urban developments by local detention basins and minimising impervious areas, wherever practicable;
 - g) Minimise the drainage infrastructure cost of development; and
 - h) Increase public convenience and public safety as well as protection of property.

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2 DEFINITIONS / TECHNICAL TERMS

For the purposes of this chapter of the DCP, the following definitions and technical terms apply:

Absorption Trench	An excavation that has been filled with material or prefabricated void units that are conducive to the drainage of stormwater and which are designed to drain vertically or side-ways, into adjacent sub-surface in-situ void or fill material.
Annual exceedance probability (AEP)	The chance of a flood of a given or larger size occurring in any one year, usually expressed as a percentage. Example, if a peak flood discharge of 500 m ³ /s has an AEP of 1%, it means that there is a 1% chance (that is one-in-100 chance) of a 500 m ³ /s or larger event occurring in any one year.
AHD	Australian Height Datum: National reference datum for level.
Alluvium	Material eroded, transported and deposited by streams.
Antecedent	Pre-existing conditions (e.g. wetness of soils).
Areal	Variation over an area of a particular parameter.
Average Recurrence Interval (ARI)	The long-term average number of years between the occurrence of a flood as big as, or larger than, the selected event. For example, floods with a discharge as great as, or greater than, the 20 year ARI flood event will occur on average once every 20 years. ARI is another way of expressing the likelihood of occurrence of a flood event.
ARR1987	Australian Rainfall and Runoff: 1987 published by the Institute of Engineers, Australia
ARR2019	Australian Rainfall and Runoff 2019, published by the Commonwealth of Australia (Geoscience Australia).
Backwater Profile	Longitudinal profile of the water surface in a stream where the water surface is raised above its normal level by a natural or artificial obstruction.
Basement Car parking	A car parking area generally below ground level or above natural ground level but enclosed by bunding, where inundation of the surrounding areas may raise water levels above the entry level to the basement, resulting in rapid inundation of the basement to depths greater than 0.8 metres. Basement car parks are areas where the means of drainage of accumulated water in the car park has an outflow discharge capacity significantly less than the potential inflow capacity. Car parks not at risk of inundation (i.e. their entrance is above the PMF) are not subject to the requirements of this Chapter.
Catchment	Area draining into a particular creek system, typically bounded by higher ground around its perimeter.
Conveyance	A measure of the carrying capacity of the channel section. Flow is directly proportional to conveyance for steady flow. From Manning's equation, the proportionality factor is the square root of the energy slope.
Cover	Type and distribution of vegetation on catchment.
Critical Depth	If discharge is held constant and the water depth allowed to decrease, as in the case of water approaching a free overfall, velocity head will increase, pressure head will decrease, and total energy will decrease toward a minimum value

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where the rate of the decrease in the pressure head is just counterbalanced by the rate of increase in velocity head. This is the critical depth. More generally, the critical depth is the depth of flow that would produce the minimum total energy head, and it depends on cross section geometry and water discharge.

Critical Flow	The state of flow where the water depth is at the critical depth and when the inertial and gravitational forces are equal. When Froude $N^0 = 1.0$.
Culvert	An enclosed conduit (typically pipe or box) that conveys stormwater below ground.
Discharge	The flow rate of water.
DPIE	Department of Planning Infrastructure and Environment
Escarpment	A cliff or steep slope, of some extent, generally separating two level or gently sloping areas.
Flood	A relatively high stream flow which overtops the natural or artificial banks in any part of a stream, river, estuary, lake or dam, and/or local overland flooding associated with major drainage before entering a watercourse, and/or coastal inundation resulting from super-elevated sea levels and/or waves overtopping coastline defences excluding tsunamis.
Freeboard	The factor of safety expressed as the height above the design flood level. Freeboard provides a factor of safety to compensate for uncertainties in the estimation of flood levels across the floodplain, such as wave action, localised hydraulic behaviour and impacts that are specific event related, and other effects such as “greenhouse” and climate change.
Froude N^0	A measure of flow instability - below a value of one, flow is tranquil and smooth, above one, flow tends to be rough and undulating (as in rapids).
Geotechnical	Relating to Engineering and the materials of the earth crust.
Gradient	Slope or rate of fall of land/pipe/stream.
Gully	Narrow ravine, small valley.
Headwall	Wall constructed around inlet or outlet of a culvert.
Hydrology	A term given to the study of rainfall and runoff processes as relates to the derivation of flood discharges.
Hyetograph	A graph of rainfall intensity against time.
Hydrograph	A graph of flood flow against time.
Hydraulic	A term given to the study of water flow, as relates to the evaluation of flow depths, levels and velocities.
Ha	Hectare. (Area = 10,000m ²)
IFD	Intensity - Frequency – Duration Rainfall parameters used to describe rainfall at a particular location.

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Isohyets	Lines joining points of equal rainfall.
FSL	Flood Surface Level.
FPL	Flood Planning Level
FPDM	Floodplain Development Manual: Guidelines for the management of flood liable land published by NSW State Government, April 2005.
Km	Kilometre. (1 km distance = 1,000m)
M	Metre.
M²	Square Metre.
M³/sec	Cubic Metre per Second.
Major/Minor Stormwater System	Refer under GENERAL.
Manning's n	A measure of channel or pipe roughness.
Minor Development	Developments discharging less than 55L/S and discharging to kerb.
Normal Depth	The depth that would exist if the flow were uniform.
NWC	Natural Water Course: A small creek or channel in its natural condition.
Orographic	Pertaining to changes in relief, i.e. mountains.
Orthophoto	Aerial photograph with land contours, boundaries or reference grids added.
Pluviograph	An instrument that records rainfall collected as a function of time.
PMF	Probable Maximum Flood: Flood calculated to be the maximum ever likely to occur.
PMP	Probable Maximum Precipitation: Rainfall calculated to be the maximum ever likely to occur.
Receiving Waters	A river, lake or the ocean.
RCP	Reinforced Concrete Pipe.
Run-off	Stormwater running off a catchment during a storm on the catchment.
Scour	Erosion of soil in the banks or bed of a creek, typically occurring in areas of high flow velocities and turbulence.
Siltation	The filling or rising up of the bed of a watercourse or channel by deposited silt.

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Spurs	Secondary ridges typically occurring at right angles to a main ridgeline, formed by stream erosion of the slopes of the main ridge.
Stormwater	Surface runoff generated from rainfall events.
Stratigraphy	Depositional sequence of deposited sand, clays rocks and other material.
Sub-critical Flow	The state of flow where the water depth is above the critical depth. Here, the influence of gravity forces dominates the influences of inertial forces, and flow, having a low velocity, is often described as tranquil.
Surcharge Flow	Unable to enter a culvert or exiting from a pit because of inadequate capacity.
Supercritical Flow	The state of flow where the water depth is below the critical depth, inertial forces dominate the gravitational forces, and the flow is described as rapid or shooting.
Suitably Qualified Civil Engineer	A civil engineer who is included in the National Professional Engineers Register, Australia administered by the Institution of Engineers Australia or is eligible for membership of Engineers Australia.
Topography	The natural surface features of a region.
Transpiration Pit	An excavation which has been filled with material conducive to the drainage of stormwater and which is designed to drain sideways, into the atmosphere, via a retaining medium.
Trunk Drainage	High capacity channels or networks which carry runoff from local street drainage systems to receiving waters and forms part of the major system as defined in ARR2019 Book 9.
Urbanisation	The change in land use from natural to developed state.
Watercourse	Any river, creek, stream or chain of ponds, whether artificially modified or not, in which water usually flows, either continuously or intermittently, in a defined bed or channel, but does not include a waterbody (artificial).
Yr	Year.
Zone of Influence (ZOI)	The area around an asset (both at ground level and below the ground) that may impact on an asset

3 AVERAGE RECURRENCE INTERVAL

3.1 Minor System ARI

1. The design average recurrence interval for the gutter and piped stormwater (minor) system is:
 - a) Road Drainage (Longitudinal)

For all land use types including rural residential, urban residential, commercial and industrial, the ARI must be 10 years. In new residential subdivisions where overflow paths are provided in accordance with Section 7 of this Chapter and are capable of safely discharging stormwater flows into receiving waters the ARI may be reduced to 5 years.

- b) Stormwater Within Development Sites

For all land use types including rural residential, urban residential, commercial and industrial, the ARI must be 10 years. Section 10 details the requirements for on-site detention (OSD).

3.2 Major System ARI

1. The major system includes “escape routes” or overland flow routes for flows in excess of the piped system capacity must be designed and or checked to a 100 year ARI event. The major system includes the road profile, overland flow paths and trunk drainage networks. The major system aims to ensure the safety of pedestrians and vehicle traffic whilst avoiding property damage and risk to life.

3.2.1 Trunk Drainage

1. Trunk drainage networks must be designed to a 100 year ARI. Spillways of detention basins must be designed to safely pass the PMF.

3.2.2 Road Culverts

1. Culverts under local/collector roads must be designed in combination with an overflow route.
2. Overtopping of roads may be permitted, provided the following criteria are adopted when designing road crossings:
 - a) The road crossing must be designed such that the peak overtopping depths and velocity are within H2 in a 100 year event as shown in Figure 3.
 - b) The appropriate blockage factor is applied in accordance with Chapter E13 Section 6.2.
 - c) The road section must be able to withstand such overtopping without scour.

4 PRELIMINARY LAYOUT OF PROPOSED STORMWATER SYSTEM

1. A field survey is required to determine stormwater paths. Existing stormwater systems must be analysed using either reliable work-as-executed plans or alternatively, if these are not available, a site and field survey.

2. A proposed stormwater layout is plotted taking into account rainfall data applicable to the site, times of concentration, gutter and pit capacities.
3. A procedure for locating pits is detailed in Section 6 of this chapter.
4. Catchment areas for each pit can then be defined once the pipe layout has been established. A site inspection should be carried out to determine the effect of features that could alter the assumed catchment boundaries and flow paths such as existing or proposed fencing, retaining walls or other structures.

5 HYDROLOGY

5.1 Design rainfall intensities

- a) Council is transitioning to ARR2019 through the completion of Floodplain Risk Management Studies and Plans. During this transition, flow estimates are to use ARR1987 IFDs and hydrologic procedures unless an adopted Floodplain Risk Management Study recommends otherwise.

5.2 Estimating Flows

- a) Figure 1 indicates the likely range of effectiveness for different hydrologic models against flood magnitude and model scale. The applicant must justify the appropriateness of any selected hydrologic model selected for the estimation of minor and major system flows.

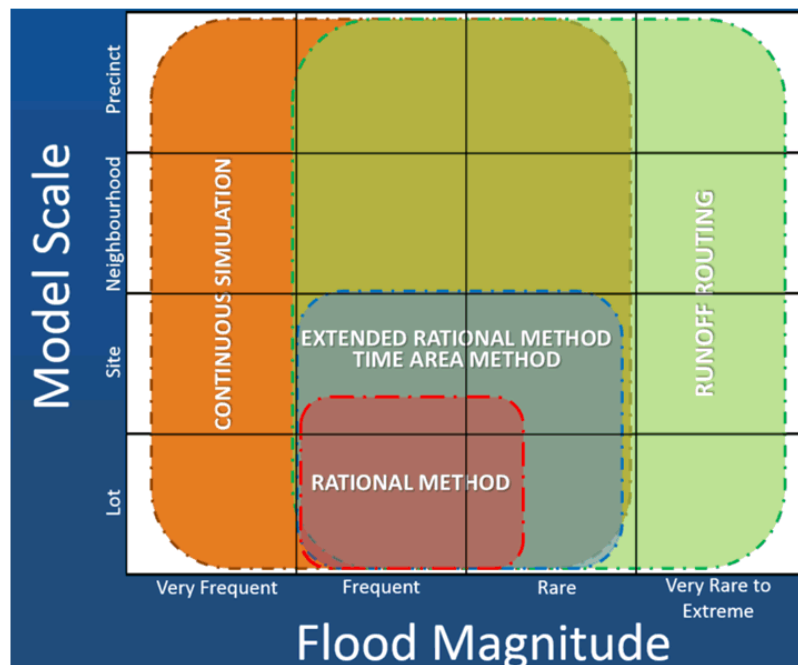


Figure 1 Types of Urban Hydrologic Models and their Application Range (ARR2019, Book 9, Chapter 6)

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5.3 Conveyance

- a) Overland flow times must be determined using the Kinematic Wave Equation or an appropriate computer model.
- b) Table 1 shows the retardance coefficient “n*” to be used in the calculation of overland flow time times when using the Kinematic Wave Equation. Note the retardance coefficient “n*” is not to be confused with Manning’s “n”.

Table 1: Surface Retardance Coefficients

Land Use	Retardance Coefficients (n*)
Road/Paved Areas	0.01
Parkland – Grassed	0.17
Open Space (Natural Bushland)	0.30

5.4 Runoff Coefficient

- a) The runoff coefficient to be adopted for design must be determined from Figure 2.
- b) The runoff coefficient must be estimated separately for each land use. Table 2 estimates the percentage impervious area for various types of land uses. Actual percentages of impervious area may be used as long as they take into account the ultimate development of the site.

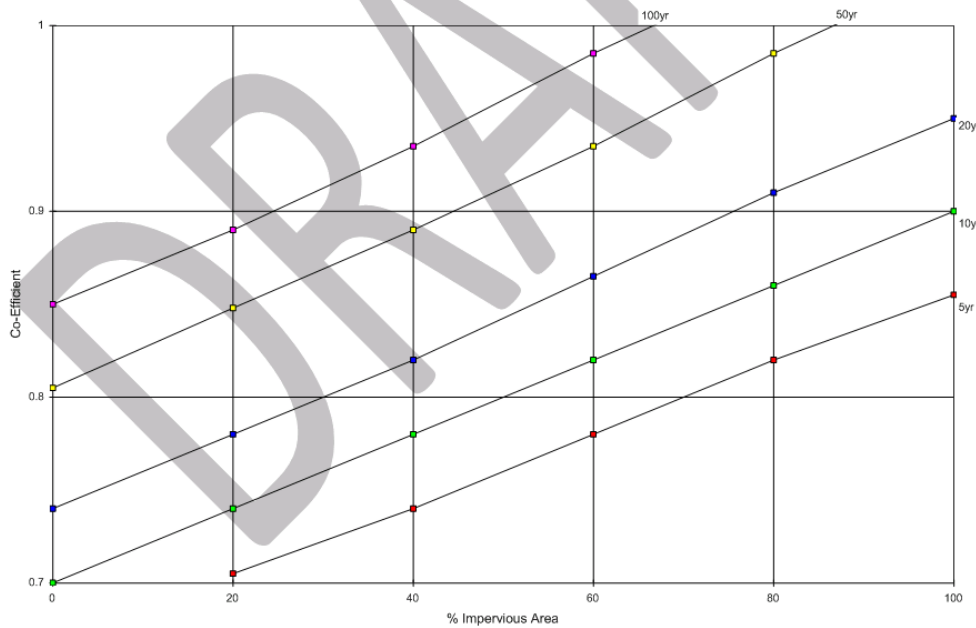


Figure 2: Determination of Runoff Coefficient

Table 2: Percentage Impervious Area for Land use type

Land Use	Percentage Impervious Area
Normal Residential Lots	60%
Half Width Road Reserve	95%
Medium Density Residential Lots	80%
Commercial Areas	100%
Industrial Areas	100%
Public Recreation Areas	25%

6 MINOR SYSTEM

6.1 Pit Location

For the minor system ARI, kerb inlet pits must be located in the following positions:

- a) At the upstream tangent point of the kerb return (i.e. at an intersection);
- b) Where the gutter flow width exceeds 2.5 metres;
- c) Where the gutter flow depth exceeds the top of kerb;
- d) At each low point of the kerb and gutter. Where serious flooding could result if the main pit was 50% blocked then an auxiliary pit must be provided such that the combined system caters for the minor system flowrate without overtopping;
- e) Clear of driveways, access ways and pedestrian pram ramps;
- f) Where spacing between pits exceeds 80m;
- g) In line with common lot boundaries;
- h) Such that the depth of flow in the low side kerb and gutter does not exceed the crest level of driveways to properties below road level.

6.2 Inlets and their Capacities

- a) The capacity of any type of inlet involves determining the quantities and characteristics of the flow approaching the inlet.
- b) The blockage factors to be used in the analysis of pits are:
 - Sag pits – 50%
 - On grade pits – 20%
- c) All new work must use combined galvanised grates with lintels. For slopes greater than 5%, deflectors shall be incorporated into the design

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6.3 Hydraulic Design – Minor System

1. The hydraulic design of the minor system must be carried out using the hydraulic grade analysis in accordance with Chapter 5 of Book 9 ARR2019. Suitable computer software (e.g. Drains, 12D) should be used. For simple systems, (e.g. less than 10 pits) hand or spreadsheet calculations are accepted.
2. A hard copy of the results as well as a summary table showing all relevant information must be submitted with the application. The following information must be taken into account:

a) Pipe Friction

Table 3 provides the recommended pipe friction coefficients.

Table 3: Recommended Pipe Friction Coefficients

Pipe Material	Manning's "n"	Colebrook-White "k" (mm)
Concrete	0.012	0.6
Fibre Reinforced Concrete	0.01	0.15
UPVC	0.009	0.05

b) Downstream Control Points

For the design of a new system and the checking of an existing system, the following control points apply:

- i) For a submerged outlet discharging into tidal water, the tail water level must be RL 1.28m AHD. This level is based on the 1-year ARI storm surge tide that is assumed to coincide with the runoff peak from the design recurrence interval storm on the catchment.

The pipe invert must be above RL 0.00m AHD or above siltation level, whichever is higher.

- ii) For an outlet draining the local system and discharging into an open channel or body of water serving a catchment of comparable size to the local catchment, the tailwater in the channel immediately downstream of the outlet must be determined by using Manning's Equation to find the normal depth. This water level becomes the control point, unless there is an obvious downstream control that makes it necessary to perform a backwater analysis.
- iii) For an outlet draining the local system and discharging into an open channel serving a catchment much larger than the local catchment, the determination of the tailwater shall be based on a hydrograph analysis, which has considered phase differences between the two catchments.
- iv) For a free outlet, the control point is taken as the greater of tailwater depth or

$$\text{Control point} = \frac{d_c + D}{2}$$

where d_c = critical depth in pipe, and D = diameter of pipe.

- v) If a new system connects to an existing system, the existing system must be checked to assess its adequacy in carrying the increased discharge. The proponent must also consider the potential of other new connections to the existing system and demonstrate the existing system can maintain its current (2019) service level.

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c) Pit Loss Factors

Either the Missouri Charts or Hare Charts may be used in calculating hydraulic losses in pits. Benching in pits may be used to assist in reducing pit losses where desirable.

d) Drop Pits

Drop pits occur where there is a substantial difference between the invert of the inlet and obvert of the outlet. Usually, this results in the water losing all of its forward velocity and momentum. Very large head losses can be expected due to the need to accelerate the water from rest and due to the turbulence caused by the incoming water.

When the obvert of the outlet pipe is at or greater than $D_o/4$ (D_o = diameter of outlet pipe) below the invert of the upstream pipe, the inflow must be regarded as grate flow.

e) Pipe deflection and Mitre Bends

Pipe manufacturer's allowable pipe deflection angles and mitre bends may be used for changes in direction in the horizontal plane only where the use of junction pits are not required. Appropriate head losses are to be taken into account.

f) Pit Freeboard

A zero freeboard may be adopted.

g) Pipe Velocities

The maximum and minimum velocities for reinforced concrete pipes must be 8m/s and 0.6m/s respectively, or as recommended in the manufacturer's specifications. For all other pipe types, refer to the manufacturer's specifications.

h) Minimum/Maximum gradients for Pipes

The minimum and maximum gradients to be adopted for pipes must be in accordance with the relevant Australian Standards or as recommended in the manufacturer's specifications.

i) Anchor Blocks

Where the grade of the pipe exceeds 15%, concrete anchor blocks must be provided as a minimum at every third collar or as recommended in the manufacturer's specifications.

j) Pipe Class, Cover and Joints

The class of pipe used must be compatible with the loading it will be subjected to.

- The calculation of working loads and methods of installation of buried concrete pipes must be in accordance with AS3725 "Loads on Buried Concrete Pipes". Table 4 also provides minimum cover for pipes (excluding pipes discarding to the kerb).
- Cover over pipelines must comply with the relevant Australian Standards, but generally should not be less than 300mm in landscaped areas and 450mm in areas subjected to vehicle loads, with the exception of pipelines laid under the footpath which connect to a kerb.
- Rubber ring jointed concrete pipes must be used for all road stormwater applications. Pipelines shall have a minimum diameter of 375 mm when used for road drainage applications.

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Table 4: Minimum Cover Over Pipes

Location	Minimum cover (mm)	
	Rigid type pipes e.g. concrete, FRC	Flexible type pipes e.g. plastic, thin metal
Residential private property, and parks not subject to traffic	300	450
Private property and parks subject to occasional traffic	450	450
Footpaths	450	600
Road pavements and under kerb and channel	600	600

- For special cases, and with the agreement of Council, cover can be reduced by using a higher-class pipe, special bedding, concrete protection or a combination of these.
- Where pipes are to be laid under the footpath consideration should be given to the possibility of future road widening, both in respect of the reduced cover that might result from the widening and vehicle loading.

k) Hydraulic Design Calculations

Technical Note 9 of ARR 1998 details the recommended methods for hydraulic design calculations. Alternatively, a computer model may be used, providing the input parameters and assumptions are clearly described and justified.

A hard copy of the results as well as a summary table showing all relevant information must be submitted with the application. Council may also request the electronic model files input and results files.

7 MAJOR SYSTEM

- Major system flows are flows in excess of the minor system capacity. Major system flows shall be catered for by providing suitable escape routes such that they do not present a danger to life and property. These overland flow paths (i.e. escape routes) shall have a capacity to carry major system flows up to the 100 year ARI flow.
- The following overland flow paths may be used to act as major system flow routes:
 - Roadways including footpath;
 - Pathways; and
 - Parkland or open space.

7.2 Major System Flows - Continuity

- Consideration must be given to continuity of the overland flow path and as such where, for example, a roadway acting as an overland flow path discharges stormwater to a pathway, park, stormwater reserve, etc. the footpath must have a reverse cross fall to facilitate the overland flow. Other obstructions, such as fences, must not traverse these flow paths.
- Consideration should also be given to low points near kerb returns. The grading of the kerb return should be such that water flows around the return and away before it breaks over the top of the kerb at the low point.

7.3 Road Reserve Flow Capacity

- a) The capacity of the roadway must be determined and the results showing all relevant information must be submitted with the application.

7.4 Trunk Drainage

- a) Trunk drainage carries runoff from local street drainage systems to receiving waters. Trunk drains and networks include the following elements:
 - i) Natural watercourses or artificial open channels. For the purpose of this document, the term “natural watercourse” is considered a defined path which stormwater follows and includes channels and any overbank flow path. The provision of channel lining or enclosure by pipes or channel filling etc. does not in any way diminish the fact that the flow path is a natural route for water. In areas of uncertainty, Council will determine if a flow path is a watercourse.
 - ii) Culverts and road crossings exceeding 900 mm in diameter or 0.6m²;
 - iii) Naturally occurring ponds and lakes exceeding 1000 m³ capacity;
 - iv) Artificial detention/retention storages exceeding 1000m³ capacity.

7.4.2 Detention/Retention Basins

Detention/retention basins must be designed to cater for the 1% AEP event. The basin spillway must be designed to cater for the PMF event. The appropriate blockage factor must be applied to the outlet in accordance with Chapter E13 Section 6.2.

7.5 Watercourses and Open Channels

7.5.1 Hydraulic Design - Estimation of Design Flood Level

- a) An appropriate computer model must be used for hydraulic design and analysis.
- b) The data required for the hydraulic design or analysis including channel cross sections, hydraulic properties (e.g. roughness), dimensions of controls, obstructions, etc, shall be obtained by the proponent. This data shall be documented clearly and reflect both the existing and proposed hydraulic characteristics of the watercourse of open channel. All assumptions must be documented.
- c) A sufficient number of cross-sections selected at appropriate locations both within the site and extending sufficiently upstream and downstream of the site shall be analysed in order to reflect flow behaviour. This would normally require that the model extend to a boundary condition at the hydraulic control downstream of the site.
- d) In the hydraulic design of watercourses (which includes modified stream channels and floodway systems), a freeboard of 0.5 metres to habitable floor level shall be provided above the 100 year ARI flood water surface level. The proponent must liaise with the NSW Department of Industry (Former NSW Office of Water) if modifications are required to the creek channel or floodplain or if the proposal involves activities with 40 metres of the top of the creek bank. A controlled Activity Approval under the Water Management Act 2000 may be required.

7.5.2 Flow Velocities

- a) Maximum flow velocities in channels and overland flow paths that are grass-lined must be restricted to 2m/s. Designs must ensure that flow is subcritical. Supercritical flow must be avoided, however, where this cannot be prevented as in the case of an existing open channel, fencing

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which would not obstruct overtopping flow, must be provided for the length of the open channel where supercritical flow occurs.

7.5.3 Scour Protection

- a) Adequate scour protection must be designed for all discharge points into and out of the channel. It must also be provided at any point along the channel where there is a significant change in flow conditions.

7.5.4 Batter Slopes

- a) Side slopes of grassed channels and detention basins should be relatively flat. The desirable batter slope must not be greater than 1 vertical to 6 horizontal. However 1 vertical to 4 horizontal may be considered where scour and erosion can be managed.

7.5.5 Modifications to Watercourses

- a) Modifications to natural watercourses are generally not permitted, as they adversely impact on a number of issues including:
 - Hydraulic function
 - Channel pattern and form
 - Long-term channel stability
 - Aesthetic appearance
 - Aquatic and bankside habitat diversity
 - Water quality
- b) Any proposals involving modifications to watercourses will require the submission of a detailed hydraulic assessment as well as a thorough environmental impact assessment of the prepared watercourse modification. Modifications to watercourses will only be considered where no other alternative exists, such as when scour within the watercourse threatens the stability of a dwelling or other high value asset. The reduction of development potential as a result of not modifying a watercourse will not be considered justification for such modification.

Note: lodgement of an Integrated Development Application will be required for any involving modified to a watercourse since the concurrence of the NSW Department Water and Energy will be required pursuant to the requirements of the Water management Act 2000.

- c) Buildings will not be permitted over watercourses.

8 SAFETY IN DESIGN

1. The design of minor and major system flow paths and structures must consider how public safety and risk will be managed. The following will be considered in assessment of proposals. This list is not exhaustive and requirements will vary from site to site:
 - a) Overland flow paths must be designed with consideration to with the flood hazard categories shown in Figure 3. The anticipated public use of the flow path (e.g. roadway, public reserve, no public access etc.) must consider the food hazard curves shown in Figure 3. The design of the flow path shall ensure that flow characteristics within the flow path are within the safe range for the anticipated potential users of the flow path (e.g. vehicles, people, children, elderly, etc.). Where flow characteristics are proposed that are unsafe for potential end users, details shall be provided of how access to those users will be prevented (e.g. fencing, signage, etc.).

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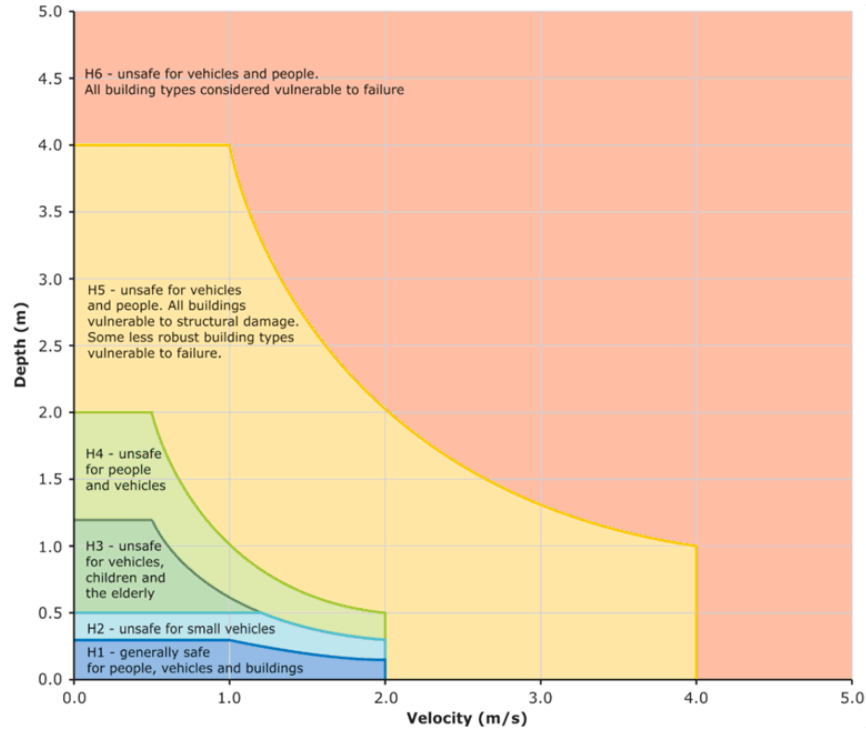


Figure 3: Combined Flood Hazard Curves (Smith et al., 2014)

- b) Underground pipe and pit systems which are large enough for children to enter must be designed using a risk based framework to determine if inlet/outlet screening is required. The risk based framework should follow the procedures detailed in the Queensland Urban Drainage Manual (QUDM).
- c) Safer by Design and Crime Prevention through Environmental Design principles and Protocols must also be considered. System elements and vegetation which may provide opportunities for concealment adjoining pedestrian areas must be avoided.

9 MANAGEMENT OF STORMWATER FROM DEVELOPMENT

9.1 General

1. The guidelines contained within this Section must apply to all developments within the City of Wollongong.
2. The responsibility for the submission of satisfactory details as required in these guidelines must rest solely with the applicant.
3. Detailed plans showing the proposed method of stormwater disposal are to be submitted to Council with the Development Application, and are to be shown on the plans prepared in support of the Construction Certificate, as approval will not be granted for any work commencing on site until the stormwater disposal system has been approved.

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4. The guidelines that follow are grouped into sub-sections, each dealing with separate issues. At the end of each sub-section, the information, which must be submitted to Council, is outlined.
5. Generally, all stormwater designs/investigations must be prepared in accordance with all relevant sections in this chapter. To prevent delays in assessment, the applicant should ensure that all necessary details included in this chapter are submitted.

9.2 Other Stormwater Designs

1. The design of all stormwater drainage systems must be carried out by a suitably qualified civil engineer, with the exception of stormwater systems conveying 55 L/s or less in the 100-year ARI storm event where OSD is not required.

9.3 Disposal of Stormwater from Development Sites

9.3.1 Control of Peak Discharge

- a) A consequence of increasing urbanisation and intensification of development, without proper safeguards, is an increase in stormwater runoff. This increase can overload existing drainage systems, both major and minor, with resulting nuisance and potential damage to existing properties.
- b) One of the methods adopted by Council to alleviate the problem is to require developers to include detention storage in developments.
- c) Detention storage is the provision of depressed areas or specific storages in paved or landscaped areas that are provided with relatively small stormwater outlets, to detain a volume of water for a short duration, during more intense storms. This prevents or mitigates any increase in peak stormwater flow rates from development and delays the peak volume of runoff. Section 10 of this chapter outlines Council's requirements for on-site stormwater detention.

9.3.2 Amplification of Council's Stormwater Drains

- a) The capacity of the stormwater system into which stormwater from the development discharges into must be checked in accordance with Section 6.3. If part of the stormwater system is found to not have the required capacity, then that part must be augmented/ amplified to take the additional flow.

9.3.3 Discharge of Stormwater to a Watercourse

- a) Stormwater may be discharged to a watercourse. The watercourse to which it is proposed to discharge stormwater must be well defined, having defined bed and banks. Depressions in landforms are not considered to be watercourses.
- b) If there are no other means of disposal, and a defined watercourse is not in the immediate vicinity of the site, the disposal must be by a suitably designed and constructed pipeline to a point where the watercourse is clearly defined. Note: stormwater must not be discharged at the top of the bank of the watercourse.

9.3.4 Discharge of Stormwater to the Kerb

- a) Where the total minor system discharge from a development site does not exceed 55 litres per second, it may be discharged into the street gutter under gravity by means of one or more pipes of 100mm diameter. A maximum of two 100mm diameter pipes will be permitted at each end of the site. A maximum of two 150mm x 100mm galvanised steel pipes may be used as an

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alternative if greater capacity is required, with the 150mm dimension being parallel with the road surface. In cases where this is impractical, Council may consider the use of flow converters. Note: charged stormwater lines will not be permitted.

9.3.5 Discharge of Stormwater to Council’s Drains

- a) Where the total minor system discharge from a development site exceeds 55 litres per second, the disposal of all roof and surface discharge must be by means of a single pipeline connected directly into an existing Council stormwater pipeline and include a junction pit.
- b) Where no pipeline exists in the immediate vicinity of the development, disposal must be by a suitably designed and constructed pipeline to the nearest available Council gully pit. The minimum pipe size must be 375mm in diameter and must be of reinforced concrete. The reinforced concrete pipe must be located immediately behind the line of the back-of kerb in the carriageway of the street.

9.3.6 Discharge of Stormwater through Downstream Properties

- a) Where a site proposing a new development falls away from the road reserve, an easement must be obtained through downstream or adjacent properties, to enable stormwater from the development site to drain in the same direction as it would in the pre-developed state. Therefore the submission of documentary evidence is required at the lodgement of the Development assessment which confirms that the downstream property owner agrees to the provision of a drainage easement through their property.
- b) Table 5 provides minimum widths required for drainage easements.

Table 5 Minimum Width of Drainage Easements

Nominal Pipe Diameter (mm)	Easement Width (m)
150 & 225	1.0
300 to 400	1.5
525	2.5
>525	Width required for maintenance, but not less than the width of conduit plus 2m

- c) The minimum diameter of pipe to be placed within the easement is 150mm.
- d) Evidence that the easement has been created must to be submitted to the Principal Certifying Authority prior to the activation of the Development Application consent.
- e) Some sites that fall away from the road still discharge some stormwater to the street. This may be due to some portion of the land draining to the street; an existing building that has piped stormwater flow draining to the street or existing raised landscape areas that drain to the street. In such cases, an equivalent stormwater flow rate, as that which occurs in the pre-development case will be permitted to drain to the street post-development.
- f) In all cases, it must be clearly demonstrated that the post-developed flow rates and flow concentrations from the development site are not greater than the pre-development condition.

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9.3.7 Discharge of Stormwater into Swales

- a) In areas where no pipeline or kerb and gutter exists within the road reserve to which discharge is proposed, then discharge may be permitted within stormwater swales alongside the pavement. The swale shall be designed against scour and shall have a cross section adequate to convey the minor system flow rate. Discharge into swales is only permitted for small developments including single developments and dual occupancies.

9.3.8 Interallotment Drainage

- a) Interallotment drainage must be provided to drain lots within proposed subdivisions where roof water and surface water from future development cannot be discharged directly into the street drainage system. Interallotment drainage must be provided in the form of a minimum 150mm diameter PVC Class SH single pipeline collecting runoff from properties through which the pipeline traverses and discharging to an appropriate point of discharge. Refer to sections 9.3.3 and 9.3.5
- b) Interallotment drainage shall be designed for a 10 year ARI event unless noted otherwise. The pipeline must generally be located parallel to and within 1 metre from the rear or side boundary inside the allotment to be serviced.
- c) A minimum 1.0 metre wide easement shall be created over all interallotment drainage pipelines and reflected on the subdivision linen plan and 88B instrument.

9.3.9 Discharge of Stormwater through Public Reserves

- a) When a public reserve downstream of the development site must be traversed with a stormwater pipeline in order to reach an appropriate point of discharge, an easement issued by Council must be applied for under section 46 (1) of the Local Government Act.
- b) Alternatively, an absorption or transpiration pit may be used to capture and drain stormwater from development sites where they naturally drain to public reserves. Such pits must be constructed wholly within the development site and should not be used as storage to control peak discharge of stormwater from the development site. Development Application must be accompanied by an engineer's certificate certifying that the proposed absorption pit will not adversely affect flood conditions in public reserves or on adjacent properties. In this case, the use of such pits will not be permitted. Refer to Section 9.3.12 for further details on absorption and transpiration pits.

9.3.10 Discharge of Stormwater to the Ocean

- a) Individual stormwater outlets from a development site to the ocean are generally not permitted. Rather, proposed outlets are to be connected to existing outlet to minimise environmental and visual impacts. Evidence must be provided demonstrating that the sharing of common stormwater outlets from existing developments or public infrastructure (such as reserves and roads) has been exhausted, before the creation of a new separate outlet will be considered by Council. In the event that there is no alternative the applicant must provide details of the method of stormwater disposal at the ocean outfall/cliff face. In this regard the applicant must address the aesthetic qualities and environmental impacts of the method of stormwater disposal. Geotechnical considerations along the length of and at the point of discharge must also be taken into account. This may require stormwater from the development being piped and/or channelled to the foot of the outfall/cliff face with appropriate scour protection and energy dissipating elements incorporated into the design.

9.3.11 Pump Systems

- a) Pump systems will not be permitted to discharge stormwater from sites grading away from the roadway, except for the specific purpose of draining underground/basement car parks. The water to be pumped from a basement car park shall be limited to sub-soil drainage, vehicle wash water

and runoff from the driveway that drains towards the basement. Water to be extracted from the basement car park should be pumped to a pit inside the property boundary then gravity feed to street.

- b) Drainage of stormwater runoff from roof and ground surfaces using submersible pumps is not permitted, with the exception of the above.

9.3.12 Absorption and Transpiration Disposal Systems

- a) The objective of an absorption and transpiration system is to dispose of roof water from the subject dwelling to either an underground system or over the existing ground surface by replicating natural overland flows and without adversely impacting upon the subject or downslope properties/ buildings.
- b) an absorption disposal system or “soakaway” is the preferred method of disposing stormwater from a single dwelling only where site gradients do not allow for street gutter disposal or disposal via an interallotment drainage pipeline.
 - i) Note: Absorption disposal systems shall not to be used as storage facilities to control peak discharge of stormwater from development sites.
- c) Also, absorption disposal systems should not be used for sites having steep gradients, low hydraulic soil conductivity or slope instability unless supported by further detailed engineering advice.
- d) Further information on absorption disposal systems can be sourced from Council’s website: <https://www.wollongong.nsw.gov.au/development/planning-and-development-policies/flooding-stormwater-and-development/domestic-stormwater-drainage-systems>
- e) A transpiration disposal system or “level spreader” is an alternative method of disposing stormwater from a single dwelling only where site gradients do not allow for street gutter disposal or disposal via an inter-allotment drainage pipeline and where an absorption system is not otherwise considered suitable.
- f) The location of an absorption or transpiration disposal system must be across the gradient of the site, and situated a minimum of 3 metres from property boundaries, 5 metres minimum distance from all buildings and 1-metre minimum from vehicular pavement areas. A zero setback from the downslope property boundary may be considered where the property is public reserve.
- g) The minimum offset between an absorption/transpiration system and a new building may be reduced if the footings of the new building are designed to ensure they will not be impacted by the adjacent absorption/transpiration disposal system. Structures must not be built over the absorption or level spreader system.
- h) The design of any absorption or transpiration disposal system shall be undertaken in accordance with Council’s *Domestic Stormwater Drainage Systems* fact sheet. The design of the chosen system, including all calculations and supporting documentation shall be submitted with the Development Application for the proposed development.
- i) Absorption and transpiration disposal systems will not be permitted for developments, with the exception of single residential dwellings, detached garages, and/or granny flats, in older subdivisions or the provisions of Section 9.3.9
- j) Absorption systems on unstable land must take into consideration the recommendations of a geotechnical report.

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9.3.13 Minimum Pipe Size Connecting to Council's Drains

- a) Where connection must be made to Council's underground stormwater system, the minimum pipe size crossing the footpath directly in front of the allotment must be 150mm in diameter.

9.3.14 Method of Connection to Council's Drains

- a) Where connection is to be made to Council's underground stormwater system, the type of connection to be used must be as shown in Council's Engineering Standard Drawings, available on Council's website.
- b) Where pipes larger than 150mm in diameter are to be connected to Council's stormwater system, a junction pit must be constructed. The lid of the junction pit must be level with the road surface. The cover over the junction pit must be of a type and of the same material as that surrounding the pit. The covers must be designed to withstand the appropriate vehicle loading.

9.3.15 Drainage Work in Footpath/Carriageway

- a) Any drainage works proposed within the footpath or carriageway must comply with Section 138 of the Roads Act 1993 and will be at the expense of the developer.
- b) Prior to undertaking the works, the developer shall obtain a permit and arrange inspections with Council.

9.3.16 Services

- a) The depth and location of all services (i.e. Stormwater, gas, water supply, sewer, electricity, telephone, traffic lights, etc.) which may affect the drainage design must be confirmed prior to the submission of final working drawings with the Construction Certificate application.

9.3.17 Flow from Adjacent Properties

- c) No obstruction to the overland flow of stormwater runoff from adjacent properties is permitted. Allowance must be made for this overland flow component and adequately catered for on the subject property. In calculating this component, the entire catchment upstream of the subject property must be taken into account.
- d) The diversion of this overland flow to the street, the rear of the subject property or in any other direction other than that in which it would naturally flow will not be permitted.

9.3.18 Sumps and Inlet Pits

- a) Sumps and inlet pits must conform to the standards shown in Appendix 8. Alternatives to cast-in-situ concrete may be acceptable subject to approval from Council
- b) Heavy-duty cast iron or galvanised and lockable steel grates must be provided on all surface inlet pits in areas with vehicular traffic.
- c) The base of pits must be graded or benched to the outlet pipe. Weepholes in the base of pits are not permitted unless a suitably qualified engineer provides written evidence that justifies the suitability of the site for this system.
- d) Paved areas and driveways falling towards Council's footpath must be provided with a full driveway width grated box drain at the property boundary, draining into the internal system and of minimal internal dimension of 200mm wide x 100mm deep.

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- e) Where affected by proposed driveways, existing kerb inlets must be replaced. The existing lintel must be removed and replaced with a new lintel, within the property frontage, upslope if possible at the developer's expense.
- f) Access to existing properties fronting the drainage works must be maintained at possible times during construction. It would be prudent to provide some form of notification to the affected properties prior to commencement of works. This is particularly the case if any disruption to access will be required as a consequence of the works.

9.4 Conditions for Building over Common Stormwater Lines and Stormwater Easements

9.4.1 General

- a) This section provides Council's requirements for the erection of buildings/structures over and adjacent to common stormwater lines and stormwater easements.

9.4.2 Definitions

Common Stormwater Line	A conduit that is located within an allotment and conveys stormwater from one or more other allotments.
Common Stormwater Easement	An easement that is registered over an allotment in favour of one or more other allotments for the installation, conveyance, or maintenance of stormwater drainage serving those allotments, including but not limited to: <ul style="list-style-type: none"> • easement to drain water; • drainage easement; • easement for drainage; • easement for drainage and detention storage; and • any other easement that relates to stormwater/drainage installation, maintenance, access, conveyance, overflow, overland flow, and/or detention storage.

Owner Means registered owner of a property or registered body corporate.

9.4.3 Common Stormwater Lines/Easements

Council requires the following conditions to be met in the construction of buildings over common stormwater lines/easements:

- (a) Encroachments
 - i) Generally, no structure of a permanent nature will be allowed on a common stormwater line or easement, except in special circumstances and subject to the approval of Council.
 - ii) In such cases, written approval is required by all owners benefited by the common stormwater line or easement on the upstream side of the proposed encroachment.
 - iii) No encroachment will be permitted where that encroachment occurs within an overflow path
- (b) Loads on Conduit

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- i) Any structural component of the building, plant or machinery and fixtures is to be so constructed so as not to impose any dead or live loads on the stormwater pipeline and to permit excavation of the line without affecting the structural stability of the building. Any building and footings must be constructed outside of the Zone of Influence (ZOI). See Sydney Water (2015) for further information.
- ii) Where required by Council, the building is to be supported on stable foundations carried at least to the invert level of the pipeline.
- (c) Design of Adjacent Footings
 - i) The footings and floor slabs required by (b) above must be designed by a Structural Engineer and submitted to Council for approval.
- (d) No part of the structure, including footings, eaves and gutter overhang will be permitted to encroach into the drainage easement, except in special circumstances and subject to the approval of Council.
- (e) Access Pits
 - i) Access pits are to be provided at points immediately upstream and downstream of the building on the stormwater line and any intermediate pits as may be required.
 - ii) Pits are to conform to Wollongong City Council Standards or an approved alternative.
- (f) Obstruction of Free Flow
 - i) No work shall be carried out which will or is likely to inhibit or obstruct the free flow of waters through the stormwater pipeline and/or overland flow path.
 - ii) Joints on Easement Boundary.
- (g) Where a reinforced concrete slab is provided for any purpose over the easement or pipeline, a construction joint shall be formed on the easement boundary.

9.4.4 Building Over or Adjacent to Council's Easement

- a) Building over Council stormwater easements is generally prohibited. However, Council may consider the construction of extremely light structures such as carports, pergolas, or other like minor structures over easements, subject to the approval of Council.
- b) In the event that access to the easement/pipeline is required, the cost of removal and restoration of any structures over the easement will be borne by the property owner.
- c) No construction over Council stormwater easements will be permitted where the easement contains an overflow path.
- d) Any building must be constructed outside of the ZOI. See Sydney Water (2015) for further information.
- e) Footings Close to an Easement
 - i) Where it is proposed to construct footings or foundations near a stormwater easement, Council may impose such conditions, as it considers necessary to protect the structural stability of the existing or proposed stormwater infrastructure.
 - ii) The walls of any structure adjoining the easement boundary must be designed by a suitably qualified Engineer to withstand all forces should the easement be excavated to existing pipe invert level. This may require foundations to be designed such that they are set to a minimum of 300mm below pipe invert level or founded on sound rock.
 - iii) There must be no loss of support of the land contained within the drainage easement as a result of excavation within the site.

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- iv) No part of the structure, including footings, eaves and gutter overhang will be permitted to encroach into the easement to drain water / drainage easement.
- f) Concrete Slabs Over Easement
 - i) Where approval has been given to construct a concrete slab over a piped drain within a stormwater easement (such as a concrete driveway) it will be necessary for the applicant to submit structural drawings showing slab thickness, reinforcement and jointing details and address all relevant items in section 9.4.3.
- g) Structural Design

Details of the design of piers, beams and footings prepared by a qualified Civil (or Structural) Engineer must be submitted for approval with the application.

10 ON-SITE STORMWATER DETENTION

10.1 Application of On-Site Stormwater Detention

10.1.1 Developments to which OSD Applies

- a) OSD requirements generally apply to all types of development and redevelopment on both flood prone and flood free sites. However, the storage requirement is reduced in flood prone areas (Refer Section 10.2.2).
- b) Developments covered by this Policy include the following:
 - i) Development as follows (unless the development meets the exclusion criteria of section 10.1.2):
 - Subdivisions – it is recommended that wherever practicable, the OSD system be a single storage unit, either as a tank or an above-ground "community basin";
 - Single dwellings including extensions, additions and improvements to existing dwellings;
 - Dual occupancies; Townhouses, villas, residential flat building development;
 - Tennis courts;
 - Roads, carparks and other sealed areas;
 - Public buildings; and
 - Any other development not listed in and Section 10.1.2
- c) The methodology for calculating PSD and SSR values stipulated in Section 10.2.4 of this chapter is not appropriate for tributary areas exceeding 2ha. OSD facilities for tributary areas exceeding 2ha must be designed using an appropriate runoff routing hydrologic and hydraulic analyses in accordance with the relevant sections of this chapter and Chapter E13 of this DCP

10.1.2 Developments to Which OSD Does Not Apply

- a) The OSD policy does not apply to:
 - i) Development that increases the impervious surface area of a site by less than 100m². No more than one such application for exclusion shall be permitted on a particular lot.
 - ii) Development that lies within the 5 year ARI flood extents (Refer Section 10.2.2).

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- iii) Subdivisions of existing dual occupancies where no increase in the impervious surface area is proposed.
- iv) Boundary adjustments and consolidations of allotments where no additional lots are created.
- v) Change of use where no increase in the impervious surface area is proposed.
- vi) Building additions or internal alterations where they lie within the footprint (plan area) of the existing dwelling.
- vii) New developments in subdivisions where OSD has already been provided for the entire subdivision.
- viii) Buildings in rural/non-urban areas including RU1, RU2, RU3, RU4, RU6, E2, E3 and E4.
- ix) In addition, OSD may not be required where development is located in the lower reaches of a catchment where OSD does not provide downstream benefits and where it can be demonstrated that runoff from the site can be conveyed through intervening property to 'receiving waters' without adversely impacting flooding of these properties. Areas where OSD would not benefit downstream flooding are shown on the plans of Appendices A1.
- x) Should the location of the proposed development relative to the concession zone boundary or potential application of this concession to the development be unclear, please contact Councils Drainage Duty Officer for clarification.

10.1.3 Tributary Area Draining to OSD Basin

1. The full area draining to the proposed OSD basin post development shall be used as the tributary area in calculations for OSD. This area includes:
 - a) All impervious site surfaces on the developing site, and
 - b) All pervious areas part of the developing site draining to the basin post development, and
 - c) Any existing pervious or impervious surfaces external to the site where runoff from these surfaces cannot be arranged to bypass the basin.
2. In general, every effort should be made to:
 - a) Minimise the area of land, unchanged by the development, draining to the basin.
 - b) Minimise the area of land draining to the basin from outside of the site.

10.2 Design requirements

1. All of the developing site's impervious area is to drain to the OSD system. The minimum level of impervious surface to be used in the calculation of SSR for the post development land use is that provided in Table 4 below, unless detail plans for the proposed development are available from which actual impervious surface levels can be calculated.

Table 6: Percentage Impervious Area for Land Use Type

Land Use	Percentage Impervious Area
Normal Residential Lots	60%
Half Width Road Reserve	95%
Medium Density Residential Lots	80%
Commercial Areas	100%
Industrial Areas	100%
Public Recreation Areas	25%

2. Natural catchment boundaries are to remain unaltered. In situations where proposed impervious areas straddle natural catchment boundaries, multiple separate OSD systems shall be provided. Runoff from pervious areas that do not naturally drain to the OSD storage should, wherever possible, be designed to bypass the OSD system.
3. OSD needs to be considered and incorporated into a development as early as possible to ensure a holistic and economical design. The entire site drainage system needs to be considered during the design of a development to ensure that all runoff from impervious surfaces (roofs, gutters, paved yard areas and driveways, etc) is designed to flow into the OSD facility. In addition, a deliberate overland flow path must be created to convey these flows to the facility in the event of blockage or overload, free of obstructions such as fences, buildings, etc.
4. Detention storage is to be located at a level that is above the 5Yr ARI flood level. OSD systems are to be designed using a catchment wide approach, with a Permissible Site Discharge (PSD) and Site Storage Requirement (SSR) calculated in accordance with the procedures set out in this document.
5. Designs shall be prepared by a suitably qualified Civil Engineer in accordance with these requirements. The OSD system should be designed to take into account principles of good aesthetics and landscaping. Long term viability and maintenance of the storage area must also be considered.

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10.2.1 Freeboard – Above OSD

- a) Table 7 provides the minimum freeboard for the floors of any new structures above 100 Year ARI water surface level or water storage level in the OSD facility.

Table 7: Minimum Freeboard

Minimum Freeboard	
Dwelling/commercial (habitable floors)	+300mm
Garage Floors	+100mm
Industrial Floors	at 100YR ARI water level

- a) The proposed drainage works shall not reduce the freeboard of any adjacent buildings.
- b) Where roof storage is proposed, freeboard requirements are not applicable.
- c) It should be noted that Council's minimum requirements for development on floodplains in which habitable floors are to be set at least 500mm above the 100Yr ARI mainstream flood level may lead to a requirement for a higher floor level than that set out in .

10.2.2 Flood Prone Land

- a) As all land inundated in a 5Yr ARI flood event is effectively impervious once flooded, development on such land is excluded from this Policy, irrespective of its location in the catchment.
- b) Where a Floodplain Management Plan has been prepared for the catchment, specific requirements for flood detention and/or storage within that Plan shall have precedence over this Policy.

10.2.3 Design Basis

- a) The design objective of this section is the control of post development discharges, at all points in a catchment, to pre-development levels. This control is to be implemented by introducing small basins (OSD basins) on each developing site that serve to delay and reduce peak runoff from the site such that post-development discharges do not exceed pre-development levels anywhere in the catchment. Key to the design of these basins are two parameters, the permissible site discharge (PSD l/sec) and the site storage requirement (SSR m³). The PSD is the discharge limit for runoff from a development site, and SSR is the storage associated with this PSD, required to ensure that there is no increase in flood peak discharges anywhere in the catchment, for all storm frequencies and durations.
- b) Two PSD and SSR values are used to describe a particular facility. PSD5 represents the peak discharge permissible in a 5 year ARI storm event and SSR5 the associated storage volume of the basin at that discharge. PSD100 represents the peak discharge in a 100 year event and SSR100 the corresponding basin volume at that discharge. Note SSR100 includes SSR5.
- c) High early discharge pits (HED) are not permitted under this policy.

10.2.4 Determination of PSD and SSR for a Developing Site

- a) The method described in this section is only applicable to tributary areas smaller than 2 Ha. For tributary areas exceeding 2 Ha, OSD must be designed using hydrologic and hydraulic analysis in accordance with Section 7 **Error! Reference source not found.** of this chapter and Section 6 of Chapter E13.

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b) As set out in section 10.1.3, the tributary area to be used in the calculation of PSD and SSR for the OSD basin required to manage runoff from the developing site is:

- 100% of the impervious site area determined from Table 6 or detail plans for the development proposed on the site,
plus
- Any pervious area draining naturally to the OSD facility from within or from above the site,
plus
- Any existing impervious area draining naturally to the OSD facility from above the site

Calculation of OSD requirements for a developing site is a two-step process involving:

- **Step 1:** The OSD requirements for a site transitioning from the existing condition to the post development condition are calculated.
- **Step 2:** Step 2 is only needed if the tributary area to the proposed OSD facility contains existing impervious surfaces. If there are areas of existing impervious surfaces present in the tributary area, the OSD requirements for a site transitioning from an undeveloped natural condition to the present (partly developed) existing condition are calculated and the SSR calculated in Step 1 are reduced by the SSR calculated in Step 2.

c) In detail these steps involve:

STEP 1

- a) The OSD requirements are calculated for the post-development tributary area draining to the OSD basin reflecting the impervious area ultimately proposed. The PSD is calculated recognising the impact of any existing impervious area within this tributary area, on existing discharges (refer F1 in App A3). If under existing conditions the tributary area is not wholly natural (un-developed), F1 will be greater than 1, recognising the increased PSD of the existing (partly developed) tributary area relative to the PSD of a natural tributary area). Note that the existing impervious area used in the calculation of PSD is only the existing impervious area falling within the tributary area draining to the OSD basin.
- b) The permissible site discharges from the post development basin are calculated from the rainfall isohyets, and tributary area as follows:

$$PSD_5 = F1_5 \times F2 \times 2.67 \times (Area/10,000) \times I_1^{50} \quad (l/sec) \quad eq \ 1.4.4.1$$

$$PSD_{100} = F1_{100} \times F2 \times 4.67 \times (Area/10,000) \times I_1^{50} \quad (l/sec) \quad eq \ 1.4.4.2$$

Where *PSD₅* is the permitted peak discharge from the basin in a 5Yr ARI event

PSD₁₀₀ is the permitted peak discharge from the basin in a 100Yr ARI event

I₁⁵⁰ (mm/hr) is the one hour 50Yr ARI rainfall intensity at the site (refer App A2)

F1₅ and *F1₁₀₀* are the factors for existing impervious cover (refer App A3)

F2 is the factor reflecting variations in area from a 1Ha base (refer App A4)

Area (m²) is the tributary area draining to the OSD basin

Note both *F1₅* and *F1₁₀₀* will be 1.00 if the existing tributary area is wholly

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Undeveloped

- c) The SSR volumes (m³) for the basin are then calculated from the above PSD values as follows.

$$\text{SSR}_5 = F3 \times F4 \times 2.25 \times \text{PSD}_5 / F2 \quad (\text{m}^3) \quad \text{eq 1.4.4.3}$$

$$\text{SSR}_{100} = F3 \times F4 \times 2.25 \times \text{PSD}_{100} / F2 \quad (\text{m}^3) \quad \text{eq 1.4.4.4}$$

Where:

SSR₅ is the facility storage at a discharge of PSD₅

SSR₁₀₀ is the facility storage at a discharge of PSD₁₀₀

F3 is the factor reflecting post development impervious cover (refer App A5)

F4 is the factor reflecting variations in area from the 1Ha base (refer App A6)

- d) If there are no existing impervious surfaces in the tributary area, this completes the basin sizing calculations.

STEP 2

(Only required if there are existing impervious surfaces in the tributary area)

- a) In this second step, The PSD and SSR values are recomputed for the previously defined tributary area to the OSD basin assuming it was initially in a natural state and was then developed to the existing (pre-development) state. In this scenario F1 will be 1.00 as the existing (pre-development) case is then natural. The existing impervious surface area used in step 1 then becomes the 'post-development' impervious area included in Step 2
- b) The PSD's and SSR's for this scenario are then calculated as in STEP 1
- c) The final PSD's are those from STEP 1 (STEP 2 PSD's are ignored) and the final SSR's are the Step 1 SSR's minus the Step 2 SSR's.

10.2.5 Internal Drainage System

- a) The stormwater drainage system (including surface gradings, gutters, pipes, surface drains and overland flowpaths) for the property must:
 - i) Be able to collectively convey all runoff from the tributary area to the OSD system in a 1 in 100 year ARI rainfall event with a duration equal to the time of concentration of the site.
 - ii) Ensure that the OSD storage is by-passed by all runoff from non-tributary areas in storms up to and including the 1 in 100 year ARI event.

10.2.6 Discharge Control

- a) While the OSD facility is to operate across the storm spectrum from a 5 to 100 Yr ARI event, design has been simplified by requiring the facility to explicitly meet these requirements only at the upper and lower limits of the design spectrum. The facility is therefore designed as a two stage structure with the basin filling to the SSR₅ level in a PSD₅ discharge event and to the SSR₁₀₀ level in a PSD₁₀₀ discharge event. The first stage is controlled by an orifice, the maximum diameter of which is to be sized using the value of PSD₅ when under a head of SSR₅ m³ of stored water. A second stage

outlet must also be provided either in the form of a pipe or weir which permits a maximum discharge equal to PSD₁₀₀ when subject to a head of SSR₁₀₀ m³ of stored water.

10.2.7 Safety Fences

- a) Surface storages should be constructed so as to be easily accessible, with gentle side slopes permitting walking in or out. A maximum gradient of 1:4 (1 vertical to 4 horizontal) will be required on at least one side to permit safe egress in an emergency. Where steep or vertical sides are unavoidable, due consideration should be given to safety aspects such as the need for fencing, both when the storage is full and empty.

10.2.8 Standardised Products

- a) Where practical, use may be made of precast or prefabricated items to reduce the cost.

10.3 Implementation of OSD requirements

10.3.1 Development Approvals for Subdivisions

- a) In general, the OSD requirements are imposed at the subdivision stage as shown below:
- b) Development Application – submission and approval of a concept layout of the OSD system. (Stormwater Concept Plan)
- c) Submission of Engineering Plans – submission and approval of the detailed design including calculations and construction plans and details.
- d) Release of Subdivision Certificate/Linen Plans – submission and approval of work-as – executed drawings, certificates of hydraulic compliance and legal instruments on property titles protecting the OSD system.

10.3.2 Development Approvals and Construction Certificates

- a) When the OSD requirements are implemented through the development approval and construction certificate process, the approval is in three stages as follows:
- b) Development Application – submission and approval of a concept layout of the OSD system (Stormwater Concept Plan)
- c) Construction Certificate – submission and approval of the detailed design including calculations and construction plans and details
- d) Final Approval – submission and approval of work-as-executed drawings, certificates of hydraulic (and structural if required) compliance and legal instruments protecting the OSD system

Figure 4 summarises the steps involved in the process.

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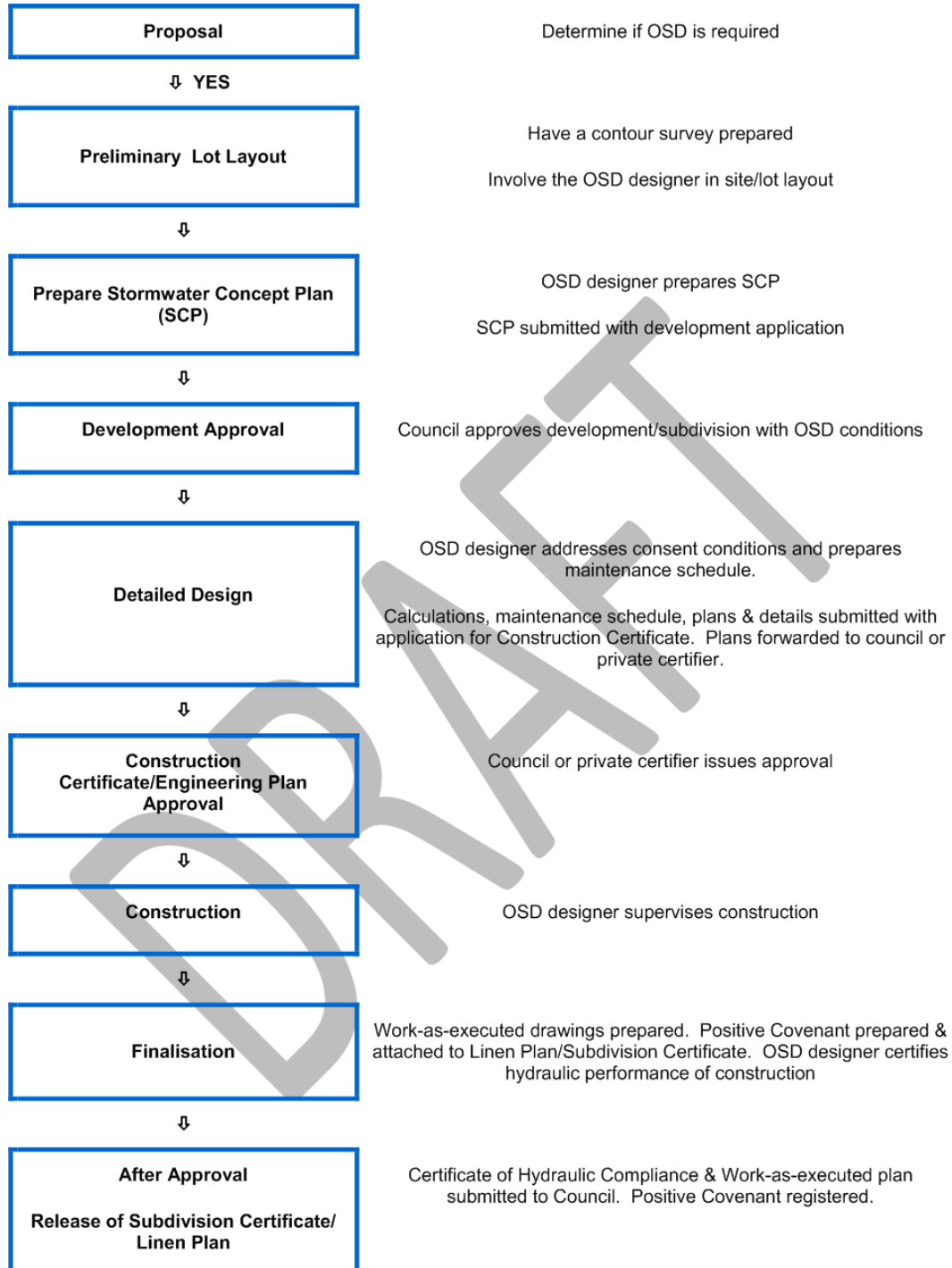


Figure 4: OSD Approval Process

10.4 Development Approval Process

OSD is best considered as early as possible in the development process so that the most efficient and effective system can be designed and installed. There are a number of issues to be addressed at the conceptual stage that will have a significant impact on the final solution:

- a) In multi lot subdivisions, a common OSD system should be constructed on one lot rather than a separate system on each individual lot;
- b) Every attempt should be made to maximise surface storage and minimise the amount of underground storages. Surface storage reduces the cost of the system and improves accessibility for maintenance
- c) Overland flows from adjacent properties should , wherever possible, be diverted past the OSD storage
- d) The site should be shaped to ensure all of the site's impervious areas drain to the OSD basin
- e) In multi lot subdivisions, the OSD basin is to be constructed at the time of subdivision and not be deferred until buildings are constructed.

10.4.1 Stormwater Concept Plan

- a) The objectives of the Stormwater Concept Plan (SCP) are to:
 - i) Emphasise that the OSD and drainage requirements need to be considered in the initial planning stages of the development;
 - ii) Simplify the detailed design by identifying adequate storage areas, surface flow paths and treatments, easements (if required) and site constraints in the planning stage;
 - iii) Reduce project costs by maximising the use of proposed landscape and architectural features as part of the OSD system;
 - iv) Allow the cost of development consent conditions relating to OSD to be determined at the planning stage; and
 - v) In the case of larger developments, assist in addressing the concerns of the local community regarding drainage and flooding issues.

10.4.2 Detailed Design

- a) The objectives of a detailed OSD design are to:
 - i) Ensure that all components of the OSD system are functional;
 - ii) Simplify construction of OSD systems by providing detailed design plans;
 - iii) Increase owner awareness and improve maintenance standards by simply outlining the necessary maintenance practices; and
 - iv) Encourage storages to be accessible and maintainable.

10.4.3 Minimum data requirements

- a) The following information must be included in a detailed design submission:
 - iii) Calculations for each storage, finalising the storage volumes and discharge rates;

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- iv) Calculations verifying that flow paths/floodways and internal drainage systems have sufficient capacity (if necessary);
- v) Design plans and details which include the:
 - Location and extent of each storage;
 - Locations and details of each discharge control device;
 - Catchment area draining to each storage;
 - Maximum water surface levels in each storage;
 - Overflow structures and surcharge paths;
 - Levels and location of the discharge points for each storage;
 - Internal drainage system;
 - Existing contours and final design levels;
 - Final site/lot layout; and
 - Location and extent of any floodway/flow path.
- b) Cross-sections through the storages.
- c) A maintenance schedule that sets out, in plain English:
 - (i) What maintenance is required;
 - (ii) How the maintenance will be done;
 - (iii) Who should carry out the maintenance; and
 - (iv) When the maintenance will be done.
- d) Structural certification for components of the OSD system (if necessary).
- e) Completed Detailed Design checklist (refer Appendix 2).
- f) Consideration needs to be given to how occupiers will be affected by the design and any construction variations thereby reducing/preventing alterations later (e.g. disabled access).

10.4.4 Free Discharge from an Outlet Pit

- a) The orifice discharge equation is:

$$Q = CA (2gh)^{0.5}$$

Where Q is the discharge in m³/sec

C is the coefficient of discharge

A is the orifice area in m²

g is the acceleration due to gravity

h is the depth of water above the centre of the orifice in metres

- b) This equation relies on:

A circular sharp edged orifice; and free discharge from the orifice.

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- c) Free discharge is not achieved when the outlet from the pit is affected by tailwater levels in the downstream drainage system. In this instance, full hydraulic calculations will be required to ensure early surcharge of the system does not occur.

10.4.5 Storages

- a) Where possible, storages should be achieved through surface storage. Underground storages are:
- (i) more difficult to inspect for silt and debris accumulation;
 - (ii) more difficult to maintain; and
 - (iii) can be dangerous to work in and may be unsafe for property owners to maintain.

10.4.6 Surface storages

- a) For surface storages, the following minimum requirements are set, however designers are encouraged to apply innovative techniques to utilise the topography of the site and other methods of achieving design requirements.
- b) In the interests of safety and amenity, ponded water depths are not to exceed:

	<u>Maximum</u>
Parking/Paved Areas	0.2 m
Landscaping	0.6 m
Covered/Fenced Storage	No Limit
Roof Area	As required by structural integrity

- c) In the event that these limits are exceeded, it shall be demonstrated that due consideration has been given to the method of addressing the increased hazard.
- d) The minimum surface slope for the base is 1.5%. Sub-soil drainage shall be provided around the outlet to prevent the ground becoming saturated.

10.4.7 Underground storages

- a) The following design considerations must be taken into account for underground storages:
- (i) Access openings to all underground storage tanks must be secured with a grate or cover, and fastened such that children are not able to remove them. However, as residents/owners must be able to inspect critical parts of the storage, heavy concrete covers should be avoided.
 - (ii) Openings must be wide enough to allow easy entry to a storage, i.e.:
 - 600 x 600 (storages up to 600 mm deep)
 - 900 x 900 (storages greater than 600 mm deep)
 - (iii) A continuous fall on the floor of the storage of at least 1% must be provided to the storage outlet to minimise ponding in the storage.
 - (iv) The minimum clearance height for accessible tanks is 900 mm. Where this cannot be achieved due to level or other constraints, the following internal heights can be considered:
 - Commercial/Industrial developments 750 mm
 - Residential developments 500 mm.

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provided that:

- (i) All grates accessing the tank are a minimum of 900 mm x 900 mm, and a maximum lifting weight of 20 kg; and
 - (ii) Grates are placed at the extremities of the tank with a maximum distance of 3 m from any point in the tank to the edge of the nearest grate.
- b) The build-up of noxious odour in storages without a grated access can create problems. If the storage is sealed, vents should be provided.

10.4.8 Overflow

- a) Provision needs to be made in the design of a storage for overflows from storms more severe than the design storm or for blockages in the system. Overflows should be directed to a flowpath through the development so that buildings are not inundated nor are flows concentrated on an adjoining property.

10.4.9 Orifice plates

- a) Orifice plates are to be manufactured in corrosion-resistant plate to a minimum thickness of 3 mm (5 mm thick where the orifice exceeds 150 mm) with a clean-cut circular hole.

10.4.10 Debris control

- a) To reduce the likelihood of the outlet being blocked by debris, the outlet opening shall have a minimum internal diameter or width of at least 50 mm and shall be protected by a mesh screen, generally in accordance with Appendix 3. Discharge outlet pits must be fitted with an internal screen. The screen needs to:
 - (i) Protect the orifice from blockage;
 - (ii) Create static conditions around the orifice which helps to achieve predictable discharge coefficients; and
 - (iii) Retain litter and debris that would degrade downstream water quality.

10.4.11 Identification System

- a) An Identification System is required for all OSD systems, usually in the form of a corrosion resistant plaque. The plaque shall be on or close to the OSD system and is to indicate:
 - (i) The structure is an OSD facility, part of the stormwater drainage network;
 - (ii) Its Identification Number, provided as part of the Development Approval process ;
 - (iii) It is not to be tampered with; and
 - (iv) Any specialist maintenance requirements e.g. confined spaces warning.

10.4.12 Maintenance

- a) Maintenance must be considered as part of the design process and proof of this will be required. A maintenance schedule is required to be submitted which sets out the routine maintenance necessary to retain the OSD system's viability. The resident/owner of the property shall receive a copy of this schedule on approval of the development and it will form an integral part of the Positive Covenants and Restrictions on Use of Land (see Section 10.4.21). The schedule should be signed to indicate that it has been received and understood. A copy of the signed schedule shall also be submitted to Council.
- b) This schedule should contain information on the following issues:

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- (i) Where the storages are located;
 - (ii) Which parts of the system need to be accessed for cleaning and how access is obtained;
 - (iii) A description of any equipment needed (such as keys and lifting devices) and where they can be obtained;
 - (iv) The location of grates/covers and how they can be removed for cleaning;
 - (v) Who should do the maintenance; and
 - (vi) How often should it be done?
- c) An example of such a schedule is attached to this policy (Appendix 4).
- d) OSD systems should be designed such that specialist personnel (e.g., confined spaces certified) are not required to perform ongoing maintenance.

10.4.13 Construction and Final Approval

- a) The objectives of the construction supervision and certification arrangements are to:
- (i) Encourage supervision of critical stages of construction by the OSD designer to improve construction standards;
 - (ii) Minimise delays and additional expenditure on rectification works by ensuring adequate construction supervision;
 - (iii) Increase community acceptance of OSD by eliminating nuisances created by poor construction; and
 - (iv) Enable Council to inspect and insist on essential maintenance of the system.

10.4.14 Supervision

- a) Construction supervision is essential in achieving a properly working OSD system. OSD construction is often multi-disciplined with many tradesmen (such as bricklayers, landscapers and concrete finishers) who may be unfamiliar with stormwater drainage, being responsible for constructing critical features of the system. OSD systems require closer attention to set-out and levels than a conventional drainage system. Without adequate supervision during construction, expensive and time consuming rectification works are often necessary before a Certificate of Hydraulic Compliance (see Appendix 5) can be issued by the OSD designer.

10.4.15 Work-as-Executed plans

- a) Work-as-Executed (WAE) plans prepared by a Registered Surveyor or the OSD designer must be submitted. A general set of guidelines for preparation of WAE plans is provided below. However, in some projects there will be site-specific features that will require additional details. The OSD designer should therefore be consulted before preparing these plans. As the OSD designer is responsible for the Hydraulic Compliance Certificate, it is important that the WAE plans provide the designer with sufficient information to ascertain that the as-constructed system will function in accordance with the approved design. Note that any changes to the top water level in the storage or depth of storage may alter the required orifice diameter. Calculations should be submitted to show that the orifice diameter is correct if the approved design water level has been changed.

10.4.16 Storage

- a) The following details of the OSD storage should be provided:
- (i) Type of storage - roof, above ground, below ground or combination;
 - (ii) Detailed calculations of the actual volume achieved for each storage;

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- (iii) The diameter of the orifice plate and verification that it has been fitted correctly;
- (iv) Verification that a screen has been fitted, as well as its location, dimensions and the minimum distance from the orifice;
- (v) Level and location of any overflow structures (e.g. spillways, weirs);
- (vi) Sufficient levels and dimensions to verify storage volumes – as a minimum, WAE plans should give the constructed level of all design levels shown on approved plans;
- (vii) Any changes to storage depth or top water level and whether the orifice size is affected; and
- (viii) Internal diameter of the outlet pipe.

10.4.17 Internal drainage

- a) The following information on the internal drainage system is to be included:
 - (i) Pit surface levels;
 - (ii) Invert levels and diameters of pipes;
 - (iii) Location and levels of any floodways and/or overland flowpaths; and
 - (iv) Sufficient spot levels to show site gradings and extent of areas not draining to the storage(s).

10.4.18 Freeboards

- a) The finished floor levels of adjacent structures on the property such as garages and dwellings are to be shown to ensure they are sufficiently above the maximum storage water surface levels and water levels on overland flowpaths.

10.4.19 Certificates of Hydraulic Compliance

- a) Certificates of Hydraulic Compliance are required to confirm that the drainage and On-site Stormwater Detention (OSD) works have been carried out in accordance with the approved design.
- b) To avoid delays in obtaining certification, developers and builders are encouraged to have the OSD designer supervise and certify the construction of these systems. This certification is for the Certificates of Hydraulic Compliance only, not the Certification of the Development required under Section 109 of the Environmental Planning and Assessment Act. Defects are expensive to repair once the development is completed.
- c) Certificates of Hydraulic Compliance are to be attached to the Work-As-Executed plans and submitted to Council prior to the release of Subdivision Certificate linen plans, certificates of occupation and/or Occupation Certificate. A separate structural certification will be required for any structural elements. The Certificate of Hydraulic Compliance needs to:
 - (i) State that the system will function in accordance with the approved designs, subject to satisfactory maintenance;
 - (ii) Identify any variations from the approved design; and
 - (iii) State that these variations will not impair the performance of the OSD system.
- d) Alternatively, where variations are identified that impair the performance of the OSD system, the OSD designer will need to complete an Outstanding Works Form. This form shall list the variations from the approved design and the required remedial works. Where significant remedial works are necessary, discussions should be held with the relevant Council officers and arrangements made to have these works carried out prior to the issue of a Certificate of Hydraulic Compliance by the OSD designer or final approval by Council.
- e) The Certificate of Hydraulic Compliance is the principal means by which adequate construction standards are ensured and certification needs to be conducted in a professional manner. Whilst

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the Certificate will be based on the WAE plans, the OSD designer will need to inspect the site to check critical design features.

- f) Some of the important considerations to be addressed when certifying hydraulic compliance are:
- (i) Storage:
 - Actual storage volumes achieved are adequate;
 - A plate with a sharp-edged orifice of the correct diameter and the specified material has been securely fitted;
 - The orifice is screened and the screen is properly fixed, located and able to be removed for cleaning;
 - Outlet pipes from the discharge outlet pit are the correct size, level and grade to ensure there is free discharge through the orifice;
 - The levels of the top water surface and storage invert are such that the design discharge from the storage is achieved;
 - The actual top water surface level of the storage will not cause either unintended surcharge of the internal drainage system or inundation of/or inadequate freeboards to finished floor levels; nor will it alter the storage depth sufficiently to impact on the required orifice size;
 - The base of the storage is well graded and drains to the discharge outlet pit; and
 - Spillways and overflow paths are the correct level and free from obstructions.
 - (ii) Internal drainage:
 - Site gradings are correct;
 - The internal drainage lines are of a sufficient size, level and grade to convey flows to the storage;
 - If a blockage occurs or the internal drainage lines cannot convey all runoff in a 100 year rainfall event, the site is graded to direct surcharging flows to the storages;
 - Storages cannot be by-passed by overflows from the internal drainage system or by overflows from any surface area designed to drain to the storages;
 - Flowpaths designed to divert upstream flows around the basin have been properly constructed and will function as designed; and
 - General workmanship is adequate to prevent long-term failure of the system.
 - (iii) Freeboards
 - The levels of structures (such as garages, factories, offices and dwellings) are sufficiently above the as-constructed maximum water surface levels in the storage and flowpaths; and
 - An emergency spillway or overflow path is provided to ensure that surcharge of the drainage system and storage (even in the event of an extreme storm or accidental blockage of pits, pipes etc.) will not cause stormwater to enter buildings where significant damage would occur.
- g) Sample Standard Certificate of Hydraulic Compliance Forms and Outstanding Works forms are attached in Appendix 5.

10.4.20 Structural certification

- a) Due to hydrostatic loadings, certain OSD storage components may require specific structural certification for design and construction. The following list is typical but not exhaustive. This

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certification should be provided by a qualified, practising structural engineer, except where the components match the standard designs.

- b) Free standing walls
 - (i) These are subject to hydrostatic loads when a storage is full or filling. The significance will depend on the maximum ponding depth.
- c) Retaining walls
 - (i) In addition to the normal earth and hydrostatic loadings, it may be necessary to consider the possibility of saturated sub-soil conditions.
- d) Underground storages
 - (i) These may be subject to a combination of earth pressures, hydrostatic loadings, traffic loadings and buoyancy forces.

10.4.21 Legal Protection of OSD Systems

- a) OSD systems are structures intended to control site discharges over the entire life of the development. To guarantee the system's continued operation, it needs to be protected from alteration and regularly maintained.
- b) Prior to the issue of final approval, the OSD system and associated floodways and flowpaths need to be legally protected. This is achieved by applying a restriction on the use of the land and a positive covenant over the lot in favour of the local council. These can be imposed either by submitting a suitable Request Form to the Land Titles Office or in conjunction with the registration of a plan showing the new lots to be created. An explanation of the process involved, sample instruments, standard terms and conditions, a copy of the Land Titles Office Information Bulletin 14 and sample forms 13PC and 13RPA, are included in Appendix 6, and as listed below.
 - F.1 Explanatory notes on the preparation and registration of Positive Covenants and Restrictions on Use of Land.
 - F.2 Forms for use under Section 88E(3) of the Conveyancing Act where there is no subdivision of land involved and the covenant and restriction on use are being imposed on an existing parcel of land.
 - F.3 Terms and conditions for Restriction on Use of Land and Positive Covenant.
 - F.4 Sample Restriction on Use of Land and Covenant where a deposited plan is being registered together with a Section 88B instrument.
 - F.5 A copy of Information Bulletin No 14 (dated September 1998), prepared by the Land Titles Office,
 - *A Guide to the Preparation of a Section 88B Instrument to:*
 - *Create Easements, Profits à Prendre, Restrictions on the Use of Land or Positive Covenants, Release Easements or Profits à Prendre*
 - F.6 Sample Covenant used where a deposited plan is being registered together with a Section 88B instrument and construction of the OSD system is being deferred.

Note: Council will only permit deferral of the construction of the OSD systems in exceptional circumstances.

10.5 Record System

1. A database of all OSD systems is to be maintained by Wollongong City Council. This database will include information on:
 - a) Site location
 - b) Catchment
 - c) Type of development
 - d) Design details (area, PSD, SSR, storages);
 - e) Location of WAE drawings;
 - f) Details and location of maintenance schedules; and
 - g) Identification Number
2. This database will be accessible by relevant officers to ensure that any changes to a property approved at a later date are considered with reference to the OSD system.

10.6 Inspections

1. A program of random audits of infrastructure will be implemented by Wollongong City Council. This will involve:
 - a) Notification of the owners of an inspection due to take place;
 - b) An inspection of the system, comparing the structure with the WAE drawings and completing a checklist of maintenance items; and
 - c) Issuing owners with a record of the inspection noting what items need to be followed up, and specifying the timeframe in which this needs to be done.

11 INFORMATION REQUIREMENTS (TO BE SUBMITTED BY APPLICANT)

11.1 Development Application Stage

1. The following information will be required:
 - a) A site stormwater layout (1:100 scale). This plan must also show how the proposed stormwater system is integrated with the proposed landscape plan for the site. For larger sites, an overall site stormwater layout shall be provided at a scale of 1:200 in addition to the above requirement;
 - b) The extent and area (in plan) of any upstream catchment for external flows entering the site;
 - c) Hydrologic and hydraulic calculations, including calculations of velocities and flows leaving the site both prior and after development;
 - d) Information relating to proposed overflow paths must include contours of the land within which the overflow path will be located, the capacity of the overflow path, details of any bed reinforcement such as grass;

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- e) SID
 - f) Except for minor developments (refer to Glossary), longitudinal section of pipelines showing calculated flows, velocity, size and class of pipe, grade, invert levels, services and ground levels;
 - g) Where connection is to be made to an existing underground stormwater system, a hydraulic grade line analysis must be carried out and the pressure line plotted on the longitudinal section;
 - h) Details, dimensions and location of pits, grates, on-site detention storage, weirs, orifice plates, outlet structures and scour protection;
 - i) The location and extent of any floodways, flowpaths or stormwater concentrations affecting the site;
 - j) Flood study if applicable;
 - k) Proposed point/s of discharge;
 - l) Fencing location and type;
 - m) Written agreement from downstream property owners to provide an easement to drain water if applicable;
 - n) Survey of the development site and surrounding areas, to provide sufficient information in order to assess the Application, which includes lot boundaries, contours/spot levels, buildings, easements, services, landscaped areas, site area, roadways etc;
 - o) Plan (1:100 scale) showing proposed and existing floor, ground and pavement levels to AHD;
 - p) Plans of any proposed earth works including cut and fill drawings. Cut and fill drawings to be at shown at 0.25m contours.
- Note: Sufficient contours and spot levels must be shown on the plan to enable its proper construction. It is insufficient to show arrows to indicate a fall in the pavement. All levels to be related to Australian Height Datum (AHD);
2. Where on-site detention is proposed, the following additional information will be required:
- a) The location and extent of the detention storage.
 - b) The location and levels of discharge points for the storage.
 - c) Preliminary estimates on the SSR and PSD values.
 - d) The location and area of any portion of the site unable to drain to the storage.
 - e) The final disposal point, where the runoff from the site is unable to drain to the storage, together with justification that this runoff will not cause any adverse effects to the development site or neighbouring properties.

11.2 Construction Certificate Stage

1. The following information will be required:
- a) If applicable, evidence to show that the creation of an easement to drain water over downstream properties has occurred.

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- b) Where applicable, evidence that all Development Application conditions have been incorporated into the plans.
 - c) Sufficient set-out information to allow the development to be constructed in accordance with the Development Consent and the intent of the Development Application plans.
 - d) Location of all services in the vicinity of the proposed development.
2. Where on-site detention is proposed, refer to Section 10 for the information required.

11.3 Prior to Final Occupation Stage

1. Where a work-as-executed (WAE) plan and engineer's certification is required as a condition of development consent, it must include at least the following. The sections in italics are to be included on the certification:
 - a) A statement certifying that "all stormwater drainage and related work has been constructed in accordance with the approved plans". A statement that the work is in accordance with the intent, character, principle or key aspects of the plan for example, will not be accepted.
 - b) A statement certifying that the work-as-executed survey plan has been prepared by a registered surveyor. Further, the surveyors' name and organisation are to be clearly shown on the plan.
 - c) A statement certifying that "the stormwater infrastructure has been constructed in accordance with the development consent. A statement that the work is in accordance with the intent, character, principle or key aspects of this chapter for example, will not be accepted.
2. Where on-site detention was required as part of the development approval, refer to sections 10.4.15 and 10.4.16 with respect to the provision of a work-as-executed plan, hydraulic compliance certificate, restriction on use and positive covenant.

Note: Under normal circumstances, Council will require demolition of any structure which has not been constructed in accordance with the approved plans and which is considered likely to exacerbate or cause problems related to stormwater drainage. Any variations from the approved plans will need to be documented and will need to be certified by the Certifying Authority as not affecting the performance of the designed system.

11.4 At Development Application Stage (Where No Construction Certificate Is Required)

1. The following information will be required:
 - a) A site stormwater layout (1:100 scale). This plan must also show how the proposed stormwater system is integrated with the proposed landscape plan for the site. For larger sites, an overall site stormwater layout shall be provided at a scale of 1:200 in addition to the above requirement;
 - b) The extent and area (in plan) of any upstream catchment for external flows entering the site;
 - c) Where a flood study is required as part of a Development Application, the consultant shall provide as a minimum the following information:
 - (i) Catchment plan 1:4000.
 - (ii) Hydrologic and hydraulic calculations.
 - (iii) A section detailing investigations carried out to determine the potential for upstream diversions affecting the site and reporting the findings.

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- (iv) A section detailing recorded flood levels used or information from local residents used in calibrating the model.
- (v) Survey of the site showing all necessary features, along with creek cross-sections drawn to a suitable scale and which adequately reflect the existing characteristics of the channel and floodplain. Cross-sections are to be taken perpendicular to the flow for the particular flood event being considered. Where roadways and/or driveways are used as weirs, detailed survey must be provided. Water surface profiles for both pre and post development conditions drawn to a suitable scale.
- (vi) Extent of inundation for both pre and post development conditions.
- (vii) Floor levels of proposed and existing buildings on the development site and other affected properties.
- (viii) Velocity and depth product contours.
- (ix) Delineation of flood risk precincts relevant to individual floodplains.
- (x) Channel and overbank velocities for both pre and post development conditions.
- (xi) An assessment of the need for scour and/or erosion protection along bed, banks or discharge points.

11.5 Standard of Engineering Submission

1. Both Development and Construction Certificate Applications must be prepared in accordance with the Australian Technical Drawing Standard AS1100.
2. Flood studies must be clearly and concisely presented.
3. Calculations to be clearly presented in a logical sequenced manner. Calculations will not be accepted on disc without hard copy attached.

11.6 Computer Programs

1. Prior to the use of in-house developed computer programs for hydrologic/hydraulic analysis, the consulting engineer must supply to Council a flowchart showing the steps and formulae involved in the execution of the program. The limits of applicability must also be defined.
2. Computer output from programs developed in-house without having been previously approved by Council will not be accepted.
3. Where a computer program has been used for stormwater analysis, a copy of the model input files and results output may need to be provided to Council for assessment.

12 REFERENCES

Australian Rainfall and Runoff. A Guide to Flood Estimation (1998) Institution of Engineers, Australia.

Ball J, Babister M, Nathan R, Weeks W, Weinmann E, Retallick M, Testoni I, (Editors) Australian Rainfall and Runoff: A Guide to Flood Estimation, © Commonwealth of Australia (Geoscience Australia), 2019.

Coombes, P., and Roso, S. (Editors), 2019 Runoff in Urban Areas, Book 9 in Australian Rainfall and Runoff - A Guide to Flood Estimation, Commonwealth of Australia, © Commonwealth of Australia (Geoscience Australia), 2019.

Floodplain Development Manual. (2005) New South Wales Government.

AS/NZS 3500.3:2003. Plumbing and Drainage – Stormwater Drainage.

Smith, G.P., Davey, E.K. and Cox, R.J. (2014), Flood Hazard UNSW Australia Water Research Laboratory Technical Report 2014/07 30 September 2014.

Sydney Water (2015). Building Over or Adjacent to Sydney Water Stormwater Assets.

APPENDIX 1 - OSD DESIGN

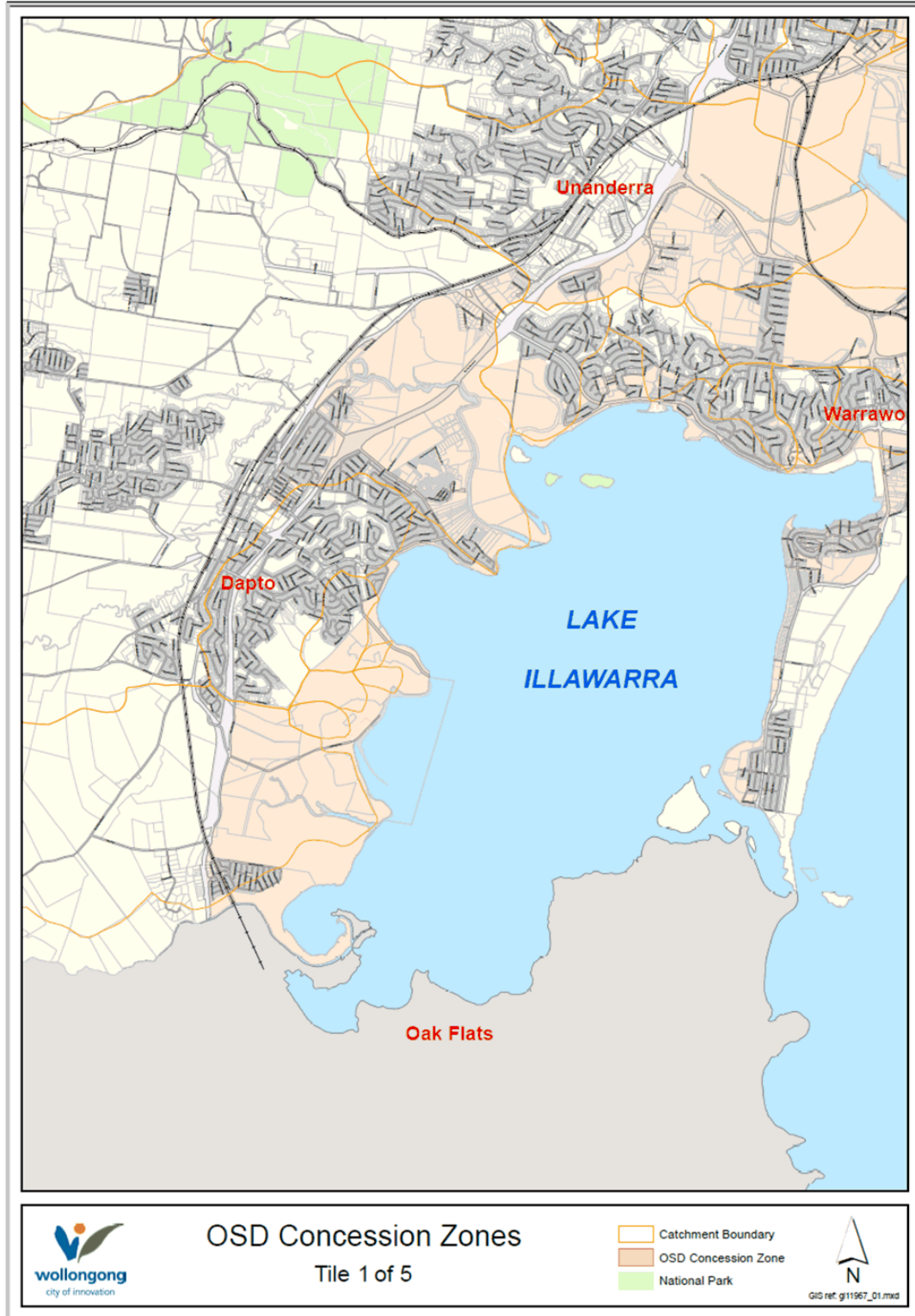
CONTAINING:

- (i) Appendix A1. Concessional OSD Zones
- (ii) Appendix A2. Wollongong Rainfall Isohyets
- (iii) Appendix A3. F1 –v- %imp
- (iv) Appendix A4. F2 –v- Area
- (v) Appendix A5. F3 –v- %imp
- (vi) Appendix A6. F4 –v- Area
- (vii) Appendix A7. OSD Basin Sizing Examples

DRAFT

APPENDIX 1A: Concessional OSD Zones

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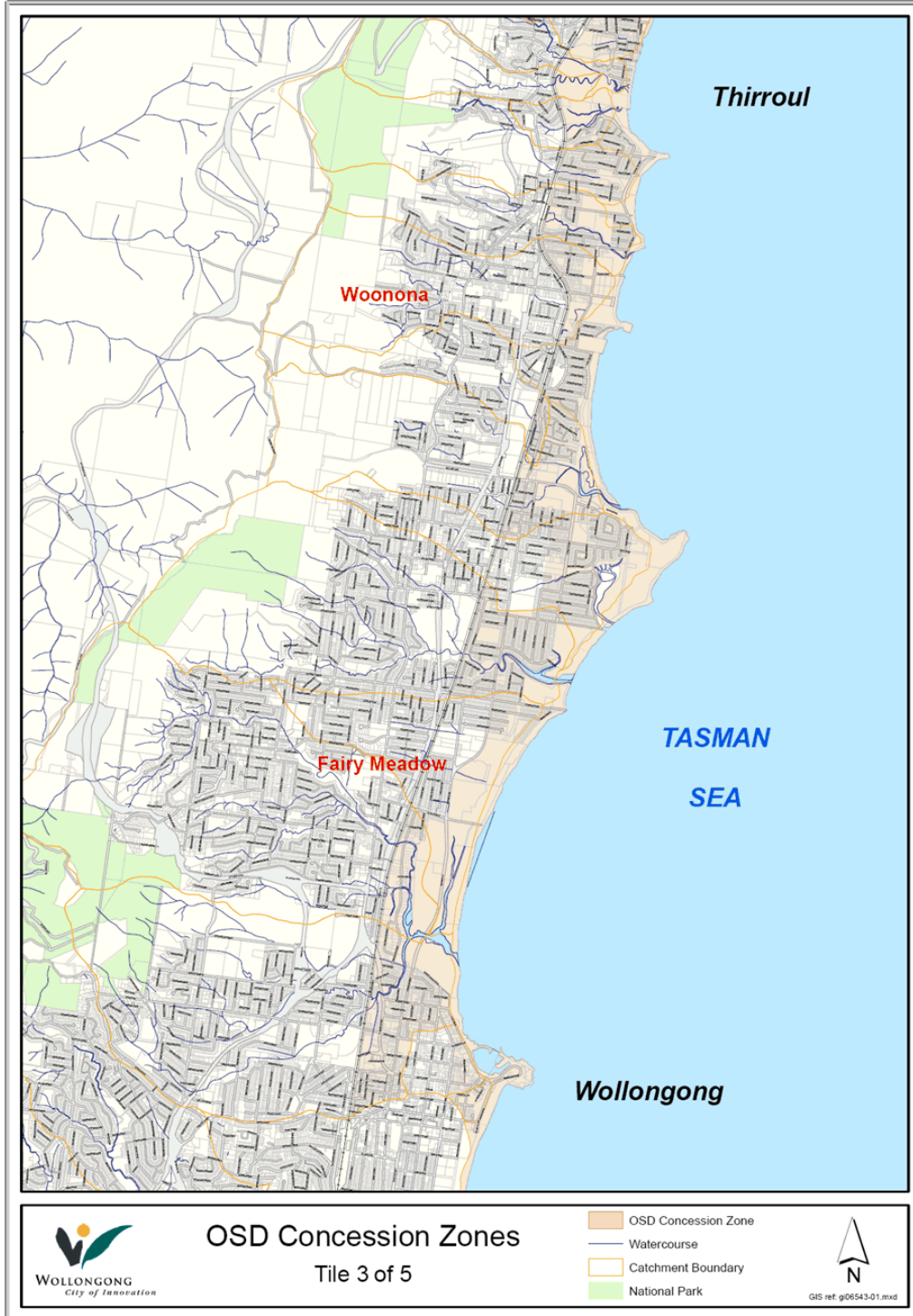
Part E – General Controls – Environmental Controls
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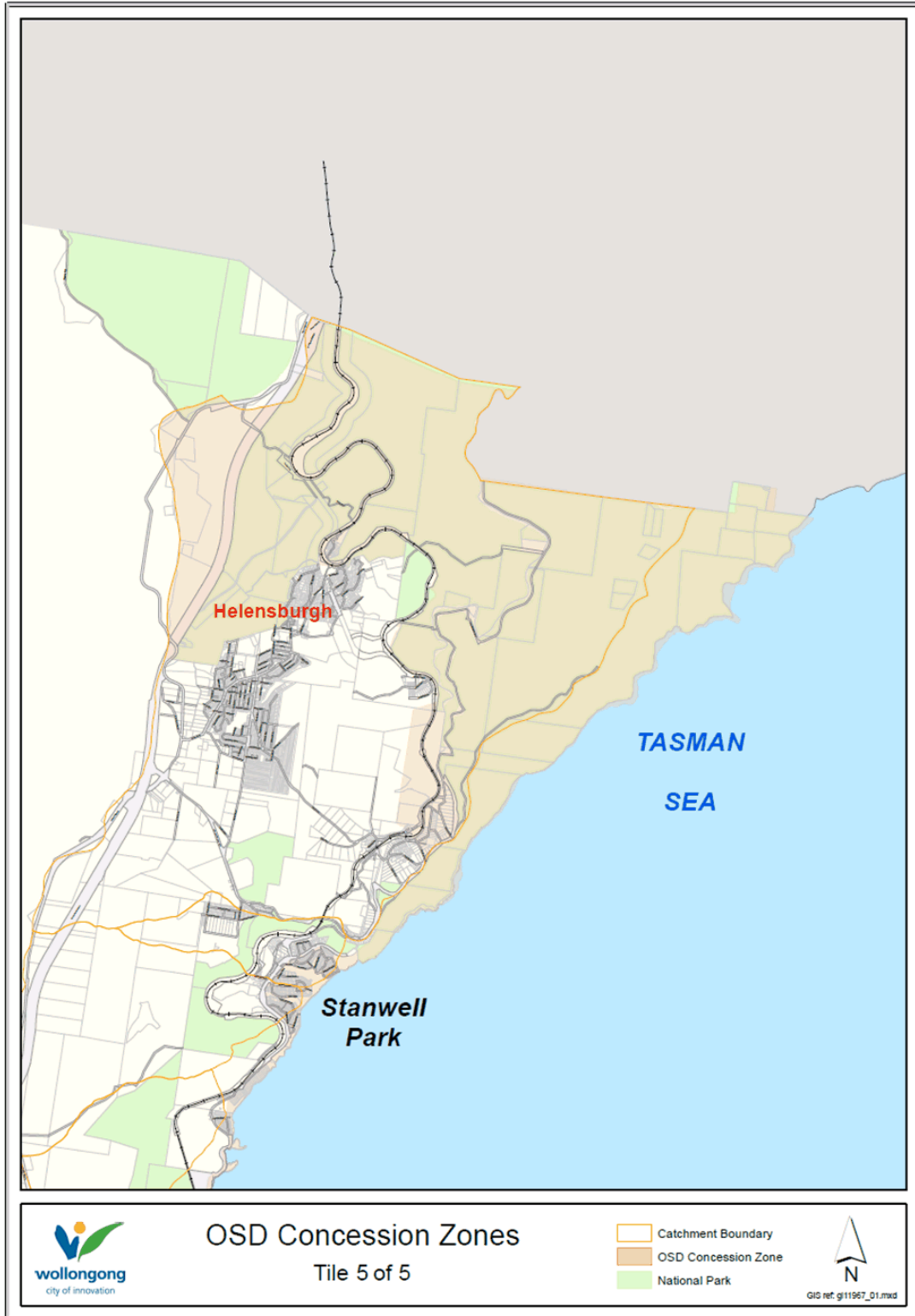
Part E – General Controls – Environmental Controls
Chapter E14: Stormwater Management



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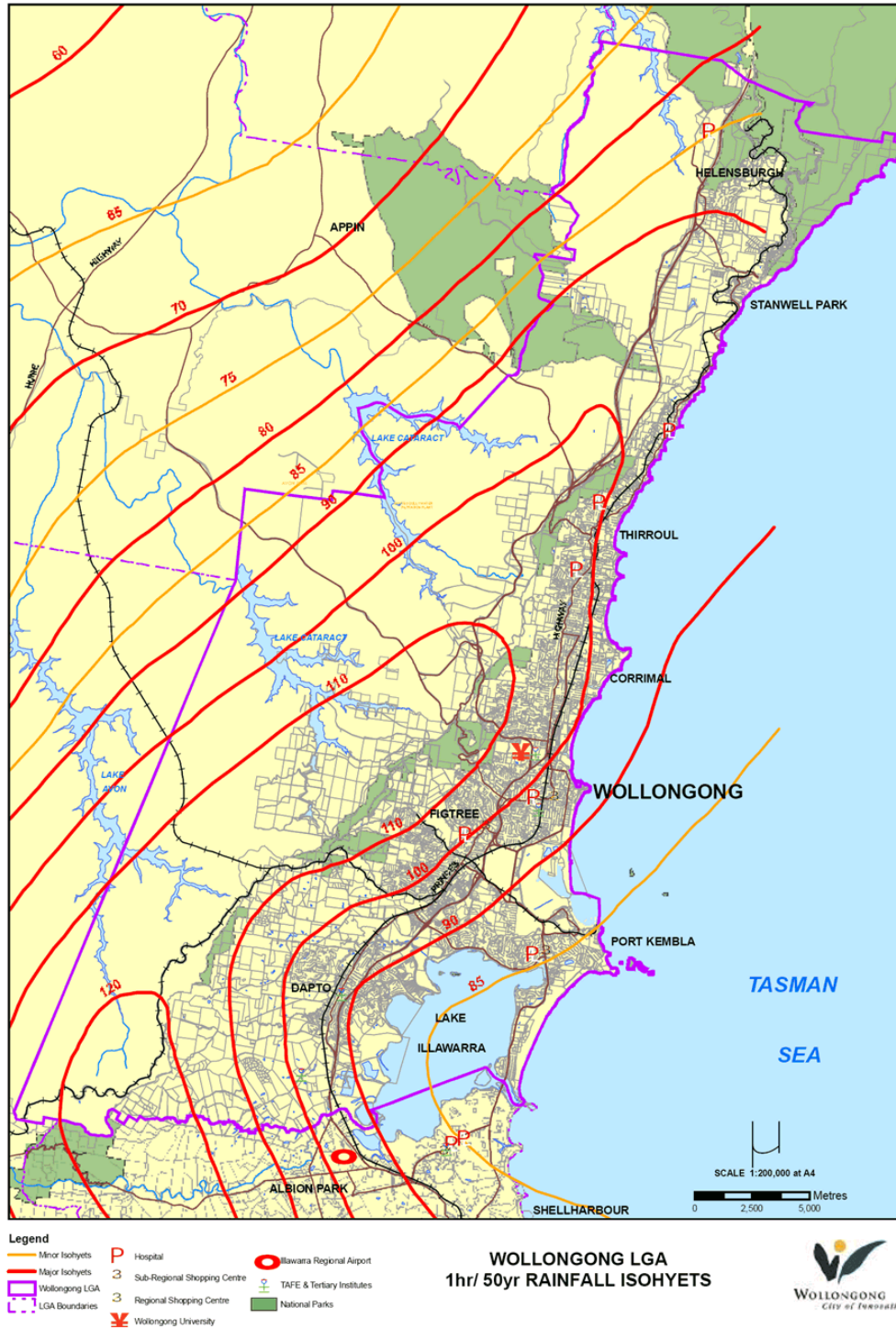


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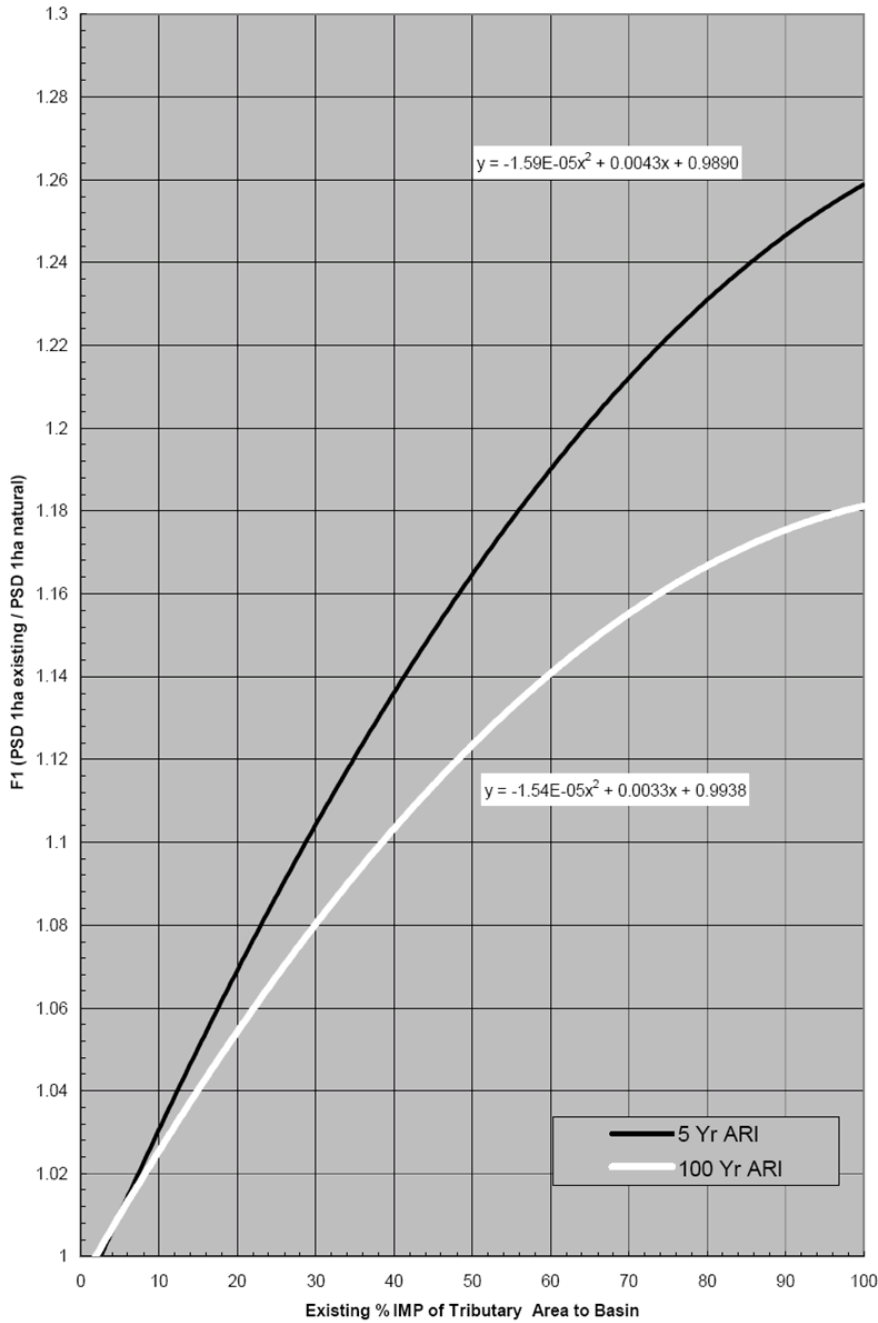
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APPENDIX A2: Wollongong Rainfall Isohyets



APPENDIX A3: F1 –v- %Imp

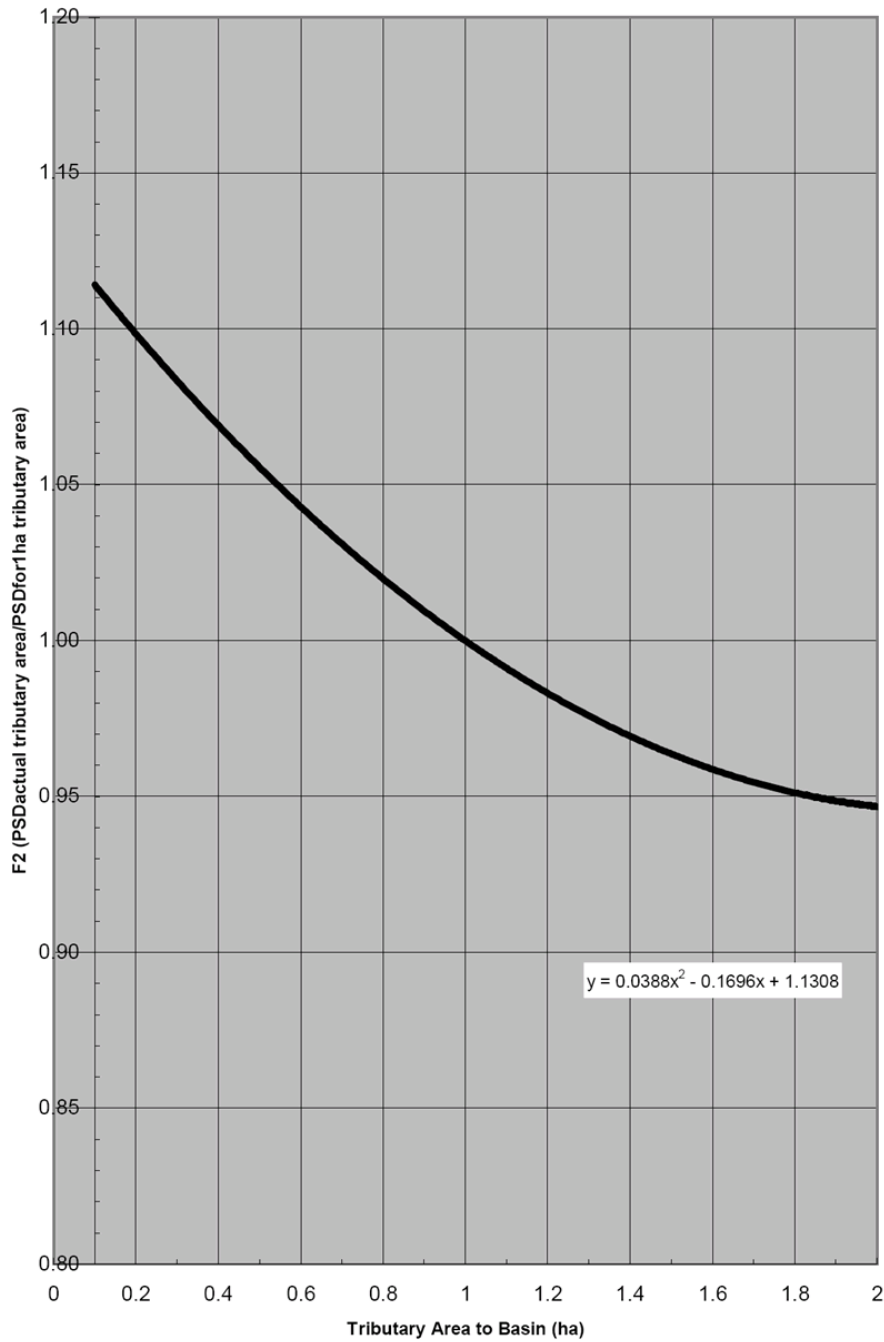
**Appendix A3 - Factor F1 vs Existing % IMP
1Ha Tributary Area To Basin - Wollongong LGA**



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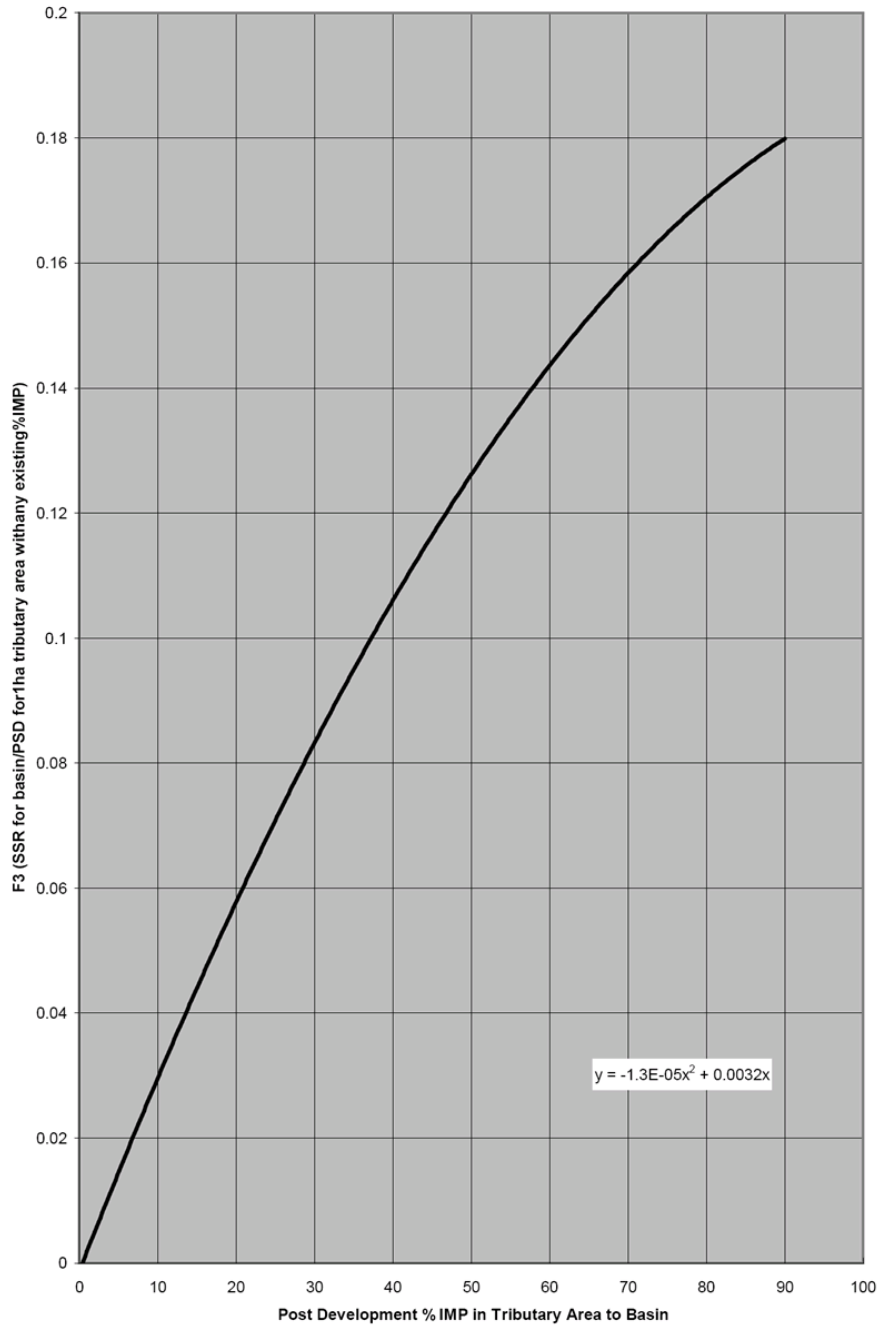
APPENDIX A4 F2 –v- Area

Appendix A4 - Factor F2 vs Tributary Area
0.1 to 2Ha Tributary Area To Basin- Wollongong LGA



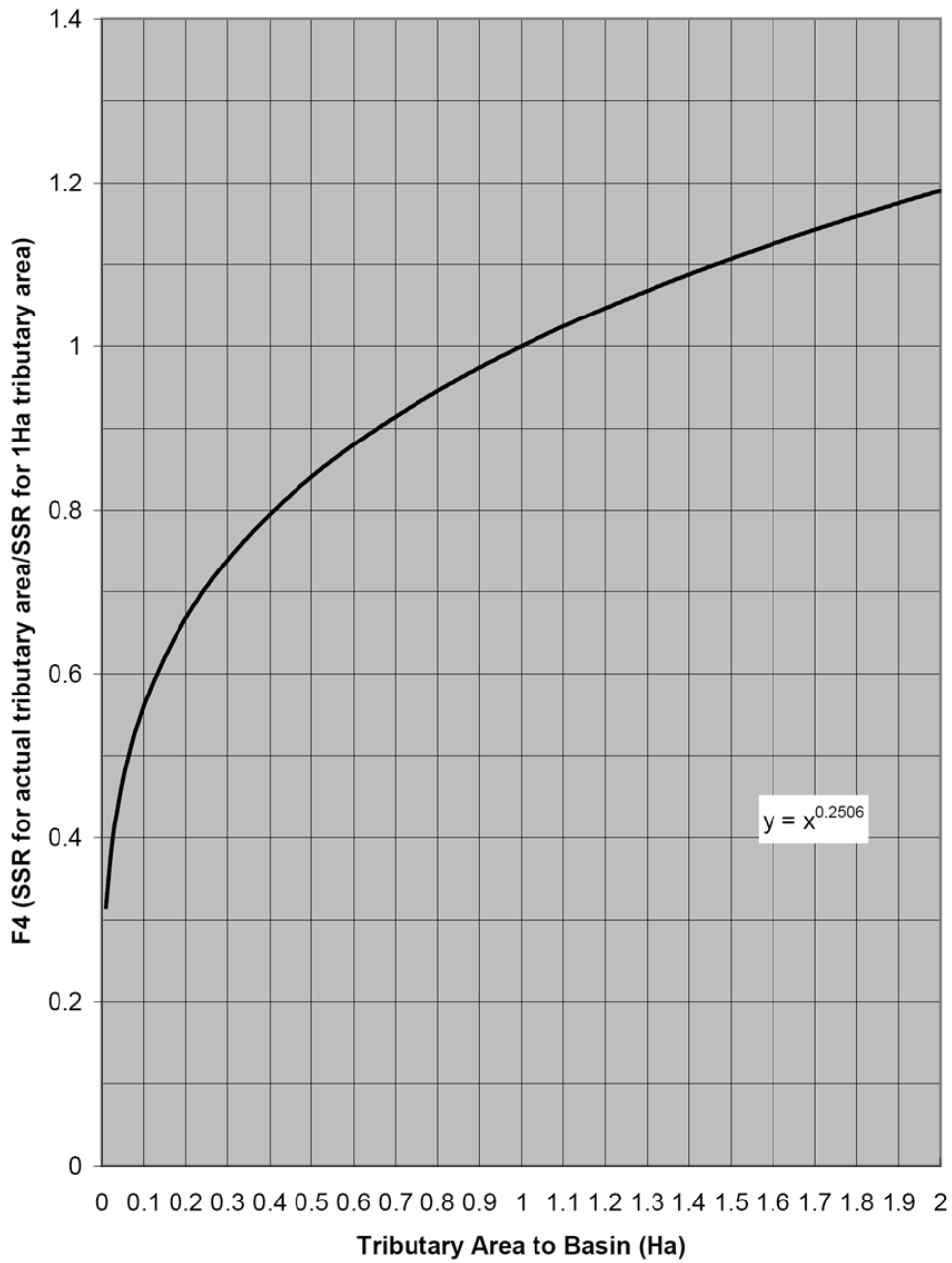
APPENDIX A5: F3 –v- %Imp

**Appendix A5 - Factor F3 vs Post Development % IMP
1ha Tributary Area To Basin - Wollongong LGA**



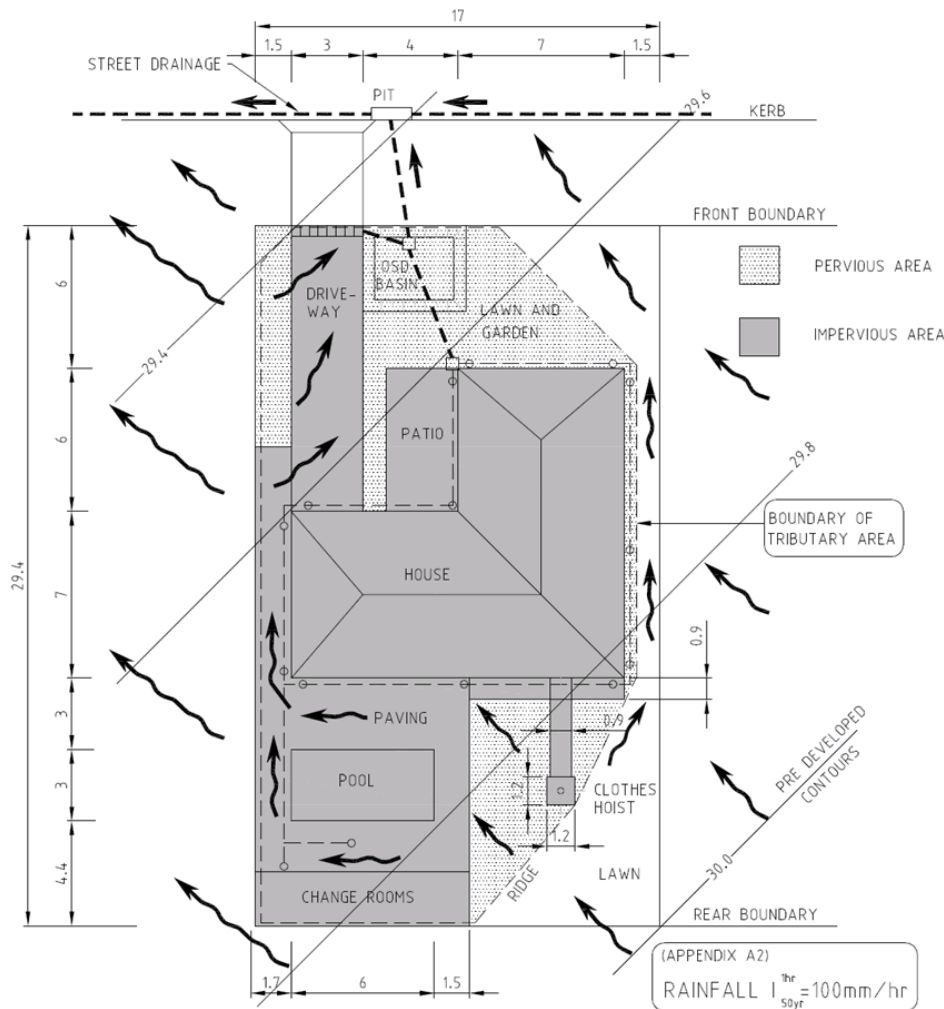
APPENDIX A6: F4 –v- Area

**Appendix A6 - Factor F4 vs Tributary Area
0.1 to 2 Ha Tributary Area To Basin - Wollongong LGA**



Part E – General Controls – Environmental Controls
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APPENDIX A7: Examples



EXAMPLE 1 - NEW DWELLING ON UNDEVELOPED SITE
(TRIBUTARY AREA WITHIN SITE)

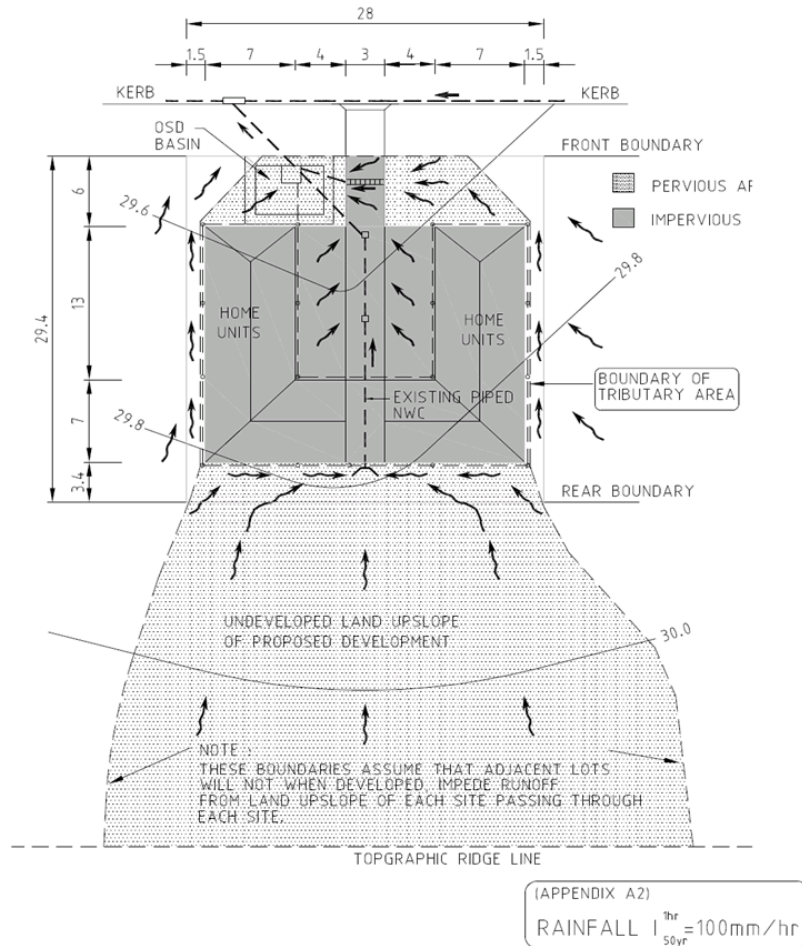
PLAN DATA	
SITE AREA (m ²)	500
TRIBUTARY AREA (m ²)	414
EX. IMPERVIOUS AREA (m ²)	0
DEV. IMPERVIOUS AREA (m ²)	316

NOTE : EXISTING CONDITION OF THE TRIBUTARY AREA IS 'NATURAL' (F1 = 1)

GRAPHS	
(APPENDIX A3) F1 ₅	1.00
(APPENDIX A3) F1 ₁₀₀	1.00
(APPENDIX A4) F2	1.12
(APPENDIX A5) F3	0.17
(APPENDIX A6) F4	0.45

OSD REQD	
(1x1.12x2.67x(414/10,000)x100)	(EQ 1.4.4.1.)
PSD ₅ (l/sec)	12.4
(1x1.12x4.67x(414/10,000)x100)	(EQ 1.4.4.2.)
PSD ₁₀₀ (l/sec)	21.7
(0.17x0.45x2.25x12.4/1.12)	(EQ 1.4.4.3.)
SSR ₅ (m ³)	1.91
(0.17x0.45x2.25x21.7/1.12)	(EQ 1.4.4.4.)
SSR ₁₀₀ (m ³)	3.33

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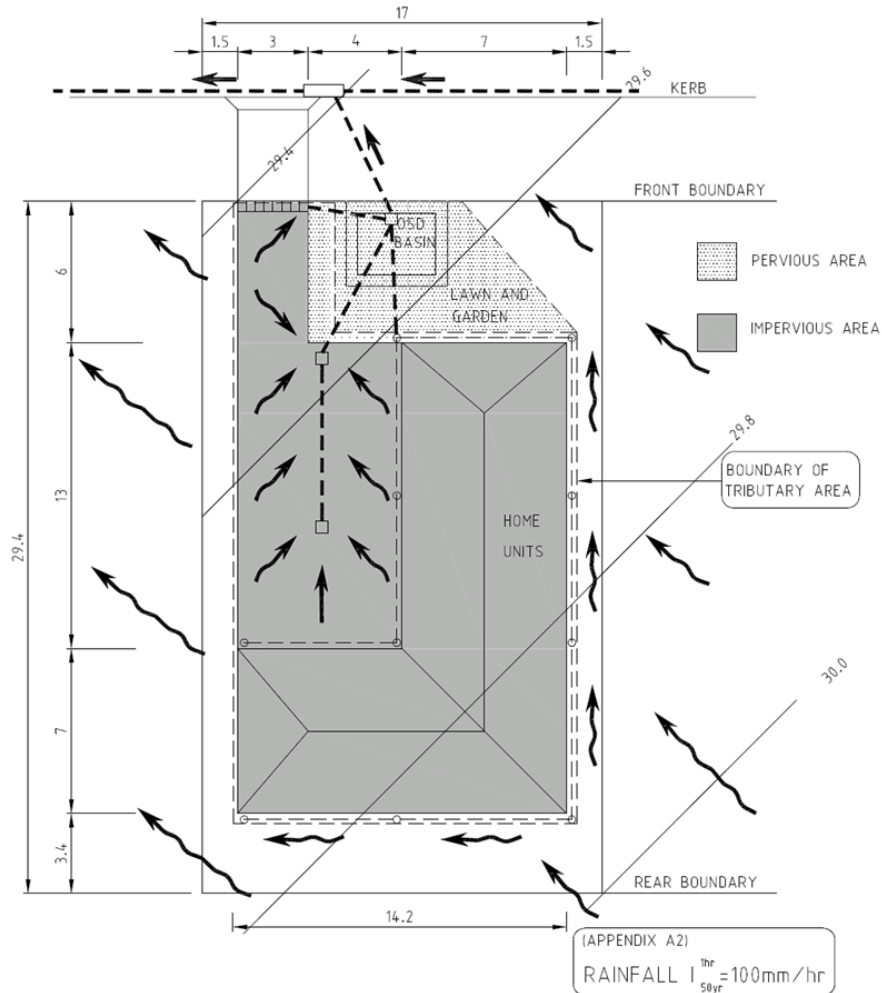


EXAMPLE 2 - NEW UNITS ON UNDEVELOPED SITE
(TRIBUTARY AREA BEYOND SITE)

PLAN DATA		GRAPHS		OSD REQD	
SITE AREA (m ²)	823	(APPENDIX A3) F1 ₅	1.00	(1x1.10x2.67x(1901/10,000)x100)	(EQ 1.4.4.1.)
TRIBUTARY AREA (m ²)	1901	(APPENDIX A3) F1 ₁₀₀	1.00	(1x1.10x4.67x(1901/10,000)x100)	(EQ 1.4.4.2.)
EX. IMPERVIOUS AREA (m ²)	0	(APPENDIX A4) F2	1.10	(0.08x0.66x2.25x55.8/1.10)	(EQ 1.4.4.3.)
DEV. IMPERVIOUS AREA (m ²)	518	(APPENDIX A5) F3	0.08	SSR ₅ (m ³)	6.03
		(APPENDIX A6) F4	0.66	(0.08x0.66x2.25x97.7/1.10)	(EQ 1.4.4.4.)
				SSR ₁₀₀ (m ³)	10.55

NOTE : EXISTING CONDITION OF THE TRIBUTARY AREA IS 'NATURAL' (F1 = 1)

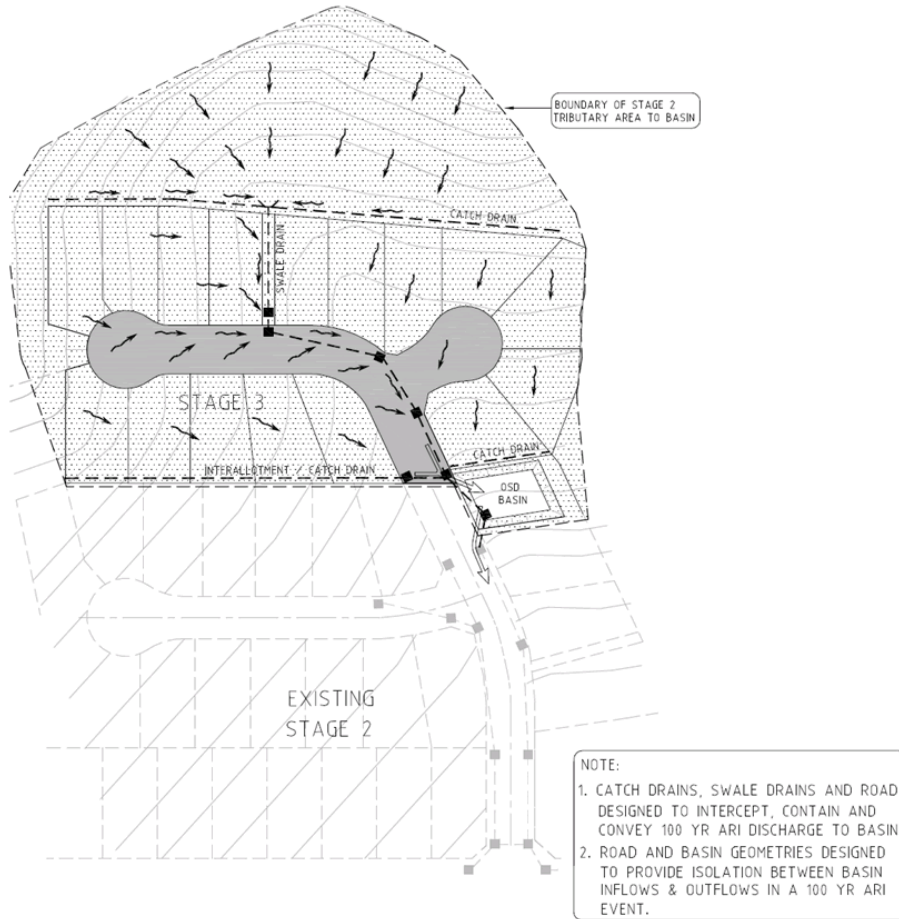
Part E – General Controls – Environmental Controls
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EXAMPLE 3 (fig 1) - NEW UNITS ON PREVIOUSLY DEVELOPED SITE
(TRIBUTARY AREA WITHIN SITE) (STEP 1)

PLAN DATA		GRAPHS		FINAL OSD REQD	
SITE AREA (m ²)	500	(APPENDIX A3) F1 ₅	1.12	(1.12x1.12x2.67x(372/10,000)x100)	(EQ 1.4.4.1)
TRIBUTARY AREA (m ²)	372	(APPENDIX A3) F1 ₁₀₀	1.09	(1.09x1.12x4.67x(372/10,000)x100)	(EQ 1.4.4.2)
EX. IMPERVIOUS AREA (m ²)	118 ¹	(APPENDIX A4) F2	1.12	(0.17x0.44x2.25x12.46/1.12)	(EQ 1.4.4.3)
DEV. IMPERVIOUS AREA (m ²)	300	(APPENDIX A5) F3	0.17	(0.17x0.44x2.25x21.21/1.12)	(EQ 1.4.4.4)
1. REFER FIG 1 FOR PROPOSED DEVELOPMENT TRIBUTARY AREA PLAN		(APPENDIX A6) F4	0.44	(1.87-0.88)	
NOTE : SSR*REQUIRED IS EQUAL TO SSR FOR PROPOSED DEVELOPMENT LESS SSR FOR EXISTING DEVELOPMENT CALCULATED IN FIG 2.				SSR ₅ [*] (m ³)	0.99
				SSR ₁₀₀ [*] (m ³)	1.67

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EXAMPLE 4 - 17 LOT GREENFIELD SUBDIVISION (STAGE 3)
(TRIBUTARY AREA BEYOND SITE)

(APPENDIX A2)
RAINFALL $I_{50yr}^{1hr} = 100\text{mm/hr}$

PLAN DATA	
SITE AREA (m ²)	13,290
TRIBUTARY AREA (m ²)	19,967
EX. IMPERVIOUS AREA (m ²)	0
DEV. IMPERVIOUS ROADS AREA (m ²) (2621@ 95%)	2,490
DEV. IMPERVIOUS LOTS AREA (m ²) (10,669@60%)	6,402
DEV. TOTAL IMPERVIOUS AREA (m ²)	8,892

GRAPHS	
(APPENDIX A3) F _{1s}	1.00
(APPENDIX A3) F ₁₀₀	1.00
(APPENDIX A4) F ₂	0.95
(APPENDIX A5) F ₃	0.12
(APPENDIX A6) F ₄	1.19

OSD REQD		
$(1 \times 0.95 \times 2.67 \times (19,967 / 10,000) \times 100)$	PSD _s (l/sec)	506 (EQ 1.4.4.1)
$(1 \times 0.95 \times 4.67 \times (19,967 / 10,000) \times 100)$	PSD ₁₀₀ (l/sec)	886 (EQ 1.4.4.2)
$(0.12 \times 1.19 \times 2.25 \times 506 / 0.95)$	SSR _s (m ³)	171 (EQ 1.4.4.3)
$(0.12 \times 1.19 \times 2.25 \times 886 / 0.95)$	SSR ₁₀₀ (m ³)	300 (EQ 1.4.4.4)

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DETAILED DESIGN CHECKLIST

OSD DETAILED DESIGN CHECKLIST

NOTE This checklist is specific to the OSD requirements of a proposed development

It should be read in conjunction with Council's current Drainage Design Code
and included with the detail drainage design submission documents

ITEM	DESIGNER		COUNCIL REVIEW	
	YES	NO	YES	NO
1. A Stormwater Concept Plan (SCP) has been approved				
2. The site is within the OSD 'Concession' zone and flows can be conveyed to a 'registered' watercourse without adversely impacting others If YES - refer supporting calculations (OSD not required) If NO - OSD is required – (remainder of list to be completed)				
3. The site is (whole or partly) inundated in a 5 year ARI event YES - see Plan No for 5Yr flood extents	If			
4. The tributary area to the basin is shown on Plan No				
5. The tributary area to the basin is currently in a natural condition NO – see Plan No For details of existing development	If			
6. Surface floodways/flowpaths of sufficient capacity to contain and convey the 100Yr discharge to the basin are shown on Plan No				
7. Buildings are not inundated and have the required freeboard				
8. Flows are not increased or concentrated on an adjoining property				
9. Ground levels/contours extending into adjoining properties sufficiently to quantify bypass flow hydraulics are shown on Plan No.				
10. The invert level of the storage is <u>not</u> less than ground level (or top of kerb) at the point of connection to external stormwater system If YES, see Plan No. If NO, refer attached hydraulic analysis confirming potential impact of downstream control				
11. The discharge outlet pit design is consistent with the policy principles				
12. The discharge outlet pit design is consistent with the policy. If YES, see Plan No for details of: Orifice plate geometry, matl and fixing screen type, matl fixing, area and orientation, confirmation that all inflows to the discharge control pit are on the upstream side of the screen protecting the orifice If NO refer separate explanatory attachment.				
13. If an above ground/landscaped storage is specified, answer Q13(a) to Q13(g), otherwise move to Q14.				

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ITEM	DESIGNER		COUNCIL REVIEW	
	YES	NO	YES	NO
13(a) Where the depth of ponding exceeds 600 mm, consideration has been given to whether there are steep drops, and/or a need for steps or 'walk-in' 'walk-out' batters, etc. when deciding if fencing and/or warning signs are required				
13(b) The landscaping treatment within the storage area is such that it does not limit storage volumes or provide a significant source of debris loading.				
13(c) The minimum surface slope is consistent with the policy				
13(d) Subsoil drainage is provided in areas subject to frequent ponding and around the outlet				
13(e) If the design includes a retaining wall, has it been structurally checked?				
13(f) Does the system have the correct storage? If YES, see stage-storage calculations attached If NO, refer separate explanatory attachment.				
14. If a driveway/car-park storage is specified, answer Q14(a) to Q14(b), otherwise move to Q15				
14(a) The maximum depth is less than or equal to 200mm				
14(b) The minimum transverse slope is 1.5%				
15. If a structural/underground storage is specified, answer Q 15(a) to Q 15(f), otherwise move to Q16				
15(a) The dimensions of openings are consistent with the policy				
15(b) The storage floor has a minimum slope of 0.7%				
15(c) There are sufficient access points for flushing purposes				
15(d) There are sufficient grated openings for ventilation purposes				
15(e) All access points have light weight covers				
16. The distribution of storage minimises inconvenience				
17. The OSD plans have been checked for consistency against the architectural and landscaping plans				
18 The OSD Design Summary details are consistent with the engineering plans				
19. The OSD Design Summary & Plans are consistent with the approved SCP				
20 The OSD Design Summary is attached				
21. A maintenance schedule has been prepared				

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Name of Designers Organisation

Signature of Authorised Designer /.....

Signature of Reviewing Officer /.....

TECHNICAL DATA – MESH SCREENS

Technical Data – Mesh Screens

Discharge outlet pits must be fitted with an internal screen. The screen needs to:

- (a) Protect the orifice from blockage
- (b) Create static conditions around the orifice which helps to achieve predictable discharge coefficients
- (c) Retain litter and debris which would degrade downstream waterways.

i. Screen type

A small aperture-expanded steel mesh, such as Maximesh Rh3030, is recommended for orifices less than 150 mm in diameter. This type of screen retains relatively fine material

(e.g. cigarette butts and grass clippings) while maintaining the performance of the orifice under heavy debris loading. For orifices larger than 150 mm, the screen area necessary for a fine mesh screen can make it difficult to fit in a discharge outlet pits. A grid mesh, such as Weldlok F40/203, may be used for these larger orifices. Where the grid mesh is used, a fine mesh screen should be installed upstream of the discharge outlet pits, for areas likely to collect litter or debris.

ii. Screen area

The minimum recommended area (including blocked area) for an internal screen in a discharge outlet pits is:

- (a) 50 times the orifice area where a fine mesh screen is used (egg. Maximesh Rh3030)
- (b) 20 times the orifice area where a grid mesh is used (e.g. Weldlok F40/203).

iii. Screen orientation

The inlet pipe to a discharge outlet pits should direct inflows parallel (or at a small angle) to the screen. Perpendicular inflows drive debris into a mesh screen making it difficult to dislodge.

When inflows are directed parallel to the screen, the debris is layered on the screen but is blown off when the inflow exceeds approximately 2-3 times the PSD. The performance of the orifice and screen is influenced by the orientation of the screen. To assist in shedding debris, the screen should be positioned as close to vertical as possible. This allows debris to fall off once the water level in the discharge outlet pits drops. However, the screen must fit securely to the pit to avoid debris floating over or around the screen and blocking the orifice. The screen should be placed no less than 60 degrees to the horizontal.

iv. General

To prevent blockages, Maximesh screens must be positioned so that the long axis of the oval shaped holes is horizontal, the protruding lip is uppermost and above the hole and the screen is tilted downstream (See Figure 5). Blockages can occur if the screen is accidentally placed upside down. Fitting a handle to the screen not only reduces the chance of incorrect placement but also makes removal for cleaning easier. Fixings need to be selected to suit the screen and to promote easy removal for maintenance. Reducing the screen size also facilitates cleaning by reducing the weight. Proprietary screens may be considered to achieve this end. After being cut to size, Maximesh screens need to be 'hot dipped' galvanised to prevent corrosion. All mesh screens deflect under high inflows and heavy debris loading and should be braced to stop debris being carried around the screen.

**MAXI-MESH
RH3030**



Figure 5: Maximesh Screen

(Source: UPRCT OSD Design Handbook)

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SAMPLE MAINTENANCE SCHEDULE

DRAFT MAINTENANCE SCHEDULE			
(for guidance only)			
MAINTENANCE ACTION	FREQUENCY	PERFORMED BY	PROCEDURE
Inspect & remove any blockage of orifice	Six monthly	Owner	Remove grate & screen to inspect orifice. See plan for location of discharge outlet pit.
Inspect screen and clean	Six monthly	Owner	Remove grate and screen if required to clean it.
Inspect flap valve & remove any blockage	Six monthly	Owner	Remove grate. Ensure flap valve moves freely and remove any blockages or debris.
Inspect pit sump & remove any sediment/sludge	Six monthly	Owner	Remove grate and screen. Remove sediment/sludge build-up and check orifice and flap valve clear.
Inspect grate for damage or blockage	Six monthly	Owner	Check both sides of grate for corrosion, (especially corners and welds) damage or blockage.
Inspect & remove any debris/litter/mulch etc blocking grates of return pit	Six monthly	Owner	Remove blockages from grate and check if pit blocked.
Inspect storage areas & remove debris/mulch/litter etc likely to block screens/grates	Six monthly	Owner	Remove debris and floatable material likely to be carried to grates.
Check attachment of orifice plate to wall of pit (gaps less than 5 mm)	Annually	Maintenance Contractor	Remove grate and screen. Ensure plate mounted securely, tighten fixings if required. Seal gaps as required.
Check orifice diameter correct and retains sharp edge	Five yearly	Maintenance Contractor	Compare diameter to design (see Work-as-Executed) and ensure edge is not pitted or damaged.
Check attachment of screen to wall of pit	Annually	Maintenance Contractor	Remove grate and screen. Ensure screen fixings secure. Repair as required.
Check screen for corrosion	Annually	Maintenance Contractor	Remove grate and examine screen for rust or corrosion, especially at corners or welds.

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Inspect overflow weir & remove any blockage	Six monthly	Maintenance Contractor	Remove grate and open cover to ventilate underground storage if present. Ensure weir clear of blockages.
Empty basket at overflow weir (if present)	Six monthly	Maintenance Contractor	Remove grate and ventilate underground storage chamber if present. Empty basket, check fixings secure and not corroded.
Inspect pit walls (internal and external, if appropriate) for cracks or spalling	Annually	Maintenance Contractor	Remove grate to inspect internal walls. Repair as required. Clear vegetation from external walls if necessary and repair as required.
Inspect outlet pipe & remove any blockage	Six monthly	Maintenance Contractor	Remove grate and screen. Ventilate underground storage if present. Check orifice and remove any blockages in outlet pipe. Flush outlet pipe to confirm it drains freely. Check for sludge/debris on upstream side of return line (if relevant).
Check step irons for corrosion	Annually	Maintenance Contractor	Remove grate. Examine step irons and repair any corrosion or damage.
Check fixing of step irons is secure	Six monthly	Maintenance Contractor	Remove grate and ensure fixings secure prior to placing weight on step iron.
Inspect internal walls of return pit (and external, if appropriate) for cracks or spalling	Annually	Maintenance Contractor	Remove grate to inspect internal walls. Repair as required. Clear vegetation from external walls if necessary and repair as required.
Compare storage volume to volume approved. (Rectify if loss > 5%)	Annually	Maintenance Contractor	Compare actual storage available with Work-as-Executed plans. If volume loss is greater than 5%, arrange for reconstruction to replace the volume lost. Council to be notified of the proposal.
Inspect storages for subsidence near pits	Annually	Maintenance Contractor	Check along drainage lines and at pits for subsidence likely to indicate leakages.

CERTIFICATE OF HYDRAULIC COMPLIANCE & OUTSTANDING WORKS FORM

FORM X.XX

WOLLONGONG CITY COUNCIL

ON-SITE STORMWATER DETENTION SYSTEM

CERTIFICATE OF HYDRAULIC COMPLIANCE

JOB NO: _____ DA NO: _____

PROJECT: _____

LOCATION: _____

CONSTRUCTION

DESIGNED BY: _____ CERTIFIED BY: _____

QUALIFICATIONS: _____ TELEPHONE: _____

1.0 WORKS CONSTRUCTED IN ACCORDANCE WITH DESIGN. (Delete if not applicable)

I _____ of _____ (accredited professional being competent to practice in the field of stormwater drainage design) have inspected the above on-site stormwater detention system and certify that the works have been constructed in accordance with the approved design details for the above mentioned project.

Signature: _____ Date: _____

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2.0 CONSTRUCTION VARIATIONS NOT AFFECTING DESIGN PERFORMANCE. (Delete if not applicable)

I _____ of _____ (accredited professional being competent to practice in the field of stormwater drainage design) have inspected the above on-site stormwater detention system and certify that the works have been constructed in accordance with the approved design details for the above mentioned project, except for the variations listed below which do not affect the performance of the system, subject to satisfactory maintenance.

Variations:

Signature: _____ **Date:** _____

3.0 AUTHORITY TO RELEASE PLANS TO FUTURE OWNERS OF THE PROPERTY

As the copyright owner of the drainage plans, I hereby authorise release of the approved plans/attached sketch plan to future owners of the property to assist in the maintenance of the On-site Stormwater Detention system.

Signature: _____ **Date:** _____

Name: _____ (Print)

Part E – General Controls – Environmental Controls
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FORM X.XX

WOLLONGONG CITY COUNCIL

ON-SITE STORMWATER DETENTION SYSTEM

LIST OF OUTSTANDING WORKS

JOB NO: _____ DA NO: _____

PROJECT:

LOCATION:

CONSTRUCTION

DESIGNED BY: _____ CERTIFIED BY: _____

QUALIFICATIONS: _____ TELEPHONE: _____

1.0 CONSTRUCTION VARIATIONS AFFECTING DESIGN PERFORMANCE.

I _____ of _____ (accredited professional being competent to practice in the field of stormwater drainage design) have inspected the above on-site stormwater detention system and the following variations to the approved design. The listed remedial works will be necessary to make the system function according to the approved design.

LEGAL PROTECTION OF OSD SYSTEMS

F.1 Explanatory notes on the preparation and registration of Restrictions on Use of Land and Positive Covenants

Private developers within the area administered by Wollongong City Council are required to construct On-site Stormwater Detention (OSD) facilities as part of their development consent in accordance with Section 10 of this DCP.

OSD systems consist of a storage area, an outlet and a collection network. The collection network directs stormwater flow to the storage. The collection network includes those surfaces which are sloped so as to direct flow to the storage, as well as the more obvious devices such as roof gutters, downpipes, drainage lines and pits. In effect, the whole lot is part of the OSD system.

All the components of an OSD system need to be kept intact and maintained so that the overall system continues to function as it was intended for the life of the development. To ensure that the OSD system is not altered during the life of the development, a Restriction on Use of the land is created. This prevents owners making changes to any of the site drainage components which would alter the way the facility works, without the permission of their local council. To ensure that the OSD system is adequately maintained, a Positive Covenant is registered on the title of the property, placing the responsibility for this maintenance on the owner of the land. By registering the covenant and restriction on the property title, the obligations can be transferred to future owners. The Positive Covenant will be established to benefit the local Council.

A sketch plan showing the location of the different components of the OSD system and a copy of the Maintenance Schedule must be included as attachments to the Positive Covenant. This will ensure future owners are aware of their maintenance obligation.

If no new lot is being created, the cheapest and quickest way to register the Positive Covenant and Restriction on Use on the title of Torrens Title land is through:

Form 13PC for a Positive Covenant, and

Form 13RPA for a Restriction on Use.

For Old System land the covenant and restriction should be imposed with a suitable deed.

A copy of forms 13PC and 13RPA is included in Appendix F.2.

The covenant and restriction on use may also be imposed under Section 88B of the Conveyancing Act, 1919 in conjunction with the creation of a new lot or lots. The Positive Covenant will be in favour of the local council but, because the land is privately owned, the covenant and restriction will be imposed through Section 88E of the Act.

A copy of Information Bulletin No 14, prepared by the Land Titles Office (LTO), *A Guide to the Preparation of a Section 88B Instrument to:*

· *Create Easements, Profits à Prendre, Restrictions on the Use of Land or Positive Covenants*

· *Release Easements or Profits à Prendre*

is included below.

The terms and conditions of the covenant and restriction must be shown in part 2 of the Section 88B Instrument or be attached to the forms 13PC and 13RPA. A copy of suitable wording for the terms and conditions is below. The local Council has the right to release, vary or modify the terms and conditions of the covenant and restriction.

F.2 Blank Copy of Forms 13RPA AND 13PC

These forms for a Restriction on Use of Land and Positive Covenant are required by the Lands Titles Office where there is no subdivision of land, and the covenant and restriction are being imposed on an existing parcel of land.

A plan should be attached showing the location and various components of the On-site Stormwater Detention system. This should be accompanied by the Maintenance Schedule. (See Appendix D)

Part E – General Controls – Environmental Controls
Chapter E14: Stormwater Management

Form: 13RPA
Licence: 98M111
Edition: 9906

**RESTRICTION ON THE
USE OF LAND BY A
PRESCRIBED AUTHORITY**
New South Wales
Section 88E(3) Conveyancing Act 1919

Land Titles Office use only
Do not affix additional pages
here: use the left-hand corner

(A) TORRENS TITLE			
(B) LOGGED BY	LTO Box	Name, Address or DX and Telephone	CODE
	Reference (optional):		R
(C) REGISTERED PROPRIETOR	Of the above land		
(D) LESSEE MORTGAGEE or CHARGE	Of the above land agreeing to be bound by this restriction on land		
	Nature of Interest	Number of Instrument	Name
(E) APPLICANT	A prescribed authority		

The applicant, being a prescribed authority within the meaning of section 88E(1) of the Conveyancing Act 1919, imposes on the above
(F) land a restriction on the use of land in the terms set out in annexure hereto, applies to have it recorded in the Register and
(G) certifies this application correct for the purposes of the Real Property Act 1900. **DATE:**

Signed in my presence by the an **authorised officer of the prescribed authority** who is personally known to me.

Signature of witness: _____ Signature of authorised officer: _____
Name of witness: _____ Name of authorised officer: _____
Address of witness: _____ Position of authorised officer: _____

Signed in my presence by the **registered proprietor of the land** who is personally known to me.

Signature of witness: _____ Signature of registered proprietor: _____
Name of witness: _____
Address of witness: _____

(H) I, the **lessee/mortgagee/chargee** under lease/mortgage/charge No. _____, agree to be bound by this restriction.

Signed in my presence by the above lessee/mortgagee/chargee who is personally known to me.

Signature of witness: _____ Signature of lessee/mortgagee/chargee: _____
Name of witness: _____
Address of witness: _____

All handwriting must be in block capitals.
A set of notes on this form (13RPA-2)
is available from the Land Titles Office.

Page 1 of _____

Checked by (LTO use): _____

13RPA-2 (9909)

**Restriction on the Use of Land by a Prescribed Authority form 13RPA:
Instructions for Completion**

Note: This form is to be used only where the restriction is imposed by a prescribed authority on land in private ownership.

1. Complete the form in dense black or dark blue ink. If handwriting, use block capitals only.
2. Do not use an eraser or correction fluid to make alterations: rule through rejected material and initial the left-hand margin.
3. If the space provided at any point is insufficient, insert "See Annexure" at that point and include the required material on sheets of white A4 paper at least 80gsm (ordinary copier paper satisfies these requirements) using one side only. Insert a heading beginning "Annexure to ..." and specifying the type of form, the date and the parties to the transaction. Identify the material included, where possible by referring to the relevant marginal heading on the form. In the case of signatures which could not be fitted in the space provided, reproduce the text and layout used on the form. Number all pages in sequence with the form using the format "Page ... of ...", the number to be placed at the foot of the form in the centre. The first and last pages must be signed by the parties and any witness. Securely attach the additional pages to the upper left-hand corner of the form: a Nalclip is preferred; stapling should be avoided.
4. Insert the total number of pages, including any additional pages (see above), in the space provided at the foot of the form.
5. Lodge the completed form by hand at the Land Titles Office, Queens Square, Sydney (adjacent to Hyde Park Barracks). Lodgment of the certificate of title is optional.
6. The following instructions relate to the marginal letters on the form.

(A) TORRENS TITLE

Insert the number of the folio of the Register for the property affected. If the restriction affects only part of the land, add a description of the part, for example, "... part formerly comprised in Lot 1 in DP123456".

(B) LODGED BY

This section must be completed by the person or firm lodging the form at the Land Titles Office. If the party lodging does not have a Land Titles Office delivery box, leave this panel blank. Provision of a reference is optional.

(C) REGISTERED PROPRIETOR

Insert the full name of the registered proprietor of the land subject to the restriction. Address and occupation are not required.

(D) LESSEE, MORTGAGEE or CHARGE

Insert the details of any lessee, mortgagee or chargee who agrees to be bound by the restriction.

(E) APPLICANT

The applicant must be a prescribed authority within the meaning of section 88E(1) of the Conveyancing Act 1919.

(F) Specify the annexure containing the terms of the restriction.

(G) EXECUTION

The completed form must be executed by an authorised officer of the prescribed authority, and by or on behalf of the registered proprietor of the land and any lessee, mortgagee or chargee who agrees to be bound by the restriction. Any witness must be an adult who is not a party to the application and knows the person executing. Where the form is executed—

By an individual on his/her own behalf The signature must be witnessed.

By an attorney The power of attorney must be registered at the Land Titles Office. In addition to the attorney's signature, a statement in the following format must be added: "John Smith by his attorney Jane Smith pursuant to power of attorney Book 1234 No. 567". The signature must be witnessed.

By a receiver or delegate Use the format given in "By an attorney" suitably modified. The signature must be witnessed.

By a corporation The form of execution must include reference to the power or authority relied on by the signatories, for example, "Executed by ABC Pty Ltd ACN 123456 by a director and secretary".

Note The application may not be executed by a solicitor or licensed conveyancer on behalf of the registered proprietor of the land or any lessee, mortgagee or chargee who agrees to be bound by the restriction.

(H) Rule through the inapplicable words and insert the number of the relevant instrument. If this section of the form does not apply rule it through.

If you have any questions, please call Land Titles Office Client Services on 02 9228 6713.

13PC-2 (9909)

Positive Covenant form 13PC: Instructions for Completion

1. Complete the form in dense black or dark blue ink. If handwriting, use block capitals only.
2. Do not use an eraser or correction fluid to make alterations: rule through rejected material and initial the left-hand margin.
3. If the space provided at any point is insufficient, insert "See Annexure" at that point and include the required material on sheets of white A4 paper at least 80gsm (ordinary copier paper satisfies these requirements) using one side only. Insert a heading beginning "Annexure to ..." and specifying the type of form, the date and the parties to the transaction. Identify the material included, where possible by referring to the relevant marginal heading on the form. In the case of signatures which could not be fitted in the space provided, reproduce the text and layout used on the form. Number all pages in sequence with the form using the format "Page ... of ...", the number to be placed at the foot of the form in the centre. The first and last pages must be signed by the parties and any witness. Securely attach the additional pages to the upper left-hand corner of the form: a Nalclip is preferred; stapling should be avoided.
4. Insert the total number of pages, including any additional pages (see above), in the space provided at the foot of the form.
5. Lodge the completed form by hand at the Land Titles Office, Queens Square, Sydney (adjacent to Hyde Park Barracks). Lodgment of the certificate of title is optional.
6. The following instructions relate to the marginal letters on the form.

(A) TORRENS TITLE

Insert the number of the folio of the Register for the property affected. If the positive covenant affects only part of the land, add a description of the part, for example, "... part formerly comprised in Lot 1 in DP123456".

(B) LODGED BY

This section must be completed by the person or firm lodging the form at the Land Titles Office. If the party lodging does not have a Land Titles Office delivery box, leave this panel blank. Provision of a reference is optional.

(C) REGISTERED PROPRIETOR

Insert the full name of the registered proprietor of the land subject to the positive covenant. Address and occupation are not required.

(D) LESSEE, MORTGAGEE or CHARGE

Insert the details of any lessee, mortgagee or chargee who agrees to be bound by the positive covenant.

(E) APPLICANT

The applicant must be a prescribed authority within the meaning of section 88E(1) of the Conveyancing Act 1919.

(F) Specify the annexure containing the terms of the positive covenant.

(G) EXECUTION

The completed form must be executed by an authorised officer of the prescribed authority, and by or on behalf of the registered proprietor of the land and any lessee, mortgagee or chargee who agrees to be bound by the positive covenant. Any witness must be an adult who is not a party to the application and knows the person executing. Where the form is executed—

By an individual on his/her own behalf The signature must be witnessed.

By an attorney The power of attorney must be registered at the Land Titles Office. In addition to the attorney's signature, a statement in the following format must be added: "John Smith by his attorney Jane Smith pursuant to power of attorney Book 1234 No. 567". The signature must be witnessed.

By a receiver or delegate Use the format given in "By an attorney" suitably modified. The signature must be witnessed.

By a corporation The form of execution must include reference to the power or authority relied on by the signatories, for example, "Executed by ABC Pty Ltd ACN 123456 by a director and secretary".

Note The application may not be executed by a solicitor or licensed conveyancer on behalf of the registered proprietor of the land or any lessee, mortgagee or chargee who agrees to be bound by the positive covenant.

(H) Rule through the inapplicable words and insert the number of the relevant instrument. If this section of the form does not apply rule it through.

If you have any questions, please call Land Titles Office Client Services on 02 9228 6713.

B.4-2

Part E – General Controls – Environmental Controls

Chapter E14: Stormwater Management

F.3 Terms and Conditions for Restriction on Use of Land and Positive Covenant

This appendix contains standard clauses for the Terms and Conditions to be applied in Restrictions on Use of Land and or Positive Covenants in relation to OSD systems. Appendix F.4 contains a sample instrument which shows how these terms and conditions are applied.

Both the Restriction on Use and the Positive Covenant will normally be required, however in cases where only the Positive Covenant is used, the definition of the OSD system (given in clause 1 of the Restriction on Use) should be included in the Positive Covenant.

Restrictions on Use of Land for OSD Systems

1. The registered proprietor of the lot burdened must not make or permit or suffer the making of any alterations to any on-site stormwater detention system on the lot(s) burdened without the prior consent in writing of the authority benefited. . The expression “on-site stormwater detention system” shall include all ancillary gutters, pipes, drains, walls, kerbs, pits, grates, tanks, chambers, basins and surfaces designed to temporarily detain stormwater as well as all surfaces graded to direct stormwater to those structures.

Name of authority having the power to release, vary or modify the restriction referred to is Wollongong City Council.

2. The registered proprietor of the lot burdened must not erect or permit the erection of or permit to remain any dwelling house or other structure on the lot burdened unless the registered proprietor has constructed an on site stormwater detention system on the said lot burdened, in accordance with the requirements of Wollongong City Council. The expression “on-site stormwater detention system” shall include all ancillary gutters, pipes, drains, walls, kerbs, pits, grates, tanks, chambers, basins and surfaces designed to temporarily detain stormwater as well as all surfaces graded to direct stormwater to those structures.

Note: Clause 2 is only necessary when construction of the OSD system is being deferred, which will only be permitted by Council in exceptional circumstances.

Positive Covenants

1. The registered proprietor of the lot burdened must in respect of the on site stormwater detention system on the lot burdened:
 - (a) keep the system clean and free from silt, rubbish and debris
 - (b) maintain and repair the system so that it functions in a safe and efficient manner
 - (c) permit the prescribed authority or its authorised agents from time to time and upon giving reasonable notice (but at any time and without notice in the case of an emergency) to enter and inspect the land for the compliance with the requirements of this covenant; and
 - (d) comply with the terms of any written notice issued by the prescribed authority in respect of the requirements of this covenant.
2. Under Section 88F(3) of the Conveyancing Act 1919 the Prescribed authority has the following additional powers:
 - (a) If the registered proprietor fails to comply with the terms of any written notice issued by prescribed authority under part 1(d) above the prescribed authority may enter the land with all necessary materials and equipment and carry out any work which the prescribed authority in its discretion considers necessary to comply with that notice .
 - (b) the prescribed authority may recover from the registered proprietor of the burdened lot in any court of competent jurisdiction:
 - (i) any expense reasonably incurred by it in exercising its powers under part 2(a) above including reasonable wages for the prescribed authorities employees engaged in carrying out and supervising and administering the work and the costs of materials, machinery, tools and equipment used to carry out the work.
 - (ii) legal costs on an indemnity basis for issue of the notices for recovery of the costs and expenses for registration of a covenant charge under section 88F of the Act for providing any certificate required under section 88G of the Act and for obtaining any injunction under section 88H of the Act.

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Name of authority having the power to release vary or modify the positive covenant

referred to is Wollongong City Council.

F.4 Sample Restriction on Use of Land and Covenant where a Deposited Plan is being registered together with a Section 88B instrument.

In this case the On-Site Detention system is provided with Development Approval involving subdivision of land.

A Plan of the OSD system and a copy of the Maintenance Schedule should be attached to the Instrument.

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INSTRUMENT SETTING OUT TERMS OF RESTRICTION ON THE USE OF LAND AND POSITIVE COVENANT INTENDED TO BE CREATED PURSUANT TO SECTION 88E OF THE CONVEYANCING ACT 1919.

(Sheet .. of ... sheets)

Plan: Subdivision of LotD.P.....
Covered by Council Clerk's
Certificate No.
Of

Full name and address
.....

Of proprietor of the land
.....

...

PART 1

() Identity of restriction..... Restriction on use under Section 88E of the
referred to in abovementioned plan Conveyancing Act 1919

SCHEDULE OF LOT(S), ETC. AFFECTED

Lot(s) Burdened Authority Benefited

..... *Insert name of Council*

() Identity of Positive Covenant Positive Covenant under
referred to in above-mentioned plan Section 88E of the
Conveyancing Act 1919

SCHEDULE OF LOT(S), ETC. AFFECTED

Lot(s) Burdened

Authority Benefited

.....

Insert name of Council

PART 2

TERMS OF RESTRICTION ON USE REFERRED TO IN THE ABOVE-MENTIONED PLAN

The registered proprietor shall not make or permit or suffer the making of any alterations to the on-site stormwater detention system which is constructed on the lot(s) burdened without the prior consent in writing of(*Insert name of Council*). The expression "on-site stormwater detention system" shall include all ancillary gutters, pipes, drains, walls, kerbs, pits, grates, tanks, chambers, basins and surfaces designed to temporarily detain stormwater as well as all surfaces graded to direct stormwater to the temporary storage. Any on-site stormwater detention system constructed on the lot(s) burdened is hereafter referred to as "the system".

Name of Authority having the power to release, vary or modify the Restriction referred to is(*Insert name of Council*).

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TERMS OF POSITIVE COVENANTREFERRED TO IN THE ABOVE-MENTIONED PLAN

1. The registered proprietor of the lot(s) hereby burdened will in respect of the system:
 - (a) keep the system clean and free from silt, rubbish and debris
 - (b) maintain and repair at the sole expense of the registered proprietors the whole of the system so that it functions in a safe and efficient manner
 - (c) permit the Council or its authorised agents from time to time and upon giving reasonable notice (but at any time and without notice in the case of an emergency) to enter and inspect the land for the compliance with the requirements of this covenant
 - (d) comply with the terms of any written notice issued by the Council in respect of the requirements of this covenant within the time stated in the notice.

2. Pursuant to Section 88F(3) of the Conveyancing Act 1919 the Council shall have the following additional powers:
 - (i) in the event that the registered proprietor fails to comply with the terms of any written notice issued by the Council as set out above the Council or its authorised agents may enter the land with all necessary materials and equipment and carry out any work which the Council in its discretion considers reasonable to comply with the said notice referred to in part 1(d) above

 - (ii) The Council may recover from the registered proprietor in a Court of competent jurisdiction:
 - (a) any expense reasonably incurred by it in exercising its powers under subparagraph (i) hereof. Such expense shall include reasonable wages for the Council's employees engaged in effecting the work referred to in (i) above, supervising and administering the said work together with costs, reasonably estimated by the Council, for the use of materials, machinery, tools and equipment in conjunction with the said work.

 - (b) legal costs on an indemnity basis for issue of the said notices and recovery of the said costs and expenses together with the costs and expenses of registration of a covenant charge pursuant to section 88F of the Act or providing any certificate required pursuant to section 88G of the Act or obtaining any injunction pursuant to section 88H of the Act.

Name of Authority having the power to release vary or modify the Positive Covenant

..... referred to is(Insert name of Council).

F.5 Land Titles Office Information Bulletin September 1998 Number: 14

A Guide to the preparation of a Section 88B Instrument to:

- **Create Easements, Profits à Prendre, Restrictions on the Use of Land or Positive Covenants**
- **Release Easements or Profits à Prendre**

Note: This bulletin should be read in conjunction with the following:

- **Information Bulletin No. 43** - 'Creating an Easement over a Track in Use'
- **Information Bulletin No. 56** - 'Property Legislation (Easements) Amendment Act 1995.'

1. Introduction:

A Section 88B Instrument is the part of a deposited plan which upon registration

- ❖ creates Easements, Profit à Prendre, Restrictions on the Use of Land, and Positive Covenants [clause 27 Conveyancing (General) Regulation 1998]
- ❖ releases Easements and Profits à Prendre [clause 28 Conveyancing (General) Regulation 1998]

Note: Restrictions on the use of land and Positive Covenants cannot be varied or released by a Section 88B instrument. The Instrument must be drawn in accordance with Approved Form 10 (**Annexures 2 and 3**).

The original instrument must be lodged as part of the plan. Stamp Duty is not payable.

Identification of easements:

Easements must be identified on the face of the plan using 'alpha' symbols. A specimen plan is attached as **Annexure 1**.

It is necessary to identify easements with the same expression:

- (a) In the statements of intention panel on the plan
- (b) In the Section 88B Instrument and
- (c) On the face of the plan

Note: Where a Section 88B Instrument, includes height limitations to define the stratum of an easement, profit à prendre, restriction or positive covenant, the accompanying deposited plan must comply with clause 47 of the Surveyors (Practice) Regulation 1996.

2. Preparation of a Section 88B Instrument:

A Section 88B instrument comprises three parts:

Part 1: Identifies each easement, profit à prendre, restriction or positive covenant to be created.

Part 1A: Identifies each easement or profit à prendre to be released.

Examples of the Schedules of lots burdened and benefited in Parts 1 and 1A are shown in **Annexure 4**

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Part 2: Sets out the terms and conditions of easements profits à prendre, restrictions or positive covenants referred to in Part 1). Part 2 may not be required see **Para.3.1**

3. Creating easements:

Easements may be created with or without terms and conditions shown in Part 2 of the section 88B instrument.

3.1 Terms and conditions not required:

In order to simplify the creation of easements, the statutory form of easements may be used. Statutory easements adopt the terms and conditions specified in Schedule 4A (easements in gross) and Schedule 8 (easements having a dominant tenement) Conveyancing Act 1919.

The terms and conditions of an easement cannot refer to persons empowered to release vary or modify the easement. (see sec. 88[1](c) Conveyancing Act 1919). Following is a list of statutory easements (referred to as short form easements) set out in the Schedules that do not require terms and conditions to be included in Part 2 of the instrument:

- (a) Right of Carriage Way
- (b) Right of Foot Way
- (c) Easement to Drain Water
- (d) Easement to Drain Sewage
- (e) Easement for Repairs
- (f) Easement for Batter
- (g) Easement for Drainage of Sewage
- (h) Easement for Drainage of Water
- (i) Easement for Electricity Purposes
- (j) Easement for Overhang
- (k) Easement for Services
- (l) Easement for Water Supply
- (m) Easement to permit Encroaching Structure to remain
- (n) Right of Access

Note: The use of these expressions does not prevent the inclusion in Part 2 of variations of the terms and conditions referred to in the Schedules. Such variations may be by way of addition, exception, qualification or omission.

3.2 Terms and conditions required

Alternatively, an easement may be created for another purpose. In this case relevant terms and conditions must be shown in Part 2 of the instrument

4. Creating Profits à Prendre, Restrictions on Use of Land.

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Terms and conditions of profits à prendre and restrictions on the use of land must always be shown in Part 2 of the instrument.

The terms and conditions of a Restriction on the Use of Land may state the person(s) empowered to release, vary or modify the restriction. (sec. 88[1](c) Conveyancing Act 1919)

Note: The sites of Restrictions and Profits à Prendre and are only identified on the face of the plan if they affect part of a lot.

5. Creating Positive Covenants

Terms and conditions of Positive Covenants must always be shown in Part 2 of the instrument. They may be created in favour of:

- (a) Prescribed authorities (sections 88D & 88E Conveyancing Act 1919) or
- (b) Privately owned land, where the covenant relates to maintenance or repair of an easement to be created by the instrument.

The site of the Positive Covenant is only shown on the face of the plan if it affects part of a lot.

Note:

A Section 88B Instrument cannot be used to create a Positive Covenant over an existing easement.

To record an interest relating to maintenance and repair of the site of an **existing easement** over:

- (a) Torrens title land, a Request (97-11R) should be registered containing the terms of the covenant or
- (b) Old System land, a deed containing the terms of the covenant should be registered in the General Register of Deeds.

6. Releasing Easements or Profits à Prendre

Section 88B Conveyancing Act 1919 provides for the release of easements and profits à prendre by the registration of a plan.

The identity of easements and Profits à Prendre to be released must be set out in:

- ❖ Part 1A of the instrument and
- ❖ the statement of intention panel of the plan.

An example is shown in **Annexure 3**.

7. Signatures and Consents

Where an easement, profit à prendre, restriction or positive covenant is being created the plan and Section 88B instrument must be signed by:

- (a) The registered proprietor
- (b) Mortgagee
- (c) Chargee or
- (d) Covenant chargee and

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Written consents must be furnished by any

- (a) Caveator,
- (b) Lessee, or
- (c) Judgement creditor under any writ

in accordance with Section 195D Conveyancing Act 1919.

Note: Written consents may be dispensed with if the caveator, lessee or judgement creditor signs the plan and instrument.

Where an Easement or Profit à Prendre is being released:

The signatures and consents of all the parties relating to the dominant tenement should be furnished.

Inquiries on all matters related to plans and associated dealings should initially be made in person at Customer Services Branch, second level, Land Titles Office, Queens Square, Sydney or by contacting the Telephone Inquiry Service on (02) 9228 6713.

David Mulcahy

Director of Land Titles and Registrar General

First issued July 1987

Annexure 1

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<p>PLAN FORM 2 (APPROVED FORM 3) SIGNATURES, AND SEALS ONLY</p>	<p style="text-align: center;">Plan Drawing only to appear in this space</p> <div style="text-align: center;"> </div> <p style="text-align: center;">NOTE THIS PLAN HAS BEEN PREPARED FOR SAMPLE PURPOSES ONLY. BEARINGS AND OTHER SURVEY INFORMATION HAVE BEEN OMITTED</p>	<p style="text-align: right;">* OFFICE USE ONLY</p>
<p>D.P. Registered: * C. A.: * Title System: Purpose: Ref. Map: Last Plan: PLAN OF SUBDIVISION OF LOT 8 IN DP29743 Lengths are in metres. Reduction Ratio 1:300 L. G. A. : GOODAREA Locality: FINE Parish: GOOD County: PLEASANT</p> <p>This is sheet 1 of my plan in sheets. (Delete if inapplicable) Surveyors Certificate</p> <p>Plans used in preparation of Survey/Compilation</p> <p>PANEL FOR USE ONLY for statements of intention to dedicate public roads, to create public reserves, drainage reserves, easements, restrictions on the use of land or positive covenants</p> <p>PURSUANT TO SEC. 888 OF THE CONVEYANCING ACT 1919, IT IS INTENDED TO CREATE:- 1. RIGHT OF CARRIAGEWAY AND EASEMENT FOR SERVICES 2.7 WIDE 2. RIGHT OF WAY 1.05 WIDE AND VARIABLE WIDTH 3. POSITIVE COVENANT 4. RESTRICTION ON THE USE OF LAND</p> <p>RELEASE:- 1. EASEMENT TO DRAIN WATER 2 WIDE (DP 840601)</p>		<p style="text-align: right;">ANNEXURE 1</p>
<p>Subdivision Certificate</p> <p>SURVEYOR'S REFERENCE :</p> <p style="text-align: right;">Table of mm WARNING CREEPING OR FOLDING WILL LEAD TO REJECTION</p>		

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Annexure 2

Instrument setting out Terms of Easements/Profits à Prendre intended to be created or released and of Restrictions on the Use of Land and Positive Covenants intended to be created pursuant to Section 88B of the Conveyancing Act 1919.

Plan: Subdivision of Lot 8 D.P.29743 covered
by Subdivision Certificate No. 98/200 of
9/7/1998

**Full name and address of the
owner of the land** Grace Mary Brothers
4 Crane Avenue
Fine NSW 2775

Part 1

**1. Identity of easement, profit à prendre,
restriction or positive covenant to be
created and firstly referred to in the plan** Right of Carriage Way and
Easement for Services 2.7 wide

Schedule of Lots etc. Affected

Lots Burdened	Lots Benefited
82	81

**2. Identity of easement to be created and
secondly referred to in the plan** Right of Way 2.1 wide and variable
width

Schedule of Lots etc. Affected

Lots Burdened	Lots Benefited
81	82

**3. Identity of positive covenant thirdly
referred to in the plan** Positive Covenant

Schedule of Lots etc. Affected

Lots Burdened	Lots Benefited
81	Goodarea Council

**4. Identity of restriction fourthly referred
to in the plan** Restriction on the Use of Land

Schedule of Lots etc. Affected

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Lots Burdened

81

82

Lots Benefited

Goodarea Council

Goodarea Council

DRAFT

Part E – General Controls – Environmental Controls
Chapter E14: Stormwater Management

Annexure 2

Instrument setting out Terms of Easements/Profits à Prendre intended to be created or released and of Restrictions on the Use of Land and Positive Covenants intended to be created pursuant to Section 88B of the Conveyancing Act 1919.

Plan: Subdivision of Lot 8 D.P.29743 covered
by Subdivision Certificate No. 98/200 of
9/7/1998

Part 1A

**1. Identity of easement to be released and
firstly referred to in the plan** Easement to Drain Water 2 wide
(DP 840601)

Schedule of Lots etc. Affected

Lots Burdened	Lots Benefited
8/29743	9/29743

Part 2

Note: The terms for the positive covenant and restriction on the use of land, set out in Part 2, are included for the purposes of illustration only.

1. Terms of Right of Way 2.1 wide and variable secondly referred to in the plan.

(Insert terms and conditions).

2. Terms of Positive Covenant thirdly referred to in the plan

The Proprietor of the land hereby burdened (herein called 'the Proprietor') shall at all times in respect of the land hereby burdened, identified on the plan as 'stormwater retention basin' (herein called 'the basin'): *(Insert terms and conditions).*

3. Terms of Restriction on the Use of Land fourthly referred to in the plan

- a. Not to erect or suffer to permit any building, structure or erection on the whole or in part of the land hereby burdened identified on the plan as 'stormwater retention basin' (herein called 'the basin') except: *(Insert terms of restrictions).*
- b. No alteration is to be made to the retention levels *(Insert terms of restrictions).*

Name of authority empowered to release, vary or modify positive covenant and restriction thirdly and fourthly referred to in the plan.

Goodarea Council.

Part E – General Controls – Environmental Controls
Chapter E14: Stormwater Management

Annexure 2

Instrument setting out Terms of Easements/Profits à Prendre intended to be created or released and of Restrictions on the Use of Land and Positive Covenants intended to be created pursuant to Section 88B of the Conveyancing Act 1919.

Plan: Subdivision of Lot 8 D.P.29743 covered
by Subdivision Certificate No. 98/200 of
9/7/1998

Signed in my presence by Grace Mary
Brothers who is personally known to me.

Signature of witness

Grace Mary Brothers

Name of Witness (Block Letters)

Address and Occupation of Witness

Signed in my presence by Francis Richard
Drake (registered proprietor of dominant
tenement 9/29743) who is personally known
to me.

Signature of Witness

Francis Richard Drake

Name of Witness (Block Letters)

Address and occupation of Witness

Annexure 3

Copy of Approved Form 10

Instrument setting out Terms of Easements/Profits à Prendre intended to be created or released and of Restrictions on the Use of Land and Positive Covenants intended to be created pursuant to Section 88B of the Conveyancing Act 1919 .

Plan: *(Please leave 26 mm to allow for plan number and heading of plan) reference*

Plan of (heading of plan) covered by
Subdivision Certificate No. *(add as appropriate)*

Full name and address of the owner of the land:

Part 1

1. Identity of easement, profit à prendre, restriction or positive covenant to be created and firstly referred to in the plan.

(Brief description in same terms as used in relevant statement in the plan).

Schedule of Lots etc. affected

Lots burdened

Lots, relevant roads, bodies or prescribed authorities benefited.

(Set out vertically in numerical sequence of lot numbers. Title details should be added if the land referred to is outside the plan).

(Continue above pattern until all easements, profits à prendre, restrictions, or positive covenants to be created and referred to in the plan have been dealt with).

Part 1A

1. Identity of easement, profit à

(Brief description in same terms as used

Part E – General Controls – Environmental Controls
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prendre, restriction or positive *in relevant statement in the plan).*

covenant to be created and firstly

referred to in the plan.

**Lots burdened by existing
prescribed easement, , profit à prendre**

**Lots, relevant roads, bodies or
authorities benefited by existing
easement.**

*(Set out vertically in numerical sequence of lot numbers. Title details should be added if
the land referred to is outside the plan).*

*(Continue above pattern until all easements, profits à prendre, restrictions, or positive
covenants to be created and referred to in the plan have been dealt with).*

Annexure 3

Part 2

Terms of easement, profit à prendre, restrictions or positive covenant("firstly", or as the
case may be) referred to in the plan.

*(Continue the above pattern until all easements, profits à prendre, restrictions or positive
covenants to be created and referred to in the plan have been dealt with)*

Name of person empowered to release, vary or modify restriction or positive covenant
("firstly", or as the case may be) referred to in the plan:

*(Not required where it is intended that the restriction may only be released, varied or modified by the owners
for the time being of all lots benefited, or by order of the Supreme Court)*

Annexure 4

Examples of the Schedule of Lots Burdened and Benefited

The following examples show recommended formats for the scheduling of lots burdened and benefited in
Parts 1 and 1A of a Section 88B Instrument.

Lots burdened

Lots benefited

1

2, 3 & 4

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2	3 & 4
3	4
or	or
Each lot except lot 6 (see note)	Every other lot except lot 6 (see note)
or	or
Each of the lots 1 to 4 inclusive the part of lot 5 designated (A) in the plan and lot 6	Every other lot and the Council of
or	or
Each lot	Any prescribed authority

Note: This format should be used only for Restrictions on the Use of Land. The current title details and parcel identity must be shown for each lot or parcel of land burdened and/or benefited by the easement, profit à prendre, restriction, or positive covenant. The reference to title need only be referred to once throughout the instrument.

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Part E – General Controls – Environmental Controls
Chapter E14: Stormwater Management

F.6 Sample instrument when OSD is deferred

Sample 88B Instrument for use when the On-Site Detention system is not provided at the time of subdivision but is deferred until construction of a building development on the land.

This situation has caused considerable difficulties for new home builders in the past and will only be permitted by Council in exceptional circumstances.

DRAFT

Part E – General Controls – Environmental Controls
Chapter E14: Stormwater Management

INSTRUMENT SETTING OUT TERMS OF RESTRICTION ON THE USE OF LAND INTENDED TO BE CREATED PURSUANT TO SECTION 88E OF THE CONVEYANCING ACT 1919.

(Sheet .. of ... sheets)

Plan: Subdivision of LotD.P.....
Covered by Council Clerk's
Certificate No.
Of

Full name and address
.....

Of proprietor of the land
.....

.....
...

PART 1

() Identity of restriction..... Restriction on use under Section 88E of the
referred to in abovementioned plan Conveyancing Act 1919

SCHEDULE OF LOT(S), ETC. AFFECTED

Lot(s) Burdened Authority Benefited
.....
Insert name of Council

() Identity of Positive Covenant Positive Covenant under
referred to in above-mentioned plan Section 88E of the
Conveyancing Act 1919

SCHEDULE OF LOT(S), ETC. AFFECTED

Lot(s) Burdened Authority Benefited
.....
Insert name of Council

PART 2

TERMS OF RESTRICTION ON USE REFERRED TO IN THE ABOVE-MENTIONED PLAN

- (i) The registered proprietor shall not erect or suffer the erection of any dwelling house or other structure on the lot(s) hereby burdened unless the registered proprietor has first constructed or has made provision for the construction of an on site stormwater detention system on the

Part E – General Controls – Environmental Controls

Chapter E14: Stormwater Management

said lot(s), in accordance with the design, construction and/or provision requirements of the(Insert name of Council) and to the satisfaction of the (Insert name of Council). The expression “on-site stormwater detention system” shall include all ancillary gutters, pipes, drains, walls, kerbs, pits, grates, tanks, chambers, basins and surfaces designed to temporarily detain stormwater as well as all surfaces graded to direct stormwater to the temporary storage.

PART 2 (Continued)

- (ii) The registered proprietor shall not make or permit or suffer the making of any alterations to any onsite stormwater detention system which is, or shall be, constructed on the lot(s) burdened without the prior consent in writing of(Insert name of Council) . The expression “on-site stormwater detention system” shall include all ancillary gutters, pipes, drains, walls, kerbs, pits, grates, tanks, chambers, basins and surfaces designed to temporarily detain stormwater as well as all surfaces graded to direct stormwater to the temporary storage. Any on-site stormwater detention system constructed on the lot(s) burdened is hereafter referred to as “the system”. Name of Authority having the power to release, vary or modify the Restriction referred to is(Insert name of Council).

TERMS OF POSITIVE COVENANTREFERRED TO IN THE ABOVE-MENTIONED PLAN

- 3. The registered proprietor of the lot(s) hereby burdened will in respect of the system:
 - (a) keep the system clean and free from silt, rubbish and debris
 - (b) maintain and repair at the sole expense of the registered proprietors the whole of the system so that it functions in a safe and efficient manner
 - (c) permit the Council or its authorised agents from time to time and upon giving reasonable notice (but at any time and without notice in the case of an emergency) to enter and inspect the land for the compliance with the requirements of this covenant
 - (d) comply with the terms of any written notice issued by the Council in respect of the requirements of this covenant within the time stated in the notice.
- 4. Pursuant to Section 88F(3) of the Conveyancing Act 1919 the Council shall have the following additional powers:
 - (iii) in the event that the registered proprietor fails to comply with the terms of any written notice issued by the Council as set out above the Council or its authorised agents may enter the land with all necessary materials and equipment and carry out any work which the Council in its discretion considers reasonable to comply with the said notice referred to in part 1(d) above
 - (iv) The Council may recover from the registered proprietor in a Court of competent jurisdiction:
 - (a) any expense reasonably incurred by it in exercising its powers under subparagraph (i) hereof. Such expense shall include reasonable wages for the Council's employees engaged in effecting the work referred to in (i) above, supervising and administering the said work together with costs, reasonably estimated by the Council, for the use of materials, machinery, tools and equipment in conjunction with the said work.
 - (b) legal costs on an indemnity basis for issue of the said notices and recovery of the said costs and expenses together with the costs and expenses of registration of a covenant charge pursuant to section 88F of the Act or providing any certificate required pursuant to section 88G of the Act or obtaining any injunction pursuant to section 88H of the Act.

Name of Authority having the power to release vary or modify the Positive Covenant

..... referred to is(Insert name of Council)

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The apparent discrepancy in the capacity of the roadway widths shown on Drawing No. 1238 over, is not obvious at first glance. An explanation follows:-

1. The most efficient hydraulic cross- section is one which is rectangular.
2. As the roadway widens the hydraulic cross-section changes from almost rectangular at 6m wide to 2 distinct separate triangles.
3. By this, at a fixed depth of 150mm on the roadway, the cross- sectional flow area increases marginally by widening the road. However, the hydraulic radius decreases as does the conveyance of the cross- sections. Therefore, the capacity of the cross- section of the 12m road is actually less than the 6m roadway.
4. Note the roadway capacities are calculated by Manning's equation for a compound cross-section.

Section	Change	Comment
1. Introduction	Added chapter of the DCP should be read in conjunction with: a) Wollongong Local Environmental Plan; b) Wollongong City Council DCP Chapter E13: Floodplain Management; c) Wollongong City DCP Chapter E15: Water Sensitive Urban Design; d) Australian Rainfall and Runoff (1987 and 2019 versions); e) Sydney Water Guidelines for Building over or Adjacent to Stormwater Assets; f) Austroads; and g) Other relevant local and state guidance.	2009 Chapter only referred to floodplain and WSUD DCP Chapters only
2 Definitions / Technical Terms	AEP The chance of a flood of a given or larger size occurring in any one year, usually expressed as a percentage. Example, if a peak flood discharge of 500 m ³ /s has an AEP of 1%, it means that there is a 1% chance (that is one-in-100 chance) of a 500 m ³ /s or larger event occurring in any one year. Annual Exceedance Probability: The probability of a rainfall or flood event of given magnitude being equalled or exceeded in any one year.	Consistent with FDM (2005)
2 Definitions / Technical Terms	ARR2019 Australian Rainfall and Runoff 2019, published by the Commonwealth of Australia (Geoscience Australia).	Definitions and DCP chapter refer to both ARR1987 and ARR2019
2 Definitions / Technical Terms	DPIE Department of Planning Infrastructure and Environment	State Government departmental name change
2 Definitions / Technical Terms	Suitably Qualified Civil Engineer A civil engineer who is included in the National Professional Engineers Register, Australia administered by the Institution of Engineers Australia or is eligible for membership of Engineers Australia.	Council engages consultants who are not on the NER for flood studies and stormwater designs
2 Definitions / Technical Terms	Trunk Drainage High capacity channels or networks which carry runoff from local street drainage systems to receiving waters and forms part of the major system as defined in ARR2019 Book 9.	Suggest removing 15ha definition. This definition is not in ARR1987. ARR2019 says trunk drainage is part of the Major System
2 Definitions / Technical Terms	Zone of Influence (ZOI) The area around an asset (both at ground level and below the ground) that may impact on a asset	Provides clearer guidance for the protection of Council and private stormwater assets
3.3 Trunk Drainage	1. Trunk drainage networks must be designed to the 100 year ARI event. High consequence trunk drains and networks (e.g. detention basins, high consequence culverts) must be designed to accommodate larger flood events up to the PMF. Further information on trunk drainage is provided in Section 5.8.	Unclear what "cater to the PMF" means for all trunk drainage elements. Suggest only high consequence trunk drainage

		structures been designed or checked against PMF
5.1.1 Design Rainfall Intensities	<p>a) All parameters used in hydrologic models must be selected in accordance with those values adopted as part of Council's catchment wide flood studies or FRMS.</p> <p>b) For unstudied catchments, ARR1987 IFDs and hydrologic procedures will be used until Council has investigated the implications of ARR2019 for the Wollongong LGA through catchment wide FRMS.</p>	The hydrologic techniques used in adopted Council Flood Studies and Floodplain Risk Management Studies will be used to estimate minor and major system flows in the study area
5.1.2 Estimating Flows	Figure 1 indicates the likely range of effectiveness for different hydrologic models against flood magnitude and model scale. The applicant must justify the appropriateness of any selected hydrologic model selected for the estimation of minor and major system flows	Allows developers to select an appropriate hydrologic model for their development
5.2.2 - Inlets and their Capacities	<p>b) The blockage factors to be used in the analysis of pits are:</p> <ul style="list-style-type: none"> • Sag pits – 50% • On grade pits – 20% 	Clarify confusing requirement from 2009 version
5.3 Hydraulic Design - Minor System	1. The hydraulic design of the minor system must be carried out using the hydraulic grade analysis in accordance with Chapter 5 of Book 9 ARR2019. Suitable computer software (e.g. Drains, 12D) should be used. For simple systems, (e.g. less than 10 pits) manual or spreadsheet calculations are accepted.	Prefer computer modelling rather than hand calcs/spreadsheet calcs
5.3 Hydraulic Design - Minor System	Table 4 Minimum cover	Adopted from QUDM
5.9 Safety in Design	Section added	
6.2 Other Stormwater Designs	Added: The design of all stormwater drainage systems must be carried out by a suitably qualified civil engineer, with the exception of stormwater systems conveying 55 L/s or less in the 100 year ARI storm event.	
6.3.9 (11.3.9) Discharge of Stormwater through Public Reserves	a) When a public reserve downstream of the development site must be traversed with a stormwater pipeline in order to reach an appropriate point of discharge, an easement issued by Council must be applied for under section 46 (1) of the Local Government Act.	Installation of infrastructure for drainage of private land though council-owned community land policy revoked in 2017
6.3.12 (11.3.12) Absorption and Transportation Disposal Systems	<p>Added:</p> <p>g) Offsets around new buildings may be reduced if the footings are designed commensurate to the groundwater and geotechnical stability of the absorption trench.</p>	

	A suitably qualified structural or geotechnical engineer will complete the footing designs.	
6.3.12 (11.3.12) Absorption and transpiration Disposal Systems	Added: j) Granny flats and detached garages may drain to an absorption trench subject to the set backs listed in 6.3.12.f)	
7.1.2 (12.1.2) Developments to Which OSD Does Not Apply	Added: viii) Buildings in rural/non urban areas including RU1, RU2 RU3 RU4, RU6 E2, E3 and E4.	
9 (14)APPLICATION OF THIS CHAPTER	Recommend we remove or modify - does not seem relevant	
APPENDIX -A1	Water Courses to be removed from figure	
APPENDIX - Drawings	Removed Roadway Capacity Determination Details and Explanation Figure and Tables 7.1 and 7.2	Not referred to in document. Unclear why they are in DCP.
Standard Sumps and inlets	Updated	

ITEM 7

QUARTERLY VARIATIONS REPORT FOR DEVELOPMENT APPLICATIONS -
SEPTEMBER 2019

This quarterly report to Council identifies two (2) Development Applications which were determined during the period 1 July 2019 to 30 September 2019 where a variation to a development standard was granted. The NSW Department of Planning and Environment has been notified of the variations as part of Council's ongoing reporting requirements.

RECOMMENDATION

Council note the development standards variation report for the period 1 July 2019 to 30 September 2019.

REPORT AUTHORISATIONS

Report of: Mark Riordan, Manager Development Assessment and Certification
Authorised by: Linda Davis, Director Planning + Environment

ATTACHMENTS

- 1 Variations to Development Standards - July to September 2019

BACKGROUND

Development Applications involving variations to development standards may be made under clause 4.6 of Wollongong Local Environmental Plan 2009 (WLEP 2009). Requirements are provided within clause 4.6 of WLEP 2009 for the assessment of variations to development standards.

Any variations approved are reported on a quarterly basis to the NSW Department of Planning, Industry and Environment (DPIE), in accordance with procedural guidelines. Council and the DPIE may in turn consider the extent and nature of variations granted when reviewing relevant planning controls or instruments.

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

- Wollongong Local Planning Panel (WLPP) review
- Declaration of any variation during public exhibition
- Maintaining an ongoing public record of all variations approved

Following recent amendments to Planning Panel operations by NSW DPIE minor variations to development standards (below 10%) receiving less than two objections may be determined by staff under delegated authority. This delegation is restricted to Manager level.

QUARTERLY RESULT

1 July to 30 September 2019

During the 1 July 2019 to 30 September 2019 quarter two (2) Development Applications were approved which included a variation to a development standard (see attachment).

- The first application (DA-2018/557) involved the demolition of an existing 45 bed residential aged care facility and construction of a new 111 bed residential aged care facility and conversion of an existing 44 hostel bed facility to 22 serviced self-care dwellings with community / ancillary spaces. The application involved a variation to the following development standard under Wollongong Local Environmental Plan 2009: (a) Clause 4.3(2) Height of Buildings - 9 metre height limit and a proposed 12.12 metre building height. The application was considered by the Southern Regional Planning Panel on 23 August 2019 and the proposed variation was supported.

- The second application (DA-2019/598) involved the demolition of an existing dwelling-house and the construction of a new dwelling-house and swimming pool. The application involved a variation to the following development standard under Wollongong Local Environmental Plan 2009: Clause 4.4(2) Floor Space Ratio (FSR) – 0.3:1 FSR development standard and a proposed 0.46:1 FSR (52% variation). The application was considered by Wollongong Local Planning Panel on 14 August 2019 and the proposed variation to the FSR development standard was supported on the basis that the proposed dwelling has a lower FSR than the existing dwelling-house to be demolished upon the site and the surrounding development in the E4 zone has similarly departed from the 0.3:1 FSR development standard.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 goal “We value and protect our environment”. It specifically delivers on core business activities as detailed in the Development Assessment Service Plan 2018-189.

Development Applications approved with variations to development standards for the quarterly period between 1 July 2019 and 30 September 2019.

Application	DA-2018/557		
Lot	1 DP 1082602	Zone	R2 Low Density Residential
Address	4 Lindsay Evans Place DAPTO NSW 2530		
Description	Demolition of existing 45 bed residential aged care facility and construction of new 111 bed residential aged care facility and conversion of existing 44 hostel bed facility to 22 serviced self-care dwellings with community/ancillary spaces, reconfiguration of and additional car parking and associated landscaping and infrastructure works plus tree removals		
Decision	Approved	Decision Date	23 August 2019
Variations	Planning Instrument	WLEP 2009	Clause c4.3(2) Height of buildings
	Justification of variation	<p>The proposal is considered consistent with the objectives of clause 4.3 as the proposal remains well under the permitted floor space for the site and will not impact on any significant view corridor or solar access upon any surrounding development in the locality.</p> <p>The design is considered satisfactory and attempts to mitigate any unreasonable impacts on surrounding properties, whilst ensuring that the development is compatible in the context of the future anticipated character of the area.</p> <p>The development is therefore considered to be in the public interest since it is consistent with the objectives of the development standard and the objectives of the R2 Low Density Residential zone.</p>	
	Extent of variation	The maximum height allowable for the land is 9 metres, as shown on the Height of Buildings Map. The proposal has maximum overall height of the residential care facility building is 12.12m, exceeding the height limit by 3.12m (34.7%).	
	Concurring Authority	Southern Regional Planning Panel	
Application	DA-2019/598		
Lot	1 DP 995894	Zone	E4 Environmental Living
Address	19 Coledale Avenue COLEDALE NSW 2515		
Description	Residential - demolition of dwelling and construction of dwelling house and swimming pool		
Decision	Approved	Decision Date	14 August 2019
Variations	Planning Instrument	WLEP 2009	Clause c4.4(2) Floor space ratio
	Justification of variation	<p>A review of approvals in Coledale Avenue for the E4 zone shows that the FSR development standard has largely been varied in this locality. The proposed departure will enable the construction of a dwelling and whilst exceeding the FSR, has a lower FSR than the current dwelling. It is also lower than the 0.5:1 requirement for the adjacent R2 zone.</p> <p>Further, the proposed development does not impact adversely on ecological or scientific values of the site.</p>	
	Extent of variation	0.3:1 FSR required and 0.46:1 FSR proposed. 52% Exceedance	
	Concurring Authority	Wollongong Local Planning Panel	

ITEM 8 SOUTHERN PHONE - PROPOSED PURCHASE BY AGL

Wollongong City Council owns shares in the Southern Phone Company Limited, together with 34 other local councils. Council has recently been advised of an offer by AGL Energy Limited to acquire 100% of the shares in Southern Phone. The offer has been recommended to all councils by the Board of Southern Phone, and this report outlines the offer and the matters for consideration by Wollongong City Council.

RECOMMENDATION

- 1 That Council agrees to sell its two shares (being one A Class Ordinary Share and one Preference Share) in Southern Phone Company Limited to AGL Energy Limited for \$785,714.00.
- 2 That the General Manager be delegated the authority to execute the Share Sale Agreement, and any other related or ancillary transaction document for the purpose of giving effect to the sale.

REPORT AUTHORISATIONS

Authorised by: Renee Campbell, Director Corporate Services - Connected + Engaged City

ATTACHMENTS

There are no attachments for this report.

BACKGROUND

In 2001, Wollongong City Council supported the establishment of the Southern Phone Company Limited (the Company). The establishment of the Company was funded by two federal government grants under the *Networking the Nation* scheme to deliver low cost telecommunication services to regional areas in South Eastern NSW. The Company was formed in 2002 and Wollongong City Council acquired two shares in the Company, being one ordinary share and one preference share, at a cost of \$2. All shareholders in the Company are local government authorities (currently 35 councils).

Since the establishment of Southern Phone in 2002, Southern Phone has returned \$16.8M to shareholders in dividends and community grants. Wollongong City Council has received \$1.347M in dividends, with the funds directed towards natural area management and on-ground works.

In October 2019, Wollongong City Council received advice that Southern Phone and AGL Energy Limited (AGL) had entered into an agreement under which AGL is proposing to acquire 100% of the shares in Southern Phone. The general terms of the proposed share sale transaction are outlined in a Shareholder Information Pack.

In summary, the Shareholder Information Pack advises that the AGL Offer is “the result of extensive negotiations and consideration by the Southern Phone board (Board) and follows a strategic review process undertaken in mid-2019, which led to the decision to appoint corporate advisers and investigate a possible sale of the Company.”

The Southern Phone Board has unanimously recommended the acceptance of the AGL Offer and are of the view that it is in the best interests of the Company and its shareholders.

The Advantages to the proposal as advised by Southern Phone are:

- Fixed Cash Payment – AGL has offered to acquire Wollongong City Council’s Shares in Southern Phone at a fixed price of \$785,714.00 (GST not applicable). If the transaction that results from the AGL Offer is completed, Council will receive this amount in full and in cash on the completion date.

- Special Dividend – the AGL Offer permits Southern Phone to declare and pay a special dividend to shareholders from Southern Phone’s excess cash reserves before completion of the AGL Transaction (Special Dividend). The value of the Special Dividend pool has been estimated by Southern Phone at approximately \$1M (to be shared amongst all 35 shareholders), of which Wollongong City Council would receive approximately \$90K. Southern Phone have advised that the Special Dividend is only payable if the AGL transaction proceeds and that the amount is subject to final transaction costs.
- Fair Value – Ernst & Young were engaged to review the terms of the AGL Offer and have advised it provides fair value for each shareholder’s Southern Phone shares.
- Best Alternative – Southern Phone have advised the total return from the AGL Offer is higher than the indicated interest of other potential buyers and provides greater certainty and value than would be the case if the AGL transaction did not proceed.
- Employment Commitment – AGL has contractually committed to retain Southern Phone’s employees and ongoing operations at Moruya for at least three years.
- Capital Constraints – Southern Phone have advised if the sale does not proceed, they will likely require additional capital in order to remain competitive and the current ownership structure may constrain the amount of additional capital that can be raised, potentially negatively impacting on the Company’s competitive position.

The Disadvantages to the sale as advised by Southern Phone are:

- Shareholders will no longer own and will be unable to realise any future value from their shares in the Company.

It is noted Southern Phone did not declare a dividend this financial year, and have advised if the sale does not proceed, they are unlikely to declare dividends in the foreseeable future and will likely need to raise capital.

Wollongong City Council has been using the dividends from Southern Phone to fund natural area management and works, and alternate funding sources may need to be found to meet these commitments in to the future. It is noted that as Southern Phone have not declared a dividend for 2019 and have advised they are unlikely to issue dividends in the foreseeable future, the need to find alternate funding sources is likely irrespective of whether the sale proceeds. This will be considered as part of Council’s annual planning process.

PROPOSAL

Following a review of the information provided to Council, it is recommended Council resolve to sell its Southern Phone shares to AGL by entering into a Share Sale Agreement and executing related transaction documents. If Council resolves to sell its shares, the resolution must be made by 29 November 2019. Council will also be required to vote in favour of a special resolution to update the Company’s constitution that is required to facilitate the AGL Transaction, including to permit non-council shareholders of the Company. An Extraordinary General Meeting is proposed for 2 December 2019 to put the constitution changes to shareholders.

CONSULTATION AND COMMUNICATION

Wollongong City Council was issued with a Shareholder Information Pack and related documents from Southern Phone. Council participated in a webinar presented by Southern Phone and has received a briefing from the Managing Director of Southern Phone and a representative from AGL.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2028 goal “We are a connected and engaged community”.

It specifically delivers on core business activities as detailed in the Governance and Administration Service Plan 2019-20.

RISK ASSESSMENT

The risks to Wollongong City Council of resolving to sell its shares in Southern Phone are considered low. The fixed cash payment, together with the dividends received by Council over the years, represents a good return on the initial investment of \$2. The loss of revenue as a result of future dividends not being received will need to be considered as part of future annual planning processes, however Council has been advised that if the sale does not proceed, Southern Phone are unlikely to issue dividends in the foreseeable future. The terms of the sale require AGL to retain Southern Phone employees and ongoing operations in Moruya for at least three years. It is noted that Council’s two shares are presently encumbered by two separate interests. Council staff are working to have those encumbrances removed from the shares in order to be in a position to complete the sale, should Council so determine to sell.

The risks related to Council resolving not to sell its shares in Southern Phone are primarily financial and are considered to be medium to high.

AGL have advised their desire is for the acquisition of all shares in Southern Phone. It is not confirmed whether the sale would proceed if one or more councils resolve not to sell their shares. If the sale were to proceed and Wollongong City Council resolve to retain its shares, there is a risk those shares could be compulsory acquired by AGL under the Corporations Act, at ‘fair value’. The value of Council’s shares in this scenario could be less than the fixed cash payment being offered under the current sale proposal. The special dividend payment may also not be received.

If the sale to AGL does not proceed, Southern Phone have advised that dividends are unlikely in the foreseeable future and the Company may need to raise capital to remain competitive. As the Company is owned by 35 local councils, capital revenue raising opportunities may be constrained.

FINANCIAL IMPLICATIONS

As noted above, Wollongong City Council has received \$1.347M in dividends from Southern Phone since the Company was formed. The value of the dividend received each year increased, with the highest dividend received in 2015/16 and since then, the dividend has declined (refer table below). In 2019, Southern Phone did not declare a dividend.

	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	Total
	\$000's	\$000's	\$000's	\$000's	\$000's	\$000's	\$000's	\$000's	\$000's	\$000's	\$000's	\$000's	\$000's
Dividend received	2.9	2.8	3.8	13.5	38.0	115.6	242.9	275.9	278.6	185.0	93.0	95.4	1,347.4

The Southern Phone dividend has been held in a restricted asset, with the funding used for natural area management and works. The restricted asset has a balance as at September 2019 of \$238.5K. There are ongoing commitments of approximately \$100K per annum from this funding for natural area management.

If Council resolves to sell its shares and the sale to AGL proceeds, Council will receive in the order of \$875K (being \$785K fixed cash payment and approximately \$90K special dividend). Council can determine the future allocation of these funds through the annual planning process. No further dividends will be received by Council if the sale proceeds.

Council has been advised by Southern Phone that should the sale to AGL not proceed, Southern Phone is unlikely to issue dividends in the foreseeable future and the company will likely need to raise capital to remain competitive. The quantum of capital required is unknown.

CONCLUSION

The offer from AGL to acquire 100% of the shares in Southern Phone will provide a fixed cash payment and special dividend, returning approximately \$875K to Council.

ITEM 9

POLICY REVIEW - PUBLIC INTEREST DISCLOSURE POLICY [PREVIOUSLY INTERNAL REPORTING POLICY]

As part of Council’s rolling three year Policy Review Program, the Internal Reporting Policy has been reviewed. The policy has been renamed the Public Interest Disclosure Policy to provide clarity on the types of matters addressed within the policy and is attached for consideration and endorsement by Council.

RECOMMENDATION

- 1 The Internal Reporting Policy be renamed Public Interest Disclosure Policy.
- 2 The Public Interest Disclosure Policy be adopted.

REPORT AUTHORISATIONS

Report of: Todd Hopwood, Manager Governance and Customer Service
 Authorised by: Renee Campbell, Director Corporate Services - Connected + Engaged City

ATTACHMENTS

- 1 Draft Public Interest Disclosures Policy [with tracked changes]
- 2 Draft Public Interest Disclosures Policy

BACKGROUND

The Public Interest Disclosures (PID) Act 1994 (the PID Act) prescribes a framework for the disclosure and investigation of suspected wrongdoing in the public sector. Section 6D of the Act requires Wollongong City Council to have in place a policy and procedures for receiving, assessing and dealing with public interest disclosures (PIDs). As prescribed by the PID Act, Council’s Internal Reporting Policy was developed in 2008, with due regard to the NSW Ombudsman’s guidelines and the model internal reporting policy for local government.

PROPOSAL

To provide clarity on the types of matters addressed within the policy, it is proposed the policy be titled the *Public Interest Disclosure Policy*. There are no substantive amendments proposed to the Policy, although a number of administrative changes have been proposed based on updates to relevant legislative instruments, and changes to the NSW Ombudsman’s process for dealing with public interest disclosures, as well as improving consistency of language and referencing within the document. To assist with the identification of proposed administrative, legislative and referencing changes, a copy of the policy showing track changes has been provided.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2028 goal 4 “*We are a connected and engaged community*”. It specifically delivers on the following:

Community Strategic Plan	Delivery Program 2018-2021	Operational Plan 2019-20
Strategy	3 Year Action	Operational Plan Actions
4.3.1 Positive leadership and governance, values and culture are built upon	4.3.1.1 Ensure appropriate strategies and systems are in place that support good corporate governance	Ensure the implementation of mitigation strategies for fraud/corruption risks identified with immediate focus on the very high/high rated risks

CONCLUSION

The revised Policy is drafted in accordance with the PID Act and consistent with NSW Ombudsman guidelines and is submitted to Council for endorsement.



ADOPTED BY COUNCIL: [TO BE COMPLETED BY CORP SUPPORT]

BACKGROUND

The Public Interest Disclosures (PID) Act 1994 (the PID Act) prescribes a framework for the disclosure and investigation of wrongdoing and maladministration in the public sector. Under section 6D of the PID Act, the PID Act, Wollongong City Council is required to have in place a policy and procedures for receiving, assessing and dealing with public interest disclosures (PIDs). As prescribed by the PID Act, this policy was developed with due regard to the NSW Ombudsman's guidelines and the model internal reporting policies for local government.

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OBJECTIVE

Council recognises that Councillors and staff have an important role in ensuring a high ethical standard and enhancing administrative and management practices, and strongly supports disclosures which expose:

- Corrupt conduct;
- Fraud;
- Maladministration;
- Serious and substantial waste of public money;
- Breaches of the *Government Information (Public Access) Act 2009*; or
- Local Government pecuniary interest contravention.

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The objective of this policy is therefore to encourage and facilitate public interest disclosures, to ensure that personnel who make such disclosures receive protection from reprisals, and to ensure that matters raised in the disclosures are properly investigated and acted upon.

POLICY STATEMENT

- 1 Council is committed to the aims and objectives of the PID Act.
- 2 The Lord Mayor, General Manager and Council management acknowledge the value and importance of Councillor and staff contributions to high standards of administrative and management practices and strongly endorse reporting of corrupt conduct, fraud, maladministration, serious and substantial waste of public money or government information contravention.
- 3 Council recognises that staff who come forward and report wrongdoing are helping to promote integrity, accountability and good management within Council.
- 4 Council is committed to an effective response to internal disclosures in a way that will protect the identity of the whistleblower, wherever possible and appropriate.
- 5 Council will not tolerate reprisals or retribution against those making legitimate public interest disclosures as prescribed by the PID Act.

INTERNAL REPORTING PUBLIC INTEREST DISCLOSURES

COUNCIL POLICY

ADOPTED BY COUNCIL: 8 MAY 2017

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INTERNAL REPORTING PUBLIC INTEREST DISCLOSURES COUNCIL POLICY

1 Purpose and Context of the Policy

The purpose of this policy is to establish an internal reporting system for staff and Councillors to report wrongdoing without fear of reprisal. The policy sets out who you can report wrongdoing to in Wollongong City Council, what can be reported and how reports of wrongdoing will be dealt with by [Wollongong City Council](#).

This policy is designed to complement normal communication channels between supervisors and staff. Staff are encouraged to raise matters of concern at any time with their supervisors, but also have the option of making a report about a public interest issue in accordance with this policy and the [Public Interest Disclosures Act 1994 \(PID Act\)](#) [PID Act](#).

This policy is just one in the suite of Wollongong City Council's complaint handling policies which include:

- Code of Conduct – Councillors
- Code of Conduct – Delegates of Council and Members of Council Committees
- Code of Conduct – Staff
- Code of Business Ethics
- Fraud and Corruption Prevention policy
- Professional Conduct Investigation policy

The internal reporting system established under this policy is not **intended** to be used for staff grievances, which should be raised through the [Prevention and Resolution of Workplace Bullying Harassment and Discrimination Employment, Equity and Diversity \(EED\)](#) policy. If a staff member makes a report under this policy which is substantially a grievance, the matter will be referred to Human Resources to be dealt with in accordance with the Enterprise Agreement for grievance procedure.

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2 Organisational Commitment

Wollongong City Council is committed to:

- Creating a climate of trust and integrity, where staff, [Councillors and other stakeholders](#) are comfortable and confident about reporting wrongdoing;
- Encouraging [staff individuals](#) to come forward if they have witnessed what they consider to be wrongdoing within the Council;
- Keeping the identity of the [staff member/person](#) disclosing wrongdoing confidential, wherever possible and appropriate;
- Protecting [staff individuals](#) who make disclosures from any adverse action motivated by their report;
- Protecting [staff individuals](#) from any adverse action resulting from them making a report;
- Dealing with reports thoroughly and impartially and if some form of wrongdoing has been found, taking appropriate action to rectify it;
- Keeping [staff disclosants who make reports](#) informed of their progress [of their report](#) and the outcome;
- Encouraging [staff individuals](#) to report wrongdoing within Council, but respecting any decision to disclose wrongdoing outside Council – provided that disclosure outside Council is made in accordance with the provisions of the PID Act;
- Ensuring managers and supervisors at all levels in Council understand the benefits of reporting wrongdoing, are familiar with this policy, and aware of the needs of those who report wrongdoing;
- Providing adequate resources, both financial and human, to:
 - encourage reports of wrongdoing;
 - protect and support those who make them;
 - provide training about how to make reports and the benefits of internal reports to Council and the public interest generally;
 - properly assess and investigate or otherwise deal with allegations;
 - properly manage any workplace issues that the allegations identify or that result from a report;
 - appropriately address any identified problems.

INTERNAL REPORTING PUBLIC INTEREST DISCLOSURES

COUNCIL POLICY

3 Who Does This Policy Apply To?

This policy will apply to:

- both Council staff and Councillors;
- permanent employees, whether full-time or part-time;
- temporary or casual employees;
- consultants;
- individual contractors working for Wollongong City Council;
- employees of contractors providing services to Wollongong City Council;
- other people who perform Council official functions whose conduct and activities could be investigated by an investigating authority, including volunteers;
- the policy also applies to public officials of another Council or public authority who report wrongdoing relating to Wollongong City Council.

4 Roles and Responsibilities

a *The Role of Council Staff and Councillors*

Staff and Councillors play an important role in contributing to a workplace where known or suspected wrongdoing is reported and dealt with appropriately. All Council staff and Councillors are obliged to:

- report all known or suspected wrongdoing and support those who have made reports of wrongdoing;
- if requested, assist those dealing with the report, including supplying information on request, cooperating with any investigation and maintaining confidentiality;
- treat any staff member or person dealing with a report of wrongdoing with courtesy and respect;
- respect the rights of any person the subject of reports.

Staff and Councillors must not:

- make false or misleading reports of wrongdoing;
- victimise or harass anyone who has made a report.

Additionally, the behaviour of all Council staff and Councillors involved in the internal reporting process public interest disclosures must adhere to Wollongong City Council's Code of Conduct. A breach of the code could result in disciplinary action.

b *The Role of Wollongong City Council*

Wollongong City Council has a responsibility to establish and maintain a working environment that encourages staff and Councillors to report wrongdoing and supports them when they do. This includes keeping the identity of reporters confidential where practical and appropriate, and taking steps to protect reporters from reprisal and manage workplace conflict.

Wollongong City Council will assess all reports of wrongdoing it receives from staff and Councillors and deal with them appropriately. Once wrongdoing has been reported, Wollongong City Council takes 'ownership' of the matter. This means it is up to us-Council to decide whether a report should be investigated, and if so, how it should be investigated and by whom. Wollongong City Council will deal with all reports of wrongdoing fairly and reasonably, and respect the rights of any person the subject of a report.

Wollongong City Council must report on our-its obligations under the PID Act and provide statistical information about public interest disclosures in our-its annual report, and to the NSW Ombudsman every six months.

To ensure Wollongong City Council complies with the PID Act and deals with all reports of wrongdoing properly, all staff and Councillors with roles outlined below and elsewhere in this policy will receive training on their responsibilities.

INTERNAL REPORTING PUBLIC INTEREST DISCLOSURES

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c *Roles-Responsibilities of Key Positions*

General Manager

The General Manager has ultimate responsibility for maintaining the internal reporting system and workplace reporting culture, and ensuring Wollongong City Council complies with the PID Act. The General Manager can receive reports from staff ~~and~~ Councillors and other identified persons, and has a responsibility to:

- assess reports received by or referred to them, to determine whether or not the report should be treated as a public interest disclosure, and to decide how the report will be dealt with;
- deal with reports made under Council's Code of Conduct in accordance with Council's adopted Code of Conduct procedures;
- ensure there are strategies in place to support reporters, protect reporters-them from reprisal and manage workplace conflict that may arise in relation to a report;
- make decisions following any investigation or appoint an appropriate decision-maker;
- take appropriate remedial action where wrongdoing is substantiated or systemic problems are identified;
- refer actual or suspected corrupt conduct to the New South Wales Independent Commission Against Corruption (ICAC);
- refer any evidence of a reprisal offence under section 20 of the PID Act to the Commissioner of Police or the ICAC.

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Professional Conduct Coordinator

This policy nominates the Professional Conduct Coordinator (PCC) as Council's Disclosures Coordinator. The Disclosures Coordinator has a central role in Wollongong City Council's internal reporting system. The Disclosures Coordinator can receive and assess reports, and is the primary point of contact in Wollongong City Council Council for the reporter. The Disclosures Coordinator has a responsibility to:

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- assess reports to determine whether or not a report should be treated as a public interest disclosure, and to decide how each report will be dealt with (either under delegation or in consultation with the General Manager);
- deal with reports made under Council's Code of Conduct in accordance with Council's adopted Code of Conduct procedures;
- coordinate Wollongong City Council's response to a report;
- acknowledge reports and provide updates and feedback to the reporter;
- assess whether it is possible and appropriate to keep the reporter's identity confidential;
- assess and document the risk of reprisal and workplace conflict related to, or likely to arise out of a report, and develop strategies to manage any risk identified;
- where required, provide or coordinate support to staff-individuals involved in the reporting or investigation process, including protecting the interests of any officer the subject of a report;
- ensure Wollongong City Council complies with the PID Act;
- provide six-monthly reports to the NSW Ombudsman in accordance with section 6CA of the PID Act.

Disclosures Officers

Disclosures Officers are additional points of contact within the internal reporting system. They can provide advice about the system and the internal reporting policy, receive reports of wrongdoing, and assist staff and Councillors individuals to make reports.

Disclosures Officers have a responsibility to:

- document in writing any reports received verbally, and have the document signed and dated by the reporter;
- make arrangements to ensure reporters can make reports privately and discreetly when requested, if necessary away from the workplace;

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- discuss with the reporter any concerns they may have about reprisal or workplace conflict;
- carry out preliminary assessment and forward reports to the Disclosures Coordinator or General Manager for full assessment.

Lord Mayor

The Lord Mayor can receive reports ~~from staff and Councillors~~ about the General Manager. Where the Lord Mayor receives such reports, the Lord Mayor has a responsibility to:

- assess the reports to determine whether or not they should be treated as a public interest disclosure, and to decide how they will be dealt with;
- deal with reports made under Council's Code of Conduct in accordance with Council's adopted Code of Conduct procedures;
- refer reports to an investigating authority, where appropriate;
- liaise with the Disclosures Coordinator to ensure there are strategies in place to support reporters, protect reporters from reprisal and manage workplace conflict that may arise in relation to a report;
- refer actual or suspected corrupt conduct to the ICAC;
- refer any evidence of a reprisal offence under section 20 of the PID Act to the Commissioner of Police or the ICAC.

Supervisors and Line Managers

Supervisors and Line Managers play an important role in managing the immediate workplace of those involved in or affected by the internal reporting process. Supervisors and Line Managers should be aware of the ~~internal reporting policy~~ **Public Interest Disclosures Policy** and are responsible for creating a local work environment where staff are comfortable and confident about reporting wrongdoing. They have a responsibility to:

- encourage staff to report known or suspected wrongdoing within the organisation and support ~~staff~~ **them** when they do;
- identify reports made to them in the course of their work which could be public interest disclosures, and assist the staff member to make the report to an officer authorised to receive public interest disclosures under this policy;
- ensure that individuals who report suspected wrongdoing are assisted in making that report directly to a Disclosures Officer or the Disclosures Coordinator, to ensure ~~they~~ protection from reprisal pursuant to the PID Act.
- implement local management strategies, in consultation with the Disclosures Coordinator, to minimise the risk of reprisal or workplace conflict in relation to a report;
- notify the Disclosures Coordinator or General Manager immediately if they believe a staff member is being subjected to reprisal as a result of reporting wrongdoing, or in the case of suspected reprisal by the General Manager, notify the Lord Mayor.

5 What ~~s~~Should be Reported?

You should report any suspected wrongdoing within ~~Wollongong City~~ Council, or any activities or incidents you see within ~~Wollongong City~~ Council that you believe are wrong.

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Reports about five categories of serious misconduct – corrupt conduct, maladministration, serious and substantial waste of public money, breach of the GIPA Act, and local government pecuniary interest contravention – which otherwise meet the criteria of a public interest disclosure, will be dealt with under the PID Act and according to this policy. See below for details about these types of conduct. More information about what can be reported under the PID Act can be found in the NSW Ombudsman's Guideline B2: What should be reported?

All other wrongdoing or suspected wrongdoing should be reported to a supervisor, to be dealt with in line with the ~~relevant policies~~ **Code of Conduct or Council's Policy for Prevention and Resolution of Workplace Bullying Harassment and Discrimination**. This might include:

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- harassment or unlawful discrimination;
- practices that endanger the health or safety of staff or the public.

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Even if these reports are not dealt with as public interest disclosures, Wollongong City Council recognises that such reports may raise important issues. We-Council will respond to all reports and make every attempt to protect the staff-individual member making the report from reprisal.

a Corrupt Conduct

Corrupt conduct is the dishonest or partial exercise of official functions by a public official.

For example, this could include:

- the improper use of knowledge, power or position for personal gain or the advantage of others;
- acting dishonestly or unfairly, or breaching public trust;
- a Council official being influenced by a member of public to use their position in a way that is dishonest, biased or breaches public trust.

b Maladministration

Maladministration is conduct that involves action or inaction of a serious nature that is contrary to law, unreasonable, unjust, oppressive or improperly discriminatory or based wholly or partly on improper motives.

For example, this could include:

- making a decision and/or taking action that is unlawful;
- refusing to grant an approval for reasons that are not related to the merits of their application.

c Serious and Substantial Waste of Public Money

Serious and substantial waste is the uneconomical, inefficient or ineffective use of resources that could result in losing or wasting public money.

For example, this could include:

- not following a competitive tendering process for a large scale contract;
- having bad or no processes in place for a system involving large amounts of public funds.

d Breach of the GIPA Act

A breach of the *Government Information (Public Access) Act 2009* (the GIPA Act) is a failure to properly fulfil functions under that Act.

For example, this could include:

- destroying, concealing or altering records to prevent them from being released;
- knowingly making decisions that are contrary to the legislation;
- directing another person to make a decision that is contrary to the legislation.

e Local Government Pecuniary Interest Contravention

A local government pecuniary interest contravention is a failure to comply with requirements under the *Local Government Act 1993* relating to the management of pecuniary interests. These include obligations to lodge disclosure of interests returns, disclose pecuniary interests at Council and Council committee meetings and leave the meeting while the matter is being discussed. A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person.

For example, this could include:

- a senior Council staff member recommending a family member for a Council contract and not declaring the relationship;
- a Councillor participating in consideration of a DA for a property they or their family have an interest in.

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6 Assessment of Reports

All reports will be promptly and thoroughly assessed to determine what action will be taken to deal with the report and whether or not the report will be treated as a public interest disclosure.

The Disclosures Coordinator is responsible for assessing reports, in consultation with the General Manager where appropriate. All reports will be assessed on the information available to the Disclosures Coordinator at the time. It is up to the Disclosures Coordinator to decide whether an investigation should be carried out and how that investigation should be carried out. In assessing a report the Disclosures Coordinator may decide that the report should be referred elsewhere or that no action should be taken on the report.

7 When will a Report be treated as a Public Interest Disclosure?

Wollongong City Council will treat a report as a public interest disclosure if it meets the criteria of a public interest disclosure under the PID Act. These requirements are:

- the report must be about one of the following five categories of serious wrongdoing – corrupt conduct, maladministration, serious and substantial waste of public money, breach of the GIPA Act, or local government pecuniary interest contravention;
- the person making the disclosure must honestly believe on reasonable grounds that the information shows or tends to show wrongdoing;
- the report has to be made to either the General Manager or, for reports about the General Manager the Lord Mayor, a position nominated in this policy (see section 8), an investigating authority or in limited circumstances to an MP or journalist (see section 9).

Reports ~~by staff~~ are not public interest disclosures if they:

- mostly question the merits of government policy (see section 17);
- are made with the sole or substantial motive of avoiding dismissal or other disciplinary action (see section 18).

8 Who Can Receive a Report Within Wollongong City Council?

Staff, Councillors and other stakeholders are encouraged to report general wrongdoing to their supervisor. However the PID Act requires that, for a report to be a public interest disclosure, it must be made to certain public officials identified in this policy or any supporting procedures.

The following positions are the only people within Wollongong City Council who are authorised to receive a public interest disclosure. Any supervisor who receives a report that they believe may be a public interest disclosure is obliged to assist the staff member to make the report to one of the positions listed below. The broader responsibilities of these positions are outlined under Roles and Responsibilities (section 4).

If your report involves a Councillor, you should make it to the General Manager. If your report relates to the General Manager, you should make it to the Lord Mayor.

- General Manager
- Lord Mayor (for reports about the General Manager only)
- Director Planning and Environment
- Director Corporate ~~and Community~~ Services
- Director Community Services
- Director Infrastructure and Works
- Manager Human Resources
- Manager Governance and ~~Information~~ Customer Service
- Professional Conduct Coordinator

Additional disclosures officers are listed on the Wollongong City Council internal Hub website for staff and Councillors to refer to.

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INTERNAL REPORTING PUBLIC INTEREST DISCLOSURES COUNCIL POLICY

9 Who Can Receive a Report Outside of Wollongong City Council?

Staff and Councillors are encouraged to report wrongdoing within [Wollongong City Council](#), but internal reporting is not your only option. You can also make a public interest disclosure to:

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- [an](#) investigating authority.
- [a](#) Member of Parliament or a journalist, but only in the limited circumstances outlined below.

a Investigating Authorities

The PID Act lists a number of investigating authorities in NSW that staff and Councillors can report wrongdoing to and the type of wrongdoing each authority can deal with. In certain circumstances it may be preferable to make a report of wrongdoing to an investigating authority, for example a report about either the [General Manager](#) or the [Lord Mayor](#).

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The relevant investigating authorities for [Wollongong City Council](#) are:

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- the Independent Commission Against Corruption (ICAC) – for reports about corrupt conduct;
- the [NSW](#) Ombudsman – for reports about maladministration;
- the Information and Privacy Commission [NSW](#) – for disclosures about a breach of the GIPA Act;
- the Office of Local Government – for disclosures about local councils.

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You should contact the relevant investigating authority for advice about how to make a disclosure to them. Contact details for each investigating authority are provided at the end of this policy.

You should be aware that the investigating authority may well discuss any such reports with [Wollongong City Council](#). [We Council](#) will make every effort to assist and cooperate with the investigating authority to ensure the matter is dealt with appropriately and there is a satisfactory outcome. [We Council](#) will also provide appropriate support and assistance to [staff or Councillors](#) [individuals](#) who report wrongdoing to an investigating authority, if [we are](#) [Council is](#) made aware that this has occurred.

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b Members of Parliament or Journalists

To have the protection of the PID Act, [staff individuals](#) reporting wrongdoing to a Member of Parliament (**MP**) or a journalist must have already made substantially the same report to one of the following:

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- the [General Manager](#);
- a person nominated in this policy, including the Lord Mayor for reports about the General Manager;
- an investigating authority.

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Also, [Wollongong City Council](#) or the investigating authority that received your initial report, must have either:

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- decided not to investigate the matter;
- decided to investigate the matter, but not completed the investigation within six months of the original report;
- investigated the matter but not recommended any action as a result;
- not [told the person who made the report advised you](#), within six months of the report being made, whether the matter will be investigated.

Most importantly – to be protected under the PID Act – if you report wrongdoing to an MP or a journalist you will need to be able to prove that you have reasonable grounds for believing that the disclosure is substantially true and that it is in fact substantially true (see section 19).

INTERNAL REPORTING PUBLIC INTEREST DISCLOSURES

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c Other External Reporting

If you report wrongdoing to a person or authority that is not listed above, or make a report to an MP or journalist without following the steps outlined above, you will not be protected under the PID Act. This may mean you will be in breach of legal obligations or ~~our Council's Code of Conduct~~ – by, for example, disclosing confidential information.

For more information about reporting wrongdoing outside ~~Wollongong City~~ Council, contact the Disclosures Coordinator or the NSW Ombudsman's Public Interest Disclosures Unit. Their contact details are provided at the end of this policy.

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10 How to Make a Report

You can report wrongdoing in writing or verbally. You are encouraged to make a report in writing as this can help to avoid any confusion or misinterpretation.

If a report is made verbally, the person receiving the report will make a comprehensive record of the report and ask the person making the report to sign this record. The reporter should keep a copy of this record.

11 Can a Report be Anonymous?

There will be some situations where you may not want to identify yourself when you make a report. Although these reports will still be dealt with by ~~Wollongong City~~ Council, it is best if you identify yourself. This allows ~~us~~ Council to provide you with any necessary protection and support, as well as feedback about what action is to be taken or has been taken to deal with the issues raised in the report, or the outcome of any investigation.

It is important to realise that an anonymous disclosure may not prevent you from being identified by the subjects of the report or your colleagues. If ~~we~~ Council do not know who made the report, it is very difficult for ~~us~~ them to prevent any reprisal should others identify you.

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12 Feedback to ~~individuals~~ Staff ~~who~~ Report Wrongdoing

Staff, ~~and~~ Councillors ~~and other identified stakeholders~~ who report wrongdoing will be told what is happening in response to their report.

a Acknowledgement

When you make a report, ~~Wollongong City~~ Council will contact you ~~in writing within 45 days of receipt of your report, to provide you with a copy of this Policy and to~~ confirm that your report has been received, and to advise:

- the timeframe within which you will receive further updates;
- the name and contact details of the people who can tell you what is happening or handle any concerns you may have.

After a decision is made about how your report will be dealt with, ~~Wollongong City~~ Council will send you an acknowledgment letter, providing:

- information about the action that will be taken in response to your report;
- the likely timeframes for any investigation or other action;
- information about the internal and external resources or services available that you can access for support.

~~We will provide this information to you within ten working days from the date you make your report. We will also advise you if we decide to treat your report as a public interest disclosure and provide you with a copy of this policy at that time, as required by the PID Act.~~

Please note, if you make a report which meets the requirements of the PID Act but the report was made under a statutory or legal obligation or incidental to the performance of your day to day functions, you will not receive an acknowledgement letter or a copy of this policy.

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INTERNAL REPORTING PUBLIC INTEREST DISCLOSURES

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b Progress Updates

While your report is being dealt with, such as by investigation or making other enquiries, you will be given:

- information about the progress of the investigation or other enquiries and reasons for any delay;
- advice of any decision by Wollongong City Council not to proceed with the matter;
- advice if your identity needs to be disclosed for the purposes of investigating the matter or making enquiries, and an opportunity to talk about this beforehand.

c Feedback

Once the matter has been finalised you will be given:

- enough information to show that adequate and appropriate action was taken and/or is proposed to be taken in response to your disclosure and any problem that was identified;
- advice about whether you are likely to be called as a witness in any further matters, such as disciplinary or criminal proceedings.
- [Council will notify you in writing of the action taken in relation to your disclosure as soon as a decision has been made, but no later than six months after your disclosure.](#)

13 Maintaining Confidentiality

[Wollongong City Council realises recognises that](#) reporters may want their identity [and the fact they have made a report](#) to remain confidential. This can help to prevent any action being taken against them for reporting wrongdoing ([ie reprisal action](#)).

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Where possible and appropriate [we Council](#) will take steps to keep your identity, and the fact you have reported wrongdoing, confidential. [We Council](#) will discuss with you whether it is possible to keep your identity confidential, [after conducting a risk assessment in this regard](#).

If confidentiality cannot be maintained, [we Council](#) will develop a plan to support and protect you from reprisal in consultation with you.

If you report wrongdoing, it is important that you only discuss your report with those responsible for dealing with it. This will include the Disclosures Coordinator and the General Manager, or in the case of a report about the General Manager, the Disclosures Coordinator and the Lord Mayor. The fewer people who know about your report, before and after you make it, the more likely it will be that we can protect you from any reprisal. [If you breach the confidential nature of the process, Council may not be able to keep your identity confidential.](#)

Any [staff or Councillors persons](#) involved in the investigation or handling of a report, including witnesses, are also required to maintain confidentiality and not disclose information about the process or allegations to any person except for those people responsible for handling the report.

14 Managing the Risk of Reprisal and Workplace Conflict

When [a staff member or Councillor an individual](#) reports wrongdoing, [Wollongong City Council](#) will undertake a thorough risk assessment to identify the risk to you of detrimental action in reprisal for reporting, as well as indirect but related risks of workplace conflict or difficulties. The risk assessment will also identify strategies to deal with those risks and determine the level of protection and support that is appropriate.

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Depending on the circumstances, [Wollongong City Council](#) may:

- relocate the reporter or the staff member who is the subject of the allegation within the current workplace;
- transfer the reporter or the staff member who is the subject of the allegation to another position for which they are qualified;
- grant the reporter or the staff member who is the subject of the allegation leave of absence during the investigation of the disclosure.

These courses of action are not punishment and will only be taken in consultation with the reporter.

INTERNAL REPORTING PUBLIC INTEREST DISCLOSURES

COUNCIL POLICY

15 Protection aAgainst Reprisals

Wollongong City Council will not tolerate any reprisal against staff or Councillors any individual who reports wrongdoing or are believed to have reported wrongdoing.

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The PID Act provides protection for staff, and Councillors and other stakeholders who have made a public interest disclosure by imposing penalties on anyone who takes detrimental action against another person substantially in reprisal for that person making a public interest disclosure. These penalties also apply to cases where a person takes detrimental action against another because they believe or suspect the other person has made or may have made a public interest disclosure, even if they did not.

Detrimental action means action causing, comprising or involving any of the following:

- injury, damage or loss;
- intimidation or harassment;
- discrimination, disadvantage or adverse treatment in relation to employment;
- dismissal from, or prejudice in, employment;
- disciplinary proceedings.

A person who is found to have committed a reprisal offence may face criminal penalties such as imprisonment and/or fines, and may be required to pay the victim damages for any loss suffered as a result of the detrimental action. Taking detrimental action in reprisal is also a breach of Council's Code of Conduct which may result in disciplinary action. In the case of Councillors, such disciplinary action may be taken under the misconduct provisions of the Local Government Act 1993 and may include suspension or disqualification from civic office.

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It is important for staff and Councillors to understand the nature and limitations of the protection provided by the PID Act. The PID Act protects reporters from detrimental action being taken against them because they have made, or are believed to have made, a public interest disclosure. It does not protect reporters from disciplinary or other management action where Wollongong City Council has reasonable grounds to take such action.

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a Responding to Allegations of Reprisal

If you believe that detrimental action has been or is being taken against you or someone else in reprisal for reporting wrongdoing, you should tell your supervisor, the Disclosures Coordinator or the *General Manager* immediately. In the case of an allegation of reprisal by the General Manager, you can alternatively report this to the Lord Mayor.

All supervisors must notify the Disclosures Coordinator or the General Manager if they suspect that reprisal against a staff member is occurring or has occurred, or if any such allegations are made to them. In the case of an allegation of reprisal by the General Manager, the Lord Mayor can alternatively be notified.

If Wollongong City Council becomes aware of or suspects that reprisal is being or has been taken against a person who has made a disclosure, Wollongong City Council will:

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- assess the allegation of reprisal to decide whether the report should be treated as a public interest disclosure and whether the matter warrants investigation or if other action should be taken to resolve the issue;
- if the reprisal allegation warrants investigation, ensure this is conducted by a senior and experienced member of staff;
- if it is established that reprisal is occurring against someone who has made a report, take all steps possible to stop that activity and protect the reporter;
- take appropriate disciplinary action against anyone proven to have taken or threatened any action in reprisal for making a disclosure;
- refer any breach of Part 8 of Council's Code of Conduct (reprisal action) by a Councillor or the General Manager to the Office of Local Government;
- refer any evidence of an offence under Section 20 of the PID Act to the ICAC or NSW Police Force.

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If you allege reprisal, you will be kept informed of the progress and outcome of any investigation or other action taken in response to your allegation.

If you have reported wrongdoing and are experiencing reprisal which you believe is not being dealt with effectively, contact the Office of Local Government, the Ombudsman or the ICAC (depending on the type of wrongdoing you reported). Contact details for these investigating authorities are included at the end of this policy.

b Protection Against Legal Action

If you make a public interest disclosure in accordance with the PID Act, you will not be subject to any liability, and no action, claim or demand can be taken against you for having made the public interest disclosure. You will not have breached any confidentiality or secrecy obligations and you will have the defence of absolute privilege in defamation.

16 Support for Those Reporting Wrongdoing

Wollongong City Council will make sure that staff who have reported wrongdoing, regardless of whether their report is treated as a public interest disclosure, are provided with access to any professional support they may need as a result of the reporting process – such as stress management or counselling services.

Access to support may also be available for other staff involved in the internal reporting process where appropriate. Reporters and other staff involved in the process can discuss their support options with the Disclosures Coordinator.

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17 Sanctions for Making False or Misleading Statements

It is important all staff and Councillors are aware that it is a criminal offence under the PID Act to wilfully make a false or misleading statement when reporting wrongdoing. Wollongong City Council will not support staff or Councillors who wilfully make false or misleading reports. Such conduct may also be a breach of the code of Conduct resulting in disciplinary action. In the case of Councillors, disciplinary action may be taken under the misconduct provisions of the Local Government Act 1993 and may include suspension or disqualification from civic office.

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18 The Rights of Persons the Subject of a Report

Wollongong City Council is committed to ensuring staff or Councillors who are the subject of a report of wrongdoing are treated fairly and reasonably. This includes keeping the identity of any person the subject of a report confidential, where this is practical and appropriate.

If you are the subject of the report, you will be advised of the allegations made against you at an appropriate time and before any adverse findings. At this time you will be:

- advised of the details of the allegation;
- advised of your rights and obligations under the relevant related policies and procedures;
- kept informed about the progress of any investigation;
- given a reasonable opportunity to respond to any allegation made against you;
- told the outcome of any investigation, including any decision made about whether or not further action will be taken against you.

Where the reported allegations against the subject officer are clearly wrong, or have been investigated and unsubstantiated, the subject officer will be supported by Wollongong City Council. The fact of the allegations and any investigation will be kept confidential unless otherwise agreed to by the subject officer.

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19 Review

This policy will be reviewed by Wollongong City Council every two years. For any advice or guidance about this review, contact the NSW Ombudsman's Public Interest Disclosures Unit.

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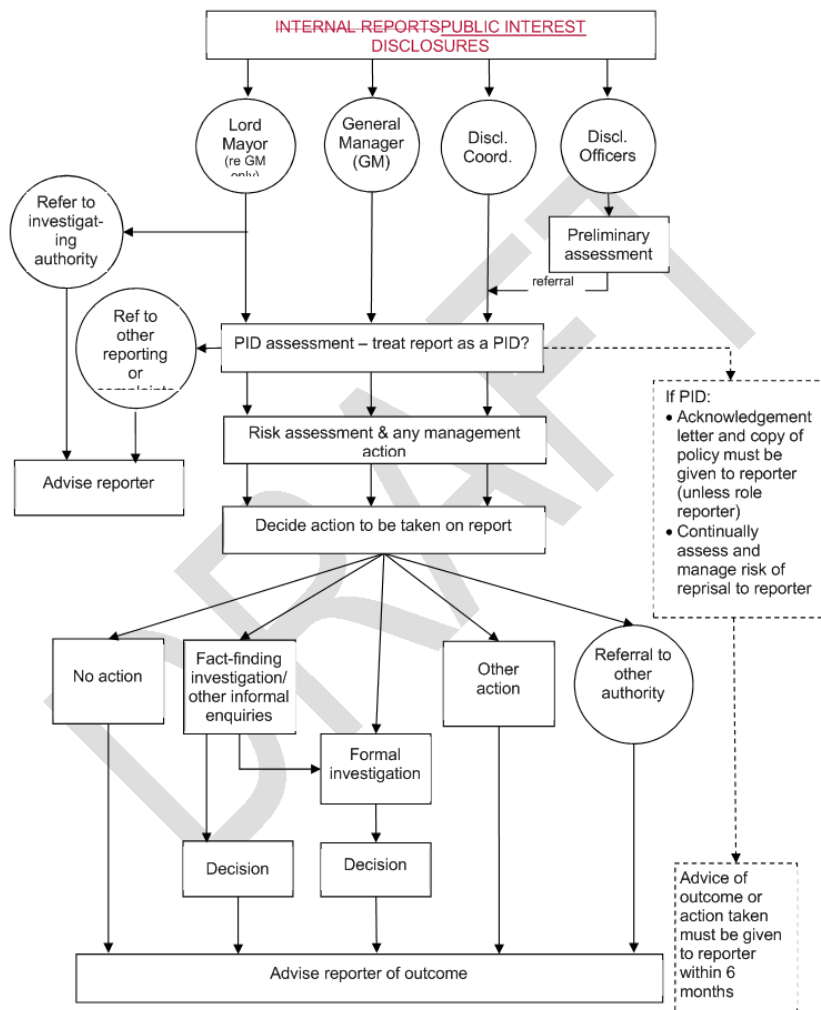
20 More Information

More information around public interest disclosures is available on our Professional Conduct Coordinator intranet site. Staff can also seek advice and guidance from the Disclosures Coordinator and the NSW Ombudsman's website at www.ombo.nsw.gov.au.

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INTERNAL REPORTS PUBLIC INTEREST DISCLOSURES COUNCIL POLICY

21 Flow Chart of Internal Reporting-Public Interest Disclosures Process



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INTERNAL REPORTING PUBLIC INTEREST DISCLOSURES

COUNCIL POLICY

22 Resources

The contact details for external investigating authorities that staff can make a public interest disclosure to or seek advice from are listed below.

For disclosures about corrupt conduct:

Independent Commission Against Corruption (ICAC)
Phone: 02 8281 5999
Toll free: 1800 463 909
Tel. typewriter (TTY): 02 8281 5773
Facsimile: 02 9264 5364
Email: icac@icac.nsw.gov.au
Web: www.icac.nsw.gov.au
Address: Level 7
255 Elizabeth Street
Sydney NSW 2000

For disclosures about maladministration:

NSW Ombudsman
Phone: 02 9286 1000
Toll free (outside Sydney metro): 1800 451 524
Tel. typewriter (TTY): 02 9264 8050
Facsimile: 02 9283 2911
Email: nswombo@ombo.nsw.gov.au
Web: www.ombo.nsw.gov.au
Address: Level 24
580 George Street
Sydney NSW 2000

For disclosures about breaches of the GIPA Act:

Information and Privacy Commission
Toll free: 1800 472 679
Facsimile: 02 8114 3756
Email: ipcinfo@ipc.nsw.gov.au
Web: www.ipc.nsw.gov.au
Address: Level 17
201 Elizabeth Street
Sydney NSW 2000

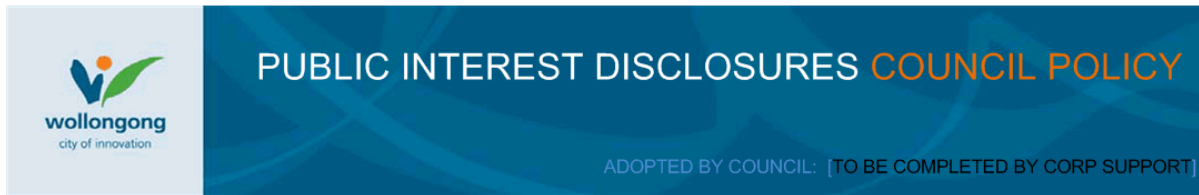
For disclosures about local councils:

Office of Local Government
Phone: 02 4428 4100
Tel. typewriter (TTY): 02 4428 4209
Facsimile: 02 4428 4199
Email: olg@olg.nsw.gov.au
Web: www.olg.nsw.gov.au
Address: 5 O'Keefe Avenue
Nowra NSW 2541

INTERNAL REPORTING PUBLIC INTEREST DISCLOSURES COUNCIL POLICY

SUMMARY SHEET			
Responsible Division	Office of the General Manager		
Date/s adopted	<table border="1"> <tr> <td><i>Executive Management Committee</i> [updated by policy owner]</td> <td><i>Council</i> [DD Mmmm YYYY]</td> </tr> </table>	<i>Executive Management Committee</i> [updated by policy owner]	<i>Council</i> [DD Mmmm YYYY]
<i>Executive Management Committee</i> [updated by policy owner]	<i>Council</i> [DD Mmmm YYYY]		
Date/s of previous adoptions	8 May 2017, 30 March 2015, 22 July 2013, 12 March 2012, 10 October 2011, 25 August 2008		
Date of next review	May 2019		
Legislative or other requirement for review	Policy – Review every two years <u>years</u> DELETE THIS WHOLE ROW IF NOT APPLICABLE		
Responsible Manager	Professional Conduct Coordinator		
Authorised by	General Manager		

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BACKGROUND

The Public Interest Disclosures (**PID**) Act 1994 (**the PID Act**) prescribes a framework for the disclosure and investigation of wrongdoing and maladministration in the public sector. Under section 6D of the PID Act, Wollongong City Council is required to have in place a policy and procedures for receiving, assessing and dealing with public interest disclosures (**PIDs**). As prescribed by the PID Act, this policy was developed with due regard to the NSW Ombudsman's guidelines and the model internal reporting policies for local government.

OBJECTIVE

Council recognises that Councillors and staff have an important role in ensuring a high ethical standard and enhancing administrative and management practices, and strongly supports disclosures which expose:

- Corrupt conduct;
- Fraud;
- Maladministration;
- Serious and substantial waste of public money;
- Breaches of the *Government Information (Public Access) Act 2009*; or
- Local Government pecuniary interest contravention.

The objective of this policy is therefore to encourage and facilitate public interest disclosures, to ensure that personnel who make such disclosures receive protection from reprisals, and to ensure that matters raised are properly investigated and acted upon.

POLICY STATEMENT

- 1 Council is committed to the aims and objectives of the PID Act.
- 2 The Lord Mayor, General Manager and Council management acknowledge the value and importance of Councillor and staff contributions to high standards of administrative and management practices and strongly endorse reporting of corrupt conduct, fraud, maladministration, serious and substantial waste of public money or government information contravention.
- 3 Council recognises that staff who come forward and report wrongdoing are helping to promote integrity, accountability and good management within Council.
- 4 Council is committed to an effective response to internal disclosures in a way that will protect the identity of the disclosant, wherever possible and appropriate.
- 5 Council will not tolerate reprisals or retribution against those making legitimate public interest disclosures as prescribed by the PID Act.

PUBLIC INTEREST DISCLOSURES

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ADOPTED BY COUNCIL: 8 MAY 2017

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PUBLIC INTEREST DISCLOSURES

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1 Purpose and Context of the Policy

The purpose of this policy is to establish an internal reporting system for staff and Councillors to report wrongdoing without fear of reprisal. The policy sets out who you can report wrongdoing to in Wollongong City Council, what can be reported and how reports of wrongdoing will be dealt with.

This policy is designed to complement normal communication channels between supervisors and staff. Staff are encouraged to raise matters of concern at any time with their supervisors, but also have the option of making a report about a public interest issue in accordance with this policy and the PID Act.

This policy is just one in the suite of Wollongong City Council's complaint handling policies which include:

- Code of Conduct – Councillors
- Code of Conduct – Delegates of Council and Members of Council Committees
- Code of Conduct – Staff
- Code of Business Ethics
- Fraud and Corruption Prevention policy
- Professional Conduct Investigation policy

The internal reporting system established under this policy is not to be used for staff grievances, which should be raised through the Prevention and Resolution of Workplace Bullying Harassment and Discrimination policy. If a staff member makes a report under this policy which is substantially a grievance, the matter will be referred to Human Resources to be dealt with in accordance with the Enterprise Agreement for grievance procedure.

2 Organisational Commitment

Wollongong City Council is committed to:

- Creating a climate of trust and integrity, where staff, Councillors and other stakeholders are comfortable and confident about reporting wrongdoing;
- Encouraging individuals to come forward if they have witnessed what they consider to be wrongdoing within the Council;
- Keeping the identity of the person disclosing wrongdoing confidential, wherever possible and appropriate;
- Protecting individuals who make disclosures from any adverse action motivated by their report;
- Protecting individuals from any adverse action resulting from them making a report;
- Dealing with reports thoroughly and impartially and if some form of wrongdoing has been found, taking appropriate action to rectify it;
- Keeping disclosants informed of the progress of their report and the outcome;
- Encouraging individuals to report wrongdoing within Council, but respecting any decision to disclose wrongdoing outside Council – provided that disclosure outside Council is made in accordance with the provisions of the PID Act;
- Ensuring managers and supervisors at all levels in Council understand the benefits of reporting wrongdoing, are familiar with this policy, and aware of the needs of those who report wrongdoing;
- Providing adequate resources, both financial and human, to:
 - encourage reports of wrongdoing;
 - protect and support those who make them;
 - provide training about how to make reports and the benefits of internal reports to Council and the public interest generally;
 - properly assess and investigate or otherwise deal with allegations;
 - properly manage any workplace issues that the allegations identify or that result from a report;
 - appropriately address any identified problems.

3 Who does this Policy apply to?

This policy will apply to:

- both Council staff and Councillors;

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- permanent employees, whether full-time or part-time;
- temporary or casual employees;
- consultants;
- individual contractors working for Council;
- employees of contractors providing services to Council;
- other people who perform Council official functions whose conduct and activities could be investigated by an investigating authority, including volunteers;
- the policy also applies to public officials of another Council or public authority who report wrongdoing relating to Wollongong City Council.

4 Roles and Responsibilities

a *The role of Council Staff and Councillors*

Staff and Councillors play an important role in contributing to a workplace where known or suspected wrongdoing is reported and dealt with appropriately. All Council staff and Councillors are obliged to:

- report all known or suspected wrongdoing and support those who have made reports of wrongdoing;
- if requested, assist those dealing with the report, including supplying information on request, cooperating with any investigation and maintaining confidentiality;
- treat any staff member or person dealing with a report of wrongdoing with courtesy and respect;
- respect the rights of any person the subject of reports.

Staff and Councillors must not:

- make false or misleading reports of wrongdoing;
- victimise or harass anyone who has made a report.

Additionally, the behaviour of all Council staff and Councillors involved in the internal reporting process must adhere to Wollongong City Council's Code of Conduct. A breach of the code could result in disciplinary action.

b *The role of Wollongong City Council*

Wollongong City Council has a responsibility to establish and maintain a working environment that encourages staff and Councillors to report wrongdoing and supports them when they do. This includes keeping the identity of reporters confidential where practical and appropriate, and taking steps to protect reporters from reprisal and manage workplace conflict.

Council will assess all reports of wrongdoing it receives and deal with them appropriately. Once wrongdoing has been reported, Council takes 'ownership' of the matter. This means it is up to Council to decide whether a report should be investigated, and if so, how it should be investigated and by whom. Council will deal with all reports of wrongdoing fairly and reasonably, and respect the rights of any person the subject of a report.

Council must report on its obligations under the PID Act and provide statistical information about public interest disclosures in its annual report, and to the NSW Ombudsman every six months.

To ensure Council complies with the PID Act and deals with all reports of wrongdoing properly, all staff and Councillors with roles outlined below and elsewhere in this policy will receive training on their responsibilities.

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c Responsibilities of Key Positions

General Manager

The General Manager has ultimate responsibility for maintaining the internal reporting system and workplace reporting culture, and ensuring Council complies with the PID Act. The General Manager can receive reports from staff, Councillors and other identified persons, and has a responsibility to:

- assess reports received by or referred to them, to determine whether or not the report should be treated as a public interest disclosure, and to decide how the report will be dealt with;
- deal with reports made under Council's Code of Conduct in accordance with Council's adopted Code of Conduct procedures;
- ensure there are strategies in place to support reporters, protect them from reprisal and manage workplace conflict that may arise in relation to a report;
- make decisions following any investigation or appoint an appropriate decision-maker;
- take appropriate remedial action where wrongdoing is substantiated or systemic problems are identified;
- refer actual or suspected corrupt conduct to the New South Wales Independent Commission Against Corruption (ICAC);
- refer any evidence of a reprisal offence under section 20 of the PID Act to the Commissioner of Police or the ICAC.

Professional Conduct Coordinator

This policy nominates the Professional Conduct Coordinator (**PCC**) as Council's Disclosures Coordinator. The Disclosures Coordinator has a central role in Council's internal reporting system. The Disclosures Coordinator can receive and assess reports, and is the primary point of contact in Council for the reporter. The Disclosures Coordinator has a responsibility to:

- assess reports to determine whether or not a report should be treated as a public interest disclosure, and to decide how each report will be dealt with (either under delegation or in consultation with the General Manager);
- deal with reports made under Council's Code of Conduct in accordance with Council's adopted Code of Conduct procedures;
- coordinate Council's response to a report;
- acknowledge reports and provide updates and feedback to the reporter;
- assess whether it is possible and appropriate to keep the reporter's identity confidential;
- assess and document the risk of reprisal and workplace conflict related to, or likely to arise out of a report, and develop strategies to manage any risk identified;
- where required, provide or coordinate support to individuals involved in the reporting or investigation process, including protecting the interests of any officer the subject of a report;
- ensure Council complies with the PID Act;
- provide six-monthly reports to the NSW Ombudsman in accordance with section 6CA of the PID Act.

Disclosures Officers

Disclosures Officers are additional points of contact within the internal reporting system. They can provide advice about the system and the internal reporting policy, receive reports of wrongdoing, and assist individuals to make reports.

Disclosures Officers have a responsibility to:

- document in writing any reports received verbally, and have the document signed and dated by the reporter;
- make arrangements to ensure reporters can make reports privately and discreetly when requested, if necessary away from the workplace;
- discuss with the reporter any concerns they may have about reprisal or workplace conflict;

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- carry out preliminary assessment and forward reports to the Disclosures Coordinator or General Manager for full assessment.

Lord Mayor

The Lord Mayor can receive reports about the General Manager. Where the Lord Mayor receives such reports, the Lord Mayor has a responsibility to:

- assess the reports to determine whether or not they should be treated as a public interest disclosure, and to decide how they will be dealt with;
- deal with reports made under Council's Code of Conduct in accordance with Council's adopted Code of Conduct procedures;
- refer reports to an investigating authority, where appropriate;
- liaise with the Disclosures Coordinator to ensure there are strategies in place to support reporters, protect reporters from reprisal and manage workplace conflict that may arise in relation to a report;
- refer actual or suspected corrupt conduct to the ICAC;
- refer any evidence of a reprisal offence under section 20 of the PID Act to the Commissioner of Police or the ICAC.

Supervisors and Line Managers

Supervisors and Line Managers play an important role in managing the immediate workplace of those involved in or affected by the internal reporting process. Supervisors and Line Managers should be aware of the Public Interest Disclosures Policy and are responsible for creating a local work environment where staff are comfortable and confident about reporting wrongdoing. They have a responsibility to:

- encourage staff to report known or suspected wrongdoing within the organisation and support them when they do;
- identify reports made to them in the course of their work which could be public interest disclosures, and assist the staff member to make the report to an officer authorised to receive public interest disclosures under this policy;
- ensure that individuals who report suspected wrongdoing are assisted in making that report directly to a Disclosures Officer or the Disclosures Coordinator, to ensure they protection from reprisal pursuant to the PID Act.
- implement local management strategies, in consultation with the Disclosures Coordinator, to minimise the risk of reprisal or workplace conflict in relation to a report;
- notify the Disclosures Coordinator or General Manager immediately if they believe a staff member is being subjected to reprisal as a result of reporting wrongdoing, or in the case of suspected reprisal by the General Manager, notify the Lord Mayor.

5 What should be Reported?

You should report any suspected wrongdoing within Council, or any activities or incidents you see within Council that you believe are wrong.

Reports about five categories of serious misconduct – corrupt conduct, maladministration, serious and substantial waste of public money, breach of the GIPA Act, and local government pecuniary interest contravention – which otherwise meet the criteria of a public interest disclosure, will be dealt with under the PID Act and according to this policy. See below for details about these types of conduct. More information about what can be reported under the PID Act can be found in the NSW Ombudsman's Guideline B2: What should be reported?

All other wrongdoing or suspected wrongdoing should be reported to a supervisor, to be dealt with in line with the Code of Conduct or Council's Policy for Prevention and Resolution of Workplace Bullying Harassment and Discrimination. This might include:

- harassment or unlawful discrimination;
- practices that endanger the health or safety of staff or the public.

Even if these reports are not dealt with as public interest disclosures, Council recognises that such reports may raise important issues. Council will respond to all reports and make every attempt to protect the individual member making the report from reprisal.

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a Corrupt Conduct

Corrupt conduct is the dishonest or partial exercise of official functions by a public official.

For example, this could include:

- the improper use of knowledge, power or position for personal gain or the advantage of others;
- acting dishonestly or unfairly, or breaching public trust;
- a Council official being influenced by a member of public to use their position in a way that is dishonest, biased or breaches public trust.

b Maladministration

Maladministration is conduct that involves action or inaction of a serious nature that is contrary to law, unreasonable, unjust, oppressive or improperly discriminatory or based wholly or partly on improper motives.

For example, this could include:

- making a decision and/or taking action that is unlawful;
- refusing to grant an approval for reasons that are not related to the merits of their application.

c Serious and Substantial Waste of Public Money

Serious and substantial waste is the uneconomical, inefficient or ineffective use of resources that could result in losing or wasting public money.

For example, this could include:

- not following a competitive tendering process for a large scale contract;
- having bad or no processes in place for a system involving large amounts of public funds.

d Breach of the GIPA Act

A breach of the *Government Information (Public Access) Act 2009* (**the GIPA Act**) is a failure to properly fulfil functions under that Act.

For example, this could include:

- destroying, concealing or altering records to prevent them from being released;
- knowingly making decisions that are contrary to the legislation;
- directing another person to make a decision that is contrary to the legislation.

e Local Government Pecuniary Interest Contravention

A local government pecuniary interest contravention is a failure to comply with requirements under the *Local Government Act 1993* relating to the management of pecuniary interests. These include obligations to lodge disclosure of interests returns, disclose pecuniary interests at Council and Council committee meetings and leave the meeting while the matter is being discussed. A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person.

For example, this could include:

- a senior Council staff member recommending a family member for a Council contract and not declaring the relationship;
- a Councillor participating in consideration of a DA for a property they or their family have an interest in.

6 Assessment of Reports

All reports will be promptly and thoroughly assessed to determine what action will be taken to deal with the report and whether or not the report will be treated as a public interest disclosure.

The Disclosures Coordinator is responsible for assessing reports, in consultation with the General Manager where appropriate. All reports will be assessed on the information available to the Disclosures Coordinator at

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the time. It is up to the Disclosures Coordinator to decide whether an investigation should be carried out and how that investigation should be carried out. In assessing a report the Disclosures Coordinator may decide that the report should be referred elsewhere or that no action should be taken on the report.

7 When will a Report be treated as a Public Interest Disclosure?

Wollongong City Council will treat a report as a public interest disclosure if it meets the criteria of a public interest disclosure under the PID Act. These requirements are:

- the report must be about one of the following five categories of serious wrongdoing – corrupt conduct, maladministration, serious and substantial waste of public money, breach of the GIPA Act, or local government pecuniary interest contravention;
- the person making the disclosure must honestly believe on reasonable grounds that the information shows or tends to show wrongdoing;
- the report has to be made to either the General Manager or, for reports about the General Manager the Lord Mayor, a position nominated in this policy (see section 8), an investigating authority or in limited circumstances to an MP or journalist (see section 9).

Reports are not public interest disclosures if they:

- mostly question the merits of government policy (see section 17);
- are made with the sole or substantial motive of avoiding dismissal or other disciplinary action (see section 18).

8 Who Can Receive a Report Within Wollongong City Council?

Staff, Councillors and other stakeholders are encouraged to report general wrongdoing to their supervisor. However the PID Act requires that, for a report to be a public interest disclosure, it must be made to certain public officials identified in this policy or any supporting procedures.

The following positions are the only people within Council who are authorised to receive a public interest disclosure. Any supervisor who receives a report that they believe may be a public interest disclosure is obliged to assist the staff member to make the report to one of the positions listed below. The broader responsibilities of these positions are outlined under Roles and Responsibilities (section 4).

If your report involves a Councillor, you should make it to the General Manager. If your report relates to the General Manager, you should make it to the Lord Mayor.

General Manager
 Lord Mayor (for reports about the General Manager only)
 Director Planning and Environment
 Director Corporate Services
 Director Community Services
 Director Infrastructure and Works
 Manager Human Resources
 Manager Governance and Customer Service
 Professional Conduct Coordinator

Additional disclosures officers are listed on the Council internal Hub website for staff and Councillors to refer to.

9 Who Can Receive a Report Outside of Wollongong City Council?

Staff and Councillors are encouraged to report wrongdoing within Council, but internal reporting is not your only option. You can also make a public interest disclosure to:

- an investigating authority.
- a Member of Parliament or a journalist, but only in the limited circumstances outlined below.

a *Investigating Authorities*

The PID Act lists a number of investigating authorities in NSW that staff and Councillors can report wrongdoing to and the type of wrongdoing each authority can deal with. In certain circumstances it may

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be preferable to make a report of wrongdoing to an investigating authority, for example a report about either the General Manager or the Lord Mayor.

The relevant investigating authorities for Wollongong City Council are:

- the Independent Commission Against Corruption (ICAC) – for reports about corrupt conduct;
- the NSW Ombudsman – for reports about maladministration;
- the Information and Privacy Commission NSW – for disclosures about a breach of the GIPA Act;
- the Office of Local Government – for disclosures about local councils.

You should contact the relevant investigating authority for advice about how to make a disclosure to them. Contact details for each investigating authority are provided at the end of this policy.

You should be aware that the investigating authority may well discuss any such reports with Council. Council will make every effort to assist and cooperate with the investigating authority to ensure the matter is dealt with appropriately and there is a satisfactory outcome. Council will also provide appropriate support and assistance to individuals who report wrongdoing to an investigating authority, if Council is made aware that this has occurred.

b Members of Parliament or Journalists

To have the protection of the PID Act, individuals reporting wrongdoing to a Member of Parliament (**MP**) or a journalist must have already made substantially the same report to one of the following:

- the General Manager;
- a person nominated in this policy, including the Lord Mayor for reports about the General Manager;
- an investigating authority.

Also, Council or the investigating authority that received your initial report, must have either:

- decided not to investigate the matter;
- decided to investigate the matter, but not completed the investigation within six months of the original report;
- investigated the matter but not recommended any action as a result;
- not advised you, within six months of the report being made, whether the matter will be investigated.

Most importantly – to be protected under the PID Act – if you report wrongdoing to an MP or a journalist you will need to be able to prove that you have reasonable grounds for believing that the disclosure is substantially true and that it is in fact substantially true (see section 19).

c Other External Reporting

If you report wrongdoing to a person or authority that is not listed above, or make a report to an MP or journalist without following the steps outlined above, you will not be protected under the PID Act. This may mean you will be in breach of legal obligations or Council's Code of Conduct – by, for example, disclosing confidential information.

For more information about reporting wrongdoing outside Council, contact the Disclosures Coordinator or the NSW Ombudsman's Public Interest Disclosures Unit. Their contact details are provided at the end of this policy.

10 How to Make a Report

You can report wrongdoing in writing or verbally. You are encouraged to make a report in writing as this can help to avoid any confusion or misinterpretation.

If a report is made verbally, the person receiving the report will make a comprehensive record of the report and ask the person making the report to sign this record. The reporter should keep a copy of this record.

11 Can a Report be Anonymous?

There will be some situations where you may not want to identify yourself when you make a report. Although these reports will still be dealt with by Council, it is best if you identify yourself. This allows Council to provide you with any necessary protection and support, as well as feedback about what action is to be taken or has been taken to deal with the issues raised in the report, or the outcome of any investigation.

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It is important to realise that an anonymous disclosure may not prevent you from being identified by the subjects of the report or your colleagues. If Council do not know who made the report, it is very difficult for them to prevent any reprisal should others identify you.

12 Feedback to individuals who Report Wrongdoing

Staff, Councillors and other identified stakeholders who report wrongdoing will be told what is happening in response to their report.

a *Acknowledgement*

When you make a report, Council will contact you in writing within 45 days of receipt of your report, to provide you with a copy of this Policy and to confirm that your report has been received, and to advise:

- the timeframe within which you will receive further updates;
- the name and contact details of the people who can tell you what is happening or handle any concerns you may have.

After a decision is made about how your report will be dealt with, Council will send you an acknowledgment letter, providing:

- information about the action that will be taken in response to your report;
- the likely timeframes for any investigation or other action;
- information about the internal and external resources or services available that you can access for support.

Please note, if you make a report which meets the requirements of the PID Act but the report was made under a statutory or legal obligation or incidental to the performance of your day to day functions, you will not receive an acknowledgement letter or a copy of this policy.

b *Progress Updates*

While your report is being dealt with, such as by investigation or making other enquiries, you will be given:

- information about the progress of the investigation or other enquiries and reasons for any delay;
- advice of any decision by Wollongong City Council not to proceed with the matter;
- advice if your identity needs to be disclosed for the purposes of investigating the matter or making enquiries, and an opportunity to talk about this beforehand.

c *Feedback*

Once the matter has been finalised you will be given:

- enough information to show that adequate and appropriate action was taken and/or is proposed to be taken in response to your disclosure and any problem that was identified;
- advice about whether you are likely to be called as a witness in any further matters, such as disciplinary or criminal proceedings.
- Council will notify you in writing of the action taken in relation to your disclosure as soon as a decision has been made, but no later than six months after your disclosure.

13 Maintaining Confidentiality

Council recognises that reporters may want their identity to remain confidential. This can help to prevent any action being taken against them for reporting wrongdoing (ie reprisal action).

Where possible and appropriate Council will take steps to keep your identity, and the fact you have reported wrongdoing, confidential. Council will discuss with you whether it is possible to keep your identity confidential, after conducting a risk assessment in this regard.

If confidentiality cannot be maintained, Council will develop a plan to support and protect you from reprisal in consultation with you.

If you report wrongdoing, it is important that you only discuss your report with those responsible for dealing with it. This will include the Disclosures Coordinator and the General Manager, or in the case of a report about the

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General Manager, the Disclosures Coordinator and the Lord Mayor. The fewer people who know about your report, before and after you make it, the more likely it will be that we can protect you from any reprisal. If you breach the confidential nature of the process, Council may not be able to keep your identity confidential.

Any persons involved in the investigation or handling of a report, including witnesses, are also required to maintain confidentiality and not disclose information about the process or allegations to any person except for those people responsible for handling the report.

14 Managing the Risk of Reprisal and Workplace Conflict

When an individual reports wrongdoing Council will undertake a thorough risk assessment to identify the risk to you of detrimental action in reprisal for reporting, as well as indirect but related risks of workplace conflict or difficulties. The risk assessment will also identify strategies to deal with those risks and determine the level of protection and support that is appropriate.

Depending on the circumstances, Council may:

- relocate the reporter or the staff member who is the subject of the allegation within the current workplace;
- transfer the reporter or the staff member who is the subject of the allegation to another position for which they are qualified;
- grant the reporter or the staff member who is the subject of the allegation leave of absence during the investigation of the disclosure.

These courses of action are not punishment and will only be taken in consultation with the reporter.

15 Protection against Reprisals

Council will not tolerate any reprisal against any individual who reports wrongdoing or are believed to have reported wrongdoing.

The PID Act provides protection for staff, Councillors and other stakeholders who have made a public interest disclosure by imposing penalties on anyone who takes detrimental action against another person substantially in reprisal for that person making a public interest disclosure. These penalties also apply to cases where a person takes detrimental action against another because they believe or suspect the other person has made or may have made a public interest disclosure, even if they did not.

Detrimental action means action causing, comprising or involving any of the following:

- injury, damage or loss;
- intimidation or harassment;
- discrimination, disadvantage or adverse treatment in relation to employment;
- dismissal from, or prejudice in, employment;
- disciplinary proceedings.

A person who is found to have committed a reprisal offence may face criminal penalties such as imprisonment and/or fines, and may be required to pay the victim damages for any loss suffered as a result of the detrimental action. Taking detrimental action in reprisal is also a breach of Council's Code of Conduct which may result in disciplinary action. In the case of Councillors, such disciplinary action may be taken under the misconduct provisions of the *Local Government Act 1993* and may include suspension or disqualification from civic office.

It is important for staff and Councillors to understand the nature and limitations of the protection provided by the PID Act. The PID Act protects reporters from detrimental action being taken against them because they have made, or are believed to have made, a public interest disclosure. It does not protect reporters from disciplinary or other management action where Council has reasonable grounds to take such action.

a Responding to Allegations of Reprisal

If you believe that detrimental action has been or is being taken against you or someone else in reprisal for reporting wrongdoing, you should tell your supervisor, the Disclosures Coordinator or the *General Manager* immediately. In the case of an allegation of reprisal by the General Manager, you can alternatively report this to the Lord Mayor.

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All supervisors must notify the Disclosures Coordinator or the General Manager if they suspect that reprisal against a staff member is occurring or has occurred, or if any such allegations are made to them. In the case of an allegation of reprisal by the General Manager, the Lord Mayor can alternatively be notified.

If Council becomes aware of or suspects that reprisal is being or has been taken against a person who has made a disclosure, Council will:

- assess the allegation of reprisal to decide whether the report should be treated as a public interest disclosure and whether the matter warrants investigation or if other action should be taken to resolve the issue;
- if the reprisal allegation warrants investigation, ensure this is conducted by a senior and experienced member of staff;
- if it is established that reprisal is occurring against someone who has made a report, take all steps possible to stop that activity and protect the reporter;
- take appropriate disciplinary action against anyone proven to have taken or threatened any action in reprisal for making a disclosure;
- refer any breach of Part 8 of Council's Code of Conduct (reprisal action) by a Councillor or the General Manager to the Office of Local Government;
- refer any evidence of an offence under Section 20 of the PID Act to the ICAC or NSW Police Force.

If you allege reprisal, you will be kept informed of the progress and outcome of any investigation or other action taken in response to your allegation.

If you have reported wrongdoing and are experiencing reprisal which you believe is not being dealt with effectively, contact the Office of Local Government, the Ombudsman or the ICAC (depending on the type of wrongdoing you reported). Contact details for these investigating authorities are included at the end of this policy.

b Protection Against Legal Action

If you make a public interest disclosure in accordance with the PID Act, you will not be subject to any liability, and no action, claim or demand can be taken against you for having made the public interest disclosure. You will not have breached any confidentiality or secrecy obligations and you will have the defence of absolute privilege in defamation.

16 Support for those Reporting Wrongdoing

Council will make sure that staff who have reported wrongdoing, regardless of whether their report is treated as a public interest disclosure, are provided with access to any professional support they may need as a result of the reporting process – such as stress management or counselling services.

Access to support may also be available for other staff involved in the internal reporting process where appropriate. Reporters and other staff involved in the process can discuss their support options with the Disclosures Coordinator.

17 Sanctions for making False or Misleading Statements

It is important all staff and Councillors are aware that it is a criminal offence under the PID Act to wilfully make a false or misleading statement when reporting wrongdoing. Council will not support staff or Councillors who wilfully make false or misleading reports. Such conduct may also be a breach of the code of Conduct resulting in disciplinary action. In the case of Councillors, disciplinary action may be taken under the misconduct provisions of the *Local Government Act 1993* and may include suspension or disqualification from civic office.

18 The Rights of Persons the Subject of a Report

Council is committed to ensuring staff or Councillors who are the subject of a report of wrongdoing are treated fairly and reasonably. This includes keeping the identity of any person the subject of a report confidential, where this is practical and appropriate.

If you are the subject of the report, you will be advised of the allegations made against you at an appropriate time and before any adverse findings. At this time you will be:

- advised of the details of the allegation;

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- advised of your rights and obligations under the relevant related policies and procedures;
- kept informed about the progress of any investigation;
- given a reasonable opportunity to respond to any allegation made against you;
- told the outcome of any investigation, including any decision made about whether or not further action will be taken against you.

Where the reported allegations against the subject officer are clearly wrong, or have been investigated and unsubstantiated, the subject officer will be supported by *Wollongong City Council*. The fact of the allegations and any investigation will be kept confidential unless otherwise agreed to by the subject officer.

19 Review

This policy will be reviewed by Council every two years. For any advice or guidance about this review, contact the NSW Ombudsman's Public Interest Disclosures Unit.

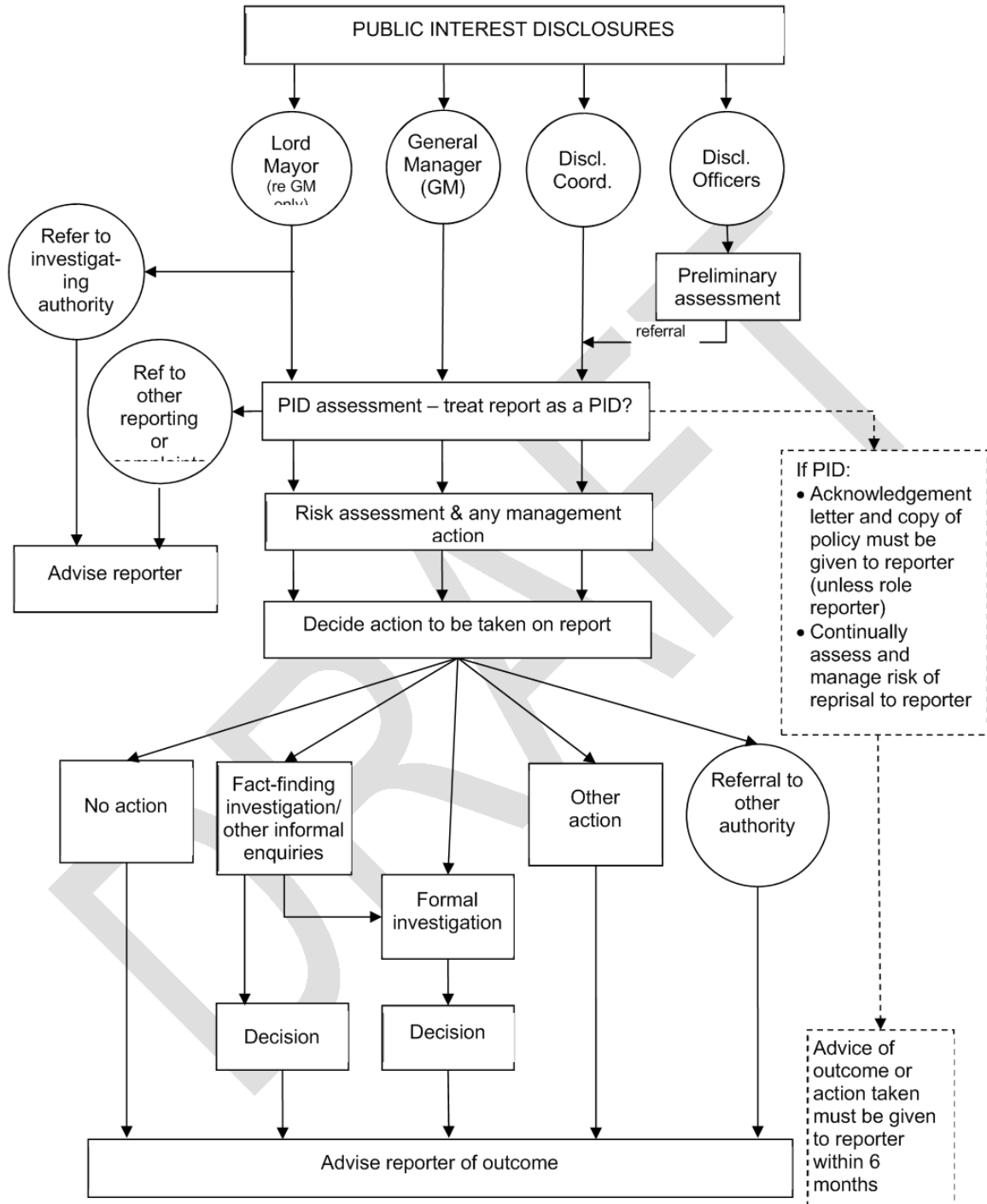
20 More Information

More information around public interest disclosures is available on our Professional Conduct Coordinator intranet site. Staff can also seek advice and guidance from the Disclosures Coordinator and the NSW Ombudsman's website at www.ombo.nsw.gov.au.

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21 Flow Chart of -Public Interest Disclosures Process



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22 Resources

The contact details for external investigating authorities that staff can make a public interest disclosure to or seek advice from are listed below.

For disclosures about corrupt conduct:

Independent Commission Against Corruption (ICAC)
Phone: 02 8281 5999
Toll free: 1800 463 909
Tel. typewriter (TTY): 02 8281 5773
Facsimile: 02 9264 5364
Email: icac@icac.nsw.gov.au
Web: www.icac.nsw.gov.au
Address: Level 7
255 Elizabeth Street
Sydney NSW 2000

For disclosures about maladministration:

NSW Ombudsman
Phone: 02 9286 1000
Toll free
(outside Sydney metro): 1800 451 524
Tel. typewriter (TTY): 02 9264 8050
Facsimile: 02 9283 2911
Email: nswombo@ombo.nsw.gov.au
Web: www.ombo.nsw.gov.au
Address: Level 24
580 George Street
Sydney NSW 2000

For disclosures about breaches of the GIPA Act:

Information and Privacy Commissioner
Toll free: 1800 472 679
Facsimile: 02 8114 3756
Email: ipcinfo@ipc.nsw.gov.au
Web: www.ipc.nsw.gov.au
Address: Level 17
201 Elizabeth Street
Sydney NSW 2000

For disclosures about local councils:

Office of Local Government
Phone: 02 4428 4100
Tel. typewriter (TTY): 02 4428 4209
Facsimile: 02 4428 4199
Email: olg@olg.nsw.gov.au
Web: www.olg.nsw.gov.au
Address: 5 O'Keefe Avenue
Nowra NSW 2541

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SUMMARY SHEET		
Responsible Division	Office of the General Manager	
Date/s adopted	<i>Executive Management Committee</i> [updated by policy owner]	<i>Council</i> [DD Mmmm YYYY]
Date/s of previous adoptions	8 May 2017, 30 March 2015, 22 July 2013, 12 March 2012, 10 October 2011, 25 August 2008	
Date of next review	May 2019	
Legislative or other requirement for review DELETE THIS WHOLE ROW IF NOT APPLICABLE	Policy – Review every two years	
Responsible Manager	Professional Conduct Coordinator	
Authorised by	General Manager	

DRAFT

ITEM 10

TENDER T19/03A - PRINCIPAL DESIGN CONSULTANT (ARCHITECT) FOR WARRAWONG DISTRICT COMMUNITY CENTRE AND LIBRARY

Council is proposing to construct a district level Community Centre and Library at King and Greene Streets, Warrawong to service the needs of that community. Council has called tenders to appoint the Principal Design Consultant (Architect) which signals the commencement of the design stage of this project.

This report recommends that Council decline to accept any of the tenders submitted for the provision of professional services for Principal Design Consultant (Architect) for Warrawong District Community Centre and Library in accordance with clause 178(1)(b) of the Local Government (General) Regulation 2005.

The Tender Assessment Panel has concluded that none of the tenders is acceptable for the reason that the tender documentation submitted was incomplete or significantly exceeded the tender budget estimate and it is anticipated that negotiations with the tenderers or any other party in relation to a revised scope of works will result in a satisfactory outcome being achieved.

RECOMMENDATION

- 1 a In accordance with clause 178(1)(b) of the Local Government (General) Regulation 2005, Council decline to accept any of the tenders received for the provision of professional services for Principal Design Consultant (Architect) for Warrawong District Community Centre and Library and resolve to enter into negotiations with one or all of the tenderers or any other party with a view to entering into a contract in relation to the subject matter of the tender.
- b In accordance with clause 178(4) of the Local Government (General) Regulation 2005, the reason for Council hereby resolving to enter into negotiations with one or all of the tenderers or any other party and not inviting fresh tenders is that it is anticipated that a satisfactory outcome can be achieved with one of those parties who demonstrate a capacity and ability to undertake the works.
- 2 Council delegate to the General Manager the authority to undertake and finalise the negotiations, firstly with the tenderers, and, in the event of failure of negotiations with those tenderers, any other party, with a view to entering into a contract in relation to the subject matter of the tender.
- 3 Council grant authority for the use of the Common seal of Council on the contract and any other documentation, should it be required, to give effect to this resolution.

REPORT AUTHORISATIONS

Report of: Glenn Whittaker, Manager Project Delivery
Authorised by: Andrew Carfield, Director Infrastructure + Works

ATTACHMENTS

There are no attachments for this report.

BACKGROUND

Tenders were required to be invited for the supply of principal design consultancy services for the design and documentation of the Warrawong District Community Centre and Library project. The project site is located on the corner of King and Greene Streets, Warrawong and encompasses the existing Warrawong Community Centre. A new facility is required to provide a district level integrated community centre and library to the southern suburbs area.

Tenders were invited by the selective tender method following an expression of interest process with a close of tenders of 10.00 am on 31 October 2019.

Five (5) tenders were received by the close of tenders and all tenders have been scrutinised and assessed by a Tender Assessment Panel constituted in accordance with Council's Procurement Policies and Procedures and comprising representatives of the Project Delivery, Library and Community Services, City Strategy, Finance and Governance and Customer Service Divisions.

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

Mandatory Criteria

- 1 Confirmation that contact details for referees as provided in the Expression of Interest remain current.
- 2 Confirmation that a conforming tender has been submitted, in addition to any non-complying tender/s or alternative tender/s.
- 3 Agreement to an independent financial assessment to demonstrate financial capability to undertake the works.
- 4 Acknowledgement of the project requirements and agreement to meet the requirements of the Specification for Design Services.
- 5 Acknowledgement of the requirement to hold and maintain third party accreditation for the duration of the services for Quality Management Systems, Work Health and Safety Management Systems and Environmental Management Systems.

Assessable Criteria

- 1 Cost to Council – 40%
- 2 Outline Services Delivery Plan – 25%
- 3 Proposed Key Personnel – 10%
- 4 Proposed Key Sub-Consultants – 10%
- 5 Demonstrated strengthening of local economic capacity – 5%
- 6 Scoring from previous Expression of Interest submission – 10%

The Tender Assessment Panel has reviewed the submissions and determined that four (4) of the tenders were non-conforming with the remaining conforming tender significantly exceeding the allocated budget for the design services.

PROPOSAL

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

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

CONSULTATION AND COMMUNICATION

- 1 Members of the Tender Assessment Panel

PLANNING AND POLICY IMPACT

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

Community Strategic Plan	Delivery Program 2018-2021	Operational Plan 2019-20
Strategy	3 Year Action	Operational Plan Actions
5.1.5 Quality district level services, libraries and facilities are available to communities	5.1.5.2 Renew community facilities and consider rationalisation, replacement or refurbishment to achieve facilities that are strategically located, good quality and meet identified community need	Plan for the Southern Suburbs Community Centre and Library at Warrawong

RISK ASSESSMENT

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

FINANCIAL IMPLICATIONS

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

2019/20, 2020/21 and 2021/22 Capital Budgets

CONCLUSION

Declining all tenders will enable the Tender Assessment Panel to undertake detailed negotiations with tenderers to ensure Council delivers best value to the community.

Council should endorse the recommendations of this report.

ITEM 11 TENDER T19/05 - SUPPLY OF SERVICE - CONTAINERISED TREES

This report recommends acceptance of three (3) tenders for supply of services – containerised trees in accordance with the requirements of the Local Government Act 1993 and the Local Government (General) Regulation 2005.

The tender is for provision of a panel for the supply of containerised trees which will support Council's Urban Greening program and best practice tree management.

The Containerised Trees tender will:

- Improve the quality, diversity and availability of containerised trees available to Council; and
- Reduce Council's exposure to purchasing trees on the open market (variability of cost).

The improvement in quality will reduce defects in tree stock (to meet Council's specifications), leading to a reduction in tree maintenance activities, tree failures and increase the lifespan of our trees.

RECOMMENDATION

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tenders of Andreasens Green (NSW) Pty Ltd, Trees Impact Pty Ltd and Speciality Trees Pty Ltd for the provision of a panel for Supply of Services – containerised trees at the rates set out in each tenderer's Form of Tender, to the sum of \$660,000 over three years inclusive of GST.
- 2 Council delegate to the General Manager the authority to finalise and execute the contract and any other documentation required to give effect to this resolution.
- 3 Council grant authority for the use of the Common Seal of Council on the contract and any other documentation, should it be required, to give effect to this resolution.

REPORT AUTHORISATIONS

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

Authorised by: Andrew Carfield, Director Infrastructure + Works

ATTACHMENTS

There are no attachments for this report.

BACKGROUND

At the inception of the Urban Greening Strategy, Council was purchasing containerised trees from the open market. Containerised trees sourced in this way were subject to cost and stock quality variation and low market availability. Growth in demand for containerised trees used for urban greening across Greater Sydney meant competition for the available trees was (and remains) high.

Consistent with the Urban Greening Strategy, Implementation Plan 2017-2021, a tender was conducted to secure a supply of containerised trees – grown to a Council specification and fit for purpose. The objective is to form a Vendor Panel for the supply of containerised trees, where Council would select or provide batches of trees to be grown-on to a container size required for a tree planting project. Batches of trees are grown-on over a three-year period. The payment structure for the trees is staged over this three-year period to reduce the risk of financial loss during production with a 10% payment made in the first year, a 20% progress payment made at the completion of year two and the 70% balance paid for trees following delivery to Council.

The expected outcome of this Tender is to create a panel of suppliers to supply containerised trees of a specified quality as required by Council with funding to be provided via the specified budget provisions.

To support Council’s requirements and to promote “best value for Council” principles in purchasing, growing trees against the specification will be performed after seeking competitive quotation from the contracted panellists, with any pricing provided within the Tender being considered as the maximum price for any containerised tree.

For this Tender ‘T19/05 Supply of services – containerised trees’ a total contract value of \$660,000 over 3 years inclusive of GST.

Tenders were invited for this project by the open tender method with a close of tenders of 10.00 am on Thursday 30 May 2019.

Three (3) tenders were received by the close of tenders. One tender was received after the closing time. This tender was deemed a late tender and was given no further consideration. The remaining tenders have been scrutinised and assessed by a Tender Assessment Panel constituted in accordance with Council’s Procurement Policies and Procedures and comprising representatives of the Governance and Customer Service, Finance, Project Delivery and Open Space and Environmental Services Divisions.

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

Mandatory Criteria

- 1 Satisfactory references from referees for previous projects of similar size and scope

Assessable Criteria

- 1 Cost to Council – 25%
- 2 Performance against projects of similar size and scope – 35%
- 3 Qualifications and experience – 10%
- 4 Growing schedule – 10%
- 5 Work Health and Safety Systems – 5%
- 6 Environmental Management Policies and procedures – 10%
- 7 Demonstrated strengthening of local economic capacity – 5%

The mandatory assessment criteria have been met by all of the recommended tenderers.

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

TABLE 1 – SUMMARY OF TENDER ASSESSMENT

Name of Tenderer	Ranking
Andreasens Green (NSW) Pty Ltd	1
Trees Impact Pty Ltd	2
Speciality Trees Pty Ltd	3

PROPOSAL

All three tenderers have met the requirements of the tender assessment and Council should authorise the engagement of Andreasens Green (NSW) Pty Ltd, Trees Impact Pty Ltd and Speciality Trees Pty Ltd to carry out the Supply of services – containerised trees in accordance with the scope of works and technical specifications developed for the project.

The recommended tenderers have satisfied the Tender Assessment Panel that they are capable of undertaking the works to Council’s standards and in accordance with the technical specification.

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

CONSULTATION AND COMMUNICATION

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

PLANNING AND POLICY IMPACT

Urban Greening is one of Council’s strategic priorities. This report contributes to the delivery of Our Wollongong 2028 goal “We value and protect our Environment”. It specifically delivers on the following:

Community Strategic Plan	Delivery Program 2018-2021	Operational Plan 2019-20
Strategy	3 Year Action	Operational Plan Actions
1.3 The sustainability of our urban environment is improved. 1.1.1 The community is actively involved in the expansion and improvement of our green corridors and other natural areas connecting the escarpment to the sea.	1.1.1.2 Projects and programs that achieve enhancement of the natural environment and escarpment.	Council programs incorporate best practice urban tree and vegetation management

RISK ASSESSMENT

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

The risk of the project works or services is considered (M6) based upon Council’s risk assessment matrix and appropriate risk management strategies will be implemented.

For this supply contract, the use of a vendor panel in itself is a pre-determined risk mitigation strategy with orders for containerised trees held across multiple businesses and sites with relatively low value holding payments minimising the risk exposure to Council.

FINANCIAL IMPLICATIONS

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

Budget 124477 – Urban Greening Program

CONCLUSION

The recommended tenderers have submitted an acceptable tender for this project and Council should endorse the recommendations of this report.

ITEM 12

TENDER T19/30 - BRIDGE WORKS FOR BRIDGES OVER CABBAGE TREE CREEK AT MONTAGUE STREET AND PRINCES HIGHWAY, FAIRY MEADOW

This report recommends acceptance of a tender for upgrade works for two existing bridges spanning Cabbage Tree Creek at Montague Street and Princes Highway, Fairy Meadow in accordance with the requirements of the Local Government Act 1993 and the Local Government (General) Regulation 2005.

The project comprises various upgrade works at the Montague Street bridge site including handrail protective coating replacement, bridge deck compression seals replacement, installation of sacrificial anodes, repair of a concrete column, extension of bridge scuppers and application of anti-carbonation protective coating to headstocks and piers. Additional work at the Princes Highway bridge site includes traffic management to allow minor demolition, kerb, footpath and service trench reconstruction works. Included in the scope is the provision of safe access in the creek bed for Council engineers to carry out further detailed inspection of headstocks and prestressed beams.

RECOMMENDATION

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Diverse Civil Contracting Pty Ltd for bridge works for bridges over Cabbage Tree Creek at Montague Street and Princes Highway, Fairy Meadow, in the sum of \$519,887.68, excluding GST.
- 2 Council delegate to the General Manager the authority to finalise and execute the contract and any other documentation required to give effect to this resolution.
- 3 Council grant authority for the use of the Common Seal of Council on the contract and any other documentation, should it be required, to give effect to this resolution.

REPORT AUTHORISATIONS

Report of: Glenn Whittaker, Manager Project Delivery
Authorised by: Andrew Carfield, Director Infrastructure + Works

ATTACHMENTS

- 1 Locality Plan

BACKGROUND

Two bridges currently in service on the Princes Highway and Montague Street Fairy Meadow, spanning Cabbage Tree Creek require upgrade works to maintain their serviceable life. The existing condition of these bridges has been assessed with works recommended to occur, including but not limited to the following:

- **Montague Street bridge:**
 - Site establishment, including all environmental controls
 - Replacement of protective coating on handrails
 - Repaint handrail hold down bolts
 - Removal and replacement of bridge deck compression seals
 - Installation of sacrificial anodes
 - Repair of 'concrete honeycombing'
 - Extension of bridge scuppers, including patching of soffit

- Application of anti-carbonation protective coating on headstocks and piers
- **Princes Highway bridge:**
 - Site establishment, including all environmental controls
 - Provision of safe access for Council Engineer to inspect pier no. 02
 - Demolition works
 - Concreting and reinforcing works
 - Service trench cover installation

Tenders were invited for this project by the open tender method with a close of tenders of 10.00 am on 1 October 2019.

Three tenders were received by the close of tenders and all tenders have been scrutinised and assessed by a Tender Assessment Panel constituted in accordance with Council's Procurement Policies and Procedures and comprising representatives of the Project Delivery, Infrastructure Strategy + Planning, and Governance + Customer Service Divisions.

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

Mandatory Criteria

- 1 Satisfactory references from referees for previous projects of similar size and scope
- 2 Financial assessment acceptable to Council which demonstrates the tenderer's financial capacity to undertake the works

Assessable Criteria

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

The mandatory assessment criteria have been met by the recommended tenderer.

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

TABLE 1 – SUMMARY OF TENDER ASSESSMENT

Name of Tenderer	Ranking
Diverse Civil Contracting Pty Ltd	1
Duratec Australia Pty Ltd	2
Eptech Services Pty Ltd	3

PROPOSAL

Council should authorise the engagement of Diverse Civil Contracting Pty Ltd to carry out the works in accordance with the scope of works and technical specifications developed for the project.

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

An acceptable financial capability assessment has been received in relation to the recommended tenderer.

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

CONSULTATION AND COMMUNICATION

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

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2028 goal 6 “We have affordable and accessible transport”. It specifically delivers on the following:

Community Strategic Plan	Delivery Program 2018-2021	Operational Plan 2019-20
Strategy	3 Year Action	Operational Plan Actions
6.3.2 Maintain the service levels of our roads, footpaths and cycle ways to an acceptable standard	6.3.2.1 Deliver sustainable transport asset renewal programs and projects	Deliver the road resurfacing and reconstruction program

RISK ASSESSMENT

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

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

FINANCIAL IMPLICATIONS

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

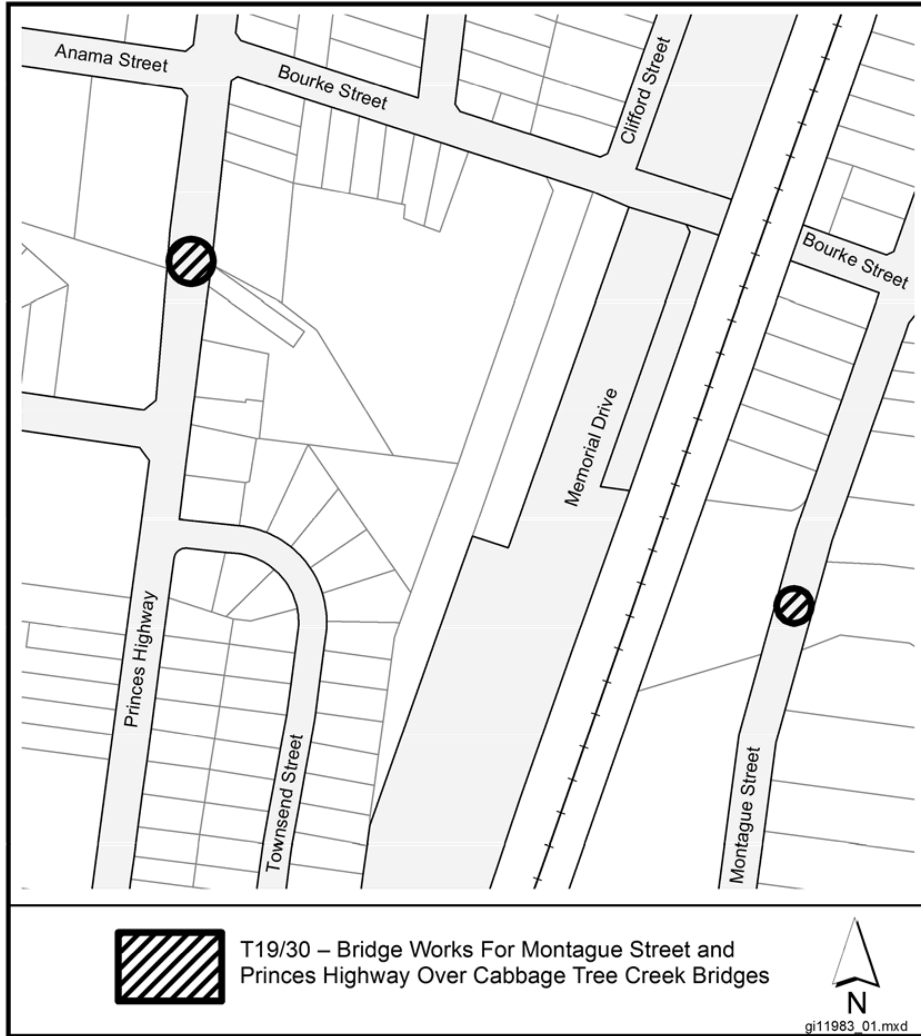
2019/20 Capital Budget

CONCLUSION

The recommended tenderer has submitted an acceptable tender for this project and Council should endorse the recommendations of this report.



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ITEM 13 TENDER T19/32 - FIGTREE OVAL FIELD 1 IRRIGATION

This report recommends acceptance of a tender for the design, supply and installation of the Figtree Oval Field 1 Irrigation system in accordance with the requirements of the Local Government Act 1993 and the Local Government (General) Regulation 2005.

WCC is endeavouring to improve facilities offered to residents in the LGA and a portion of this includes the implementation of the Figtree Oval Recreational Master Plan of which this work forms a part.

RECOMMENDATION

- 1 In accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accept the tender of Water Well Sales Pty Ltd for the design, supply and installation of the Figtree Oval Field 1 Irrigation system, in the sum of \$142,730.00, excluding GST.
- 2 Council delegate to the General Manager the authority to finalise and execute the contract and any other documentation required to give effect to this resolution.
- 3 Council grant authority for the use of the Common Seal of Council on the contract and any other documentation, should it be required, to give effect to this resolution.

REPORT AUTHORISATIONS

Report of: Joanne Page, Manager Open Space & Environmental Services
Authorised by: Andrew Carfield, Director Infrastructure + Works

ATTACHMENTS

- 1 Figtree Oval - Location Plan

BACKGROUND

This work forms part of the Figtree Oval Recreational Master Plan 2016 - 2029.

Tenders were invited for this project by the Open tender method with a close of tenders of 10.00 am on 15th October 2019.

Three tenders were received by the close of tenders and all tenders have been scrutinised and assessed by a Tender Assessment Panel constituted in accordance with Council's Procurement Policies and Procedures and comprising representatives of the Open Space & Environmental Services; Property & Recreation; Finance; Governance and Customer Service Divisions.

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

Mandatory Criteria

- 1 Satisfactory references from referees for previous projects of similar size and scope
- 2 Financial assessment acceptable to Council which demonstrates the tenderer's financial capacity to undertake the works

Assessable Criteria

- | | | |
|---|---|------|
| 1 | Cost to Council | 40 % |
| 2 | Construction methodology | 5 % |
| 3 | Experience and satisfactory performance in undertaking similar projects | 30 % |

4	Project Schedule	10 %
5	Demonstrated strengthening of local economic capacity	5 %
6	Workplace health and safety management system	5 %
7	Environmental management policies and procedures	5 %

The mandatory assessment criteria have been met by the recommended tenderer.

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

TABLE 1 – SUMMARY OF TENDER ASSESSMENT

Name of Tenderer	Ranking
Water Well Sales Pty Ltd	1
Neverstop Irrigation Pty Ltd	2
SPK Plumbing & Civil Pty Ltd	3

PROPOSAL

Council should authorise the engagement of Water Well Sales Pty Ltd to carry out the design, supply and installation of the Figtree Oval Field 1 Irrigation system 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 - Jeff Wearing; Michelle Martin; Chris Hayne; James Flinn; Nicola Tonacia, Steve Maidment, Greg Engel
- 2 Nominated Referees
- 3 External Consultants

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2028 goal “We have a healthy community in a liveable city” – Objective 5.1 Increase the health and wellbeing of our community.

It specifically delivers on core business activities as detailed in Service Plan 2019-20 under Strategy 5.1.4 as detailed below.

STRATEGY 5.1.4 Urban areas are created to provide a healthy and safe living environment for our community						
DELIVERY PROGRAM 5.1.4.1 Provide an appropriate and sustainable range of quality passive and active open spaces and facilities						
OPERATIONAL PLAN/S						
	Action	Delivery Stream	2018/ 2019	2019/ 2020	2020/ 2021	Supporting Documents
11	Implement the Figtree Oval Recreational Master Plan 2016 - 2029	Parks	✓	✓	✓	Figtree Oval Recreational Master Plan 2016 - 2029

RISK ASSESSMENT

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

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

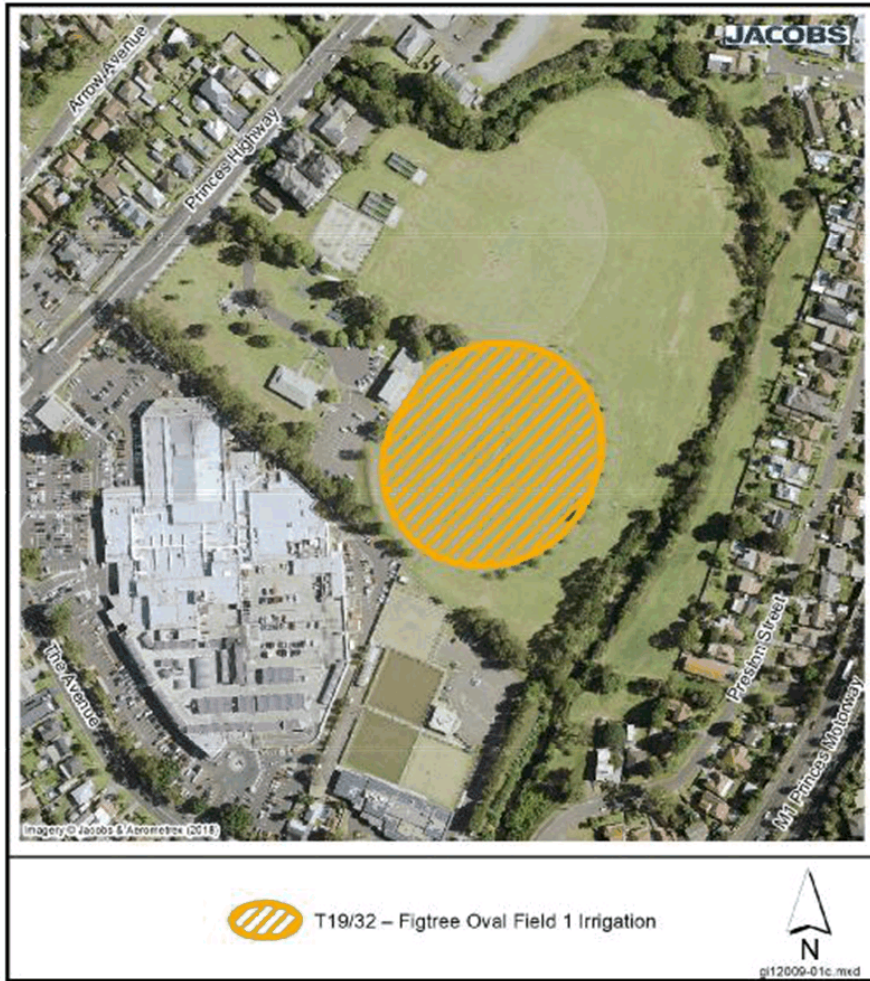
FINANCIAL IMPLICATIONS

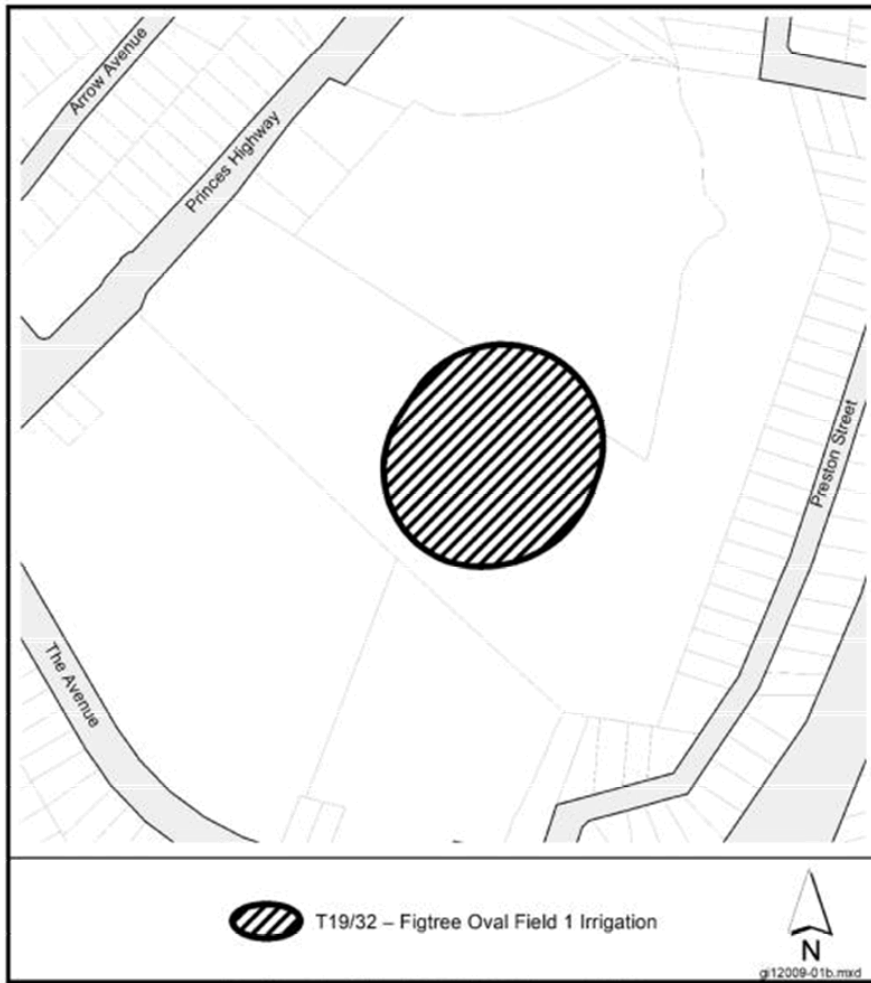
It is proposed that the total project be funded from the following source/s as identified in the Annual Plan –

Operational Plan 2019-2020

CONCLUSION

The recommended tenderer has submitted an acceptable tender for this project and Council should endorse the recommendations of this report.





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ITEM 14 DRAFT QUARTERLY REVIEW STATEMENT SEPTEMBER 2019

The draft Quarterly Review outlines progress made to achieve Council's Our Wollongong 2028 Strategic Management Plans, in particular the Delivery Program 2018-21 and Operational Plan 2019-20. It addresses the financial and operational performance of Council at the end of the first quarter. The draft Quarterly Review Statement also includes the September 2019 Budget Review Statement.

RECOMMENDATIONS

- 1 The draft Quarterly Review Statement September 2019 be adopted.
- 2 The Budget Review Statement as at September 2019 be adopted and revised totals of income and expenditure be approved and voted.

REPORT AUTHORISATIONS

Report of: Leila Hogan, Executive Strategy Manager (Acting)
Authorised by: Renee Campbell, Director Corporate Services - Connected + Engaged City

ATTACHMENTS

- 1 Draft Quarterly Review Statement September 2019

BACKGROUND

Council's draft Quarterly Review Statement September 2019 outlines the operational and financial performance of Council's Our Wollongong 2028 strategic management plans, in particular the Delivery Program 2018-2021 and Operational Plan 2019-2020.

This report also provides an overview of achievements against priority areas and demonstrates the organisation's performance through the inclusion of performance indicators.

In addition, the draft Quarterly Statement September 2019 details how Council is tracking against its budgets in conjunction with a concise visual summary of Council's financial position at the end of the first quarter.

Significant highlights during the quarter include:

- Council hosting a Civic Reception to welcome His Royal Highness, The Prince Edward, Earl of Sussex KG, GCVO
- NAIDOC Week celebrations and activities taking place across the Wollongong Local Government Area
- Launch of a Food Organics Garden Organics [FOGO] trial
- National Tree Day celebrated resulting in over 3,000 new trees planted with local school and community groups
- Finalisation and Council adoption of the new Economic Development Strategy 2019-2029
- Delivery of the Illawarra Refugee Challenge in partnership with Multicultural Communities Council of the Illawarra Sports High
- Delivery of 145 educational workshops at the Botanic Garden Discovery Centre involving 4,773 participants.

CONSULTATION AND COMMUNICATION

Consultation took place with Council's Executive Management Committee and Senior Management Group.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2028 goal 4 "*We are a connected and engaged community*".

It specifically delivers on core business activities as detailed in the Corporate Strategy Service Plan 2019-20.

FINANCIAL IMPLICATIONS

The September Quarterly Review is the first review of Council's 2019-20 Operational Plan adopted in June 2019. The first review is impacted by last year's results that were finalised after that adoption. At the end of 2018-19, Council had achieved an improvement in its Funds Result of \$4.7 million, of which \$4 million of that improvement was endorsed to be transferred to Strategic Projects Restrict Asset (SPRA) for future allocation. The remainder increased our Available Funds to offset costs and negative income adjustments that would flow through to 2019-20.

This review of financial estimates proposes a range of adjustments that will impact the forecast Operating Result [pre capital] by \$4.6 million but only impact the Funds Result (Available Funds balance) negatively by \$0.2 million.

The proposed adjustments in the Operating Result [pre capital] predominately reflects the timing of expenses and revenues and therefore has a relatively minor impact in Council's Funds Result or underlying capacity. Underlying capacity is not impacted because the adjustments are generally non-cash or funded adjustments.

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

Supporting Documents – Planning Studies and Investigations

Changes during this quarter have included the reintroduction of projects that were in progress but not completed at 30 June 2019. The addition of the projects in progress to the 2019-20 forecasts will increase the budget from \$2.9 million to \$3.7 million for Supporting Documents. This will create an ambitious target and potentially some challenge organisationally for this level of projects to be delivered in full in the current reporting period. These will need to be monitored on an ongoing basis and, where required, delivery dates reviewed through the 2020-21 Annual Planning process. Further details of these are provided in the schedules contained in the attached Quarterly Review Statement.

CONCLUSION

This draft Quarterly Review Statement September 2019 has been prepared following input and assistance from all Divisions. It is submitted for consideration by Council.



OUR WOLLONGONG 2028 DRAFT QUARTERLY REVIEW STATEMENT September 2019

From the mountains to the sea





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This Quarterly Review Statement (July to September 2019) reports on progress towards achieving the five Councillor Strategic Priorities from the Delivery Program 2018-21 and Annual Deliverables from the Operational Plan 2019-20.

Highlights and significant progress with key projects from the Operational Plan 2019-20 are reported by the six Community Goals from the Our Wollongong 2028 Community Strategic Plan.

Highlights from this quarter include:

- 1 Council hosting a Civic Reception to welcome His Royal Highness The Prince Edward, Earl of Wessex, KG, GCVO.
- 2 NAIDOC Week celebrations and activities taking place across the Wollongong Local Government Area.
- 3 Launch of a Food Organics Garden Organics (FOGO) trial.
- 4 National Tree Day celebrated resulting in over 3,000 new trees planted with local school and community groups.
- 5 Finalisation and Council adoption of the new Economic Development Strategy 2019 - 2029
- 6 Delivery of the Illawarra Refugee Challenge in partnership with Multicultural Communities Council of the Illawarra Sports High.
- 7 Delivery of 145 educational workshops at the Botanic Garden Discovery Centre involving 4,773 participants.

Organisational performance is also reported by the inclusion of performance indicators that monitor the status and progress of our Council programs, activities, projects, finances, people and processes. These measures and their comparatives are presented on an annual basis for this review statement.

This report includes an overview of how Council is tracking against its budget. It is a concise visual summary of Council's financial situation for the quarter including operational budget, capital budget and expenditure. The Budget Review Statement is included in this report.

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 2020.

Greg Doyle
General Manager

Strategic Priorities

PROGRESS REPORT

Our Councillors have made a commitment to support our organisation and community in making Wollongong a better place to live, work, visit and play. To focus Council's attention to achieve this, Councillors have agreed to five Strategic Priorities. These are outlined in the Delivery Program 2018-21. Progress made in the September 2019 quarter is outlined below:

Activating Our Suburbs

We are committed to enhancing and activating spaces and places across our Local Government Area through sound planning and focused programs.

Our Delivery Program includes an ambitious plan of action to establish our city, towns and villages to be connected and liveable spaces offering a variety of attractions and opportunities for people to work, live, play, learn, visit and invest. Our Program supports a variety of infrastructure spending to enhance recreation, sporting and cultural opportunities.

Project Sponsor: Director Community Services
Project Manager: Manager Community Cultural and Economic Development

Strategic Priority Progress



On Track

Program Achievements

During the quarter, a range of activation initiatives were delivered, including City Centre projects, Connecting Neighbours Grants program, NAIDOC week events, Paint the Gong REaD, youth programs and Bellambi neighbourhood projects.

In response to the City for People (Public Spaces, Public Life) brief, three pilot projects were implemented to promote visual connectivity, vibrancy and street comfort in and between key City Centre sites. These projects were installed in high profile city locations including: Globe Lane (architectural seating, synthetic turf), Western Crown Street (four vibrant and lit wayfinding sculptures including seating options) and Lower Crown Street (series of large trees illuminated by colourful projected spotlights). Each project was designed specifically to meet key objectives at each site.

Renew Wollongong continues to provide creative businesses with the opportunity to grow their skills and develop projects which will help activate some underutilised spaces in Crown Street Mall. Renew Wollongong has been successful in obtaining eight vacant properties for creative entrepreneurs to test their product in a retail environment. To date, Renew Wollongong has received over 45 registered Expressions of Interest to participate in the Program from creative practitioners.

Strategic Priorities PROGRESS REPORT

The Connecting Neighbours Grants program has enabled Council to support projects being delivered by community members in their local suburbs. The grant program funds ideas generated by the community to bring people together and make neighbourhoods better places. During the quarter, a number of projects are underway or delivered in Wollongong, West Wollongong, Dapto, Figtree, Fairy Meadow, Austinmer, Horsley, Mount Pleasant, Berkeley and Warrawong.

Working in partnership with Barnardos, CareWays and Wollongong Northern Districts Aboriginal Community and residents, NAIDOC Week events were held in Bellambi, Koonawarra and Warrawong. Over 1,800 people, from various backgrounds, came together to share in the activities and fun that the suburbs-based community events offered.

Paint the GONG REaD mascot, *Bright Spark*, visited children and parents/carers in suburbs across the region. Reading tents were available at events in Corrimal, Koonawarra, Warrawong and Bellambi facilitating fun educational opportunities for children and allowing discussions with parents/carers on tips for reading to their children. The Annual Reading Day event was held at Warrawong Plaza encouraging children to participate in art, reading and storytelling while parents/carers explored the importance of early literacy.

Council engaged young people and delivered structured programs in Bellambi, Corrimal, Cringila, Bundaleer Estate, Warrawong, Koonawarra and Kanahooka. The *You Decide* program commenced in Cringila providing a platform for young people to participate in activating spaces in their community.

Council have been working with the Australian Social Investment Trust (ASIT), Family and Community Services NSW, Bellambi Neighbourhood Centre and residents of Bellambi to implement projects and community led action plans in their areas. One project funded by Family and Community Services includes artists working with local community groups and schools to create a community art mural in the Bellambi Mews. Council staff have been working with Family and Community Services NSW, Mission Australia, Barnardos South Coast and the residents of Warrawong, Bundaleer and Illawong Gardens to implement a community developed action plan for each location.

Council's four-year Infrastructure Delivery Program comprises several programs and projects that directly respond to our strategies and priorities to activate and enhance our community centres, public domain and open spaces. In addition to the many footpaths, cycleways and open space upgrades, these initiatives include streetscape and public domain improvements in Warrawong, Corrimal, Dapto and Helensburgh town centres.

Strategic Priorities PROGRESS REPORT

Urban Greening

Urban Greening forms a significant focus during this Council term. Our Program includes the implementation of key priorities within Council's Urban Greening Strategy, in conjunction with projects and services that impact sustainability and the quality of our environment.

Project Sponsor: Director Infrastructure and Works
Project Manager: Manager Open Space and Environmental Services

Strategic Priority Progress

✓ On Track

Program Achievements

During the quarter, the Urban greening program has made significant progress towards establishing a best practice public tree management program. Achievements include the development of Urban Greening Technical Guidelines and commencement of verge garden guidelines. On the ground, new tree planting has been targeted to shade parks and playgrounds in high need suburbs. Renewal planting has been undertaken to offset future losses of important avenues and individually significant trees currently at a rate of two trees for every tree removed.

Roll out of tree planting aligned with Council's capital works program continues in projects such as Kembla Grange Lawn Cemetery and footpath renewals. Detailed consultation with the Port Kembla Community to undertake a community tree planting event in October was undertaken to ensure planting of high need trees within the Port Kembla area.

Strategic Priorities PROGRESS REPORT

West Dapto

We will continue to work in collaboration with key agencies to provide the infrastructure needed to support growth and employment lands within the West Dapto Urban Release Area. This will include coordinated planning for access improvements including new roads and bridges which are needed to support the additional 17,000 future housing lots and 8,500 jobs required over the next 30 years.

Project Sponsor: Director Planning and Environment
Project Manager: Urban Release Manager

Strategic Priority Progress

✓ On Track

Program Achievements

Works on the Fowlers to Fairwater Drive link road continued during the quarter. The project remains on track for a 2020 completion. The pace of land development at West Dapto continues to be strong and Council continues to assess and draft Planning Proposal requests, Neighbourhood Plans and Development Applications that facilitate urban development. To date, Neighbourhood Plans have been adopted within stages 1,2 and 3 for over 4,350 lots. Neighbourhood Plans to support a further 3,623 lots are currently being assessed. Council has approved Development Applications to create 1,839 new lots.

Council staff progressed the biennial review of the West Dapto Development Contribution Plan during the quarter lodging the draft 2020 Plan with IPART for their review. This followed public exhibition. Council has requested that IPART consider all public submissions as part of their review. The Contribution Plan review is targeted for completion by June 2020. Council continues to make representations to the State Government requesting progress on an Illawarra / Shoalhaven Special Infrastructure Contribution determination to support Council's ongoing commitment to infrastructure funding at West Dapto.

Council is also progressing review of Chapter D16 West Dapto Urban Release and Chapter B2 Residential Subdivisions of Wollongong Development Control Plan, 2009. Public exhibition of the draft Chapters was undertaken during the quarter and submissions are now being considered.

Program Risks

Council staff are progressing the biennial review of the West Dapto Section 7.11 (former Section 94 Plan) to ensure the Contributions Plan continues to reflect local infrastructure requirements within the Urban Release Area. This work will also ensure a revised Plan is in place by the end of June 2020, allowing Council to receive sufficient development contributions to meet the high cost of the local essential infrastructure.

Strategic Priorities PROGRESS REPORT

Active Transport and Connectivity

We are planning for and progressively working towards an integrated and active transport network with improved connectivity across the local government area. A series of actions will be undertaken across this term of Council to facilitate the upgrade of our public transport and bicycle networks and pedestrian access. This renewed focus is complemented by a significant investment into our footpaths and cycle ways.

Project Sponsor: Director Infrastructure and Works
Project Manager: Manager Infrastructure Strategy and Planning

Strategic Priority Progress

✓ On Track

Program Achievements

Actions identified within the Wollongong Bike Plan and Wollongong Pedestrian Plan are incorporated into the Infrastructure Delivery Program and operational programs for progressive implementation. Of note is the significant budget increase for the 2019-20 financial year for new footpaths and the implementation of actions in the Pedestrian Plan. Discussions are underway with Roads and Maritime Services and Transport for NSW to discuss funding priorities for these projects and other active transport programs. Council continues to seek grant funding through a range of State and Commonwealth initiatives to support active transport and connectivity improvements including streetscape upgrades in commercial centres such as Warrawong, Corrimal and Helensburgh. Council has also received funding to undertake an initial feasibility assessment to use the Otford Railway Tunnel as a shared pathway or rail trail.

Strategic Priorities PROGRESS REPORT

Business and Investment

We will continue to grow the Wollongong economy through attracting business, investment, major events, and tourism to the region. We will continue to promote our local advantages, including our proximity to Sydney, supportive business environment, innovative ecosystem, vibrant CBD, and superb liveability to attract businesses and encourage local jobs growth. We will work with key stakeholders, including state and federal governments to further promote our city and attract greater investment in infrastructure and other key assets.

Project Sponsor: Director Community Services
Project Manager: Manager Community Cultural and Economic Development

Strategic Priority Progress

✓ On Track

Program Achievements

The adoption of the Economic Development Strategy 2019-2029 and launch of a new brand for investment attraction in Wollongong (Invest Wollongong, previously Advantage Wollongong) represents the completion of over 12 months of work.

Both projects now move into the implementation phase. This includes the identification of short-term actions from the Economic Development Strategy which can be executed prior to June 2020. For Invest Wollongong, this will involve the roll-out of the brand through numerous channels, hosting multiple events and the management of the Stakeholder Program.

During the quarter, Council staff have worked on four active business leads generated via Invest Wollongong. These covered professional services, manufacturing and logistics.

Council via Destination Wollongong supported four major events during the quarter. These events included the National Junior Table Tennis Championships, the OZ Geo Muster, Australian Cross Country Championships and the Antique Motorcycle Club Meet, contributing an estimated \$3.9 million to the local economy. As part of the events concierge service, Council staff managed approximately 155 general enquiries during the quarter. 21 filming applications were also received and eight event applications were lodged.

Operational Plan

2019-20 PROGRESS

The following section provides an overview of Council's progress with delivering Our Wollongong 2028. It provides a summary of progress for 2019-20 annual deliverables [Council's programs, projects and activities] and highlights significant progress with annual projects as outlined in the Our Wollongong 2028 Community Goals. This exception based reporting provides an overview of achievements for the September 2019 quarter. The organisation's performance is also reported by the key performance indicators, budget summary information and Budget Review Statement.

The Annual Plan 2019-20 contains 365 annual deliverables across the six Community Goals. Table 1 following outlines how Council is tracking in the September quarter to achieve the annual deliverables for each Community Goal.

Table 1: Annual Deliverable Progress by Community Goal

Goal	On track	Not Scheduled to Commence	Delayed	Deferred	Ongoing / Complete
1 We value and protect our natural environment	83.33%	11.11%	4.17%	1.39%	0%
2 We have an innovative and sustainable economy	93.75%	4.17%	0%	0%	2.08%
3 Wollongong is a creative, vibrant city	92.31%	2.56%	2.56%	0%	2.56%
4 We are a connected and engaged community	100%	0%	0%	0%	0%
5 We have a healthy community in a liveable city	93.28%	0.84%	0.84%	0.84%	2.52%
6 We have sustainable, affordable and accessible transport	92.31%	0%	0%	0%	7.69%
Total Annual Deliverable Progress	92.31%	3.30%	1.37%	0.55%	1.92%

*Note: Each Goal does not have an equal number of annual deliverables; therefore, the Annual Deliverable progress totals do not necessarily add up to 100.

Operational Plan 2019-20 Progress continued

Overall 1.37% of annual deliverables were reported to be delayed, while 0.55% were deferred. Table 2 below outlines all annual deliverables that were reported as delayed or deferred at the end of September 2019.

Table 2

<i>Community Goal</i>	<i>Annual Deliverable</i>	<i>Delayed</i>	<i>Deferred</i>	<i>Comment</i>
1 We value and protect our natural environment	Continue to pursue biodiversity certification of the West Dapto Urban Release Area including offsetting provisions	Y		Application for WDURA Biodiversity Certification submitted on 23 August 2019 and accepted by DPIE, prior to statutory submission date of 25 August 2019. Application and supporting documentation are being reviewed for adequacy by DPIE.
	Review and update the Illawarra Biodiversity Strategy 2011-2015	Y		Progress to finalise a consultant's brief delayed due to competing commitments
	Implement priority actions from the Illawarra Escarpment Strategic Management Plan		Y	Council will continue to work with major stakeholders in further consultation of the Strategy.
	Set an emissions reduction target that is in alignment with the Global Covenant of Mayors compliance requirements	Y		The science derived emissions reduction target was developed as per the GCoM methodology with the certified consultant. Adoption of a target will occur following consultation with the community.

Operational Plan 2019-20 Progress continued

<i>Community Goal</i>	<i>Annual Deliverable</i>	<i>Delayed</i>	<i>Deferred</i>	<i>Comment</i>
3 Wollongong is a creative, vibrant city	Support the extension of the Illawarra Sports Stadium	Y		Council Officers have engaged a consultancy to pursue a flood study to inform flood and likely development constraints over the adjoining land to the current building structure. Preliminary findings do not support a proposed extension to the south of the building. The Illawarra Sports stadium Board now exploring an alternative design adjoining the east boundary of the existing building
5 We have a healthy community in a liveable city	Plan, design and complete the renewal of the downstairs Lifesaving building of the North Wollongong Surf Life Saving Club	Y		A development application for the renewal of the building encountered some unforeseen heritage considerations. The design of the building was amended to reflect the heritage requirements and the project has now been provided with Development Consent. Detailed tendering documentation is now being prepared and is progressing to enable tendering during the 2nd and 3rd Quarters.
	Develop an updated Landscape Master plan for Stuart & Galvin Parks North Wollongong		Y	The master planning process has been deferred to better align with the key planning initiatives in the precinct.

GOAL 1: WE VALUE AND PROTECT OUR NATURAL ENVIRONMENT

Prepare and implement priority actions of the Coastal Management Plan for Lake Illawarra

During the quarter, Wollongong and Shellharbour City Councils have worked together to progress the draft Lake Illawarra Coastal Management Program, with the draft being placed on public exhibition for community input. Council approved the public exhibition of the draft document on 22 July and the public exhibition period was for 43 days, throughout July and September. Community drop-in events were conducted in Dapto and Shellharbour in August, as well as presentations to various stakeholder groups such as neighbourhood forums and the Wollongong City Council Aboriginal Reference Group.

Both Councils have prepared the draft Program, which outlines the strategic direction and specific actions that can be implemented over the next ten years to address threats to the environmental health of the Lake, and to protect and enhance its values. This important document will provide a long-term strategy for coordinated management of the Lake Illawarra catchment. The draft Program comprises nine management strategies and 37 actions. The strategies include improve water quality, manage foreshore and bank, manage the entrance channel and the protection and promotion of cultural heritage.



[IMAGE: Lake Illawarra]

Develop options for a Food Organics Garden Organics (FOGO) trial to divert waste from landfill

A three-month trial of a FOGO program is currently underway in 1,600 homes throughout Austinmer, Cordeaux Heights and Warrawong. During the trial residents will be asked collect their food scraps such as raw and cooked meat, fruit and vegetable scraps and bread into the provided kitchen caddy and empty into their green-lidded bin for normal organics collection. Waste management is a significant issue for the city, with almost 40,000 tonnes of residential waste going to landfill each year. While Council currently deploys a range of landfill diversion strategies (including operating the community recycling centre at Whytes Gully), this is an important step to explore ways of keeping organic matter out of landfill.

Following a comprehensive engagement program, the trial is seeing high levels of participation and low levels of contamination. An option to extend the trial will be presented to Council during the December 2019 quarter.

GOAL 1: WE VALUE AND PROTECT OUR NATURAL ENVIRONMENT



Develop and implement the Floodplain Risk Management Plans

Flood studies (implementing Council's blockage policy) or floodplain risk management studies are currently underway in eleven different catchments with each project at different stages. During the quarter, a call for feedback from the Allans Creek Flood Study was conducted. Sessions were held in Figtree and Berkeley, providing the community opportunity to meet Council's floodplain engineers working on updating the Flood Study for the catchment. The catchment area includes the suburbs of Mount Keira, West Wollongong, Figtree, Mount Kembla, Unanderra, Farmborough Heights and Berkeley.

Once complete, the study will replace the earlier study completed in 2006 and provide an updated understanding of the way flooding happens in this catchment. The current flood study will benefit from improved and more detailed computer flood modelling techniques that includes recent data from land and waterway surveying, consideration of Council's updated Blockage Policy and consideration of the impact of the network of drainage pits and pipes over a wider area. The Flood Study review is nearing completion. Once completed and adopted by Council, a review of the Floodplain Risk Management Study and Flood Plain Risk Management Plan will guide priorities and provide a list of measures for the catchment.

Implement resourced priority actions from the Environmental Sustainability Strategy 2014-22

During the quarter, Council and the community celebrated National Tree Day. School and community groups participated in planting over 3,000 new trees. This event has been celebrated since 1996 and to mark Council's ongoing support of the day, Lord Mayor Councillor Gordon Bradbery AM planted an established fig tree near the playground in Stuart Park. The tree is five years old and has a lifespan that exceeds more than 100 years.

Council staff worked with students from Unanderra, Lakelands, Russell Vale, Coniston, Tarrawanna, Port Kembla and Cringila primary schools to plant 300 trees within their grounds. Council staff and community members also worked at three sites O'Briens Road, Figtree (adjacent to the Princes Highway on America Creek); Hooka Point, Berkeley (near Holborn Street carpark) and Wollongong's Greenhouse Park, Coniston to plant species including eucalypts, wattles and casuarinas as well as other local natives.

GOAL 1: WE VALUE AND PROTECT OUR NATURAL ENVIRONMENT



[IMAGE: Wollongong Lord Mayor Councillor Gordon Bradbery AM has planted an established fig tree near the playground in Stuart Park]

Develop and deliver diverse Local Studies Library projects that contribute to the preservation and continued relevance of local history and community stories

During the quarter, Council staff partnered with the University of Wollongong, the Illawarra Historical Society and Illawarra Museum, the Wollongong Camera Club, the Illawarra Family History Group, and The Friends of the Library to preserve and make accessible local material.

The Oral History program is recording people's memory of places, events, buildings and living in the Illawarra. Over 100 stories have been recorded and catalogued. Volunteers are using voice recognition software to assist in the transcription of the oral recording into a printed form so that anyone can access these rich stories by either listening to them or reading them.

Council staff also partnered with The Friends of Wollongong Libraries to hold biennial local studies research and publication competitions aimed at primary school children. The team visit local primary schools to give presentations on local history and the Library's services and primary schools are invited to visit Wollongong Library to explore the Local Studies collection. Staff have partnered with the University of Wollongong to develop sophisticated image recognition software to assist identification of old photographs. The team have been digitising rare documents to ensure continued access as the documents become more fragile with age.

GOAL 1: WE VALUE AND PROTECT OUR NATURAL ENVIRONMENT

Coordinate community environmental programs, including Rise and Shine Program, Clean Up Australia Day, World Environment Day, National Recycling Week, International Composting Week and other waste education activities

During the quarter, the school competition 'Balloons Blow, No Party for Nature' received 146 entries across 15 schools. The Giant Car Boot sale event at Corrimal saw 2,448 buyers attend and 1,548 items were sold. This equated to 4,440 litres diverted from landfill.

Environmental Expo, Enviro 2019 celebrated 34 years of the Rise & Shine Campaign at Wollongong Botanic Garden during September. The Enviro19 event saw over 800 school children from 12 local schools across years five and six participate in five environmental hands-on workshops. The aim of the program was to show children how to make small changes such as using a beeswax wrap rather than plastic film wrap on sandwiches to help the environment. It was also an opportunity for children to learn about water pollution, biodiversity and the importance of recycling. Students also took part in environmental theatre and workshops ranging from 'Renewable Energy' to 'Water Conservation' based around the World Environment Day 2019 theme "Beat Air Pollution". The Expo was also open to community members to attend.



[IMAGE: Enviro 2019 celebrated 34 Years of Rise & Shine Campaign at the Wollongong Botanic Garden in September]

Performance Measures

- Participation rate in environmental programs | 13,804 (Q1 2018-19 – 9,360)
- Number of volunteers for Environmental Programs - Greenhouse Park | 17 (Q1 2018-19 – 21)
- Plants Propagated | 19,513 (Q1 2018-19 – 21,490)
- Plants Distributed | 17,708 (Q1 2018-19 – 15,345)
- Tonnes of Rubbish collected from clean-up activities | 8 (Q1 2018-19 – 8)
- Average number of volunteers worked at Bushcare and FIReady sites | 517 (Q1 2018-19 – 461)

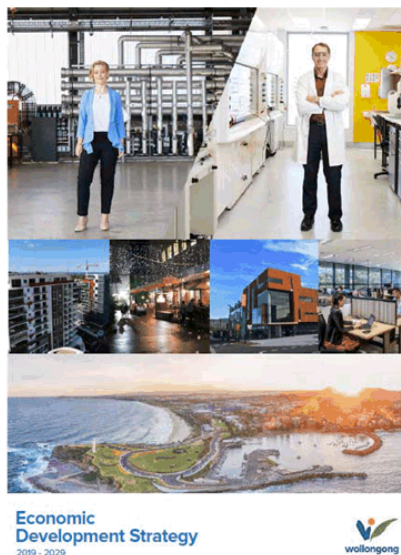
GOAL 2: WE HAVE AN INNOVATIVE AND SUSTAINABLE ECONOMY

Review the Economic Development Strategy 2013-23

During the quarter, the new Economic Development Strategy 2019-2029 was finalised and adopted by Council. The updated Strategy provides several actions to support an innovative and sustainable economy in the City. A key theme of the strategy is a renewed focus on increasing the number of high-quality jobs in Wollongong, with the aim of doubling the growth of the past ten years. The Strategy identifies three key goals being: to generate 10,500 new jobs in the next decade; lift the median incomes and to align the target industries with Wollongong's talent pool.

Specific economic development related activities that have been undertaken in the past quarter include the following:

- Easy to do Business program – official launch and media, two dashboard reports on take-up across the LGA, attendance at Council briefing session for Economic Development Officers and engagement with local Service NSW Manager at Kiama Branch;
- Wollongong is now part of a national crane index (RLB Crane Index) with 19 cranes recorded across the LGA in the September quarter, including 15 in the CBD;
- Released an internal newsletter and presentation to Senior Managers Group providing a snapshot of the latest economic data;
- Economic Development Strategy and the new Invest Wollongong program presented to the Economic Development Network.



[IMAGE: The new Economic Development Strategy 2019-2029]

GOAL 2: WE HAVE AN INNOVATIVE AND SUSTAINABLE ECONOMY

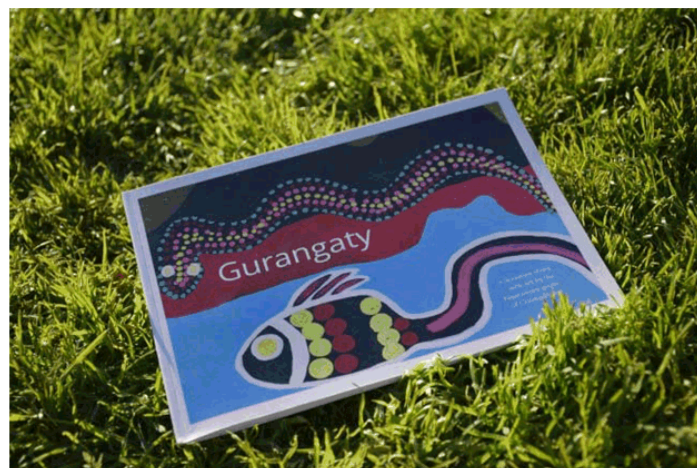
Participate in relevant networks and support opportunities for social enterprise, including the provision of training

During the quarter, information sessions were held for Council staff who undertake purchasing to build their awareness of social enterprise supply opportunities. A networking session was held for Social Enterprise suppliers and Council's key purchasing staff. Over 10 Social Enterprises and a range of purchasing staff from across the organisation attended. Information was shared about the services and supplies these social enterprises can provide and the standard they can deliver at. A Social Enterprise supplier data base was developed and is available for internal Council staff and the general community members' information.

Contribute to the delivery of 'Paint the Town REaD' early literacy program

Council staff and Paint the GONG REaD were present at the CareWays (Koonawarra), Greene St (Warrawong) and Wollongong Northern District Aboriginal Community (Bellambi) NAIDOC events with the reading tent and Bright Spark, the mascot. 230 children participated in the reading tent over the three events, enabling discussions with parents and carers on tips for reading to their children and why it is important.

With the support of partner organisations, Council organised the Annual Reading Day event at Warrawong Plaza. Ten organisations supported the event including a Braille activity by Vision Australia and an Art activity with the Aunties from Coomaditchie. 110 children participated in the event, providing opportunities to talk to parents and carers about the development of early literacy skills and tips and hints to help at home. Council staff attended the Child Protection Week family fun day, running a reading tent with the Paint the GONG REaD mascot, Bright Spark. There were events in Corrimal and Warrawong, with approximately 55 children taking part.



[IMAGE: A local Dreamtime story, Gurangaty – the star of the Paint the Gong Read reading day.]

GOAL 2: WE HAVE AN INNOVATIVE AND SUSTAINABLE ECONOMY

Implement a range of pilot projects and activation strategies across the city centre precincts

In response to the City for People (Public Spaces, Public Life) brief, three pilot projects were implemented to promote visual connectivity, vibrancy and street comfort in and between key City Centre sites. These projects were installed in high profile city locations including: Globe Lane (architectural seating, synthetic turf), Western Crown Street (four vibrant and lit wayfinding sculptures including seating options) and Lower Crown Street (series of large trees illuminated by colourful projected spotlights). Each project was designed specifically to meet key objectives at each site.

These projects are now in the evaluation and maintenance stages. Renew Wollongong continues to provide creative businesses with the opportunity to grow their skills and develop projects which will help activate some underutilised spaces in Crown Street Mall. Renew Wollongong has been successful in obtaining eight vacant properties for creative entrepreneurs to test their product in a retail environment. Council continues to build relationships with property owners, leasing agents and businesses to identify vacant space in the Crown Street Mall precinct.

To date, Renew Wollongong has received over 45 registered Expressions of Interest to participate in the Program from creative practitioners.

Deliver learning programs for employment, digital inclusion and creativity from 'The Hub' digital learning space

At Wollongong Library a new space as created - The Lab (The Hub) - to enable people to come together to work, collaborate, learn, play and read for entertainment and pleasure. The Library has partnered with a number of non-government/not for profit organisations to deliver courses, training, interviews in The Lab e.g. Salvation Army, Kiama Community College, SCARF, and state government agencies.

Provide power supply to the Mt Keira Summit

During the quarter, construction of the new power supply infrastructure to the Mt Keira Summit Park was completed. Endeavour Energy has now taken over the power line and will be responsible for future operation and maintenance. Contributions towards the construction cost from relevant telecommunications organisations are currently being pursued. A power usage meter has also been installed.

Performance Measures

- Number of visitations to the tourism information centres | 11,887 (Q1 2018-19 – 12,562)
- Tourist Park occupancy rate of cabins | 53% (Q1 2018-19 – 49%)
- Occupancy rates of paid on street parking | 78% (Q1 2018-19 – 75%)
- Tourist parks occupancy rate of unpowered sites | 13% (Q1 2018-19 – 37%)
- Tourist parks occupancy rate of powered sites | 32% (Q1 2018-19 – 33%)

GOAL 3: WOLLONGONG IS A CREATIVE, VIBRANT CITY

Manage the Merrigong funding agreement for IPAC and the Town Hall

During the quarter, Wollongong was treated to seven performances of the smash hit musical *'Hair'* in September as part of a national tour. Two Merrigong season shows were also presented during this quarter: the modern day musical *'Once'* produced by Darlinghurst Theatre Company and *'A View from the Bridge'* from Red Line Productions. This musical demonstrates the power of music to connect us all. *'A View from the Bridge'* was a staging of the Arthur Miller classic.

Another highlight was Merrigong's own production of the *'Surfer and the Mermaid'* - the stage adaptation of Tim Baker's children's book. This production inspired young audiences to see themselves as empowered advocates for marine conservation, recognising the ways their actions impact the ocean environment, and what they can do to inspire change in others.

The MERRIGONGX show *'In Transit'* transformed the Wollongong Town Hall into an international airport transit lounge. This unique theatrical experience explored how human beings move through the world. Audiences were invited to experience overlapping narratives within our current socio-political climate, where freedom of global movement for some is contrasted with the struggle of movement for others.

The Music Lounge program continues to expand with performances regularly on Friday and Saturday nights. Performances have included Jeff Lang, Roxee Horror, the Arrebato Ensemble, Caribe with Adrian Medina and Tonight with Kiki. *Music in the Morning* continues to be a favourite for the matinee crowd with Tenterfield to Rio in August and Popera in September. Local theatre group the Arcadians staged the international sensation *'Mamma Mia'*. A stream of popular and diverse hirers continued to hire Merrigong venues during the quarter. Highlights were Dr Seuss's *'Cat in the Hat'*, the Wollongong Schools Choral Festival and South Coast Schools *'Dra'*.



[IMAGE: Adam Booth in *The Surfer and the Mermaid*]

GOAL 3: WOLLONGONG IS A CREATIVE, VIBRANT CITY

Facilitate events occurring for NAIDOC Week, Reconciliation Week and Sorry Day

During the quarter, a range of events were held to celebrate NAIDOC. Council provides grants to assist community groups in facilitating a range of NAIDOC Week activities throughout the Local Government Area. Four NAIDOC Week 2019 celebrations were held in July and Council provided seven community groups a total of \$6,000 to assist. Events included:

- Barnardos Australia - South Coast (Warrawong) - Greene Street NAIDOC Family Fun Day, with 700 people participating;
- Wollongong Northern District Aboriginal Community - Bellambi NAIDOC Celebration, bringing together over 800 people for the event;
- Coomaditchie United Aboriginal Corporation - Coomaditchie Family Fun Day;
- Wollongong Emergency Housing Inc. (Wollongong Homeless Hub) - *'Creating Cooida'* connecting Community with Culture;
- Unanderra Community Centre - Unanderra NAIDOC Celebration;
- Illawarra Aboriginal Corporation - Connecting Cultures;
- Careways Community Inc. - NAIDOC at Koonawarra, with 350 people attending.

Council also participates in the organising committee for the Local Government Regional NAIDOC Awards Dinner. This year, the event was hosted by Shoalhaven City Council, with over 350 people in attendance. The event was delivered successfully, celebrating and recognising the achievements of local Aboriginal Elders, Aboriginal community members and organisations.

The Lord Mayors Elders' Luncheon was at Dapto Ribbonwood Centre to acknowledge the contribution Aboriginal Elders make to both the Aboriginal and wider Wollongong communities. Eighteen (18) Aboriginal Elders and their carer's attended the event.

All events were a positive representation of Aboriginal Culture, showcasing local Aboriginal artists and performers, Traditional Smoking Ceremony and Welcome to Country. These important events aim to bring the Aboriginal and non-Aboriginal community together in an environment of respect and learning.



[IMAGE: 2019 NAIDOC Week celebrations]

GOAL 3: WOLLONGONG IS A CREATIVE, VIBRANT CITY

Manage and deliver programs at the Wollongong Art Gallery

The Art Gallery's core business is the development and delivery of an exhibition program that reflects the diversity of the community and to manage and develop the Art Collection which is a community, cultural and financial asset to Council and the region. During the quarter, the exhibition program included:

- *Rosie Deacon: Fashion Forest Seduction* - An interactive sensory experience with wearables, sculpture, sound and videos. Developed in collaboration with local disabilities groups;
- *Flow: Wollongong Art Gallery National Contemporary Art Prize* - a biennial acquisitive art prize open to Australian artists, encouraging innovation and experimentation in watercolour painting;
- *Ken Unsworth: Marquettes and Small Sculptures* - an exhibition celebrating the work of one of Australia's most important and influential contemporary artists;
- *Mission Seafarers: Roman Bella* - a photographic exhibition of tankers and ships in Port Kembla and other industrial ports by local artist Roman Bella;
- *Cross Connection* - an exhibition of diverse non-denominational art works by local artists linked by their shared faith;
- *Shellharbour Art Collective* - local Shellharbour artists come together to present works from their diverse practice.



[IMAGE: Wollongong Art Gallery]

Promote heritage sites and museums

Wollongong Heritage Museums continue to meet quarterly to share matters of common interest and promotion. The meeting is facilitated by Council and chaired by the Museums Advisor.

During the quarter, Council in partnership with the Museums Advisor, led the creation of an independent entity known as Wollongong Heritage Collections Incorporated, with an independent Board including two trained Museums representatives. The aim is to transfer collections of collapsing incorporated museums into the new incorporated entity. During 2019-2020, the Museum Consultant will deliver a report on the state of local Museums with several actionable recommendations for Council addressing the viability of the sector.

GOAL 3: WOLLONGONG IS A CREATIVE, VIBRANT CITY

Support newly arrived and refugee communities through the delivery of the Illawarra Refugee Challenge with community partners

During the quarter, Council coordinated the Illawarra Refugee Challenge in partnership with Multicultural Communities Council of the Illawarra at Illawarra Sports High. The Challenge consists of six semi-simulated stations in which the students and former refugees conduct discussions, scenarios and role playing. The students look at the reality of water and food supplies, sanitation and education in a refugee camp.

2019 marks the fifth year students have had the opportunity to gain an understanding of what it would be like to flee your country and leave everything behind, as well as learn about refugee experiences and journeys.

Three peer facilitator training sessions were held with 22 Year 11 students. This prepared the students to be facilitators for the five tours held during the Illawarra Refugee Challenge in August. 211 young people from Years 9 and 10 attended the experience. A highlight this year was the inclusion of nine community members from refugee backgrounds who shared their personal experiences through the tour, helped deliver life experiences of their travels and life in refugee camps, as well as participating in a panel session.



[IMAGE: Students from Illawarra Sports High taking part in the Illawarra Refugee Challenge]

GOAL 3: WOLLONGONG IS A CREATIVE, VIBRANT CITY

Deliver the Youth programs across the Wollongong LGA

Youth Services have continued to provide services, activities and programs to young people across the Local Government Area. Program areas include Bellambi, Koonawarra, Dapto, Warrawong, Cringila and Bundaleer.

Youth Services have also supported various community events and council run activities including NAIDOC events. During this period Youth Services delivered programs and activities to 5242 young people. There were 1046 young people for drop in at Wollongong Youth Centre, 1611 in music and culture, 82 support & referrals, 342 sector development, 1987 in targeted programs and 174 engagement and community development.

Performance Measures

- Library visitations | 423,827 (Q1 2018-19 – 259,566)
- Library – total number of loans | 340,649 (Q1 2018-19 – 325,119)
- Library programs: number of programs | 741 (Q1 2018-19 – 648)
- Library programs: number of participants | 19,851 (Q1 2018-19 – 18,551)

GOAL 4: WE ARE A CONNECTED AND ENGAGED COMMUNITY

Deliver civic activities which recognise and celebrate the city's people

During the quarter, a number of key civic activities were delivered. These included a Lord Mayoral recognition reception in July, celebrating individuals who have contributed to community life. In September, a reception for Duke of Edinburgh recipients attended by His Royal Highness The Prince Edward, Earl of Wessex, KG GCV0 was held. HRH The Earl of Wessex was in Wollongong in his role as Chair of The Board of Trustees of The Duke of Edinburgh's International Award Foundation, which celebrated its 60th Anniversary of the Award in Australia. The reception at Wollongong Youth Centre provided HRH the opportunity to meet with local young people who were involved in the Award.



[IMAGE: HRH The Earl of Wessex, KG, GCV0 visits Wollongong]

Redesign and launch of Wollongong City Council website

During August, Council's new public website was finalised and launched. This saw the replacement of the 10+ year old site with a contemporary platform, supporting accessibility and mobile responsiveness. The design of the new site was based on extensive research and community engagement and presented a shift in focus from a Council-centric model to one informed by user needs. Community feedback on the new website has been largely positive and will continue to be monitored to inform continuous improvements.

GOAL 4: WE ARE A CONNECTED AND ENGAGED COMMUNITY

Develop the WHS behaviour strategy and program to enhance our WHS culture through the application of identified constructive behaviour

Our Safety- Everyone Everyday Everywhere is a key program of Council's internal optimisation program. Outcomes achieved during the quarter include:

- The WHS Leadership training program was completed in July. Over 280 supervisors have completed the program, with over 900 staff completing the program;
- The Stop and Take 5 risk management program commenced with the organisation now completing Team Safety Improvement Plans;
- Senior Managers engaged in a peer-on-peer Safety Interaction development opportunity
- The WHS Assurance program commenced, with site audits to evaluate the effectiveness of controls in place;
- The development of Councils Wellbeing and Mental Health Program commenced in September 2019.

Participate in the Australasian Local Government Performance Excellence Program

Council is in the process of submitting its seventh round of data for the Australasian Local Government Performance Excellence Program. Facilitated by Local Government Professionals in collaboration with PricewaterhouseCoopers, this benchmarking project provides comparative data across corporate leadership, financial management, operational management, risk and workforce management. Scheduled for release in late 2019, the report will be used to inform strategy and policy.

Deliver a diverse range of community engagement opportunities to inform and guide development and delivery of Council business

During the quarter, significant community engagement was undertaken on numerous flood studies, including: Allans Creek Catchment; Collins Creek Catchment; Kully Bay Catchment Overland Flow; Minnegang Creek Catchment; and the Bellambi Gully Scheme. Engagement for each of these included drop-in information sessions where the floodplain engineers working on the studies were available to answer questions. The draft reports were available for viewing, with display stands showing flood mitigation projects, flood modelling maps and short flood-modelling videos were shown to help explain how and where it might flood in a catchment. Diagrams were also produced for the Kully Bay Overland Flow Study to help explain what "overland flow" was as well as for the Allans Creek Flood Study to help explain the floodplain risk management process.

GOAL 4: WE ARE A CONNECTED AND ENGAGED COMMUNITY

Ongoing engagement supporting major West Dapto Infrastructure projects continued throughout the quarter for the Fowlers Road to Fairwater Drive Link and Wongawilli Road Upgrade. This work included notifications, stakeholder management, liaising with businesses, schools and transport companies, meeting with individuals, three public meetings and a community workshop. Community suggestions were also sought to help name the Fowlers Road main bridge and feedback regarding associated road name proposals.

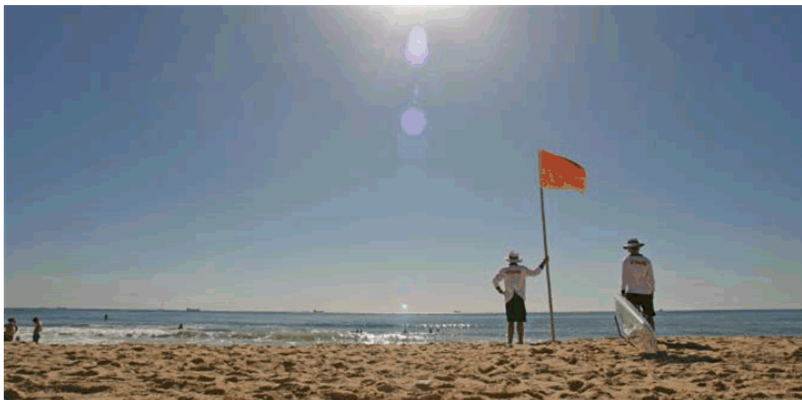
Engagement was also undertaken for the:

- Development Control Plan 2009: West Dapto Urban Release Area and Residential Sub Divisions;
- The development of the Wollongong Art Gallery Strategic Plan, including a survey, a community workshop and focus groups with young people, people with disability and families with children;
- A proposal to move the dog off-leash area at Stanwell Park beach. Stanwell Park residents and property owners were sent a letter and feedback form, signage was provided at the beach and in key locations;
- A range of projects including safety solutions at Brickyard Point Austinmer, Railway Crescent Upgrade Stanwell Park, Point Street Bulli, and Central Road Unanderra.

Participate in a range of community sector networks to foster collaborations and partnerships

During the quarter, Council staff attended and coordinated various network meetings and groups, with a highlight being the Multicultural Water Safety forum.

Council coordinated the NSW Water Safety Forum for Multicultural Communities, during September. The aim of the forum was to showcase best practice water safety practice programs from across NSW, while building partnerships and networks. 50 people from local government, aquatic services and community organisations came together with speakers and participants from Coffs-Harbour, south-western Sydney, Sutherland Shire and the Illawarra. The event was a response to the increasing number of drowning deaths among people from culturally diverse backgrounds. The initiative received positive feedback from attendees, given the approaching the 2019-20 swim season.



[IMAGE: Water Safety Forum held to promote water safety]

GOAL 4: WE ARE A CONNECTED AND ENGAGED COMMUNITY

Deliver the Volunteering Illawarra (VI) service, including online advice

During the quarter, 115 volunteers were referred to Non-Government Organisations (NGO) with an average 92% placement rate. 27 of those referrals were forwarded to Council services relying on volunteers.

Training is a significant component of the VI service. Training provided during the quarter included:

- Two Corporate Volunteer induction sessions were held Council's library, social support and community transport volunteers;
- Bushcare: Managing Volunteer performance and dispute management – ten people attended; 94% satisfaction rate;
- NINA (NGO) – Workplace Health and Safety and Safe Home Visiting for Volunteers – seven people attended; 91% satisfaction rate.

The VI website is actively used to promote events and volunteering opportunities available to people in the community interested in volunteering and providing relevant information to the sector. Significant highlights from the quarter include:

- VI has established partnerships with Watershed (Drug and Alcohol rehabilitation service) and Northcott Disability Services (NDIS). Two information sessions were held with clients utilising volunteering as a pathway to employment and/or personal development, with 42 people in attendance. Both programs are expected to continue until the end of the year;
- VI participated in the NSW (Illawarra) Volunteer of the Year State Awards ceremony. VI plays an active role in this event by promoting the awards and nominations for the region;
- Two Volunteering Interagency meetings were held this quarter to support to the NGO sector in recruiting and managing volunteers.



[IMAGE: Volunteering Illawarra office]

GOAL 4: WE ARE A CONNECTED AND ENGAGED COMMUNITY

Continue to review and enhance Council's digital customer service and engagement channels in line with strategic objectives

Council is continuing to use and focus on our digital channels to highlight our news, services and activities and engage directly with our community. This quarter the Communications Team handed over the management of Facebook's Messenger function to the Customer Service team as the majority of correspondence coming through this channel was Customer-Service related. The seamless handover has streamlined the management of social media enquiries. Additional support to the Customer Service team is provided where required. Messages outside of hours are monitored should immediate action be required.

The City of Wollongong Facebook Page had 26,630 likes at the end of this quarter, an increase of 2.1% on the previous quarter. Twitter followers increased by 1.4% from 5,929 to 6,013. Council had 5,892 followers on Instagram at the end of this quarter, up 4.4% from the end of the previous quarter. Followers on Council's LinkedIn company page grew 9.8% during the financial year, with a total of 6,593 followers at the end of the year. In this quarter we launched the organisation's new website. Since its launch on 8 August Council's website had 357,297 page views. The most visited pages were the homepage, View a Development Application, Jobs at Council, Pay Your Rates and Sports-grounds. This is consistent with the popular pages on the previous website. From 1 July until 7 August, Council's old website had 277,352 page views, bringing total views for the quarter to 634,649.

Performance Measures

Sick Leave | 7.87 Days (Q1 2018/19 – 7.50 days)

Number of Twitter followers for Council | 6,013 (Q1 2018/19 – 5,585)

Carers Leave | 0.64 Days (Q1 2018/19 – 0.62 days)

Lost Time Injury Frequency Rate | 15.12 (Q1 2018/19 – 13.43)

Number of media releases issued | 42 (Q1 2018/19 – 45)

Number of Council Facebook page 'likes' | 26,630 (Q1 2018/19 – 24,381)

Workers compensation costs as a percentage of payroll | 1.51 % (Q1 2018/19 – 1.75%)

Telephone calls are answered within 30 seconds | 89 % (Q1 2018/19 – 84%)

Enquiries made in person are welcomed and attended to within 5 minutes | 95 % (Q1 2018/19 – 94%)

GOAL 5: WE HAVE A HEALTHY COMMUNITY IN A LIVEABLE CITY

Pursue Playground renewals in accordance with the Play Wollongong Strategy 2014 -2024 and adopted Capital Works program

Playground Renewals continue to be progressed during the quarter, with the District Level playground at Charles Harper Park Helensburgh due for completion in mid October 2019. Council has accepted a tender for the work, that will see the 12-year-old playground in Parks Street, Helensburgh, replaced with a new, contemporary design. The new playground has been designed in consultation with local children, and includes a space for water play, a small bike track, numerous climbing features and improved seating areas. Shade structures have been incorporated in to the design and will include artwork panels featuring the work of local school students. Ceramic shells made by local pre-school and primary students will also form the basis of a dry creek bed play area.

Consultation for the relocation of the Cringila Playground is scheduled for 19 November 2019. Other playgrounds programmed include Brownlee Park Mangerton, Kahn Park Dapto, Derribong Drive Reserve Cordeaux Heights, Mount Kembla Oval Mount Kembla and Harry Henson Park Corrimal.



[IMAGE: The new Charles Harper Park, Helensburgh]

GOAL 5: WE HAVE A HEALTHY COMMUNITY IN A LIVEABLE CITY

Coordinate the sports facilities planning priorities program with the Sports and Facilities Reference Group

During the quarter, the Sports and Facilities Reference Group developed a new Sports Grants Program to replace the superseded Sports Planning Process. This new grant was launched in August with a record 20 new applications being evaluated against the key focus areas of the Sports Grounds and Sports Facilities strategy 2017-2021. These key areas include: increase sportsground capacity; renewal or enhancement of existing sporting Infrastructure with a focus on gender equity; accessibility and storage; and investment in infrastructure to support and accommodate emerging sports and independent recreational pursuits. With more than 67 sports fields throughout the city, the new Sports Facilities Grants Program aims to support local sporting groups by providing funding opportunities for capital renewal and enhancement projects on sports grounds and facilities on Council-owned and managed land. Successful grant recipients will be advised during the December 2019 quarter.



[IMAGE: Sports facilities being used across the city]

Continue to liaise with Local Area Commands on key initiatives and crime reduction strategies.

Council staff attended the Community Safety Precinct meeting in July at the Lake Illawarra Police District. These meetings enable sharing of information about programs and initiatives NSW Police are undertaking, as well as opportunities to consider community safety partnership activities with NSW Police, Council and the community. Council staff have partnered with Wollongong Police District officers in two 'pop-up' engagements at Mangerton and Woonona where residents shared their concerns regarding safety and crime. Staff also attended a resident on-site meeting at Kanahooka Point Park to hear concerns about anti-social behaviour, including speeding and drug taking activity.

GOAL 5: WE HAVE A HEALTHY COMMUNITY IN A LIVEABLE CITY

Enhance Botanic Garden visitor experience via programs, interpretation, education and events

During the quarter, 145 educational workshops were held at the Discovery Centre involving 4,773 participants. A delegation from Friendship City Longyan, China visited the Botanic Garden and viewed the area proposed for a friendship garden through middle creek.

Enviro 18 was held to commemorate the start of Spring and launch the Rise and Shine campaign, with over 800 school children participating.

During the July school holidays, the Botanic Garden held the Gardens of the Galaxy program, aimed at children from five years to ten years. More than 700 children, including two large groups from China, were taken on an adventure to find out if plants can grow in space, survive on the Moon or thrive on Mars. Daily activities included: Pirates in Space Garden Shoe, Aliens and Astronauts Treasure Hunt and Cosmic Crafts. 300 parents, grandparents, teachers, interpreters and carers also took part in the program.



[IMAGE: Botanic Garden Gardens of the Galaxy school holiday program]

Continue the 'I belong in the Gong' Safety Initiative

The 'I Belong in the Gong' campaign is a partnership with NSW Police, the business sector and Wollongong Liquor Accord funded by NSW Justice. The campaign promotes the message that all people are welcome in the city and the safety and well-being of all community members helps promote a friendly, inclusive or happy place. During the quarter, a lighting audit of the Wollongong Central Business District (CBD) was completed along with a 'Shed light on the City Centre' survey. This phase of the campaign also includes the final evaluation of the initiative.

As part of the campaign, two late night walks of the Wollongong CBD occurred in August and September, with the involvement of Wollongong Police. Dark places were identified along with information about pedestrian movements across the city.

GOAL 5: WE HAVE A HEALTHY COMMUNITY IN A LIVEABLE CITY



[IMAGE: I Belong in the Gong safety initiative]

Support the provision of Community Transport Services across Wollongong and Shellharbour Local Government Areas

Community transport provides a range of services to support frail older people, and people who are transport disadvantaged to continue living independently in the community and facilitates access to essential services.

During the quarter, community transport received 346 new referrals, and provided 32,695 trips, well above the 18,937 trips funded to deliver. A highlight of the quarter was an engagement exercise with clients to obtain feedback on the service and to identify any concerns or areas for improvement. Council staff participated in 13 scheduled bus runs and interviewed 115 consumers. Overall, the feedback about our services positive, with clients making particular note of the devotion and professionalism of the volunteers. Importantly, all clients agreed the service is invaluable to them and they would be lost without it, explaining that they would be unable to undertake their shopping, run errands, pay bills and banking without the Community Transport Service.

Several areas of improvement were also identified, which staff have already implemented, eg.: allow extra time for shopping and arrange additional shopping runs to other destinations.

Council's Community Transport service has been exploring options to improve the current [dated] taxi vouchers system. In cooperation with the local taxi network, a three-month trial has commenced, with the view to replace our current taxi vouchers scheme with the cab charge e-tickets. The trial will end in October and is expected to improve the client experience and deliver internal efficiencies.

GOAL 5: WE HAVE A HEALTHY COMMUNITY IN A LIVEABLE CITY

Incorporate child-friendly and age-friendly principles in design, planning and service delivery with the community

Child-friendly principles are evident in a community when children are valued, supported, respected, provided for and actively included in decisions that affect them, are able to express themselves and receive information, reach their potential, live well and are free from harm. Council has been incorporating these principles through a number of activities during the quarter, including organisation of the Child Protection Week Family Fun Day at the Corrimal shopping centre.

Council staff also worked in partnership with Vision Australia to develop a Braille map of Luke's Place playground in Corrimal. This will be installed during the December quarter, with children from the local school invited to attend the launch. Vision Australia believes it will be first of its kind in Australia. Planning has begun for the 15th Annual Lord Mayor's School Starter Picnic, scheduled for 3 November at MacCabe Park. The event will include 22 activities and displays run in collaboration with community organisation partners and volunteers.

Deliver the Council resolution for affordable housing (targeting of Commonwealth funding)

In August 2019, Council put out a call to not-for-profit Community Housing Providers for proposals to help deliver affordable housing in Wollongong. Council is particularly interested in proposals that include a focus on single women aged over 50, who have been identified as a group at higher risk of homelessness. Council has entered an arrangement with the Commonwealth Government to facilitate delivery of affordable housing in the region. Successful proposals will be awarded Commonwealth funding of up to \$5.2 million.

Performance Measures

- Community Transport trips | 32,695 (Q1 2018/19 – 35,585)
- Direct-Run District Level Community Facilities visitation | 60,865 (Q1 2018/19 – 56,405)
- Utilisation of Direct-Run District Level Community Facilities | 10,436 Hours (Q1 2018/19 – 8,834 hours)
- Social Support hours of service | 10,365 Hours (Q1 2018/19 – 10,634 hours)
- Total Visits commercial heated pools: Corrimal | 13,677 (Q1 2018/19 – 11,160)
- Total Visits commercial heated pools: Dapto | 11,357 (Q1 2018/19 – 14,049)
- Utilisation/visitation at pools | 55,157 (Q1 2018/19 – 48,397)
- Utilisation/visitation at beaches | 20,398 (Q1 2018/19 – 22,010)

GOAL 6: WE HAVE AFFORDABLE AND ACCESSIBLE TRANSPORT

Complete the construction of the Fowlers Road extension to Fairwater Drive

The Fowlers Road extension to Fairwater Drive is the largest civil infrastructure project undertaken by Council and will provide flood reliable access to the West Dapto Urban Release Area. Following completion of Stage 1 works, including the construction of the Fairwater Drive /Daisy Bank Drive intersection to the first floodway bridge, Stage 2 construction works commenced in August 2018.

During the quarter, Council called for suggestions for the naming of the new main bridge in the Fowlers Road to Fairwater Drive link from the community. The main bridge to be named extends from Fowlers Road in Dapto and spans the Marshall Street deviation, the south coast rail line and Mullet Creek. The name will need to comply with Council's Road Naming Policy 2018 and with the Geographical Names Board (GNB) Guidelines as well as meet specific criteria such as having local Aboriginal significance, commemorate a person, and are appropriate to local cultural, historical or natural influences in the region.

This milestone represents a significant step in the project with the Fowlers Road extension being one of the city's largest scale one-off projects. The decision regarding the bridge name will be made by a Council working group that includes the Lord Mayor and Ward 3 Councillors. Their choice will go to Council for endorsement. The Fowlers Road extension, or the new road, will be named separately to the main bridge.



[IMAGE: Member for Kiama Gareth Ward, Wollongong City Lord Mayor Councillor Gordon Bradbery AM and Andrew Carfield, Director of Infrastructure and Works at the new main bridge site.]

GOAL 6: WE HAVE AFFORDABLE AND ACCESSIBLE TRANSPORT

Promote access to Community Transport services to meet the needs of eligible consumers

Community Transport provides a range of services to support frail older people, and people who are transport disadvantaged to continue living independently in the community and to access essential services. The service requires minimal promotion, as the demand for service continues to grow with an average of 300 new referrals per quarter.

During the quarter, community transport received 346 new referrals. Despite strong customer uptake and referral numbers, Council staff continues to promote the service at sector meetings within the region such as the Community Care Forum and at a variety of community events. A highlight of the last quarter was an intensive 'customer feedback' initiative, where staff 'rode the buses' with our customers to actively seek their opinions on the service and opportunities for service improvement.



[IMAGE: Community Transport volunteers]

Incorporate 'Park n Ride' feasibility study findings into City Centre Access and Movement Strategy

"The Park and Ride" initiative is identified in the adopted Wollongong City Centre Access and Movement Strategy. During the quarter, a feasibility assessment of a southern city centre shuttle bus route and service to support park and ride has been completed and will be incorporated into revised planning and actions as part of the review of the Inner City Parking Strategy and also the City Centre Access & Movement Strategy.

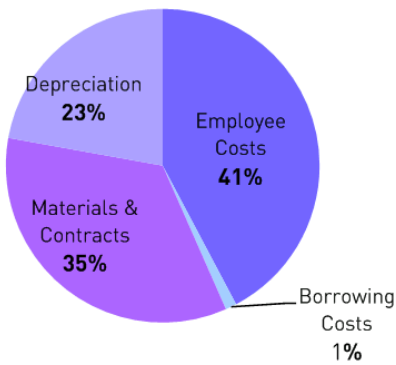
Performance Measures

- Delivery of Council's Capital Program | 22% (Q1 2018/19 – 22%)

How we performed against our budgets

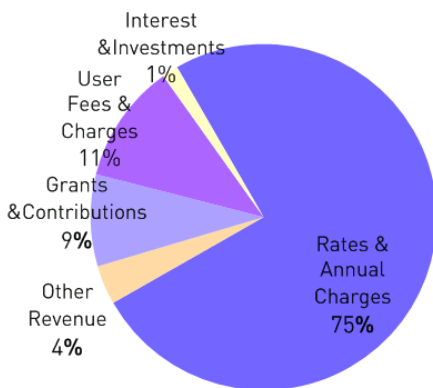
Budget 2019-20

The graph below shows Council's expenses from ordinary activities by expense type for the year:



Expense Type (\$'M)	YTD Actual	Proposed budget
Employee		
Costs less Internal Charges	28.5	118.4
Borrowing Costs	0.8	3.0
Materials & Contracts	23.2	100.1
Depreciation	14.9	64.8
Loss on Disposal of Assets	0.0	0.7
Total	67.4	286.9

The graph below shows Council's revenue from ordinary activities by revenue type for the year:



Income Type (\$M)	YTD Actual	Proposed budget
Rates & Annual Charges	49.5	203.0
Other Revenue	2.4	10.7
Profit on disposal of Assets	0.0	0.0
Grants & Contributions	5.7	22.0
User Fees & Charges	7.4	33.6
Interest & Investments	1.0	3.7
Total	66.0	272.9

Report of Chief Financial Officer

The September Quarterly review is the first review of 2019-20 Annual Plan adopted in June 2019. The first review is impacted by last year's results that were finalised after that adoption. At the end of 2018-19, Council had achieved an improvement in its Funds Result of \$4.7 million. \$4 million of that improvement was endorsed to be transferred to Strategic Projects Restricted Asset (SPRA) for future allocation. The remainder increased our Available Funds to offset costs and negative income adjustments that would flow through to 2019-20.

This review of financial estimates proposes a range of adjustments that will impact the forecast Operating Result [pre capital] by \$4.6 million but only impact the Funds Result (Available Funds balance) negatively by \$0.2 million.

The proposed adjustments in the Operating Result [pre capital] predominately reflects the timing of expenses and revenues and therefore has a relatively minor impact in Council's Funds Result or underlying capacity. Underlying capacity is not impacted because the adjustments are generally non-cash or funded adjustments as detailed below.

The following table and comments provide a summary view of the proposed variations and forecast for 2019-20 based on adjustments required from the prior year, year to date performance, and anticipated results to June 2020.

TABLE 1

FORECAST POSITION	Original Budget	Current Budget	Proposed Budget	YTD Actual	Proposed Variation
	\$M	\$M	\$M	\$M	\$M
KEY MOVEMENTS	July	September	September	September	Proposed Variation
Operating Revenue	273.0	273.0	272.2	66.0	(0.8)
Operating Costs	(282.4)	(282.4)	(286.2)	(67.3)	(3.8)
Operating Result [Pre Capital]	(9.4)	(9.4)	(14.0)	(1.4)	(4.6)
Capital Grants & Contributions	42.9	42.9	42.9	6.9	-
Operating Result	33.5	33.5	28.9	5.5	(4.6)
Funds Available from Operations	56.7	56.7	55.7	12.3	(1.0)
Capital Works	99.8	99.8	96.8	21.8	(3.0)
Contributed Assets	6.7	6.7	6.7	-	-
Transfer to Restricted Cash	1.4	5.4	5.4	0.4	-
Borrowings Repaid	7.9	7.9	7.9	1.2	-
Funded from:					
- Operational Funds	57.0	57.0	56.3	13.6	(0.8)
- Other Funding	49.5	49.5	47.3	8.1	(2.2)
Total Funds Surplus/(Deficit)	(9.7)	(13.7)	(13.9)	(2.9)	(0.2)

OPERATING RESULT [pre capital]

The Operating Deficit [pre capital] of \$14.0 million represents negative adjustment to budget of \$4.6 million that is made up of predominately non-cash adjustments and \$0.2M in cash adjustments. The major variations are summarised below with further details provided through this report. Favourable variations are identified as (F) and Unfavourable as (U):

Non Cash Variations (no Fund impact)

- Depreciation **\$1.5M (F)**
- Loss on disposal of asset **\$0.7 (U)**
- Waste facility remediation discount **\$0.3M (U)**
- Reclassification of prior year WIP as operational **\$2.0M (U)**

Report of Chief Financial Officer

Depreciation has been adjusted following the revaluation of buildings during end of year 2018-19. The valuation created adjustment to asset replacement values and asset component lives that created a decrease in future depreciation. Ultimately the valuation methodology will give rise to more works needing to be considered as maintenance and may require transfer from capital to operating to fund this work as has been happening in practice over recent years. At this stage a proposal has been made to move \$0.8 million from capital to operating for identified priority works to account for this and \$0.7 million to provision for Loss on Disposal, which has been to date unbudgeted. This adjustment has been replicated in future years pending further review of the longer term impacts through the annual planning process.

Waste facility remediation discount relates to the accounting treatment adjustment to the long term provision for the rehabilitation of Council's waste facilities. It is a notional adjustment for estimated future cash requirements.

The reclassification of prior year's Works in Progress relates to the Mount Kiera Power supply which had been treated as a capital project but will not be a Council owned or controlled asset moving forward. This does not impact funding as it was expended in prior periods.

Funded Variations (no Fund impact)

These are variations that are funded from restricted cash or transfer of projects from the capital budget to operational budget to comply with accounting treatments. These variations include:

- Introduction of funded operational projects **\$3.0M (U)**
- Operational grants (transferred to restricted cash) **\$1.3M (F)**
- Interest on investments (transferred to restricted cash) **\$0.5M (U)**
- Reclassification of current year expenditure from capital to operational **\$0.8M (U)**
- Transfer of operational budget for ranger vehicle purchases **\$0.1M(F)**

Funds (Cash) Adjustments

- Financial Assistance Grant **\$0.4M (U)**
- Fire Services direct grant **\$0.2M (F)**

Reintroduction of Projects in progress

There were a range of operational projects (including Supporting Documents) that were in progress at 30 June 2019 that have been reintroduced into 2019-20 financial forecasts to allow completion. In some cases, these projects are supported by funding from restricted cash, the proposed additional operational expenditure reintroduced of \$2.7 million is offset by \$1.9 million of funding from restricted cash.

While the progress of individual projects is assessed at each quarter and adjustments made to reflect the most recent expected completion period and cost, there is always anticipated to be a degree of variation due to external factors that may impact on the ability to fully complete all these projects. To recognise this timing issue, this review, as in prior years, includes a provision (negative expenditure and income budget) at a similar level to the works to be in progress at last year end.

OPERATING RESULT

The Operating Result also shows a deterioration of \$4.6 million compared to budget that reflects the above variations, as there have not been any adjustments proposed to capital income during this review.

CAPITAL PROGRAM

During this Quarter, the capital budget expenditure projections were decreased by \$2.2M, through monthly adjustments, that was largely associated with timing of land purchases for the Warrawong Community Centre and Library and other funded projects. These adjustments were fully offset by funding from restricted cash and have been reported and approved by Council through the monthly reporting process.

Report of Chief Financial Officer

The September Quarterly Review includes the proposed transfer of \$0.8 million from capital to operational projects for buildings and conversely the transfer of \$67K from operational funds for the purchase of additional vehicles for enhanced ranger services.

FUNDS RESULT

The original budget for Total Funds Result (annual movement in Available Funds) was a deficit of \$9.7 million that was largely due to early payment of the first two instalment of the 2019-20 Financial Assistance Grant in June 2019. Consistent with the practice in recent years, improvements achieved beyond planned targets for 2018-19 have been transferred to SPRA during the first quarter bringing the revised Funds Result at the commencement of this quarter to annual deficit of \$13.7 million. The slight deterioration in the Fund Result recognised during the September Quarterly Review includes \$0.4 million for the Financial Assistance Grant adjustment that is partially offset by reduction in support for State Emergency Services of \$0.2 million.

OVERVIEW OF FINANCIAL STATEMENT VARIATIONS

The following is a summary of variations at Financial Statement level with a more detailed comprehensive list provided in Table 7 in this report.

1 Income & Expense

The primary variations and issues are discussed below with favourable changes identified as (F) and unfavourable as (U). A more comprehensive list is provided in Table 7.

- **Interest and Investment Revenues \$1.2M (U).** Revenue projections have been impacted by falling interest rates. Interest is earned on both restricted and unrestricted cash. Restricted cash earnings are transferred to the restricted assets and not available to fund general operations. From a Funds perspective the impact is \$0.8 million and there is a reduction in transfer to restricted cash of \$0.4 million. The funds impact of this variation has been offset by a reduction in operational contingency budget.
- **Grants and Contributions – Operating \$1.1M (F).** This variation includes the introduction of \$0.3 million for a range of programs and \$1.0 million for a continuation of the Social Service Program offset by the introduction of a corresponding operating expense. This program was expected to end in June 2019 as part of the Federal Government reform of Aged and Disability Services. Confirmation has now been received that that funding for this program will continue until June 2022. In addition, Council is expecting to receive a \$0.2 million grant from the State Government to offset increase in the Emergency Service levy for 2019-20 that was for increased workers' compensation exposure for that service. These favourable variances have been offset by a reduction in the Financial Assistance Grant due to a higher level of prepayment in June 2019 than anticipated (\$0.3 million) and a retrospective adjustment for indexation applied for the 2018-19 (\$0.1 million).
- **Employee Costs \$1.6M (U).** The proposed increased in employee costs are as follows: projects where budget was held as Materials and Contracts pending determination of delivery approach \$0.5 million, projects continuing from 2018-19 \$0.3 million, new funded programs \$0.2 million, enhanced service levels \$0.3 million, and additional resources for delivery of capital programs \$0.4 million.
- **Borrowing Costs \$0.3M (U).** This variation is due to the reassessment of the remediation discount for the waste facility. This is a non cash valuation that does not impact on the Funds Result.

Report of Chief Financial Officer

- Materials, Contracts and Other Expenses \$3.9 (U).** While the proposed movement in this expense category is significant, most of the proposed variations do not impact on the Funds Result. These include; the reclassification of the prior year expenditure on the power supply at Mt Keira \$2 million to operating expense as it is a contribution and Council does not have ownership or control of the asset; \$0.8 million reclassified from capital for operational maintenance on Council buildings during the current year; introduction of new projects that are fully funded from additional grants or restricted cash and the reintroduction of budget for projects that were in progress at 30 June 2019 \$2.4 million. These have been offset by reduction in contingency budgets \$0.8 million, expenditure reclassified as employee costs \$0.5 million and the introduction of a notional adjustment for projects that are expected to be in progress at the end of this financial year \$2.7 million.
- Depreciation \$1.5M (F).** Depreciation forecasts have been revised to reflect end of year asset holdings and valuations.
- Internal Charges \$0.4M (F).** This favourable variance represents an increased level of labour applied to capital. It is offset by additional labour resources shown under employee costs above.
- Loss on Disposal of Assets \$0.7M (U).** This variation is an indicative estimate for asset write offs that are associated with the capitalisation process. While the intent is to replace assets at their end of useful lives when they are fully depreciated, the extent and nature of assets managed by Council means that this is not always achievable.

2 Capital Budget

Council commenced the year with a Capital Program budget of \$99.8 million that was decreased through the first quarter by \$2.2 million. This was largely associated land purchases for the Warrawong Community Centre and Library that were completed during June 2019 and other funded projects. These adjustments were fully offset by funding from restricted cash and have been reported and approved by Council through the monthly reporting process. The September Quarterly Review includes a proposed transfer of \$0.8 million from capital to operational maintenance for buildings and conversely the transfer of \$0.1million from operational budget (Rates Growth) for the purchase of two vehicles for enhanced ranger services.

3 Cash & Investments

Council's actual cash and investments show an increase of \$17.6 million compared to the Original Budget that have been impacted by increased level of restricted cash holdings at 30 June 2019 and last year's improved result.

The Available Funds forecast shown below excludes movement in externally and internally restricted cash such as timing of special purpose grants and contributions and progress of funded projects. There is a very minor deterioration in the forecast result of \$0.2 million that is largely due to the impact of the cash movements associated with the Financial Assistance Grant reduction that is offset by the additional Fire Service grant. The improvement in the 2018-19 result does not impact on Available Cash as this has been transferred to Strategic Projects internally restricted cash.

Report of Chief Financial Officer

TABLE 2

CASH, INVESTMENTS & AVAILABLE FUNDS				
	Actual 2018/19	Original Budget 2019/20	September Proposed Budget 2019/20	Actual Ytd September 2019
	\$M	\$M	\$M	\$M
Total Cash and Investments	154.8	130.0	147.6	157.9
Attributed to:				
External Restrictions				
Developer Contributions	36.8	42.0	39.2	37.2
Specific Purpose Unexpended Grants	3.4	1.1	14.7	3.9
Special Rates Levy City Centre	0.2	0.1	0.1	0.2
Unexpended Loans	1.9	1.7	2.8	5.2
Domestic Waste Management	13.8	14.2	14.2	14.1
Private Subsidies	5.8	5.8	6.0	6.0
Housing Affordability	10.8	11.0	11.1	10.8
Stormwater Management Charge	1.7	2.2	1.0	2.1
Total External Restrictions	77.7	78.0	89.1	79.5
Internal Restrictions				
Property Investment Fund	8.4	8.9	9.0	8.5
Strategic Projects	44.0	28.9	34.7	42.8
Sports Priority program	0.6	0.6	1.0	0.8
City Parking strategy	1.6	2.2	2.1	1.7
MacCabe Park Development	1.3	1.4	1.4	1.3
Darcy Wentworth Park	0.2	0.2	0.2	0.2
Waste Disposal Facility	- 0.6	(1.4)	(0.6)	(0.1)
West Dapto additional rates	5.1	5.4	5.9	5.2
Natural Areas	0.3	0.2	0.2	0.3
Lake Illawarra Management Fund	0.3	0.2	0.3	0.3
Total Internal Restrictions	61.2	46.7	54.2	60.9
Available Cash	16.0	5.3	4.3	17.5
Net Payable & Receivables	13.5	10.5	11.1	9.2
Payables	(35.0)	(25.4)	(25.6)	(36.2)
Receivables	36.6	24.6	24.4	30.8
Other	11.9	11.2	12.2	14.6
Available Funds	29.4	15.7	15.4	26.6

5 Long Term Financial Projections

Council has a continuous budget process that revises the long term forecasts in line with quarterly changes and resets assumptions and indices annually or where new information leads to an immediate requirement to change the indices. The long term projections will be reviewed through the annual planning process in line with the Financial Strategy targets to reflect current information from both external sources and internal analysis as part of the commencement of the 2020-21 annual planning process during the second quarter.

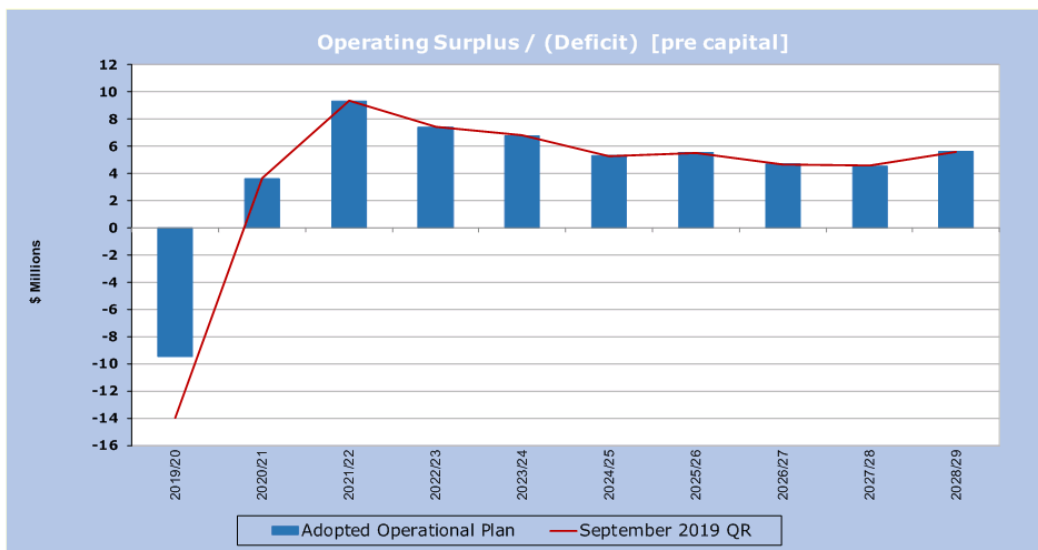
Report of Chief Financial Officer

At this stage it is generally considered that most of the changes proposed during the September Quarterly Review, other than those relating to assets, are not of a recurrent nature. It should be noted that interest rate reduction is an exception as it is expected that the lower interest rates will continue for some time and there is potential for a further official easing. It is intended that these will be considered more holistically in the context of the review of indices, other relevant new economic data and the underlying assumptions that support the long term forecasts contained in the Adopted Operational Plan 2019-2022 and Delivery Program 2018-28.

LONG TERM OPERATING SURPLUS/(DEFICIT) [PRE CAPITAL]

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 forecast deficit for the Adopted Operational Plan 2019-20 is due to the early payment of the first two instalments of the 2019-20 Financial Assistance Grant in 2018-19. The revised 2019-20 result has been impacted by a range of negative non cash adjustments that have included prior year adjustments WIP capital, introduction of funded projects and reclassification of current year capital expenditure as operational. These adjustments do not impact the Funds results.

TABLE 3



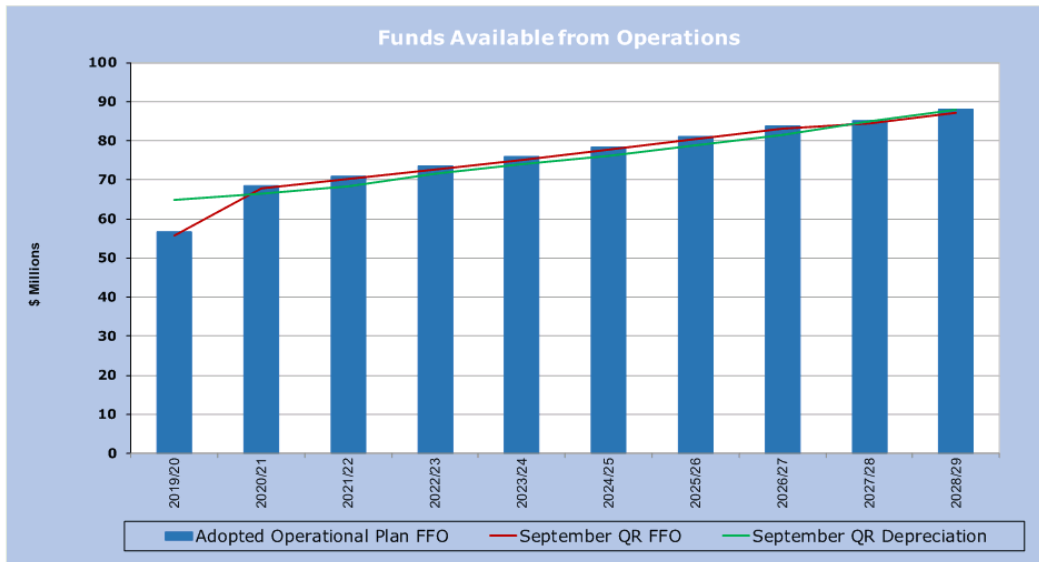
FUNDS AVAILABLE FROM OPERATIONS

The Funds Available from Operations is a primary objective of Council over time to provide for effective renewal of assets and growth in assets.

The following graph also shows forecast depreciation expenses compared to Funds available from Operations. This is an important indicator as it demonstrates the capacity to generate sufficient funds from operations to meet asset renewal requirements. As depreciation figures have been marginally reduced due to revaluation, the graphs show a slight capacity above targeted funding levels (providing funds from operations equal to depreciation). This will be discussed in forward planning.

Report of Chief Financial Officer

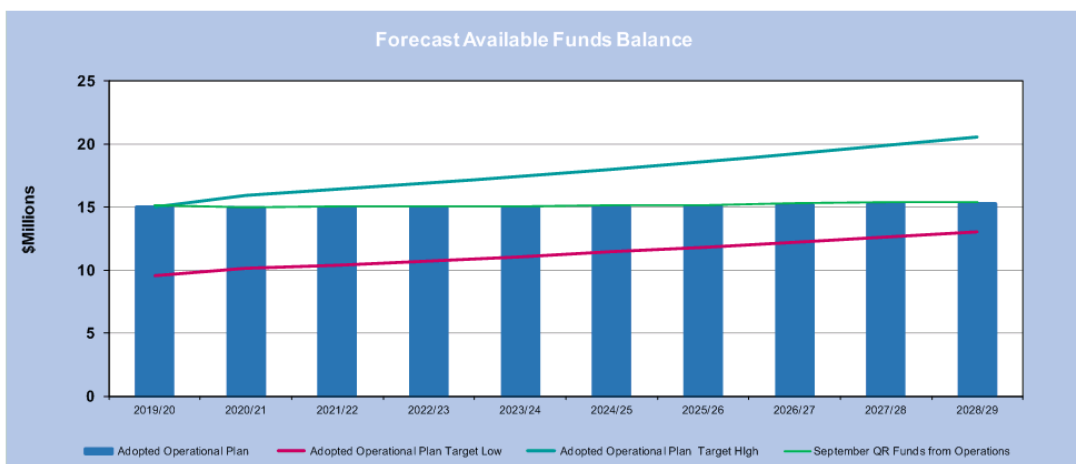
TABLE 4



AVAILABLE FUNDS

Available Funds are the uncommitted funds of an organisation that assist in meeting the short term cash requirements, provide contingency for unexpected costs or loss of revenue and provide flexibility to take advantage of opportunities that may arise from time to time. Council’s Financial Strategy has a target to achieve and maintain an Available Funds position between 3.5% and 5.5% of operational revenue [pre capital]. Based on the Adopted Operational Plan and Delivery Program 2019-2022, the target range for Available Funds is between \$9.6 million and \$13.1 million (lower range) and \$15.07 million and \$20.6 million (upper range) over the life of the Long Term Financial Plan. The revised forecasts remain within these parameters.

TABLE 5



Report of Chief Financial Officer

6 Supporting Documents

The following table shows the proposed Supporting Documents projects budget after allowing for the reintroduction of works in progress at 30 June 2019. The addition of projects in progress to the 2019-20 forecasts will create an ambitious target and it is recognised that there may be significant challenge organisationally for these projects to be delivered in full in the current reporting period. These will need to be monitored on an ongoing basis and, where required, budget changes may be considered through the 2020-21 Annual Planning process.

Table 6

Supporting Documents - Planning Studies & Investigations						
	2019/20 Original Budget	2019/20 Forecast Budget	Variance	2020/21 Adopted Forecast	2020/21 Revised Forecast	Variance
Land Use Planning	527	1,139	612	730	802	73
West Dapto Review	262	286	24	271	273	2
West Dapto Review Demographic and Economic Planning		119	119			
West Dapto Review Flood Consultant		182	182	0	35	35
West Dapto Review Structure Plan		35	35	0	0	0
West Dapto Review Water Cycle Masterplan					25	25
West Dapto Review Specialist Consultants		73	73			
West Dapto Review Advisor		45	45			
West Dapto DCP Review 2019		18	18			
Port Kembla 2505 Study		61	61			
Tourism Accommodation Review Planning Controls	25	25		25	25	
Industrial Land Planning Controls Review				50	60	10
Heritage Asset Management Strategy		20	20			
Windang Town Centre Planning Study				10	10	
Helensburgh Town Centre Planning Study	10	26	16			
Bulli Town Centre Planning Study	10	10		30	30	
City Centre Planning Review	100	120	20			
City Wide LEP Review				100	100	
Development of Crown Land Plans of Management	120	120		124	124	
Landscape development plan for West Dapto - Riparian Corridors				120	120	
Communications, Engagement, Events and Signage	70	70	0	0	0	0
Generic Event DA various sites	70	70				
Stormwater Services	1,179	1,204	25	707	707	0
Floodplain Management Studies	200	102	(98)	350	33	(317)
Review of Towradgi Creek FRMS	150	100	(50)		50	50
Review of Hewitts Creek FRMS	155	100	(55)		50	50
JJ Kelly Park Land Form Modification		15	15			
Review of Flood Studies & Floodplain Risk Mgmt Plans	101	81	(20)			
Duck Creek Flood Study		15	15			
Review of Collins Creek Flood Study		30	30			
Review of Allans Creek Flood Study	6	41	35			
Review of Wollongong City Flood Study		15	15			
Review of Fairy Cabbage Tree Creek Flood Study	70	80	10			
Kully Bay Flood Study	10	10				
Flood Risk Management Studies Best Practice	487	327	(160)	357	157	(200)
Review of Allan's Creek FRMS		40	40		100	100
Review of Fairy Cabbage Creek FRMS		40	40		100	100
Investigation of flood Mitigation Options		48	48		17	17
ARR Testing		20	20			
Community Education		20	20		20	20
DCP Review		20	20		50	50
FLIA Automation		100	100			
Review of Duck Creek FRMS					40	40
Review of Collins Creek FRMS					50	50
Review of Wollongong City FRMS					40	40

Report of Chief Financial Officer

Table 6 (cont)

Supporting Documents - Planning Studies & Investigations (con't)						
	2019/20 Original Budget	2019/20 Forecast Budget	Variance	2020/21 Adopted Forecast	2020/21 Revised Forecast	Variance
Environmental Services	0	13	13	0	0	0
Bio certification for West Dapto		13	13			
Transport Services	444	569	125	335	378	42
Corrimal Traffic Study and Access Movement		16	16			
Accessible Car Parking and Bus Stops audit	50	67	17			
Access and Movement Strategy Review		38	38			
City Centre Parking Surveys - EMS Report	67	67	0			
Foreshore Parking Strategy		15	15			
Integrated Transport Strategy				50	50	
City Centre Parking Strategy	40	40		40	40	
Bellambi Foreshore Precinct Plan	150	150		100	142	42
Wollongong LGA Feasibility Studies	15	15		15	15	
Real Time Parking Information Signage	0	38	38			
Lake Illawarra Shared Path Masterplan	40	40		80	80	
Towradgi Creek Shared Path Feasibility Investigations	20	20		50	50	
Suburb/Place Name Signage Strategy	62	62				
Community Facilities	73	73	0	0	0	0
Social Infrastructure Supporting Document	30	30				
Integrated Facilities Planning	9	9				
Facilities Planning Development	34	34				
Cultural Services	120	120	0	0	0	0
Art Gallery 2nd Entrance Design	120	120				
Botanic Garden and Annexes	0	21	21	0	0	0
Botanic Garden Masterplan/Asset Mgmt. Plan		1	1			
Mt Keira Summit Park		20	20			
Leisure Services	97	97	0	0	0	0
Beaton Park Precinct Masterplan	97	97	0			
Parks and Sportsfields	316	332	16	0	0	0
Cringila Hills Site Assessment		16	16			
Hill 60 CMP and Aboriginal HIL	50	50				
Blue Mile Masterplan - update	46	46				
Fred Finch Park - Landscape Masterplan	35	35				
Cringila Park Playground Design and Consultation	185	185				
Property Services	44	55	11	0	0	0
Bulli Showground Masterplan	22	33	11			
Bulli Showground Master Plan Stage 2	22	22				
Total Expenditure	2,871	3,693	822	1,772	1,887	115

* Expenditure shown above is for full project cost. A number of projects are supported from external grant funds or internal restrictions.

Report of Chief Financial Officer

Table 7

WOLLONGONG CITY COUNCIL					
September 2019 Quarterly Review					
	2019/2020 Original Budget \$'000	2019/2020 Current Budget \$'000	2019/2020 Actual YTD \$'000	2019/2020 Variance \$'000	2019/2020 Proposed Budget \$'000
Income Statement					
Income From Continuing Operations					
Revenue:					
Rates and Annual Charges	202,991	202,991	49,524	(0)	202,991
User Charges and Fees	33,665	33,665	7,365	(31)	33,634
Interest and Investment Revenues	4,882	4,882	999	(1,194)	3,688
Other Revenues	10,598	10,598	2,409	56	10,653
Grants & Contributions provided for Operating Purposes	20,840	20,840	5,654	1,114	21,954
Grants & Contributions provided for Capital Purposes	42,927	42,927	6,936	(0)	42,927
Profit/Loss on Disposal of Assets	0	0	0	(700)	(700)
Total Income from Continuing Operations	315,903	315,903	72,887	(755)	315,148
Expenses From Continuing Operations					
Employee Costs	134,742	134,742	32,493	1,567	136,309
Borrowing Costs	2,722	2,722	769	290	3,012
Materials, Contracts & Other Expenses	97,916	97,916	23,195	3,854	101,770
Depreciation, Amortisation + Impairment	66,276	66,276	14,933	(1,500)	64,776
Internal Charges (labour)	(17,558)	(17,558)	(3,477)	(399)	(17,957)
Internal Charges (not labour)	(1,694)	(1,694)	(563)	0	(1,694)
Total Expenses From Continuing Operations	282,404	282,404	67,349	3,813	286,217
Operating Results From Continuing Operations	33,499	33,499	5,538	(4,567)	28,931
Discontinued Operations					
Net Profit/Loss from Discontinued Operations	0	0	0	0	0
Net Operating Result for the Year	33,499	33,499	5,538	(4,567)	28,931
Net Operating Result for the Year before Grants & Contributions provided for Capital Purposes	(9,429)	(9,429)	(1,398)	(4,567)	(13,996)
NET SURPLUS (DEFICIT) [Pre capital] %	10.6%	10.6%	7.6%	605.3%	9.2%
Funding Statement					
Net Operating Result for the Year	33,499	33,499	5,538	(4,567)	28,931
Add back:					
- Non-cash Operating Transactions	84,272	84,272	19,441	1,660	85,932
- Restricted cash used for operations	16,491	16,491	3,465	2,968	19,460
- Income transferred to Restricted Cash	(63,420)	(63,420)	(12,890)	(864)	(64,283)
- Payment of Accrued Leave Entitlements	(14,162)	(14,162)	(3,209)	(169)	(14,331)
Net Share Joint Venture using Equity Method					
Funds Available from Operations	56,680	56,680	12,344	(972)	55,708
Borrowings repaid	(7,913)	(7,913)	(1,237)	0	(7,913)
Advances (made by) / repaid to Council	0	0	0	0	0
Operational Funds Available for Capital Budget	48,767	48,767	11,107	(972)	47,795
CAPITAL BUDGET					
Assets Acquired	(99,795)	(99,795)	(21,780)	2,994	(96,801)
Contributed Assets	(6,726)	(6,726)	0	0	(6,726)
Transfers to Restricted Cash	(1,431)	(5,431)	(358)	0	(5,431)
Funded From :-					
- Operational Funds	48,767	48,767	11,107	(972)	47,795
- Sale of Assets	1,292	1,292	0	(0)	1,292
- Internally Restricted Cash	14,029	14,029	733	(2,954)	11,075
- Borrowings	0	0	0	0	0
- Capital Grants	7,353	7,353	5,543	922	8,275
- Developer Contributions (Section 94)	16,867	16,867	882	(270)	16,597
- Other Externally Restricted Cash	3,490	3,490	274	41	3,531
- Other Capital Contributions	6,483	6,483	699	(0)	6,483
TOTAL FUNDS SURPLUS / (DEFICIT)	(9,672)	(13,672)	(2,900)	(238)	(13,910)

Report of Chief Financial Officer

TABLE 8

MAJOR VARIATIONS PROPOSED \$'000s	Offsetting Items for Fund		Net by type
	Surplus	Deficit	
REVENUES FROM ORDINARY ACTIVITIES			
Rates & Annual Charges			-
User Charges & Fees			
Russell Vale Golf Course		(67)	
Balgownie Village Community Centre	29		
Other		7	(31)
Interest and Investment Income			
Interest Income	(1,194)		(1,194)
Other Revenue			
Southern Gateway Centre Reimbursements	45		
Other	11		56
EXPENSES FROM ORDINARY ACTIVITIES			
Employee Costs			
Continuing projects in progress to be completed in 2019/20	(328)		
Tfr To/From Materials and Contracts			
Urban Greening Program	(248)		
Development of Crown Land Plan of Management	(92)		
Lake Illawarra Estuary Management	(72)		
Development Engineer	(67)		
Increased service delivery offset from contingency funds			
Memorial Gardens	(115)		
Development Enforcement	(100)		
Foreshore Rangers	(101)		
Adjustment of funded projects			
Social Support	(230)		
Illegal Dumping	(115)		
Waste Projects Co-ordinator	123		
Other	(22)		
Additional labour for delivery of projects	(399)		
Beaches & Pools	100		
Illegal Dumping Ranger Open Spaces	(36)		
Other	90	45	(1,567)
Materials, Contracts & Other Expenses			
Continuing projects in progress to be completed in 2019/20	(2,377)		
Prior year adjustment for WIP	(2,000)		
Offset in Contingency Projects Continued	2,705		
Additional building maintenance offset by capital reduction	(800)		
Operational Contingency reduction	794		
Reallocation to Employee Costs for specific projects	479		
Adjustments to funded projects			
Stormwater management operational projects	(1,316)		
Social Support	(734)		
Better Waste & Recycling	(319)		
Natural Areas	(155)		
Bellambi Neighbourhood Kitchen Refurbishment	(146)		
Mobility Study	(53)		
Reduction to offset Capital for ranger vehicles	67		(3,855)

Report of Chief Financial Officer

Table 8 (cont)

MAJOR VARIATIONS PROPOSED \$'000s	Offsetting Items for Fund	Surplus	Deficit	Net by type
Borrowing Costs Whytes Gully Remediation Discount	(290)			(290)
Depreciation	1,500			1,500
Internal Charges				
Additional labour to be recovered from projects	399			399
Loss on Asset disposal	(700)			(700)
Grants & contribution - Operating				
Financial Assistance Grant			(439)	
Fire Services Contributions		213		
Social Support and Respite	1,020			
Regional Illawarra Dumping	59			
Natural Areas Management	57			
Other	204			1,114
Operating Variation [pre capital]	(4,327)	265	(506)	(4,569)
Capital Grants & Contributions				
Operating Variation [post capital]	(4,327)	265	(506)	(4,569)
FUNDING STATEMENT				
Non Cash Items				
Depreciation	(1,500)			
Prior year WIP	2,000			
Asset write off	700			
Interest on Tip Remediation	290			
Other	170			1,660
Payment of Leave Entitlements	(169)			(169)
Restricted Cash Used for Operations				
Internally funded project adjustments	208			
Externally funded project adjustments	2,759			
Internal Funding continued projects into 2019/20	1,266			
External Funding continued projects into 2019/20	642			
Offset Projects continued in Contingency	(1,908)			
Other		3		2,969
Income Transferred to Restricted Cash				
Grants & contributions - Operational	(1,340)			
Interest applicable to restricted assets	481			
Domestic Waste	(5)			(864)
Advances (made by)/repaid to Council				
OPERATIONAL FUNDS AVAILABLE FOR CAPITAL	(733)	268	(506)	(972)
CAPITAL BUDGET				
Decrease in capital program	2,262			
External funding reduced to capital	(2,262)			
Transfer to building maintenance	800			
Additional Ranger Vehicles	(67)			
TOTAL FUNDS SURPLUS/(DEFICIT)	-	268	(506)	(239)

Report of Chief Financial Officer

WOLLONGONG CITY COUNCIL		
	Actual 2019/20 \$'000	Actual 2018/19 \$'000
Balance Sheet		
Current Assets		
Cash Assets	28,253	25,187
Investment Securities	121,600	114,579
Receivables	30,817	36,620
Inventories	415	337
Other	14,952	11,879
Assets classified as held for sale	0	0
	0	0
Total Current Assets	196,036	188,602
Non-Current Assets		
Non Current Cash Assets	8,000	15,000
Non Current Investment Securities	56	56
Non-Current Receivables	0	0
Non-Current Inventories	5,948	5,948
	0	0
Property, Plant and Equipment	2,571,061	2,565,095
Investment Properties	5,000	5,000
Westpool Equity Contribution	2,931	2,931
Intangible Assets	425	440
Total Non-Current Assets	2,593,420	2,594,470
TOTAL ASSETS	2,789,456	2,783,072
Current Liabilities		
Current Payables	36,208	35,020
Current Provisions payable < 12 months	15,460	14,697
Current Provisions payable > 12 months	43,517	43,517
Current Interest Bearing Liabilities	7,934	7,934
Total Current Liabilities	103,118	101,168
Non-Current Liabilities		
Non Current Payables	0	385
Non Current Interest Bearing Liabilities	16,310	17,497
Non Current Provisions	47,539	47,054
Total Non-Current Liabilities	63,849	64,936
TOTAL LIABILITIES	166,967	166,104
NET ASSETS	2,622,489	2,616,968
Equity		
Accumulated Surplus	1,328,859	1,324,990
Asset Revaluation Reserve	1,153,123	1,153,123
Restricted Assets	140,508	138,856
TOTAL EQUITY	2,622,489	2,616,968

Report of Chief Financial Officer

The following tables provide details of contracts (other than contractors that are on Council's preferred supplier list that have a value equivalent of 1% of estimated income from continuing operations or \$50 thousand, whichever is the lesser) and amounts expended on consultancies and legal fees for financial year. Consultants are defined as a person or organisation that is engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision making by management. Generally, it is the advisory nature of the work that differentiates a consultant from other.

Contract Listing					
Budget Review for Quarter ended September 2019					
Contractor	Contract Detail & Purpose	Contract Value \$000's	Commencement Date	Duration of Contract	Budgeted Y/N
Lanluas Pty Ltd	OneCouncil - Data Migration Services	149	7/08/2019	2019/20	Y
Stowe Australia	Sports Field Lighting and Power Pole Audit	203	24/07/2019	2019/20	Y
O'Connor Marsden & Associates	Internal Audit and Ancillary Services	593	1/07/2019	2019/23	Y
GHD Pty Ltd	Hayes Lane Bridge	162	1/07/2019	2019/20	Y

Consultancy and Legal Expenses		
Budget Review for Quarter ended September 2019		
Expense	Expenditure YTD \$000's	Budgeted (Y/N)
Consultancies	1,462	YES
Legal Fees	378	YES

STATEMENT OF RESPONSIBLE ACCOUNTING OFFICER

All investments held at 27 September 2019 were invested in accordance with Council's Investment Policy.

Bank reconciliations have been completed as at 27 September 2019.

Year to date cash and investments are reconciled with funds invested and cash at bank.

BRIAN JENKINS
RESPONSIBLE ACCOUNTING OFFICER

**APPENDIX 1: Annual Deliverables Progress By 3 Year Action – Delivery Program
2018- 2021**

<i>Goal</i>	<i>On track</i>	<i>Not Scheduled to Commence</i>	<i>Delayed</i>	<i>Deferred</i>	<i>Ongoing / Complete</i>
1.1.1.1 Implement programs and events which facilitate community participation to improve natural areas	100%	0%	0%	0%	0%
1.1.1.2 Projects and programs that achieve enhancement of the natural environment and escarpment are developed and implemented	67%	0%	22%	11%	0%
1.1.2.1 Protect and conserve the health and biodiversity of our waterways and coast	80%	20%	0%	0%	0%
1.1.2.2 The impacts of the increasing number of visitors to the coast and Lake Illawarra is managed effectively	100%	0%	0%	0%	0%
1.1.3.1 Manage vegetation to reduce bushfire risk in Asset Protection Zones on natural areas under Council care and control	100%	0%	0%	0%	0%
1.1.3.2 Establish effective urban stormwater and floodplain management programs	100%	0%	0%	0%	0%
1.2.1.1 Develop and implement a range of programs that encourage community participation in reducing Wollongong’s ecological footprint	75%	25%	0%	0%	0%
1.2.1.2 Promote and enforce compliance with litter reduction	100%	0%	0%	0%	0%
1.2.1.3 Methods to reduce emissions are investigated and utilised	100%	0%	0%	0%	0%
1.2.2.1 Our community is proactively engaged in a range of initiatives that improve the sustainability of our environments	80%	20%	0%	0%	0%

**APPENDIX 1: Annual Deliverables Progress By 3 Year Action – Delivery Program
2018- 2021**

<i>Goal</i>	<i>On track</i>	<i>Not Scheduled to Commence</i>	<i>Delayed</i>	<i>Deferred</i>	<i>Ongoing / Complete</i>
1.3.1.1 Impacts from development on the environment are assessed, monitored and mitigated	100%	0%	0%	0%	0%
1.3.1.2 Develop planning controls and Town Centre and Neighbourhood Plans with regard to the economic, social and environmental impacts	60%	40%	0%	0%	0%
1.3.2.1 Carry out best practise assessment for urban development proposals and applications	100%	0%	0%	0%	0%
1.3.2.2 Mitigate the impact of development on the natural environment and visual amenity of our open spaces and urban areas	67%	33%	0%	0%	0%
1.4.1.1 Work in partnership with others to promote a diverse range of heritage education and promotion programs	100%	0%	0%	0%	0%
1.4.2.1 Work with the local Aboriginal community in the management of Indigenous heritage	100%	0%	0%	0%	0%
1.5.1.1 Set an emissions reduction target and carry out actions to reduce greenhouse gas emissions through the Global Covenant of Mayors	33%	33%	33%	0%	0%
2.1.1.1 Build on partnerships which enable the retention of local talent	67%	33%	0%	0%	0%
2.1.2.1 Ensure that Wollongong is attractive for business expansion, establishment and relocation.	100%	0%	0%	0%	0%
2.1.2.2 Progress implementation of the City for People and its accompanying Implementation Plan	100%	0%	0%	0%	0%

**APPENDIX 1: Annual Deliverables Progress By 3 Year Action – Delivery Program
2018- 2021**

<i>Goal</i>	<i>On track</i>	<i>Not Scheduled to Commence</i>	<i>Delayed</i>	<i>Deferred</i>	<i>Ongoing / Complete</i>
2.1.3.1 Support regional activities and partnerships that promote business investment and jobs growth	100%	0%	0%	0%	0%
2.1.4.1 Develop and maintain partnerships with the business sector to fund and contribute to a broader range of community projects and activities	100%	0%	0%	0%	0%
2.1.5.1 In collaboration with key agencies, facilitate the West Dapto Taskforce to deliver the first stages of the West Dapto Urban Release Area	100%	0%	0%	0%	0%
2.2.1.1 The development of renewable energy products and services is supported	100%	0%	0%	0%	0%
2.2.1.2 Partnership opportunities in research and development are expanded	100%	0%	0%	0%	0%
2.2.2.1 In conjunction with partner organisations support the development of innovative industries	100%	0%	0%	0%	0%
2.2.3.1 Undertake major refurbishment works in the city centre	100%	0%	0%	0%	0%
2.3.1.1 Pursue initiatives that promote the region as a place to holiday to domestic and international markets	83%	17%	0%	0%	0%
2.3.1.2 Support projects that investigate opportunities for the provision of tourism infrastructure	80%	0%	0%	0%	20%
2.3.2.1 Market and promote events in the city centre	100%	0%	0%	0%	0%

**APPENDIX 1: Annual Deliverables Progress By 3 Year Action – Delivery Program
2018- 2021**

<i>Goal</i>	<i>On track</i>	<i>Not Scheduled to Commence</i>	<i>Delayed</i>	<i>Deferred</i>	<i>Ongoing / Complete</i>
2.3.2.3 Improve policies and systems to support the revitalisation of the city centre	100%	0%	0%	0%	0%
2.3.3.1 Continue to grow Wollongong’s attractiveness to attract signature events and festivals	100%	0%	0%	0%	0%
2.4.1.1 Ensure Wollongong is attractive to research and development companies and organisations	100%	0%	0%	0%	0%
2.4.1.2 Implement a range of programs that incorporate learning and development	100%	0%	0%	0%	0%
2.4.2.1 Implement programs to ensure Wollongong becomes a Smart City	100%	0%	0%	0%	0%
3.1.1.1 Promote Made in Wollongong to become a well-known brand	100%	0%	0%	0%	0%
3.1.1.2 The visibility of our cultural diversity is increased	100%	0%	0%	0%	0%
3.1.1.3 Encourage the integration of urban design and public art	100%	0%	0%	0%	0%
3.1.1.4 Deliver sustainable and successful events and festivals through Council investment and delivery of the Events Strategy	86%	14%	0%	0%	0%
3.1.1.5 Encourage Sports Associations to conduct regional, state and national events in the city	50%	0%	50%	0%	0%

**APPENDIX 1: Annual Deliverables Progress By 3 Year Action – Delivery Program
2018- 2021**

<i>Goal</i>	<i>On track</i>	<i>Not Scheduled to Commence</i>	<i>Delayed</i>	<i>Deferred</i>	<i>Ongoing / Complete</i>
3.1.2.1 Provide opportunities for local artists and performers to exhibit, promote and perform at Council venues and events	83%	0%	0%	0%	17%
3.2.1.1 Provide support to existing and emerging artists and performers	100%	0%	0%	0%	0%
3.2.1.2 Seek funding for the promotion of heritage sites, museums and galleries to the community and visitors	100%	0%	0%	0%	0%
3.2.2.1 Coordinate an integrated approach to infrastructure improvement and service delivery in the Arts Precinct	100%	0%	0%	0%	0%
3.2.3.1 Support the coordination of an externally funded calendar of activities delivered across the City	100%	0%	0%	0%	0%
3.3.2.1 Deliver and support a range of projects and programs which build harmony, understanding and cultural awareness	100%	0%	0%	0%	0%
4.1.1.1 Ensure an effective community engagement framework that connects the community to Council decision making	100%	0%	0%	0%	0%
4.1.1.2 Improve community understanding and awareness of Council decisions	100%	0%	0%	0%	0%
4.1.2.1 Ensure the NBN is rolled out across the Wollongong LGA	100%	0%	0%	0%	0%
4.1.3.1 Council continue to partner with our local Aboriginal community	100%	0%	0%	0%	0%

**APPENDIX 1: Annual Deliverables Progress By 3 Year Action – Delivery Program
2018- 2021**

<i>Goal</i>	<i>On track</i>	<i>Not Scheduled to Commence</i>	<i>Delayed</i>	<i>Deferred</i>	<i>Ongoing / Complete</i>
4.2.1.1 Increase opportunities for the community to connect with volunteering organisations	100%	0%	0%	0%	0%
4.2.1.2 Support community participation in community activities	100%	0%	0%	0%	0%
4.2.1.3 Build the capability of community based organisations in managing, developing and sustaining their volunteers	100%	0%	0%	0%	0%
4.2.2.1 Continue to participate and contribute to an integrated community service network	100%	0%	0%	0%	0%
4.2.3.1 Support a range of projects and programs in the city	100%	0%	0%	0%	0%
4.3.1.1 Ensure appropriate strategies and systems are in place that support good corporate governance	100%	0%	0%	0%	0%
4.3.1.2 Build a workplace culture that is safe, engaged, responsive and professional	100%	0%	0%	0%	0%
4.3.2.1 Effective and transparent financial management systems are in place	100%	0%	0%	0%	0%
4.3.2.2 Continue to pursue alternative funding options to deliver financially sustainable services and facilities	100%	0%	0%	0%	0%
4.3.2.3 Improve the efficiency of supply management in order to achieve operational efficiencies	100%	0%	0%	0%	0%

**APPENDIX 1: Annual Deliverables Progress By 3 Year Action – Delivery Program
2018- 2021**

<i>Goal</i>	<i>On track</i>	<i>Not Scheduled to Commence</i>	<i>Delayed</i>	<i>Deferred</i>	<i>Ongoing / Complete</i>
4.3.2.4 Deliver the Asset Management Strategy and Improvement Plan 2012-17	100%	0%	0%	0%	0%
4.3.3.1 Coordinate a service review program with a focus on business development and improvement	100%	0%	0%	0%	0%
4.3.3.2 Working together, levels of service are established and service continuously improve and offer best value for money	100%	0%	0%	0%	0%
5.1.1.1 Partner with community based organisations in the provision of services	100%	0%	0%	0%	0%
5.1.1.2 Continue to undertake social, land use and environmental planning activities that assists in service planning	100%	0%	0%	0%	0%
5.1.2.1 Partner with agencies and health authorities to support improvements to the region's medical services	100%	0%	0%	0%	0%
5.1.3.1 Deliver a diverse suite of projects to the community that foster and enhance community strengths and participation	100%	0%	0%	0%	0%
5.1.3.2 Carry out commercial business management of Council's operational lands	100%	0%	0%	0%	0%
5.1.4.1 Provide an appropriate and sustainable range of quality passive and active open spaces and facilities	75%	0%	0%	0%	25%
5.1.4.2 Review planning controls for priority locations	100%	0%	0%	0%	0%

**APPENDIX 1: Annual Deliverables Progress By 3 Year Action – Delivery Program
2018- 2021**

<i>Goal</i>	<i>On track</i>	<i>Not Scheduled to Commence</i>	<i>Delayed</i>	<i>Deferred</i>	<i>Ongoing / Complete</i>
5.1.4.3 Policies and plans are developed, reviewed and implemented to encourage physical activity	100%	0%	0%	0%	0%
5.1.4.4 Develop and implement public health, amenity and safety regulatory programs and reviews that assist in improving compliance with legislative requirements	67%	33%	0%	0%	0%
5.1.5.1 Increase opportunities to enhance library multimedia and online services	100%	0%	0%	0%	0%
5.1.5.2 Renew community facilities and consider rationalisation, replacement or refurbishment to achieve facilities that are strategically located, good quality and meet identified community need	100%	0%	0%	0%	0%
5.1.6.1 Facilitate a range of programs and activities which improve food security and support local food systems	100%	0%	0%	0%	0%
5.2.1.1 Investigate provision of Leisure Services in the greater Dapto area, taking into account expansion of West Dapto, and determine Council's role in the market	100%	0%	0%	0%	0%
5.2.1.2 Investigate the future provision of Aquatic Services across the local government area and implement improvements	100%	0%	0%	0%	0%
5.2.1.3 Use data to assess the current community infrastructure available, community demand and develop a strategic framework and policies to either rationalise, enhance or expand to meet community needs	100%	0%	0%	0%	0%
5.2.1.4 Develop a Regional Botanic Garden of Excellence	100%	0%	0%	0%	0%

**APPENDIX 1: Annual Deliverables Progress By 3 Year Action – Delivery Program
2018- 2021**

<i>Goal</i>	<i>On track</i>	<i>Not Scheduled to Commence</i>	<i>Delayed</i>	<i>Deferred</i>	<i>Ongoing / Complete</i>
5.2.1.5 Provide statutory services to appropriately manage and maintain our public spaces	100%	0%	0%	0%	0%
5.2.1.6 Implement Council's Planning, People, Places Strategy	33%	0%	33%	33%	0%
5.2.2.1 Deliver a range of programs and recreational pursuits for older people	100%	0%	0%	0%	0%
5.3.1.1 Prepare a Housing Study and Strategy incorporating Affordable Housing Issues	100%	0%	0%	0%	0%
5.3.2.1 In partnership with relevant agencies and networks lobby and advocate for improved service levels and quality enhanced access to services	100%	0%	0%	0%	0%
5.4.1.1 Provide lifeguarding services at beaches (in partnership with Surf Life Saving Illawarra) and Council pools	100%	0%	0%	0%	0%
5.4.1.2 Facilitate a range of partnerships and networks to develop community safety initiatives	100%	0%	0%	0%	0%
5.4.2.1 Delivery projects and programs to reduce crime in the Wollongong Local Government Area	100%	0%	0%	0%	0%
5.5.1.1 Well maintained assets are provided that meet the needs of the current and future communities	100%	0%	0%	0%	0%
5.5.1.2 Manage and maintain community infrastructure portfolio with a focus on asset renewal	100%	0%	0%	0%	0%

**APPENDIX 1: Annual Deliverables Progress By 3 Year Action – Delivery Program
2018- 2021**

<i>Goal</i>	<i>On track</i>	<i>Not Scheduled to Commence</i>	<i>Delayed</i>	<i>Deferred</i>	<i>Ongoing / Complete</i>
5.5.1.3 Coordinate an access improvement program through pre-planning and renewal activities	100%	0%	0%	0%	0%
6.1.1.1 Support the delivery of the Gong Shuttle Bus as an affordable transport option	100%	0%	0%	0%	0%
6.1.2.1 Implement a variety of projects and programs to encourage sustainable transport throughout the LGA	80%	0%	0%	0%	20%
6.1.3.1 Plan and implement an integrated and sustainable transport network	100%	0%	0%	0%	0%
6.1.4.1 Facilitate the integration of public amenities and transport with local communities	100%	0%	0%	0%	0%
6.2.1.1 Work with partners to reduce travel time between Sydney and Western Sydney with Wollongong	100%	0%	0%	0%	0%
6.3.1.1 Plan and implement projects to improve connectivity	83%	0%	0%	0%	17%
6.3.2.1 Deliver sustainable transport asset renewal programs and projects	100%	0%	0%	0%	0%
6.3.3.1 Investigate the option for disruptive transport technologies and the impact on the future transport network	100%	0%	0%	0%	0%
6.3.4.1 Work with key agencies and partners to continue and improve late night transport options	100%	0%	0%	0%	0%

**APPENDIX 1: Annual Deliverables Progress By 3 Year Action – Delivery Program
2018- 2021**

<i>Goal</i>	<i>On track</i>	<i>Not Scheduled to Commence</i>	<i>Delayed</i>	<i>Deferred</i>	<i>Ongoing / Complete</i>
6.3.5.1 Develop an alternative service delivery, governance model and auspice for Community Transport in response to the Federal Government's Aged Care reform legislation	100%	0%	0%	0%	0%
<i>Total Annual Deliverable Progress</i>	<i>92%</i>	<i>3%</i>	<i>1%</i>	<i>1%</i>	<i>2%</i>

ITEM 15

CITY OF WOLLONGONG TRAFFIC COMMITTEE MINUTES OF MEETING HELD 23 OCTOBER 2019

The City of Wollongong Traffic Committee meeting was held on 23 October 2019. Items listed in Sections 2 and 4 are to be adopted by Council through delegated authority. The items listed in Section 3 must be determined by Council and is recommended to Council for approval for temporary Regulation of Traffic on public roads for works or events by independent parties.

RECOMMENDATION

- 1 In accordance with the powers delegated to Council, the Minutes and Recommendations of the City of Wollongong Traffic Committee held on 23 October 2019 in relation to Regulation of Traffic be adopted.

REPORT AUTHORISATIONS

Report of: Mike Dowd, Manager Infrastructure Strategy + Planning
Authorised by: Andrew Carfield, Director Infrastructure + Works

ATTACHMENTS

- 1 Standard Conditions for Road Closures
- 2 Standard Conditions for Street Parties
- 3 Illawarra Cycle Club - Club Open Road Race
- 4 Huntley Hill Climb Motor Sport Event

BACKGROUND

1 DARKES FOREST – Ward 1 (Item 3.1 Wollongong Traffic Committee Minutes of Meeting)

Darkes Forest Road – Club Open Road Race

The Illawarra Cycle Club has applied to hold a Club Open Road Race to be run on Darkes Forest Road monthly on Saturdays between 7:30am and 10:00am from the first Saturday in December 2019 to 31 December 2020. The Club have negotiated with residents in Darkes Road to permit the road to be closed during each race and for residents and visitors to be permitted under escort between races.

The NSW Police also need to provide a separate approval for this series of races on a public road and it is understood there is a lead time after Council has given this approval to the road closure.

Consultation

Consultation is required as a condition of approval for this road closure.

PROPOSAL SUPPORTED UNANIMOUSLY

The proposed road closure be approved subject to the submitted Traffic Management Plans and Council's Standard Conditions for Road Closures.

2 WEST WOLLONGONG – Ward 2 (Item 3.2 Wollongong Traffic Committee Minutes of Meeting)

Lexburn Avenue – Road Closure

Council has received a request from a resident for a Street Christmas Party on Lexburn Avenue West Wollongong between Yellagong and Euroka Streets to be held on Friday 20 December 2019 from 5pm to 11:30pm.

The resident has also provided evidence from adjoining residents that there is no objection to the road closure taking place for this event.

Consultation

Consultation with the community is required as a condition of approval for this road closure.

PROPOSAL SUPPORTED UNANIMOUSLY

The proposed road closure be approved subject to Council's Standard Conditions for Street Parties attached.

3 AVONDALE – Ward 3 (Item 3.3 Wollongong Traffic Committee Minutes of Meeting)

Avondale Road – Road Closure

The Wollongong Sporting Car Club has applied to hold a Huntley Hillclimb Motor Sport Event on various dates. The Club wishes to apply for a road closure on the far western end of Avondale Road, west of Avondale Colliery Road between 8:00am to 4:30pm to hold six events in 2020.

The dates are as follows:

1. Sunday February 9 - Multi Club
2. Saturday April 4 and Sunday April 5 - NSW Hillclimb Championship
3. Sunday April 19 - Multi club and Come and Try Day
4. Sunday July 5 - Multi Club and Ladies Day
5. Sunday September 13 - Multi Club
6. Sunday November 8 - Multi Club plus NSW CAMS Interclub Challenge

As in previous years the Club will permit residents to access their properties between races. The Police need to approve any race on a public road and accordingly the Standard Conditions for Road Closures has a clause to that effect.

Consultation

Consultation with the community is required as a condition of approval for this road closure.

PROPOSAL SUPPORTED UNANIMOUSLY

The proposed road closure be approved subject to the submitted Traffic Management Plans and Council's Standard Conditions for Road Closures.

PLANNING AND POLICY IMPACT

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

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

Attachment 1 - Standard Conditions for Road Closures

Standard Conditions for Road Closures

For Special Events and Work Related activities Within Council Road Reserves.

Following approval by Wollongong City Council, road closures are subject to the additional Council conditions:

1. **The Applicant must complete the Council form** 'Application to Open and Occupy or Underbore a Roadway or Footpath' (Refer to Checklist below – relates to Section 138 of the Roads Act.)
2. **NSW Police Approval:** The Applicant must obtain written approval from NSW Police, where required under the Roads Act.
3. **If the Road Closure is within 100m of any traffic control signals or on a 'State Classified Road'** the Applicant must obtain a Road Occupancy Licence (ROL) from NSW Roads & Maritime Services (RMS).
4. **The Applicant must advise all affected residents and business owners** within the closure area of the date/s and times for the closure, at least 7 days prior to the intended date of works.
5. **The Applicant must advise Emergency Services:** Ambulance, Fire Brigade and Police, Taxi and Bus Companies of the closure dates and times in writing, 7 days prior to the intended date of works. The Applicant must endeavour to minimise the impact on bus services during the closure.
6. **Traffic Management Plan:** The closure must be set up in accordance with the approved **Traffic Management Plan (TMP)** prepared by an appropriately qualified traffic controller; a copy of whose qualifications must be included with the submitted TMP.
7. **Traffic Management Plan Setup:** The Traffic Management Plan must be set up by appropriately qualified traffic control persons or the NSW Police.
8. **Access to properties affected by the road closure must be maintained where possible.** Where direct access cannot be achieved, an alternative arrangement must be agreed to by both the applicant and the affected person/s.
9. **Public Notice Advertisement:** The Applicant must advertise the road closure in the Public Notices section of the local paper, detailing closure date/s and times at least 7 days prior to the closure.
10. **Public Liability Policy:** The Applicant must provide Council with a copy of their current insurance policy to a value of no less than \$20 million dollars to cover Wollongong City Council from any claims arising from the closure.

Checklist:

- Completed Council Form:**
'Application to Open and Occupy or Underbore a Roadway or Footpath'.

Required information as shown below MUST be attached:

- A copy of the letter from the Traffic Committee authorising the closure
- The Traffic Management Plan (TMP)
- The Road Occupancy Licence (ROL) *if required*
- Written approval from NSW Police
- Public Liability Insurance

Applications may be lodged in the Customer Service Centre located on the Ground Floor of Council's Administration Building, 41 Burelli Street Wollongong between 8.30am and 5pm Monday to Friday.

Attachment 2 - Standard Conditions for Street Parties

Standard Conditions for Street Parties

- 1 Each road affected by the closure approval shall be restored to full and uninterrupted traffic flow prior to the end of the closure.
- 2 The road shall be cleared sufficiently to allow an emergency vehicle access to a property within the closure area. For this reason, no barbeques, heavy tables or other heavy equipment is to be set up on the road pavement.
- 3 You are required to advertise the road closure in the local newspaper
(eg) Temporary Road Closure – Owen Street, Bulli
Date: 6 December 2014
Time: 2 pm – 7 pm
Event: Street Party
- 4 Council will notify emergency services and the Police Service.
- 5 NSW Police Service directions are to be strictly adhered to.
- 6 **See attached typical road closure set up for a street party – note that vehicles will be required to be parked across the roadway at each closure point.**

Council will endeavour to make available to you the following equipment

Regular Street Equipment Requirements	Cul - De - Sac Street Equipment Requirements
6 Barrier legs	3 Barrier legs
12 Road Barriers	6 Road Barriers
2 Road Closed Signs	1 Road Closed Signs
4 Flashing Lights	2 Flashing Lights

It should be noted that Council does not supply 9 volt batteries for flashing lights, but these can be obtained at a modest cost from hardware stores. The flashing lights must be fixed to the barriers and operating prior to sunset.

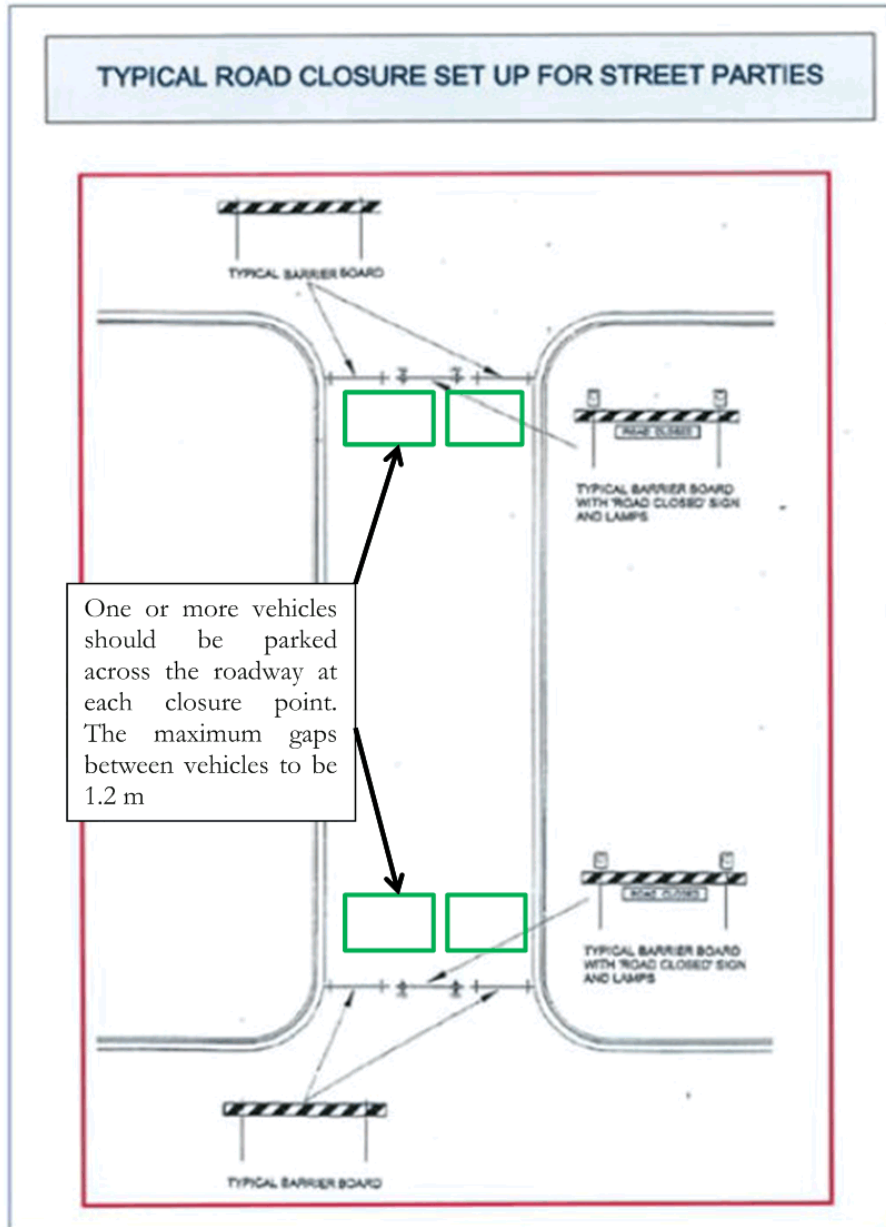
It is your responsibility to collect this equipment from Council's Works Depot Store, Montague Street, North Wollongong, prior to 2.00 pm on the last working day prior to your proposed road closure, and return same on the next working day following the closure. Please ensure you sign a receipt when collecting and returning this equipment.

Equipment, which is returned damaged beyond use or not returned at all, will be replaced at your cost.

A sufficient number of people (at least 2), together with a vehicle suitable for the purpose of transporting the relevant equipment, are to be provided by the organisers for the loading and unloading of this equipment at the Depot.

- 7 You are requested to contact Lee Cramer, Council's Events and Functions Coordinator on 42 277104 two weeks prior to pick-up to ensure availability of the equipment.
- 8 If Council's Store does not have sufficient equipment to lend, you are to obtain equipment from another source (e.g. hire firm) at your expense.

Attachment 2 – Standard Conditions for Street Parties



Amended to include vehicle mitigation November 2018

Attachment 3 - Illawarra Cycle Club - Club Open Road Race



Plan #: TCP-15082019		Location: Darkes Forest Road Closure - 12Km Race Circuit		Title: Illawarra Cycle Club	
Notes: 1. This TCP is based on TCAWS Manual 2018 V5 and Australian Standards 1742.3; 2. The TCP is to be setup and packed up by qualified traffic controllers with current Implement Traffic Control Plans ticket. 3. Any modifications to this TCP should be made by qualified personnel with a current Prepare a Work Zone Traffic Management ticket. 4. All modifications to be signed off on this TCP along with certification the Prepare Work Zone Traffic Management ticket number and expiry date. 5. Plan is not to scale					
Posted Speed: 80km		Reduced Speed: 60km		Revision: 1.0	
Signature:		Onsite Contact:		Site Induction: Date Drawn: 9/09/2019 License #: 0051808248 Expiry Date: 26/09/2021 Drawn By: Alex Maturana	
Date and Time of Project:		 			

Attachment 4 - Huntley Hill Climb Motor Sport Event

